

I. OPENING

CALL TO ORDER: The Environmental Advisory Council meeting of Lower Saucon Township Council was called to order on Tuesday, May 10, 2011 at 7:03 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Sandra Yerger, Chairman, presiding.

ROLL CALL:

Members: Chair, Sandra Yerger; Vice Chair, Tom Maxfield; Ted Beardsley, and Allan Johnson. Laura Ray arrived at 7:20 PM. Absent: Colin Guerra and Tom McCormick

Associate Members: Dru Germanoski & Glenn Kaye

Planner: Karen Mallo – Boucher & James – Karen Mallo

Hellertown Liaison: Terry Boos

Jr. EAC Member: Tara Jain – Absent

PLEDGE OF ALLEGIANCE

II. OPEN SPACE SUB-COMMITTEE

A. PROPERTY UPDATES

1. REQUEST TO CONSIDER ACQUISITION OF THE TIMKO PROPERTY FOR RECREATIONAL PURPOSES – MR. CAHALAN

Mrs. Yerger said Mr. Cahalan is present this evening. He wants to talk to us about the Timko property, which is in affiliation with the Rails to Trails.

Mr. Cahalan said the Saucon Rail Trail opened on Saturday, May 7th. Eventually, it will run from Hellertown to Coopersburg, eight miles in length. Right now the section from Hellertown down to Upper Saucon's Community Park on Preston Road is the only section that's open. That's about a four mile section. Lower Saucon's section is about two miles long, and we're in between Upper Saucon and Hellertown Borough. We do not have any access for the public to park and get on and off of the trail in Lower Saucon. They can get on at some of the road crossings, but they won't be able to park their car on a Township street and get on the trail. We have been looking at a piece of property just north of the Upper Saucon/Lower Saucon line. It's on Reading Road. It is a 2.2 acre piece of property. The reason he's here tonight is to ask the Open Space Sub-Committee to consider evaluating it for potential acquisition from the open space funds as recreational lands. They have done an appraisal on the property and have submitted a grant to DCNR for half of the appraised price, which is \$55,000.00. The grant was submitted by April 20th and we hope to hear an answer on that by September. If we are eligible, we would get half of the \$55,000.00 or \$27,500.00. He's here looking for half of the appraised price. Historically, the property is a very triangular piece that runs along the rail trail. It was the site of the Bingen train station, which is pictured on the back wall. The train station was taken down, and then it was sold to an estate in New Jersey. The Township Solicitor is currently negotiating with the property owner to acquire the property. If we are able to acquire the property as a recreational site, it would supply the public access that we don't have. It would supply public parking on that lot. We hope to get somewhere between 10 or more cars that can safely park there. They can then take their bikes off the cars and get safely on the trail. We already installed access gates there to keep unauthorized vehicles off of the rail trail, and eventually, if it's acquired, it would be the access through those gates and would provide ADA access in the Township which we don't have. It's a very flat piece of land. It's wooded and we would only be using a small portion of it for the parking area.

We would also put benches, picnic tables, a portable restroom, and other amenities that are normally found at trailheads, which people enjoy when they are out on rail trails. It would be a valuable piece of property to the Township. It would be considered a park property as the Saucon Rail Trail is a park property and it's covered under our park regulations and it's maintained as a park. We'd also be able to use this for access for our Public Works employees so they could get on to the rail trail to perform routine maintenance. It's very important that we acquire the property.

Mrs. Yerger said people are already pulling in this gravel area and going onto the trail. Mr. Maxfield said he was thinking, not only do we not have an access to the trail, but this is probably the only property that we could acquire to get on to the trail. Mr. Cahalan said we asked the Planners to go around and evaluate property and the grade of the rail trail in Lower Saucon, a lot of it is below grade. It's cut through the little hills. This is one of the few properties that is level at grade with the rail trail.

Mrs. Yerger said she was out to look at it. If you look at the upper section, somebody must have planted pine trees in there years ago and a lot of them are not in great shape. Mr. Cahalan showed the EAC where the parking area would be located.

Mr. Beardsley said the difficulty he sees with them evaluating it is they are doing it for open space and ag land and not for a parking lot. Our criteria, in linkage potential, it would score high. He doesn't know about development potential. Mrs. Yerger said it could have a house on it. Mr. Beardsley said availability, it's available as anything else, but then you get into active farm, it would score low; ag soils, it's only two acres; hydrological features, no; sensitive natural features, no. He's anticipating it's not going to score well, but from a recreational point of view, if Parks and Recs were to evaluate it, it would score high. Mrs. Yerger said she guesses where Mr. Cahalan is coming with this is, do we have any objection to using open space money? When the referendum was passed, it was for open space and recreational lands, so do we have any objections, and as Mr. Cahalan said, the Township has already put in an application to DCNR for half the funding, which would be \$27,500.00. Mr. Beardsley said he doesn't have any problem in evaluating it with the scoring system and then saying it's a sensitive environmental area which should be protected. It scored low, but as a recreational property, it might score very high. Mr. Maxfield said if we are converting to a parking lot, we'd want a low score. Mrs. Yerger said the process will reassure people that we're not taking something valuable, environmentally, and turning part of it into a parking lot. That's equally important that it's the other side of the equation. If the Sub-Committee would take some time and evaluate it, that would be great.

Mrs. Yerger said the Sub-Committee will do a quick score and then come back with a recommendation no later than next month.

2. MARSON, SMITH/BUROFF AND CARBER PROPERTIES

Mr. Beardsley said he has made an appointment with Laura Baird and the three Wassergass property owners to work on the maps and building envelopes we need. That should happen next week.

3. ART MORGAN PROPERTY

Mr. Johnson said last meeting we had a big discussion about finding the property that Art Morgan wants to sell us that is south of the Dravec property? Mrs. Yerger said when talking to Linc Treadwell, it's going to come with the same set of problems that the property along the river is going to come with – back taxes, big time. It's not going to be a

cheap property. It's going to be expensive property because they are not about to waive the county or the school district taxes. We're looking at a very expensive parcel of land. Mr. Johnson said you are saying we don't have to go there and look at it? Mrs. Yerger said she doesn't think you need to until they decide to settle the estate or whatever they are going to do. It's only two acres and will be very expensive. It's just because of the legal issues and it's gone on so many years. At this time, it becomes a moot point.

Mr. Johnson said he went ahead and talked to Chris Garges and he was able to get coordinates from his GIS system for the corners of the property. They could go there using Mr. Johnson's GPS if they wanted to. During the time he was talking to him, they talked about the Dravec property and he learned that the parcels along the mountain and are already deeded down in Northampton County, we bought without surveying. Knowing where the corners or the boundaries of those properties are, is totally up to whatever is there, which we never even saw when we went out and walked around. His suggestion is that the Township have those parcels surveyed and put in corner markers just like Hellertown Water Authority does. We are going to own that land for 50 or 100 years and if you don't put corner markers in like they did on the Hellertown Water Authority property, you'll never know where the boundaries are. Mr. Maxfield said there are probably stakes somewhere buried in those corners. We probably should try to locate those before we go to survey as surveying is not cheap. Mr. Johnson said it's a piece of ground you are going to own for a long time, and who knows what's going to happen in the future with adjacent property owners and you could easily have arguments. Mr. Maxfield said it cost us lots of money for the Whitetail Bowman's Club. Mr. Cahalan said it could be at least \$50,000.00. Mr. Maxfield said it's not cheap, even for a little acreage.

Mr. Beardsley said when they walked Dravec property originally to evaluate it, there were surveying ribbons tied to trees, so there may be a survey somewhere that was already done. Mr. Johnson said he remembers the survey tape, but he doesn't remember the corners. Mr. Maxfield said if the stakes is existing, we should be able to find it. He'd like to try before we spend \$50,000.00. Mr. Beardsley said the alternative is to wait until you have a problem, then survey it. Mr. Maxfield said true. He's wondering if it's the old descriptions, like where the birch tree grows out of the oak stump.

Mr. Johnson said he's sure the lawyer looked up the deed and has a copy of it and we could read it. Mr. Maxfield said we should have a copy of the deed. Mr. Johnson said if the Open Space Sub-Committee really wanted to work on it, maybe Chris could get the coordinates for the corners. When he gets the corners, they are not 100% accurate, but it would get us into the area, maybe within 20 feet. Then if you really wanted to search for those markers, you'd have to get down on your hands and knees and scratch around. Mr. Maxfield said he could bring his metal detector out to find them also. He found his own corners and his neighbor's corners.

III. NEW BUSINESS

A. RETURN ON ENVIRONMENT

Mrs. Yerger handed out a copy titled "Return on Environment". She said this came out of the Delaware Valley Planning Commission. It was a comprehensive multi-year study done by the Delaware Valley Planning Commission and the Green Space Alliance. We always talk in terms of preserving open space is a good investment, dollar-wise. They wanted to take that and crunch the numbers. They wanted to start looking at things. The actual study, you can go to their website and download. Diane had included the summary report in your packet. What they came up with, was how many gallons of water the individual tree would absorb as far as preventing storm water issues. When you get the entire report, it breaks it all down into numbers. This is quick, easy and

painless and the jest of it in verbiage. If you want to see the big breakdown, then you can download the entire report. The reason she brought this is we're talking about going back for the open space referendum in November and she wanted to know if the EAC thought this would be useful to hand out for people to see that there is an economic value. We can get copies of the full report. Because the Delaware Regional Planning Commission will give them out and are willing to share them with people.

Mrs. Yerger said you should have a map of the open space that has been preserved to date. It marks all the parcels. Mr. Johnson said the thing that bothered him was Long Ridge. We don't have all that space for open space. Mrs. Yerger said it's also the sloped area across the street. Mr. Johnson said the image on the map shows the whole development and we know that there are houses there, and electrical things we looked at last time. Mr. Maxfield said it has to do with the type of development that was approved there. It's all the common area and considered to be open space as it's protected as open space, per the plan. All those little squares that were drawn in there, those are the actual chunks of property owned by whoever buys the property, but the rest of it is supposed to be maintained by HOA and basically kept as open space. Mrs. Yerger said it's kind of misleading and she doesn't know how we can break that out. She will talk with Chris Garges to see how we can work around that. Just so everyone knows, the Christ Lutheran with 8 acres, we did buy ball fields with that money. It was the two already established ball fields and the adjacent area around it to provide the additional baseball facilities for the Little League in the Township. Whitetail Bowman's Club and Draveczech are all open space. Clover View, Hidden Meadows, Laura Ray's, the Mease Farm, and Noble/Bracalente/Dyer are right. Long Ridge we need to adjust. We have well over 200 acres preserved in the Township.

Mr. Johnson said No. 6, where the old Mease farm used to be, the development across the street, people have started using that cul-de-sac as a garbage dump. Mr. Cahalan said they will take a look at it.

Mrs. Yerger said she will get the map adjusted for Long Ridge. She needs to get the number changed on hers as it's actually 27 acres and not 22 acres.

Mr. Maxfield said No. 3, Draveczech, it has the entire lot. We only have under open space protection, the back half of it. We should probably adjust that also. Mrs. Yerger said the acreage is right, but the map is not correct.

Mr. Maxfield said the Noble/Bracalente/Dyer properties, No. 10, it has their residential properties on it also, which aren't part of the easement area.

Mrs. Yerger said if you share this map with anybody, open space funding was used on all of these properties, at least in portion. The Seifert/Ray property was paid for in portion. The others were paid for in full. There was no Township funding used for Mrs. Yerger's property. Ms. Ray said this map is used to show what we used funding for. Maybe we should add the parks as it's open space. Mr. Johnson said in the key where each property is listed, you could put something after the acreage to describe it.

Mrs. Yerger said Polk Valley Park is 60 acres and it's not going to be developed. It was purchased by the Township. It wasn't necessarily used with open space funds, but it's a park for recreational purposes alone. We could get this map color-coded. Mr. Beardsley said you could say open space and park land. Mrs. Yerger said maybe that's what we'll do. It's what they do at the Conservancy and when you put it all together, it starts linking it up. Ms. Ray said we should have a color version. Mrs. Yerger said she's sure Chris Garges can do that and plug in Polk Valley Park, Southeastern Park, all the parks.

Mr. Beardsley said do you want to show that or show what we purchased from the money from the referendum? Mrs. Yerger said if you want to restrict it to that, then hers needs to come off as it wasn't purchased with referendum money. Ms. Ray said hers was purchased before the referendum. Mrs. Yerger said there was still Township funds used for it. Ms. Ray said Township funds were used for the parks also. Mrs. Yerger said we used Township referendum money for the purchase of those ball fields at Christ Lutheran. We need to make that clear too. We need a three-color coded map. Mr. Beardsley said then you can show parks and designate which ones were purchased with referendum money. Ms. Mallo said you can make it green for all park land. If you used park land with referendum money, then you put a crosshatch over it.

Mr. Maxfield said he's remembering something in the past and he's wondering if we ever talked to Hellertown Water Authority about conserving their property? Mrs. Yerger said no. Mr. Maxfield said we should. Look at the chunk of their property. It's huge and it should be conserved. Mr. Cahalan said it's under Project 70. Mr. Maxfield said does that mean they can sell it or not? Project 70 was recreation based. Mr. Boos said Project 70, they theoretically could sell it, but only for equal exchange of value. It could be in Pittsburgh. Mr. Maxfield said we've worked to protect this area and identify it as a critical area. Maybe they'd want to join in with us and conserve it. Who knows how many little parcels they have down through the area also. Mrs. Yerger said would that be a COG question? Mr. Cahalan said yes. Mr. Johnson said they own a lot of land and if we're going to assess the value for their land, it's going to cost a lot of money. Mr. Maxfield said maybe they would get into donating the easement. That's a cooperative sort of thing, so why wouldn't they donate it. Mrs. Yerger said we're trying to do the same thing with Springtown and we did it with Laura Ray. Mr. Beardsley said he thinks they should dedicate it as a permanent open space and put a deed restriction on it. Mr. Maxfield said deed restrictions can be lifted. Mr. Beardsley said besides that, have a ceremony and dedicate it as permanent open space. That's a little harder to undo and they could put a conservation easement on it. It wouldn't hurt. We could share the burden of the cost of the actual acquiring of the easement without having to exchange funds for the cost of the land. The thing for them with the small outlay of money, the situation doesn't change that much for them. For us, we get some more open space, but it's not that much of a burden to them. Mrs. Yerger said are you talking about the cost of putting an easement on it? Mr. Maxfield said right, not for the property, but for the easement itself. Mr. Johnson said up to this point in time, they've been against public access. Mr. Maxfield said we don't need public access. We wouldn't have an outside agency that we'd have to deal with, so they could have exactly the conditions that they have right now. Mrs. Yerger said putting conservations on it, they don't have to allow public access. If they are not accepting public monies for it, then they don't have to give public access. If they accept public monies, then it becomes a different issue. Mr. Beardsley said in the future, they may want to have public access. Mrs. Yerger said may she have a motion?

MOTION BY: Mr. Maxfield moved to recommend to ask the COG to inquire about the conservation of the Hellertown Watershed area, owned by the Hellertown Water Authority.
SECOND BY: Ms. Ray
ROLL CALL: 5-0 (Mr. Guerra and Mr. McCormick – Absent)

B. NATIVE PLANT GARDEN

Mrs. Yerger said Mr. Anthony, his daughter, Mary, and Mr. Hans Riemann are present. He invited them to come up front. Mr. Riemann said the person you probably saw the most here was Mary's mother. Mary is the Girl Scout you approved working on the native plant garden to rejuvenate it and help with improvements. She got all kinds of volunteers to come and help and basically it was the Silver award which is similar to the Boy Scout Eagle project. The Township did recognize her last year. This year she wanted to do the top Girl Scout award, the Gold award. This part of the project is actually identifying the plants through a map. This one is interesting as it identifies the location and the name of the native plants that are in the garden now. Mary said she and her

brother made a map of the garden. It's mostly a rough draft. She was thinking they could build podiums themselves, but she doesn't know if they have all the materials they need. Mr. Riemann said they may need some Plexiglas. He's sure they can come up with the lumber, the posts and the nails. Most of it is just approving the concept. They've talked about it a couple of times over the last couple of years, and of course, the location. They thought near the benches would be the logical location because that draws the people who do walk through there. It's at your discretion.

Mrs. Yerger said have you seen what you are talking about up on the trail at Town Hall Park? They are the posts with the signage. Mary said she has seen them. Mrs. Yerger said you may have to adjust the map if you want it a little bigger or a little smaller. The Township helped a Boy Scout do that. If that's something along the lines you were thinking, then that's a good possibility and very doable. She asked if they were planning on putting some additional plants in the garden? Mr. Riemann said he did install the plants that Council approved, and he hasn't given Mr. Cahalan a bill yet. They haven't identified them on the map, although the two triangular areas are on the map. He always thinks long term, so before he asked the Township for the money, he wanted to make sure they came up this Spring. There are ten to twelve in each triangle. The only other thing that he really wanted to do, and this goes back several years, he was asked to put together a plan for a water feature. We split up the project so Mary could concentrate on her Girl Scout items first. We'd like to carry that forward as she has a deadline of September so the Girl Scout Council can approve it for her. She needs things like this for college.

Mr. Johnson asked where the house was on the map? Mr. Riemann showed Mr. Johnson where the house and the driveway was. Mrs. Yerger said she walked over there and she saw a few invasives. She was not sure the best way to move forward. There are some Japanese Honeysuckle and a small Multi-flora Rose there. Mr. Riemann said they've been fortunate that Mary and her friends, neighbors and relatives took care of the garden. Mrs. Yerger said she doesn't want to impose on Mary to take care of it this year or in perpetuity, but she also didn't want to interfere if she had already planned on doing something. Mr. Riemann said they will take care of it for this season. They have never come up with a long-term caring of the garden.

Mr. Beardsley said would part of your plan be to put markers by the plants? Mary said they didn't plan on putting anything by the plants. Mr. Riemann said it was basically to have the key and the number on the map would be the location where the plant would be. The concept of the native type garden is a little different than your typical horticultural Pennsylvania type set up. These plants move around. They found Butterfly weed in five different places after planting it in one place. The Blue Wood Asters do the same thing as the Golden Rod does. They are trying to get people keyed in to identify the plant and to understand this is a native plant. If you wanted something like that, that would be a little more work. They just wanted to get the map under glass in two different places so it would attract more people. The garden itself would pretty much identify itself. Some people wouldn't know what it was, so there's an opportunity for the EAC to have some other kind of educational tool to go with it. He'd put himself at your disposal for that. He's trying to keep it as simple as possible. There are other things he wants to talk to the EAC about in the next two months, but this is Mary's priority. Mrs. Yerger said they will support this and take this support to Council.

Mr. Riemann said there is one aspect if she puts in her application to the Girl Scout Council, in order to get approval for her project, it wasn't just about this, it was about the whole concept of the garden conserving storm water. There is a rain barrel sitting in the little porch area. He's been very busy this past winter and should have met with Mr. Cahalan and Roger Rasich. They have a place to put the rain barrel to start to conserve rain water from that building. They also would like to tie that building into the concept of the native garden in the sustainability concepts. Storm water is the most logical one. Mrs. Yerger said Mary is operating under a time frame. Would the rain barrel be enough of a storm water litigation component to satisfy her project? Mary said when she proposed it to them, she was a little unclear on what she wanted to do. She's pretty sure if she has

something that shows it's maintaining itself, that would be okay and she would get it approved. Mrs. Yerger said they are okay with that, so she should just call Mr. Cahalan and work it out.

Mr. Maxfield said is the rain water coming off of the house or the garage? Mr. Riemann said off the house for now. The garage is a whole other dream. Mr. Maxfield said one of the feedbacks they had with the rain barrels is they can fill up really fast, especially from off of a house. He was thinking it would make more sense with the proximity of the garden to run it off the garage roof. Mr. Riemann said if they could get gutters on the garage, it would work great. They used to fill their buckets when they were planting. They'd line the buckets up and when they'd come back the next week, they'd all be full. If you wanted to focus on that, it would be awesome. Maybe there's a business that would donate some gutters for us and he's sure they could get a crew together to put them up with Mr. Rasich's approval. Then it would make sense as you just put the little hose on and it runs across the grass and into the garden and the overflow goes where it's supposed to go. Mr. Cahalan said he will look into that. Mrs. Yerger said okay, they are perfectly happy if Mary wants to use that as her component for storm water. You can call Mr. Cahalan or Diane, and we'll get your barrel installed. She knows Mr. Cahalan will work with her on the signage. They will definitely support the project.

MOTION BY: Mrs. Yerger moved to recommend to Council that the EAC supports Mary Anthony's map project for the Native Plant Garden.
SECOND BY: Mr. Maxfield
ROLL CALL: 5-0 (Mr. Guerra and Mr. McCormick – Absent)

Mrs. Yerger said they will bring this to the next Council meeting. She does have two woodland Poppy's if Mr. Riemann thinks they would be appropriate. Mr. Riemann said that would be great. Mrs. Yerger said they are courtesy of the Saucon Creek Watershed Association. They did a native plant sale and those were left.

C. IESI BETHLEHEM LANDFILL CORPORATION – EXPANSION TO CURRENT LANDFILL

Mrs. Yerger said IESI is petitioning DEP for an expansion. If you look at the map attached, that's where the expansion is. As part of the process, they have to contact Federal, State and local agencies concerning the various environmental assessment criteria. We're a little puzzled by the question they posed which was "Is there a potential impact the facility will have on recreational areas or facilities within one mile of the proposed project?" She's not sure why that was the only question. She wondered if the EAC was supposed to address all potential environmental issues like streams. Martin and Martin is IESI's engineering firm. Mr. Maxfield said there is a creek that's running down here. He doesn't think it's a question for us. Mr. Johnson said the only recreational area that could get within a mile of it would be the park in Steel City. Mr. Maxfield said there are Lutz-Franklin and the church on Easton Road. Ms. Ray said the Lutz-Franklin and church is more than a mile. Mrs. Yerger said are we going to get a map when they actually expand for use to evaluate? Mr. Cahalan said yes, it will go through that whole process. They will start collecting the data, and if they need extra time, there is a 30 day window to respond. We could put it on the June 1st Council meeting agenda. If we can't get the data by then, we can ask IESI and DEP for an extension.

Mrs. Yerger said her question would be more the impact on the stream and storm water and things like that as those are going to be the environmental issues that are going to happen. Mr. Maxfield said where they want to expand, there are some environmental features they should look at. According to this map, Lutz-Franklin is covered in the initial circle, but the new one, the offset it is not and the church is outside of it also and Steel City Park. Mrs. Yerger said as per this question, we should refer it to Parks and Recreation, but reserve the right to evaluate any truly environmental questions that arise. Mr. Maxfield said when he read that question, we know this summer they are

going to be working on the Shimersville Bridge over there near Praxair. This mile circle really doesn't apply in that case as we are going to have re-routed traffic. You're talking about traffic coming down Easton Road; coming down past Lutz-Franklin. All those kinds of things could occur. Mrs. Yerger said that's the bridge, not the expansion. Mr. Maxfield said the expansion will be continued traffic and the traffic patterns which were very much part of the initial application are going to be changing for a time. They are going to be replacing the bridge and it's going to take a while. He thinks that should be brought up to DEP. If that bridge is cut off, the only way they can go is out Easton Road and up over Lower Saucon Road and all the way down to the other end of Applebutter Road which hasn't seen any garbage traffic at all. Those kinds of things should matter. Mrs. Yerger said she doesn't know if we can directly relate that to the expansion itself. She thought that's what we were supposed to be evaluating.

Mr. Maxfield said the expansion is simply expanding their facilities. The activities are still occurring. Mrs. Yerger said she thinks it's a concern, but doesn't know if we can link it, but it needs to be addressed. Mr. Maxfield said he doesn't think what they are answering there all that needs to be answered. They need to reconsider all of these things. Their application needs to reconsider traffic. We should pass this on and see if Staff wants to look into it if Parks and Recreation doesn't want to. That doesn't really fall within Parks purview or EAC purview, so maybe staff wants to look at it.

Ms. Ray said maybe we should see what this environmental assessment form is. They are saying they got this question taken directly from the environmental assessment form. Mr. Cahalan said the copy that's being passed around is the last one they did when they expanded the landfill. What they are saying is they are putting a new Appendix D together for this expansion and are asking you for an answer. Ms. Ray said that's the only question they are asking us? Mr. Cahalan said they will call the Engineer's office tomorrow and clarify it. Ms. Mallo said paragraph 3 says in responding to this assessment, the applicant is directed to contact the appropriate Federal, State and local agencies regarding their expertise concerning the various environmental assessment criteria. Maybe this was supposed to go to the Recreational Committee. Mr. Cahalan said they did this one letter to the Township. Mrs. Yerger said obviously there's a huge potential for environmental concerns, and she's afraid there are pages left out. Mr. Germanoski said he's wondering if they were doing things step-wise and they were addressing other aspects of that, and there will be another memo forthcoming. Mrs. Yerger said yes, as it doesn't make sense the way it came through. Mr. Cahalan said the only problem is the 30 day window. They will clarify that. Mrs. Yerger said what she was saying is if there are some potential environmental issues they are asking us to examine or address in this form, and then can we make sure the Township does ask for an extension. Mr. Maxfield said our examination of their submission, does that happen within that 30 days or is it 30 days from the time they give it to us? Mr. Cahalan said all he understands is from the date we received this letter. He's not sure when we'll see Appendix D. Mr. Maxfield said that's when the 30 days should start when we see Appendix D. Mrs. Yerger said we are going to request to see Appendix D and then do our evaluation, ASAP. If need be, we will ask the Township to ask for an extension if it's not in that 30 day window. That's in a recommendation.

- MOTION BY:** Mrs. Yerger moved that the EAC recommends to request to see Appendix D so the EAC can do their evaluation. If need be, the EAC will ask the Township to ask for an extension if it's not in the 30 day window.
- SECOND BY:** Ms. Ray
- ROLL CALL:** 5-0 (Mr. Guerra and Mr. McCormick – Absent)

Mr. Maxfield said would staff be the best to send this particular question concerning Kingston Park and Lutz-Franklin? He doesn't think Parks and Recreation is going to want to address this. Mr. Cahalan said the problem he has is the next Parks meeting isn't until June. Mrs. Yerger said we need staff to review this. Mr. Maxfield said can we recommend that we forward this to staff of review.

MOTION BY: Mr. Maxfield moved that the EAC recommends that the EAC recommends that this particular question that came through on the Martin and Martin letter concerning Kingston Park and Lutz-Franklin be forwarded to staff to review.

SECOND BY: Ms. Ray

ROLL CALL: 5-0 (Mr. Guerra and Mr. McCormick – Absent)

IV. DEVELOPER ITEMS

A. MAKOS-LENNER SITE PLAN #SP 01-11 & CONDITIONAL USE #CU 01-11 – 2617 MARTIN LANE

Ms. Mallo said it's conditional use and it's a site plan. She showed the map to the EAC members. Basically, this is in an estate and the estate is looking to sell the property. In order to sell the property, they have to provide adequate access. They are looking to develop this driveway; part of which Chris Garges said is constructed. However, the state of construction at this point is unknown. There is a crossing at the stream and the wetlands currently existing. She showed where it is all wooded and where the pond was. It's all environmentally sensitive. They did their site capacity calculations, but they haven't been verified yet.

Mrs. Yerger said as to this driveway, is it an official driveway or just something they put through without a permit? Ms. Mallo said this was part of the original subdivision when this lot was subdivided out. They had built this driveway back then, which she doesn't know how many years ago it was. They are just looking to expand it. The only thing they haven't provided is the actual area they are disturbing. We don't know how much square footage of the driveway. They didn't provide anything like that. They only provided site capacity calculations as they said they aren't building anything. They just want to show that there is access to the site and then sell it. The gentleman they are looking to sell it to wants to build just a tiny little log cabin out in the woods and doesn't really want to put a big house. If the site capacity calculations are correct, it's less than half an acre of permitted impervious surface. They will probably use at least 4,000 of that with the driveway, so they are down to about 16,000 square feet of impervious which is still a lot of impervious surface. She didn't verify the calculations yet. It's about six acres. Mr. Maxfield said it looks like their buffers are odd, so maybe their calculations aren't correct.

Ms. Mallo said this is going to Planning Commission in June, so they need your comments by June 8th. They are requesting variances as the driveway is in the riparian buffer. Mrs. Yerger said it's not grandfathered? Ms. Mallo said this portion of the driveway is not. They just show the driveway and don't give the square footage of it. Mr. Johnson said if you go out there and look at it, it's pretty much a trail. It's not like a macadam or crushed stone driveway. Ms. Mallo said there's a 40' buffer between the neighbors.

Mr. Johnson said this is the headwaters. A year or two ago, we had a big activity about naming a tributary that flows down into Springtown? This is the tributary and the headlands of the tributary. The stream is actually formed and it's a wet area and there are springs all over the place. Mr. Beardsley said it's by Vanscavage and they said this is so wet, nobody would ever do anything with it. Mr. Johnson said this is really a wet area.

Mrs. Yerger said they are probably going to end up needing additional relief for the house, no matter how small it is. Ms. Mallo said all the hatching is steep slopes. Mr. Maxfield said if they had a perk test, he can't imagine the house would be that far from the perk test. Then again you have the spring source, and there are buffers off the spring source, so this guy is going to need at least a few variances to build here. Mr. Johnson said they just want to sell it now. Mr. Maxfield said we have to think about eventualities and down the line, all this is connected together. You are talking about 4,000 square foot of driveway, add another 2,000 on to it to get back to the perked

sites. We're talking about significant impact on this piece of property. We have to think ahead on it. The next thing you know the whole property is impacted.

Mrs. Yerger said what exactly are they looking for now? Ms. Mallo said site plan approval and conditional use approval. They need conditional use to put the driveway into the riparian buffer and site plan approval to place the driveway. Mrs. Yerger said they are looking for a recommendation from us. Ms. Mallo said none of the professionals have looked at this yet.

Mr. Maxfield said we don't even know at what point they are extending it from. Ms. Mallo said she would assume if it is in fact just a trail, they are going to have to provide the dirt road. She doesn't know what they have to provide for their deed in terms of adequate access to sell it, but she's assuming it has to be paved or they are looking to pave it. She doesn't know why they are putting a driveway in to begin with. Mr. Maxfield said they have plans they aren't telling us about. Mr. Johnson said they may have someone in mind to buy it, and in order to sell it, they have to have a driveway in.

Mrs. Yerger said they are making the current owner go through the access process? Once that other person buys it, there is an access. Mr. Beardsley said there are probably not many buyers for this property.

Mrs. Yerger said the question before us is do we recommend conditional use or should we say we do not, we encourage Council to not grant a conditional use for this driveway because of the potential environmental impacts. That's really where the question is right now. We can suppose there's going to be a house. We can suppose this or that, but it comes down to what is. Mr. Johnson said is it possible to build a driveway through the wetlands without damaging them? Mrs. Yerger said no. Ms. Mallo said it says they have on lot water and on lot sewer.

Mr. Maxfield said if they get rid of the garage and the shed, there's enough room to build there. They have enough road frontage. From an environmental standpoint, don't grant the conditional use because why should we encourage someone to go and impact the back of the property. To go in the back is silly. Why should we encourage that type of activity. We're just recommending body so we are being as environmentally conscious as we can be. He'd say stay out of there.

MOTION BY: Ms. Ray moved that the EAC does not recommend extending the driveway further into the environmentally sensitive areas as depicted on the plans.

SECOND BY: Mr. Beardsley

ROLL CALL: 5-0 (Mr. Guerra and Mr. McCormick – Absent)

V. APPROVAL OF MINUTES

A. REVIEW AND APPROVAL OF APRIL 12, 2011 MINUTES

Tabled until the June 14th meeting.

VI. OLD/MISCELLANEOUS BUSINESS

A. OPEN SPACE BROCHURE FOR OPEN SPACE EIT REFERNDUM –

Mrs. Yerger said Ms. Mallo was kind enough to share with us the brochure that they did for Richland Township. This is just for your review. Take a look at it and we can discuss it further next month. Mr. Maxfield also brought copies of the brochure we had last year. He also brought a small version of the yard sign they used. If you want a yard sign, they will give you one.

B. DRAFT CRITERIA FORM

Mrs. Yerger said they took this to Council last week and the revisions to the criteria from so the Open Space Sub-Committee is good to go.

VII. UPDATES/REPORTS

A. AERC UPDATE – COMMENTS FROM MR. JOHNSON

Mr. Johnson said he and Mr. Cahalan had a meeting with Bonnie Swaverly on May 4th. She is the sales person for AERC. We discussed having a E-cycling event here at our Township. She agreed that AERC would have the event for us. She gave us five dates in September and October. The dates are September 10th, 17th, 24th, October 15th and 22nd. October 22nd the EAC scheduled their adopt-a-road clean-up. The EAC decided on Saturday, September 24th for the E-cycling event.

B. UPDATE ON EACH ADOPT-A-ROAD CLEAN-UP ON APRIL 30,2011

Mr. Johnson said there wasn't a lot of garbage on the road. Mr. Boos said they left some garbage up by Route 412 and consolidated everything else down by the bridge. Two items were left by the guardrail. Mr. Johnson said there's one area along that road where there's a parking lot on the north side up near Route 412, behind the car lot, they've been using the side of the hill as a dump. There are a lot of things in there imbedded in the ground. That's something we could work on if we wanted to do a one-day project. Our next clean-up is October 22nd.

C. VOLUNTEER PICNIC EVENT – JUNE 13, 2011

Mrs. Yerger said there should be a sign-up sheet going around. Please sign-up if you can attend and join us. Some of you were there last year and it's fun. It's a picnic for all of the volunteers which is held at Town Hall picnic pavilion.

VIII. TERRY BOOS – HELLERTOWN REPRESENTATIVE – REPORT

Mr. Boos said since the opening of the rail trail, he noticed that SV Farmer's Market had their two busiest market days since they opened six years ago. Just the amount of activity on the trail is pretty amazing. They've had a number of people on bikes that are coming off the trail and wandering through the market. It's already had a huge impact and it just is busy all the time. It seems to be a really great thing going on.

IX. NON-AGENDA ITEMS

- Mrs. Yerger said there are some brochures that came to the Township. Look at them and if you want to attend any of them, let us know.
- Mr. Boos said Representative Freeman and Samuelson are having a presentation at Bethlehem City Hall on Thursday, May 12th at 1:00 PM for Marcellus Shale. Mrs. Yerger said if you looked at the paper today, they have been drilling and found gas in drinking water wells up in Northern PA.

X. PUBLIC COMMENT – None

XI. ADJOURNMENT

MOTION BY: Ms. Ray moved for adjournment. The time was 8:38 p.m.
SECOND BY: Mr. Johnson
ROLL CALL: 5-0 (Mr. Guerra and Mr. McCormick – Absent)