

I. **OPENING**

CALL TO ORDER: The Environmental Advisory Council meeting of Lower Saucon Township Council was called to order on Tuesday, July 7, 2009 at 7:00 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Sandra Yerger, Chairman, presiding.

ROLL CALL: **Members:** Sandra Yerger, Chairman; Tom Maxfield, Vice Chairman; Laura Ray, Secretary; Allan Johnson, Dennis Aranyos, Ted Beardsley, EAC Members. Absent: Hazem Hijazi.

Associate Members: Colin Guerra, Tom McCormick, Chiharu Tokura. Absent: Glenn Kaye.

Hellertown Liaison: Terry Boos

Jr. EAC Member: Absent: Jessica Null

Planner: Kevin Kochanski – Boucher & James

PLEDGE OF ALLEGIANCE

II. **NEW BUSINESS**

A. **APPROVAL OF EAGLE SCOUT PROJECT – BIRD BOXES – PATRICK MILLER**

Mrs. Yerger said we have two Eagle Scouts here to present their projects that they are going to be working on in the township. Jack Cahalan, Township Manager, asked that they come here tonight to present their plans to us for our review. We're going to start with Patrick Miller.

Patrick said his project is to add bird houses and bat boxes to Polk Valley Park. It will benefit the eco system as well as the community for various reasons. It adds a lot to the park as far as the actual species that are included and helps a better balance in some ways. He found that it also brought the Boy Scouts closer to the community. There's a requirement that a plan of how to have the bird houses maintained on a yearly basis is a requirement that new scouts have to get every year when they go through an orienteering course and the plan was to have the orienteering course start at our meeting place and they would go there each year and clean out the bird houses and bat boxes so that each year they would be clean and the EAC would never have to worry about it. He thought this would benefit the community and the eco system which the EAC is concerned about.

Mrs. Yerger said it was Kevin Kochanski from Boucher and James who primarily laid out the park plans. These will be along the naturalized areas which we're going to be working on by fall. Judy Stern Goldstein from Boucher & James is talking to Sue from Heritage Conservancy who is talking to Jack who is talking to DCNR who is talking how to get this thing off the ground. Mr. Kochanski said there are some pending issues that need to be worked out in the naturalized areas but the rest of the park is going to be going out to bid very shortly. From that standpoint, whether it's something that is constructed this fall, he'd expect it to start this fall, the rest of it throughout the spring of next year. Mrs. Yerger said the trails, it won't affect the trails so Patrick could mount these next to the trails? Mr. Kochanski said he thinks some of these are going to be probably further back than right along the trails, especially bat boxes tend to be back further. Mrs. Yerger said they go up further on the trees and they will need help from Roger Rasich to get them up. She asked Patrick if he has a plan to submit to Mr. Cahalan? Patrick said he can send Mr. Cahalan his actual entire proposal. He has the description along with some of his lists. Mrs. Yerger said she

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knows Patrick sent Jack some of the materials they will be needing, but if you have the plan, you could send it to Jack.

Mrs. Yerger said Patrick is going to ask the township to help pay for the cost of the materials, but he has the Boy Scout troops who will do the actual construction of the houses. They will be putting them up with oversight from Township staff. Patrick has a plan that he's going to be putting in place, through the leaders of the local Boy Scouts troops, that there's an orienteering badge that they will have to find the bird houses and clean them out as Blue Bird houses need to be cleaned out every year.

Mr. Maxfield asked Patrick how many houses and bat boxes they were going to put in place? Patrick said the initial plan and the need that was presented to him was twelve Blue Bird boxes, two Kestrel boxes, and six bat boxes. Mrs. Yerger said she also has a Kestrel box that she would be willing to give to them so they should only have to build one. She has several bat boxes she can also give to them. Mr. Maxfield asked if Patrick had plans for these boxes and houses? Patrick said he was given the PA Game Commission guidelines for the boxes and houses. Mr. Boos asked if they were the single boxes like Heritage has done? If so, the Watershed Association has materials and he'd think they would be more than willing to donate the materials.

Mrs. Yerger said she has at least four bat boxes. That may be able to be deleted from their list of materials with the Watershed Association and herself. She'll coordinate that with Jack. She said to Mr. Boos if they could give Patrick material for two bat boxes, that would be great because that way you will see how they are put together. You still need to build the Blue Bird boxes and one additional Kestrel box. We can modify the request to the Township accordingly. Mr. Kochanski said have you looked in the park where you are going to actually locate these? Patrick said he has a map and they will be more along the nature trail areas. He was going to go by a case-by-case basis.

Mrs. Yerger had a plan of Polk Valley Park. Patrick said they would put them back further, in the naturalized area. Mr. Kochanski said they may benefit by having some over by the Dog Park area, but away from the dogs. Ms. Ray said Blue Birds like open fields. Mrs. Yerger said it may be below the dog park. You are not going to want to put them in the wooded areas. You may almost want to back it up to the quarry areas like in front of the quarry areas because the Swallows will also be using the boxes. She asked Patrick to submit his proposal into Mr. Cahalan and then he'll show it to Mr. Kochanski and the road crew if they have any objections as far as mowing, and then Mr. Cahalan will get back to you as to the locations. You will have to look at a location for the Kestrel boxes as they want them high and that will have to be coordinated with Mr. Cahalan. One of the things you are going to have to address in your plan is you are really technically supposed to clean out Kestrel boxes also. We may need staff help on that especially if they are fifteen feet in the air. Patrick said they will address those items.

- MOTION BY:** Mr. Maxfield moved to approve the Blue Bird/Kestrel/Bat Box project that Patrick Miller is proposing for his Eagle Scout and to work out any further details with Mr. Cahalan and the rest of the staff.
- SECOND BY:** Ms. Ray
- ROLL CALL:** 6-0 (Mr. Hijazi – Absent)

Mrs. Yerger said their next Scout is Justin DeLade who is proposing a project for Polk Valley Park. Justin said he is proposing a plan to put up signs on either the Meadow Trail or the Loop Trail, and then one splitting between the quarries. He'd put two on each of the Meadow and the Loop Trail, one at the beginning and one sort of in the middle for people who don't come past the one in the beginning. The one between the quarries, they have a picture of where they would actually put it.

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There's actually a great spot to look down and see the wildlife. They were going to explain the wildlife, why nothing was built there and why it stayed as a forest.

Mrs. Yerger said Mr. Kochanski can show you the signs that are going to be put up by the township. They basically say "naturalized area" and that we are deliberately not mowing it. Justin is going to take it that one step further and talk about the species that it's going to help promote and benefit with the naturalized areas like the quarries and the meadow areas. Justin said there is a total of five signs. Mrs. Yerger said he will be working with Mr. Cahalan. Justin said Mr. Cahalan said the township could actually build the signs or if Justin wanted to have one or two built, Justin would have the Scouts build the rest of them.

Mrs. Yerger said most of us understand there may be some questions on why we aren't cutting the grass on the upper end of the park and that they don't understand the reasons for naturalizing the area and the benefits. Justin's project is going to help us place the signage there as it will talk about the species it will benefit and the benefits, in general, to the environment. Hopefully, that education process will prevent additional phone calls from coming into the Township.

Justin said the signs are going to be 2'x4'x8' and they will be signs like up by the nature trail. One sign is going to be up and then there will be an enclosed type paper with Plexiglas on top, about 4' tall and podium type. He is going to meet with Bill Sweeney, from DCNR, and he will help Justin with plant identification. Mrs. Yerger said Bill is very good and he will volunteer his time.

Mr. Maxfield said will you be able to change the signs in the future? Justin said if you need to, he's pretty sure you can as the signs will be a glued on type of thing where you can take that off and replace it with another sign.

MOTION BY: Mr. Maxfield moved for approval to permit Justin DeLade, as part of his Eagle Scout Project, to construct and install a total of five (5) educational, podium style signs along the nature trails at Polk Valley Park. The proposed signs will describe the unique vegetation and habitat areas within the park and explain the importance of the naturalized areas.

SECOND BY: Mr. McCormick

ROLL CALL: 6-0 (Mr. Hijazi – Absent)

B. REVIEW OF CONSERVATION EASEMENT SAMPLE FORM

Mrs. Yerger said basically this is the application. You should have gotten a sample of applications. She also has additional samples. There are four all together. They are from Williams, Bushkill, Springfield and Tincum. They are all very similar, but it's really important to staff as what they would like to do is do a flow chart. They would like this to go back with the packet of information to the property owner once that initial contact is made and they say they are interested in the easement. You would also have copies of the application to help them go through it if they don't understand it. The goal for this is to be helpful to staff and to you, meaning the Open Space Sub Committee to work with the landowner and give some basic intent, but not to be so complex that the landowner is going to take a look at it and go "Oh Wow, what am I getting myself into". It's just again a basic form so that staff has a beginning of a file on people interested in land preservation. Some of it has already been sort of incorporated.

Mrs. Yerger said in your packet, you should have one that says "Lower Saucon Preliminary Application for Purchase of Conservation Easement". That's the one she'd like to take as our base. What you'll notice is some similarities. They used the Tincum one as the base for the one that is called the Lower Saucon Township application that was in your packet. "Preliminary application for purchase of conservation easement" – she's not so sure that she wants to say purchase. That precludes that people may or may not want to donate their easements so this needs to say

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preliminary application, either Township Open Space Program as it says on the Springfield one or Application or easement, take out the “purchase”. It should read “Preliminary Application for Conservation Easement”. Laura Ray said what about where it says “(Application does not obligate landowner to sell or donate development rights)? Mrs. Yerger said we need to strike that and it needs to go at the bottom. Mr. McCormick said he thinks it belongs up top or no one is going to see it. Mrs. Yerger said okay.

Mrs. Yerger said one of the applications was also on line and one thing she wasn't sure of was putting it on line. The resident could print it out, but then they have to make sure they fill it out right. Then you have to have a signature, and if they try to submit it on line, you aren't going to have an official signature. She was thinking not to do it this way, and that way staff has a better control of it.

Mr. Beardsley said it says “Purchase of a Conservation Easement” and the next line says “Application does not obligate landowner to sell or donate development rights”. We're not talking two different things, but they are going to think that. Mrs. Yerger said it should read “Preliminary Application for Conservation Easement”. The second line should stay at the top of the application because it seems reassuring to the property owner. Mr. Maxfield said he wouldn't mind if it was in both places. Mrs. Yerger said second line should read, “Application does not obligate landowner to sell or donate a conservation easement”.

Mrs. Yerger said second section, “Name of Landowner, legal name(s) of owners”. What she likes for form, if you look at the Springfield Open Space document, she likes the block on it as it gives you room for three landowners and it separates them out instead of running them out together on some lines. Mr. McCormick said he thinks that is fine. He would remove “relationship” as it's none of our business. Mrs. Yerger said then we'll have just name and property. Mr. Maxfield said we are only going to need one box for property owner. Mrs. Yerger said there will be multiple property addresses depending on the parcels. Mr. Maxfield said are we going to have three different people donate parcels together? Mr. McCormick said it's one per parcel. They don't live at the property. It should say mailing address and above it should say address of property in question. Mr. Maxfield said we need space for the actual address of the property. Mr. McCormick said after name of landowner, it should say address of subject parcel and then parcel ID number. Sometimes you are going to find they live in New Jersey. Mrs. Yerger said then we will need the name and the property address once in a box, take “relationship” out. Mr. McCormick said take mailing address out and have a separate address and location of property and address parcel ID number, if available as a separate line.

Mrs. Yerger said a couple of other things she thought were possible was an email address which might be helpful and it's optional, not necessary. The other thing she saw on one of these forms was “Best time to call” which she thought was helpful to the committee.

Mrs. Yerger said the next section is “Approximate acres in: active farmland, forest, or open fields”. She thought what was appropriate on other forms was right under that they had “approximate acreage to be preserved”. That's a good preliminary for them to think, they own about 500 acres, and I want to preserve 300 acres. It does not restrict them to anything. This is not in stone, but it starts the process on what they really do want to preserve. Mr. Maxfield said that should also be optional. Mr. Kochanski said they are going to think they have to decide right now how many acres. Mr. McCormick said you could say, “your thoughts regarding estimated acreage to be preserved”. EAC members said add “if known” to the previous sentence.

Mr. Johnson said a couple of other things he thought about, is there a mortgage on the property, is that something we need to know now? Mrs. Yerger said no. Mr. Johnson said road frontage, yes or no. Do we need to know that now? Mr. McCormick said we should only ask them things that

they could tell us that we can't easily see on a map. If they tell us where it is, we can easily tell if there is road frontage. We should try to limit this. Mrs. Yerger said she wants to keep it to one page. Mr. McCormick said the stream stuff should go because when we look at these, we absolutely consider whether there is water. The "frontage on streams" should go. It would seem weird that we never once had a conversation about it. We should ask and use our check list, whether the property contains springs, seeps, rivers, vernal pools. Mrs. Yerger said we will get rid of that completely. Mr. Maxfield said you might want to ask them does it have road frontage? Mrs. Yerger said you can figure that out with looking at the tax parcel. Mr. Johnson said that's why we are asking for the parcel ID. Mr. Beardsley said they always call Chris and say so and so is talking to us, we need a map of this property, and he gets the map. Mrs. Yerger said this is a preliminary application; it's not comprehensive by any means. Mr. Beardsley said let's keep it simple. Mrs. Yerger said we're getting rid of all the stream information.

Mrs. Yerger said next section, "Other special information, such as historic buildings, historic district". We don't have a historic district in LST, so we should scratch that. Then it says "wetlands, ponds, scenic vistas, unusual plants or wildlife". How about if we also put streams or archeological sites.

Mrs. Yerger said next section "what buildings or other improvements are on the property"? Do you want improvements that are on the property? Mr. McCormick said that's fine, but he would say "are on the property". Mr. Johnson said are we leaving in the approximate acreage? Mr. McCormick said he likes the "active farmland, forest, or open fields". It seems perfect as everyone in this township has one of those three things. It's either got woods or not, it's either being farmed or not. We could say farmland includes. Mr. Maxfield said we could say property includes active farmland and forest, and they could check it and list underneath it have approximate acreage. Mrs. Yerger said she likes it all on one line. Mr. Beardsley said you don't have to ask acreage, we just have to know if it's farmland, forest or open fields. It could have all three. Mr. Johnson said the reason he substituted crop land instead of farm land was because a lot of people have land they contract out to somebody else to grow something on, so it's not land that's on a farm, it's land that's used to grow crops. Why not just say active crop land? Mr. McCormick said he couldn't imagine someone saying it's not farmland. Mrs. Yerger said if you want it to say active, we can put that down. Mr. McCormick said you don't have to collect that. We've never had any trouble deciding whether or not it's farmland. Mrs. Yerger said this sort of is going to be framework for the staff if somebody calls up and they will sort of have a handle on it with the map and what the property looks like. That's sort of what this is for – the benefit of staff keeping a record and a benefit for you. You want cropland? Mr. Johnson said yes. Mr. Maxfield said agricultural. Mrs. Yerger said that sounds good to her. Mr. Beardsley said we don't have to know the acreage. Mrs. Yerger said she's taking that out and saying "property includes", and then they can check, "active agricultural, forest or open fields".

Mrs. Yerger said "What buildings or other improvements are on the property?" That is fine. Next line, "Current or previous uses of property (other than residential)?" Mr. McCormick said that's worth asking. If there's something cool about the property, a cemetery, or it's an old gas station, that question is fine. Mrs. Yerger said next question, "Is owner willing to donate or bargain sell (for less than fair market value) the easement?" Mr. McCormick said you can make that language better. You want to hear if they are even thinking about it, so he'd want to have the language softer. "Is the owner willing to talk about the potentially donating or bargain selling. You want it to be really conditional. Mrs. Yerger said "consider" or "discuss". Mr. McCormick said "is the owner willing to consider donating or bargain selling (for less than fair market value) the easement."

Mrs. Yerger said “does owner hereby grant permission for an on-site evaluation?” That is yes or no. Mr. McCormick said put (we will, of course, work with you at a convenient time). Mrs. Yerger said scheduled at owner’s convenience? EAC members said that is fine.

Mr. Beardsley said he wants to back up on the donating. He wonders if people are going to say no, and until someone tells them, they don’t know the tax benefits in which they might be willing to donate. He doesn’t want them to make a decision now. He’d just take it out. That’s something that should be discussed with them when they get the appraisal. Then we can tell them they can go to their accountant and they can say if they donate part of this, what’s the tax benefit? Mrs. Yerger said okay, we’ll just take it out.

Mr. McCormick said we want this questionnaire filled out only for Lower Saucon land. We don’t want to hear about other lands on a border. We want this answered with respect to the Lower Saucon portion. Mr. Beardsley said the resident would want to find out the tax benefits of donating. Mrs. Yerger said let’s try it and let’s see what fits. Mr. McCormick said you can say, “would you like to discuss the potential tax benefits”. As we talk to people, we can usually tell if they care or don’t care about the tax benefits. Mr. Maxfield said we could say would you like to discuss potential tax benefits associated with donating?” Mr. McCormick said don’t write a question that everyone is going to say “yes” to. Mrs. Yerger said she will say, “would you be interested in discussing the potential tax benefits of a bargain sale or donating your easements?” They have to understand it’s with a bargain sale or a donation. Ms. Ray said a lot of people don’t know what a bargain sale is. Mr. Kochanski said people may have the potential to say they are looking to get this cheap and not pay me for it, therefore.... Mr. Beardsley said, just leave it out, that’s fine.

Mrs. Yerger said “does owner hereby grant permission for an on-site evaluation?” Signature and date. She thinks up at the top where there’s a “circle one”, this is where we would put “on township lands instructions, print clearly, we’ll have the return form if we want it to someone’s attention. That’s where we could put please provide information only pertaining to Lower Saucon township properties that lie within Lower Saucon.

Mrs. Yerger said at the end of the Springfield one, it says “thank you for your interest in preserving open space. A member of the open space committee will contact you to schedule a meeting”. Do you want something like that on there? EAC members said if we have room. Mrs. Yerger said she will work it in. She will work on this and come back with the final draft next meeting.

C. REVIEW OF DRAFT AGENDA FORM

Mrs. Yerger said you should have a “draft” agenda. There is a difference at the bottom and it’s basically the Open Space Committee. They want to talk to you a week or two ahead of time to find out the list of potential properties that are going to be discussed. That doesn’t mean you can’t bring up another property, but if you have the intent of discussing specifically a certain property at a given meeting. Mr. Johnson said why do they need to know that? Mrs. Yerger said so that the property owner can be notified that their property is being discussed. Mr. Maxfield said or in case they call up and they can’t get a hold of you guys. Everyone calls the township first. Mrs. Yerger said and because this is an open public meeting. Mr. Beardsley said he has no problem with it. Mrs. Yerger said the township would check with Ted. Mr. Johnson said they are asking for it a week ahead of time? Sometimes we don’t even know until the day before. Mrs. Yerger said they put the packets out on Friday, so it would have to be to them no later than the Thursday before. Mr. McCormick said if Mr. Smith is going to be discussed, the publicly disclosed agenda should say Mr. Smith. Mrs. Yerger said, yes, because the agenda is on the website so Mr. Smith is aware his property is being discussed at this public meeting. It’s for public disclosure purposes. Mr. McCormick said whoever prepares the agenda should reach out to Ted Beardsley. Mrs. Yerger

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said, yes, Diane will. We also needed to make sure you were okay with it before we said okay, Diane's going to start talking to Ted.

MOTION BY: Mr. McCormick moved that the EAC is okay with the new draft agenda form.

SECOND BY: Mr. Beardsley

ROLL CALL: 6-0 (Mr. Hijazi – Absent)

D. CONSERVATION EASEMENT PROCEDURE FLOW CHART

Mrs. Yerger said she has a conservation easement procedure flow chart which also has to be updated. Her thought was "landowner contacts township". They sent out the information packet, which now in her hope after next month, would have the new application in it. This should include "application sent out with homeowner information". Then upon return of the application, staff would "refer landowner's information to the EAC Open Space Committee". That's really all that would change there.

Mr. Maxfield said staff is going to keep a copy and send out a copy? Mrs. Yerger said yes. Mr. McCormick said you should strike "non-binding letter of interest" as the application is non-binding, and the silliness of adding steps. Mrs. Yerger said that is fine. The "site visit, rating, prepares final scoring and recommendation" is okay. "Preliminary approval by EAC", the "No" and "Yes" are pretty clear. Mr. Beardsley said "Preliminary approval by EAC", we're never done a preliminary approval. It either gets approved or it doesn't, so take out "preliminary". Mr. McCormick said change it to "the EAC recommends approval – yes or no".

Mrs. Yerger said what she did notice was when you were talking about the letter, yes, it's been forwarded on to Council and she doesn't think that has been happening either. Mr. Beardsley said we talked about at one point writing a letter saying this is our understanding. Mrs. Yerger said is a letter of intent what we are talking about? Mr. McCormick said this is out of order. It says the next step is "export funding and determine draft easement language". That is nothing. The next step is the EAC recommends to Council, that's the next step. Mr. Johnson said he thinks the next step is after we approve that we think it's good to try to get a conservation easement on the property, then we ask the landowner if they want to go along with it. We tell them we would like a conservation easement on your property, are you interested in pursuing it? Mrs. Yerger said this is what she was saying, what is the letter to the landowner going to say? Mr. McCormick said it can support and act in Allan's interest of getting a further assurance if they are still interested and it can collect data that can support the appraisal. Mr. Maxfield said how about a letter confirmation as you are confirming this person is still interested and you don't want to do anything else until you get this confirmation. Mr. McCormick said the first step is they say they are interested and the next thing they want to do is to decide whether they really want to move forward and that's after the appraisal. Mr. Maxfield said no, we don't want to spend money on an appraisal if they aren't serious about doing it. Mr. McCormick said we shouldn't be going there if they are not serious about doing it. They signed an application saying they want to talk about it, and then we look at the property and it's beautiful and meets everything on the check list. Now we are going to go back to them and get them to sign again? Mrs. Yerger said it's not signing anything. Mr. McCormick said they wouldn't have asked us to come out there if they weren't genuinely interested. Mr. Johnson said we go there and tell them we are going to evaluate the property. They don't know if it's passed the evaluation, so should we notify them and then say are you interested in preserving the property? Mr. Beardsley said we are going to send a letter that says, "the Sub Committee has recommended to the EAC or the EAC has recommended to Council that your property qualifies for a conservation easement under the following conditions. You're going to hold out ten acres and you want to put up a statue or whatever it is. If you are in agreement with this, let us know and we'll order the appraisal".

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Mr. McCormick said the letter should start with “congratulations”. That’s the tone of the letter. “Thanks for expressing your interest in having us out. We’re glad to report that the EAC has met after evaluating your property and it has recommended that Council move forward with an appraisal. In order to do so, the next step is to just get a few more details from you”. That’s where we can say, “how much land do you intend to conserve and how much land do you intend to hold back. What are your intended uses?” There’s not a lot we have to know there, but just enough to give to the appraiser so they appraise the right thing.

Mrs. Yerger said this is why some of the townships may have decided to put acreage in their farmland and what you intend to preserve. That’s why they may have thrown this back on the original application because now you are going to have to wait to see if this guy is okay with your letter. Either way, you are going to do it one step or two steps. Mr. Beardsley said some of them don’t know. Skraban, for example, didn’t know until after we had been out to his property, then he came back and said he wants to hold ten acres for his son. Mr. Maxfield said they need to let us know if they continue to be interested as we are not going to order an appraisal.

Mrs. Yerger said here’s where we are falling down right now in the process. Like with Skraban, you have come back with an evaluation. We’ve approved the evaluation. We go and say we want an appraisal. Then it’s like we are appraising what? 10 acres, 15 acres, 22 acres, 3 acres of woodland, 4 acres of meadow? This is where we are having a problem. We don’t want to send out an appraiser to appraise what?

Mr. Johnson said in the letter we send to them telling them we have evaluated the property and are interested, and then we say, “if you are interested in continuing the process, please provide us with this additional information”. Mr. McCormick said that’s what we need, we don’t need a check box or another signature, we say if you are interested in continuing, you must complete this letter and send it back. If they don’t, we never hear from them again. Maybe we call them in three months and say what happened. Mrs. Yerger said that’s fine.

Mr. McCormick said it doesn’t need to say a lot. We already know where the property is. It’s simply the acreage. Ask your firm who does the appraisals what we need to put in that letter. They might say they just need a property address and how much they need to hold back. That’s all they need to know. Then we have to ask them “what is your expectations about how much land you want to hold back and what do you plan on doing with it”, and then another note “are there any other special considerations we should be aware of. Are you for or against limited public access.” Timbering – that’s another story. If you don’t want to conserve land, then it’s going to have the ability to be timbered. This is your chance to ask that question because it’s stupid to move forward without having had that argument. Then have an easement drafted and it’s going to say “you shall not timber”. This is the chance to ask about timbering.

Mrs. Yerger said public access makes a huge deal. Public access will then go on to the next box which talks about additional funding. Public access opens them up for DCNR funding and it opens them up for county funding, which follows DCNR rules. For us, it may move a property up in priority only because we may stand a chance to get half of its value from another source. Public access and timbering are very important questions that need to be addressed early on. Mr. Johnson said one of the things that needs to be done is define more accurately what public access means. Mrs. Yerger said you can pull it right off the county site. Mr. Johnson said some people don’t know that. What we should do it write up something explaining what public access means and include it in with the letter. Mr. Beardsley said are you talking about minimum public access that will allow us to get funding. Some people say they would allow people on their property, and others say they only want the Boy Scouts there once a year. Mrs. Yerger said some sources will require more than others, so she doesn’t want to say this is the policy as she doesn’t want to give them DCNR’s policy and give them the County policy. She thinks we need to have an open ended

question. “What type of public access would you be willing to have on your property?” Mrs. Yerger said then it’s coming from them as opposed to giving them this set criteria and say are you willing to abide by this. Mr. Johnson said we have to define more accurately what public access is. Mr. McCormick said we’ve did a pretty good job answering the question. Some people allow birders, some allow Scouts in, and some say anyone as long as there’s no hunting. The more public access you are comfortable with, the more funding sources that are possible. Mrs. Yerger said it might have to be on that letter after you’ve met with them and after you’ve discussed it. Mr. Beardsley said we can say “we understand you want to hold out X number of acres, and you’ve agreed to public access under the circumstances”. Mr. McCormick said he has an outline for the letter. The first part is sort of a notice. “Thanks for working with us. We have good news. We have decided to take the next step”. The next part of it is “if you are interested in continuing, please provide us the following data” and tell them to send it back to Jack. There are four areas we need to cover – the building envelope hold out, nature of the easement. The second one is public access, for or against it, and if they are for it, does that mean wide open or are there special limitations? For instance, Shelly, he said he loves public access, but nobody hunts it but me. That’s fair, that’s why he bought that land. The third one is timbering. There have probably been four or five that have mentioned timbering. The fourth one is special considerations, is there anything else that needs to be covered. Mrs. Yerger said for example, additional farm buildings. One of the things we run in with ag preservation are sheds, little barns, things like that. It’s special structures that are part of an ag operation - something outside of the immediate house or barn. Mr. McCormick said it could ask are there any other considerations. What do you plan to do with the conserved land itself, and then it could have a list. Mrs. Yerger said a lot of this will be helpful when you come to hammer out the easement language itself.

Mr. Beardsley said the letter should also say the EAC is not going to review the appraisals. The EAC is not going to get a third party easement holder. That’s not our job, it’s your job. When this letter goes out, it should say when they respond it should be turned over to Township Council and they can expect to hear from their staff and consultants. As an EAC, we are done with it at this point. We told them what they have to do to get to the next step. Mr. McCormick said it makes very little sense to have two different sets of people doing it. It is not efficient to have the people who have engaged with the landowner, who have visited the land and determine at a high level, the nature of this. The easement itself should be done by a lawyer and their lawyer. Everything below the “YES” is wrong. The order is wrong. This whole thing needs to be revised. Mrs. Yerger said the letter is going to come from the Sub Committee? Mr. Johnson said Mr. McCormick is going to prepare a draft of the letter, and then it’s going to be sent out by Jack Cahalan. Mr. McCormick said if Jack is taking it from there, he should be involved starting at the top. Mr. Beardsley said what he’s saying is we built rapport with these people and now we turn it over to Jack. Mr. McCormick said it’s silly – “Jack, you’ve never been there, and you’ve never talked to the man, but let us know how it turns out”. You three who have been talking to this man have no more role in it. It’s silly.

Mr. Maxfield said the Open Space Consultant is going to be in that chart relatively early and his vision is that the Open Space Consultant follows it from when you guys introduce it to the end. Mr. McCormick said then the Open Space Consultant should do all of it. If the Open Space Consultant is going to be there from end to end....Mr. Maxfield said you guys determine when it’s worth bringing the Open Space Consultant in. Mr. McCormick said then where is that on the chart? Mr. Maxfield said if you conduct your first site visit and think it’s worth it, then you bring the person in for a second opinion. Mr. McCormick said there’s no reason for two site visits. If the Open Space Consultant needs to do a site visit, they need to do it with us. Mr. Maxfield said the Open Space Consultant may see something that you haven’t seen. Mr. McCormick said then send them, what are we for? Mr. Johnson said isn’t that one of his functions after you hire him? The volunteers are doing this and after we say EAC approves it and we advise Council to go ahead, then the Open Space Consultant can be brought into the picture because he costs money and you

can have him do whatever you want him to do. Mr. Maxfield said you guys decide first. You recommend it to us, and there aren't any questions. If there are questions, you bring Jeff Marshall in. You determine it at this point, and then the Open Space Consultant is going to go and talk directly to that person and follow it all the way to the end. Mr. McCormick said that's fine, what you just said makes sense, but it's not what's here and it's not what we've been talking about. Mrs. Yerger said it's not, that's why this needs to be redone. Mr. McCormick said if you guys have a clear picture of how this should work, then write it down and bring it to us is what he is saying. We're contradicting each other. If you have a way you want it to happen, ask the Council members. Mrs. Yerger said no, that's not why it was brought here. We wanted your input. It's not that we're not trying to hear this. Mr. Maxfield said Open Space Consultants cost money, so we're trying to bring them in where we need them. When they are there, they are the experts. They've done a lot more than any of us have done and they know what they are talking about. They could advise our Solicitor. That's why he said when it's time for this Open Space Consultant, they then come in - not that Council is not involved, not that the EAC Sub Committee is not involved, but that Open Space Consultant will be there to the end. Mr. McCormick said once the boxes are fixed, you could have above the diamond the EAC Sub Committee and then we will bring it to the EAC and below the diamond is the Open Space Consultant. Mr. Maxfield said yes. Mr. McCormick said he would not recommend that as it doesn't make sense to have the Open Space Consultant person come in at the most critical stage when they haven't been there for any of the conversations before hand and they are not privy to what we are, and they haven't heard or seen anything. Mr. Kochanski said if you are talking about bringing in an Open Space Consultant and it sound at that point, the Open Space Committee is getting cut out. Can't the Open Space Committee work with the landowner as they've been coordinating with them all along and work with the Open Space Consultant as you've been the face they've been seeing all along. Mr. Johnson said we could have a meeting after we get the letter, and introduce them to our Open Space Consultant who is the expert on this. Mrs. Yerger said that's what she thought also. Mr. McCormick said it's different from what was said. He just wants to be precise, but that's different what Tom Maxfield said a couple of minutes ago. He said at a certain point, Council becomes involved and that's the day after this body recommends. The Open Space person becomes involved. There's a difference between when they become involved and they are added to the list or if they take it over. Mr. Maxfield said that's what he was saying - when you are ready for the Open Space Consultant to come in to the mix. Jeff Marshall knows this stuff inside and out. Mrs. Yerger said we don't want to restrict you to above or below. Mr. Beardsley said you have to understand we can have the consultant whenever we feel we need him. What we are talking about is after we recommend to Council that this should go forward and we should be getting ready to order an appraisal. That's the part we are having a problem with. Who is going to do that and who is going to follow through on that? You have to order it and approve it. Who will be talking to the property owner at that point? If you are switching horses in the middle of the stream, you are going to be losing people that just throw their hands in the air and say they were just talking to Tom and Ted and now.... Mr. McCormick said do you want to add the Open Space Consultant or do you want to replace him with us? Mrs. Yerger said no, we have to add. This chart is still wrong. She felt before the EAC Sub Committee couldn't just pick up the phone and say we need Jeff, we need Laura here. We want you to feel free to be able to do that. Mr. McCormick said it can be laid out very easily. We are going to talk about a property, we visited it, we scored it, we love it, you guys are going to ask questions, you are going to recommend to Council that we move forward with it. At that point, Council is becoming involved and from that point forward, any transaction detail needs to be approved by Council, like ordering the appraisal. They get involved at that date and the Open Space Consultant, Jeff Marshall, also gets involved on that date unless they were involved earlier. The Open Space Committee goes from cradle to grave, and half way through, Council has to get involved and the Open Space Consultant has to get involved or the project just dies.

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Mr. Maxfield said we're starting at step 1 and we're slowly building the team that we need to get it completed. Mrs. Yerger said what we are doing is flipping the appraisal up. Then we're going to explore funding and determine draft easement language. Mr. McCormick said can we just sit around after the meeting for ten minutes and write it out and bring it back to the next meeting? Mrs. Yerger said that is fine.

There was discussion on the letter that was going to be sent out. Mr. Maxfield said he would think the Council would trust Jack to send the letter out and he would definitely give us copies, that wouldn't be a problem. What if someone wants to conserve their entire property and you go out and look at it and there's a section of it we definitely do not want. With that letter of confirmation, is it going to be enough to say do you wish to continue, if you do, send us more information. We could be sitting around for weeks wondering if these people really want to continue, especially in a case like that. Mr. Johnson said when we send out that letter, we tell them we're interested in pursuing it, except for this piece. Mr. Beardsley said that would be covered in the letter. The easiest way to get someone to respond quickly is to say "enclosed is a copy of the letter, please sign it and return it in the enclosed self-addressed, postage paid envelope". One is for you for your records and return one to us. Mr. McCormick said our recommendation would be to do only the good half of the property and the letter would say that. We haven't run across any yet where that has happened. Mr. Maxfield said we could say "we are interested in the bottom portion only of your property due to these circumstances".

Mr. McCormick said we should revise our score card also. Ours is really good, but one thing that we should take from one of the other score cards that's been flying around is we should put timbering on. It's from the Rock Hill score card and totally relevant to us. There's a concept in here. They rank 1 to 15, but they have one where they grade everything on a scale, high to low. One side is ease of development going on to a severe impediment to development. That concept, if you use the funds wisely, we should have some kind of recognition that it's not just if it's environmentally sensitive, but if it's environmentally sensitive and threatened. For example, Shelly has this beautiful piece of land with slopes, marshes, wetlands, and all this great stuff on it. If you went to the property, you'd see what Shelly did. He bought this big beautiful piece of land and he put his house way in the back because it's the only piece of land that you could possibly build. In front of it, it's beautiful because there is a cliff and at the bottom of the cliff, there is a pond and that is surrounded by marsh land. We were up to our knees slogging through this terrible, wet land. Though it's beautiful and it's going to score high, the truth is, and I'll exaggerate, we might be wasting our money to conserve that because 200 years from now it's going to be a cliff, as you can't possibly build on it. We should revise our score card to reflect that. Where Bilous is different, it's a perfect developable area. That might score lower because the fields are not steeply sloped, but that's where we should be conserving because we could wake up and that might be a development. We have to think about that.

Mrs. Yerger said here's the reality. When we started this program, we had three properties. There was no need to rank them. We had X number of dollars to spend. We now have almost twenty, so now the situation has somewhat changed for the good, and most townships are going through this process where you have to decide whether it's worth preservation, but now there might be a second step on where you need to take all these properties that are worthy of preservation and rank them so that you use them as the funds become available. That's where public access will come in as it will enable you to stretch your dollars and might get ranked higher as we are only paying for half of its value because we can get the County to pay for the other half. We need to have a two step evaluation process. We need to figure out a way on how to rank these properties. It just can't be as they are coming in as they are coming in so fast now. Mr. McCormick said you just said there needs to be a two step rank process. Maybe you are right, but that needs to be discussed. Mrs. Yerger said you are right, but we haven't brought it out. If there is agreement this is something that potentially needs to be discussed tonight, we are going to start researching finding some examples

of ranking systems and start providing them next month. She wanted to get through the application process this month and she wanted to see where we are with the letter of intent. If everyone is perfectly fine the way the system is now, that is okay, then we continue as we move along. The first step was to find out your thoughts were on whether we need to start looking at amending, revise or completely redo. Mr. McCormick said the score card needs to be consistent and the Rock Hill one is exactly right.

Mr. Beardsley said we might want a numerical system as it makes it more objective if people are going to criticize it later on. Mrs. Yerger said as long as the numerical system for each criteria doesn't have a span, is what she was told. If it's in one of the high priority areas, it's automatically a 10. You could have a high priority area and it can be 1 to 5, and that's when it becomes very subjective. Mr. McCormick said that's where check one and only one box and it gets a number. Mrs. Yerger said that works. Mr. McCormick said think about what we are doing now. Mrs. Yerger said you can take a look and bring a recommendation next month. Mr. McCormick said what he would do is set up a separate meeting and we should have you in that meeting and a computer and do it together. You two are on the Council, so we should get together as a group and work on it. He'd like to get it right.

Mrs. Yerger said the flow chart, how do you want to proceed with it – do you want to take a whack at it – do you want her to take a whack at it – do you want staff to take a whack at it? Mr. McCormick said no, imagine staff, how are you going to direct them and how are they possibly going to do it? They can't. They are very qualified, educated people but we can talk about it for an hour. Mrs. Yerger said do you want to work on this at the same time? Mr. McCormick said yes. Mrs. Yerger said we will do a draft and bring it back and then put a timeline to it. Mr. Maxfield said we should be charting out and checking off involvement at all levels. You check off who is involved. Mr. McCormick said he's not being critical of staff. Mrs. Yerger said she's had this conversation and they are fine with it. They are broad in scope. They don't deal with this.

Mrs. Yerger said we will table this. Mr. Maxfield said once we get this chart worked out, we have to be more diligent when we contact people. Staff needs to know when they need to send letters out and everything has to be documented so if anyone does give us a hard time, it's all written down. Mr. McCormick said that could work very well.

III. DEVELOPER ITEMS

A. SCENIC VIEW APARTMENTS REVISED SITE PLAN #SP 01-08 – 2021 SCENIC VIEW LANE

Mr. Kochanski said this is the project that's right on the Bucks County, Northampton County line with the apartment multi unit coming in. The last time we saw this, the application was kind of incomplete and lacking in plans. We had formed a review letter and it came before you and your recommendation was for the plans to be revised and provide additional information. The plans were just submitted to the township last week and they have not had a chance to look at it just yet. He's not sure at this point that he can offer any more information other than it looks like they provided an aerial and some additional information.

Mrs. Yerger said we just need to reiterate our former recommendations for the Scenic View Apartment site plans and have them upheld. Mr. Maxfield said they did do some of the things we asked them to. Mr. Kochanski said he doesn't know. He'd have to go back and look through the review letter as part of the review process. We would take our last review letter, go through the ordinance requirements and make sure those requirements are being met, then look at any of the staff notes, EAC meetings, Park & Rec. meetings, anything applicable, and make sure those items were also addressed. That's all part of our normal review process which has not started yet on

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these plans. His assumption is that this is not going to be on the July PC meeting as that's next week. It would be the August meeting.

Mrs. Yerger said we will request to put this back on our agenda for August with the review letters from staff.

MOTION BY: Mr. Maxfield moved to table with a request to have it be put back on the August agenda.
SECOND BY: Mrs. Yerger
ROLL CALL: 6-0 (Mr. Hijazi – Absent)

IV. OLD/MISCELLANEOUS BUSINESS

A. REVIEW AND APPROVAL OF MAY 5, 2009 MINUTES

Mrs. Yerger said these will have to be tabled as Haz Hijazi is not here. Mr. Johnson said there's a comment where she could not hear what he said, and he doesn't remember what he said, so forget about that part. It's on the bottom of page 2.

This will be tabled until the August meeting.

B. REVIEW AND APPROVAL OF JUNE 2, 2009 MINUTES

Ms. Chihara said page 14, line 47, the blank should read "Khiet Luong, Pennsylvania Environmental Council.

Mr. Johnson said page 5, line 37, it should read "that's much better to have that than have him sign the agreement". On the top of page 8, line 3, it should be Bruce Petrie.

MOTION BY: Ms. Ray moved for approval of the June 2, 2009 minutes, with corrections.
SECOND BY: Mr. Maxfield
ROLL CALL: 5-0 (Mr. Aranyos – Abstained (he was not at the last meeting) and Mr. Hijazi – Absent)

V. UPDATES/REPORTS

A. OPEN SPACE SUB-COMMITTEE

Shelly Property:

Mr. Beardsley said they went and saw three properties on June 27. Since Chris isn't here, he couldn't get colored copies. There is the Shelly property, and they scored it and it's beautiful property, and it's recommended for a conservation easement even though it can't be developed. Who knows what could happen. It's 23 acres. It has lots of water on it. Mr. Johnson said there's a nice stream on the property that runs into Fawn Run. Fawn Run flows into the East Branch. He was surprised on the amount of water that flows into that stream. On his property there is a pond and in the pond, the water is clear, but there's so much growing in there, you can't hardly see any water. He saw a fish swimming around in there. What causes something like that? There are plants growing up from the bottom and then slimy green stuff in big clumps. Mrs. Yerger said it could be water Iris, duck weed, or it could be good stuff. Mr. Kochanski said it could be a naturalized eco system which is why the water could be clear as it's filtering the water. Mr. Maxfield said you mentioned swampy before, and we are not familiar with all of those areas in the township and just found out about those areas. Maybe you should ask DEP about this. Mrs. Yerger asked if there was a recommendation for it to go forward for an appraisal?

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MOTION BY: Mr. McCormick moved that: 1. The landowner is to be contacted, via a letter from Township staff and Ted Beardsley indicating that the EAC recommends moving forward with the conservation easement. Such letter shall be used as a form letter for follow-ups with prospective parcel owners. 2. Obtain the landowners' specific intentions for the easement area. 3. Order an appraisal for the parcel.

SECOND BY: Mr. Beardsley

ROLL CALL: 6-0 (Mr. Hijazi – Absent)

Mr. Maxfield said what does he want to preserve? Mr. Beardsley said he wants to cut out a piece of it at the top and he wants a little bit extra as he wants to put up a garage. Mr. McCormick said it's 23 acres. Mrs. Yerger said if we can meet soon, we can get the letter out to him.

Skraban Property:

Mr. Beardsley said he talked to Skraban yesterday and he's waiting to hear from us. He told him that he has to give some sort of a map of his property and mark what he wants to keep, and then we can order the appraisal. Mr. Beardsley doesn't know the zoning up there. Mr. Kochanski said it's RA. They have some GIS information and may be able to assist if they want to move on it before Chris Garges comes back. Mr. Beardsley said Tom is going to draft a letter and by that time, Chris will be back.

Bilous Property:

Mr. Beardsley said the next one is Bilous. We think the property should be preserved. He wants to take the money and build more soccer fields. He had to have a variance to put in a soccer field. He did mention our soccer fields were all disoriented, so he wants to build his own. That's what he would basically use the money to do. Mr. McCormick said he's got 90 acres. Mr. Johnson said we'd have to pin him down as to what property he wants to conserve. Mr. Beardsley said there's a stream, rock out croppings, and it's right next to Sandy's which would then put 100 acres under conservation. Mr. Beardsley said that's why he's recommending it. Mrs. Yerger said did he discuss timbering at all with you? Was it either or? Mr. McCormick said they said his application would be more likely to happen if he would prohibit timbering and he said okay, he timbered it many years ago, and he might want to do it again, but if the number was right, he might agree to prohibition. Mrs. Yerger said for this property, there is a fall round from the County and this property would probably rank one of the highest in the county. It's been named a special area for preservation. The county would probably embrace this property. They took their criteria from DNCR and the do not disallow timbering. Mr. Johnson said Mr. Bilous more or less said if you give me enough money to account for the timbering, he doesn't care, and he's not worried about timbering. He mentioned what he got for timbering and the amount of money we have been giving people for their property; he's not going to want to timber. Mrs. Yerger said do you recommend for this property to go forward for an appraisal. Mr. Beardsley said he has got to identify the portion of his property he wants to conserve. There's a stream going through there, and this might score a little differently if we were to include the stream and two fields towards the back of his house. That needs to be preserved along with the hill. If he's not willing to do that, things might change. Mr. McCormick said a letter would work well first for this property.

Mr. Kochanski said in this area years ago, timbering seemed to be really big. With the downturn of the economy now, they are having a really hard time selling the wood because the housing market is not there. Mr. Boos said that is the consideration. He had approached him of putting together a timber sale. Even if he put a timber sale together, it might not always sell. It could be two years or more or be re-advertised continuously or until the market picks up. Mrs. Yerger said this property, the letter should go out first to see what he wants to do. If you think he's ready for the letter, that's where the recommendation should be that the letter goes out first and the appraisal waits based on his response.

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Mr. Maxfield said you cannot have an appraisal and imagine the trees gone. Mr. Bilous is going to have to decide. Mr. Johnson said he can look up in the county record to see what was given for land. Mr. McCormick said you can't put in the letter "no timbering". He wants us to give him the biggest number possible. Mr. Maxfield said he's either going to decide to do it or not decide to do it. If we go ahead and order an appraisal with the public's money knowing he wants to timber it, and he might back out, you are wasting their money. He's not going to vote for it. Mr. McCormick said you might lose a chance to conserve this land. He's not for it either. He doesn't think he will do it. You might drive by in 2019 and see a big estate. If he timbers it, it will depreciate the value. The guy isn't timber happy. He just wants as much money as he can. He gets more money if he agrees not to timber it. You have to do it case by case. If you are saying as a Councilman you will never approve land that has timbering on it, we should know that and there's going to be case where that is going to happen. Skraban's out. Mr. Maxfield said Skraban has been timbered, but he's in a particular shape right now. That's what we're buying. If we're spending public money to buy development rights to a piece of property we're basically buying the resources to that piece of property, then we say, okay, the money now we have paid for these resources is involved with the appraisal, that person is going to take those resources that we paid for and make his money. We sit by and let that happen. Mr. McCormick said your solution to that is he maintains development rights and timbering rights. If your solution sought to maintain the land, that would be great, but your solution says not only are you going to be able to timber it, which is disappointing to me, you can also develop it. It might be in certain cases, short sighted, saying you'll never conserve land that is timbered because you are going to end up with land that is developed and timbered. Mr. Maxfield said when you talk timbering, he doesn't see conserving and timbering as the same thing. Mr. McCormick said the point he is making is if we don't conserve this, it might get developed. Do you want it developed? What would be worse? You say there's no difference there. There is a difference in development and in timbering. Mr. Johnson said you will have some control over timbering as you do have an ordinance. Mr. McCormick said that is Council's policy. Mr. Johnson said then you should put it in the evaluation. Mrs. Yerger said it is not Township policy. This is a discussion right now. Mr. Johnson said Mr. Maxfield might change his mind one day. Mrs. Yerger said it is a personal opinion. Right now, we need to do is this is a moot point until we hear from Mr. Bilous what exactly he wants to conserve and what he doesn't want to conserve. We need to get a handle on that first. Mr. Beardsley said he wants to make one more point to Tom Maxfield, and that is if your idea is that every property we appraise that we are going to be able to do a conservation easement on, so that we haven't expended public funds to do an appraisal on a property that we don't get an appraisal, that's not going to happen. Mr. Maxfield said he meant that the caveat that this guy wants to lumber this property. Mr. Beardsley said he may agree not to. Mr. Maxfield said he may not and that is his hope. They don't equal out to him. He's not willing to just give this guy whatever he wants. Mr. Johnson said we really have to know his position on timbering first. Mr. McCormick said he's passionate about soccer, and he's not going to do an easement if it reduces his pervious space. He wants to build a soccer field. He won't go forward with an easement if it's going to ruin his denominator. Mrs. Yerger said we need to know what his plans are and our hand are tied right now. Mr. Johnson said now is the time to make up the letter.

Mr. Maxfield said to think about in the future, right now, these guys are obligated to follow the township lumbering ordinance. It doesn't mean it's always going to be that way. If we permit a conservation property with timbering, you might one day see a clear cut one of these days.

- MOTION BY:** Mr. McCormick moved that: 1. The landowner is to be contacted, via a letter from Township staff and Ted Beardsley indicating that the EAC recommends moving forward with the conservation easement. Such letter shall be used as a form letter for follow-ups with prospective parcel owners. 2. Obtain the landowners' specific intentions for the easement area. 3. Order an appraisal for the parcel.
- SECOND BY:** Mr. Johnson

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ROLL CALL: 6-0 (Mr. Hijazi – Absent)

Hans Riemann Property:

Mr. Beardsley has Hans Riemann. He has about 14 or 15 acres. Only three acres are in Lower Saucon. It didn't score terrifically high as most of the environmental features are in Springfield. We think if Springfield Township decides to do a conservation easement, we would compliment them like on the Mease property, and do his three acres. They will write a letter and tell him that. We'll say we'll support him in his application to Springfield Township. Mrs. Yerger said if you can draft a letter, she will bring it up to Council next week. Get it to her by next Tuesday. A discussion took place on the signature on the letter took place and it was decided that the letter would come from Ted Beardsley and official township staff.

Vanscavish Property:

Mr. Beardsley said he has a map with what Mr. Vanscavish wants. We can go ahead and tell the appraiser. Regarding the Makos property, he talked to Mr. Cahalan today and here's the issue. If Vanscavish pays for the appraisal and then we decide to do an appraisal on the portion of the Makos property, it's in Lower Saucon Township and LST from some legal point, needs an appraisal, they are going to have to go get another appraisal, and it's going to cost X number of dollars and they will be doing it twice. His idea is that the Township authorizes the appraisal under the condition that Mr. Vanscavish pays for it and if we do a conservation easement with him, then we'll reimburse him for the cost of the appraisal. Mrs. Yerger said Indian Valley does appraisals.

Mrs. Yerger said Jack can bring this up under Reports next week at the Council meeting and bring the situation up, but first discuss it with Jack and he will consult with Linc Treadwell to see if it can be discussed at a public meeting. We need Linc's opinion on this. We can recommend it and they will decide whether they want to do it or not.

MOTION BY: Mr. Beardsley moved that the Township should reimburse the property owner for the cost of the appraisal that the property owner ordered, if the Township purchases a Conservation Easement from the owner.

SECOND BY: Mr. McCormick

ROLL CALL: 6-0 (Mr. Hijazi – Absent)

Mr. Beardsley said he has an updated list of status of people who have contacted them. Mrs. Yerger said she appreciates all of your work, the three of you. If you have any questions, let him know and he'll try to update it every month.

B. DISCUSSION ON MINIMUM CRITERIA FOR CONSERVATION

MOTION BY: Mrs. Yerger moved to table this agenda item.

SECOND BY: Mr. Beardsley

ROLL CALL: 6-0 (Mr. Hijazi – Absent)

C. 8TH ANNUAL HELLERTOWN-LOWER SAUCON COMMUNITY DAY – AUGUST 22, 2009 – 9 AM TO 9 PM

Mrs. Yerger said we'll have a combined Lower Saucon – EAC table there at Community Day. If there's anything in particular you want to see there, please let her know by the next meeting in August.

D. LEHIGH VALLEY EAC CONFERENCE – NOVEMBER 7, 2009 – MARK YOUR CALENDAR

Mrs. Yerger said there is going to be a Lehigh Valley EAC Conference in November. It's just an FYI right now.

VI. TERRY BOOS – HELLERTOWN REPRESENTATIVE – REPORT

Mr. Boos said Borough Council has released the approval for the Lower Saucon Authority for an easement for their proposed Leithsville sewer line. Final details will be hashed out on that. Part of that easement, the Tuminello contract, will have to be adjusted to reflect that. That package is ready to go out for bid. It will come out shortly. Mr. Johnson said is the right of way going through the Tuminello property? Mr. Boos said there is a portion that cuts through it.

VII. NON-AGENDA ITEMS

Mr. Kochanski said we had previously discussed the naturalized area "No Mow" signs. We've been working with Township staff and Tom Maxfield. He has a copy of the sign and what they will look like. They will be 12"x18" white lettering on a slightly green watermark.

MOTION BY: Mr. Aranyos moved that the Township approves the sample of the "No Mow" sign as prepared by Horizon Signs.
SECOND BY: Mr. Maxfield
ROLL CALL: 6-0 (Mr. Hijazi – Absent)

Mr. Kochanski said he has a draft Pest Management Policy. They coordinated Bob Davis' comments with this. These will be discussed in detail at a future meeting.

VIII. ADJOURNMENT

MOTION BY: Mr. Beardsley moved for adjournment. The time was 9:40 PM.
SECOND BY: Mr. Aranyos
ROLL CALL: 6-0 (Mr. Hijazi – Absent)