

I. OPENING

CALL TO ORDER: The Environmental Advisory Council meeting of Lower Saucon Township was called to order on Tuesday, July 11, 2006, at 7:02 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Tom Maxfield, Chairman, presiding.

ROLL CALL: Present – Tom Maxfield - Chairman, Allan Johnson, Rett Oren, Ted Beardsley, and Dennis Araynos. Also present, Rick Tralies, from Boucher & James; Mike McKenna, Hellertown Representative; and Junior EAC Member, Jeff Perreira.

Absent - Glenn Clouser, Hazem Hijazi, Tom Conlon, Laura Ray and Michaelann Berger.

PLEDGE OF ALLEGIANCE

II. NEW BUSINESS

A. ALLIANCE FOR SUSTAINABLE COMMUNITIES

Mr. Joris Rossi said there is an issue coming up very soon with Bethlehem City Council on July 28th. There is too much fossil fuel being burned. Mr. Joris Rossi of Alliance for Sustainable Communities showed a slide presentation and explained the various slides.

Mrs. Yerger said most of our power generating plants are now all burning fossil fuel to generate our electricity. Mr. Johnson said why don't you tell the people some of the things that Alliance for Sustainable Communities is involved in besides just this project of trying to develop a project for energy education. Mr. Rossi said he'd be happy to come back and we can go into this more deeper. He will be back at the next meeting to talk about this.

Mr. Araynos said he's been following this in the 90's already. You cannot proceed the way we are going right now. If we would do something within a ten year interval, are we capable of reversing this or just postponing it? Mr. Rossi said we are capable of slowing this down and we cannot reverse this. It's too far out of control to reverse it now. Mr. Johnson said nuclear energy isn't forever either. There's only so much uranium and that is going to essentially run out also. It'll work for awhile. Mrs. Yerger said we have created a lifestyle that is not sustainable no matter what kind of energy we have. It's not economical sustainable. It's not environmentally sustainable. It's not sustainable any way you look at it. We've gotten away because of fossil fuels for awhile. We are going to pay the consequences. The economics are going to force us to change.

Mr. Rossi said look what's going on around us now. There's a huge tax on the price of gasoline. The reason that makes sense is it affects every car out there, not just the new ones that are being built.

Mr. Johnson said why don't the politicians put a large tax on gas? Because the people don't want it. It's the people who are the problem. They don't want to suffer the consequences and don't want to take any initiatives until they have to and by that time, it's going to be a lot of pain and agony. Mrs. Yerger said it's when it no longer becomes economically viable to live that way. Then they have to change. Mr. Johnson said Alliance for Sustainable Communities is trying to do something about it locally. They are not going to depend on the Federal Government to come and say this. They are trying to get things going locally, make us realize what is going to happen and try to organize or influence us to do something locally. He passed an article around that is written by a

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guy who has an investment newsletter that advises people how to invest in stocks and he talks about what we are all talking about. It's going to come and it's inevitable and you investors out there better start thinking about where you are going to be putting your money during this whole mess. Mr. Johnson said one of the things that the organization is doing that fits right in with one of the things we are trying to do is to save farmland. In the future, we are going to need farmland to grow food. We can't bring all our food in from Chile and California. There are groups that are interfacing with the Alliance for Sustainable Communities that are like aggressive farmers. They see this thing coming too and they want to grow enough food around here to feed us. As part of our open space program, we really have to concentrate on saving whatever farmland we have left.

Mr. Maxfield said he knows Upper Saucon has no plan to preserve any of their farms. They've got a lot of farmland that is existing and we need to change that attitude. Mr. Johnson said one of the big things is taxes. The taxes are so high that these few people we have left that own chunks of farmland in the township can't afford to pay them and parking in their driveway are the developers offering them big bucks. What can you do about that? The only thing that LST can do is offer assistance to these people who are trying to get their land in the clean and green so they can afford to pay the taxes, and thereby, keep their land which would help us. Could we give them advice or something like that and develop some kind of a pamphlet or paper? Mr. Johnson said not all these people understand what's going on. They don't trust the government also. Mr. Maxfield said maybe that's something we could do as a public education thing. Mr. Johnson said put it in the newsletter and the township will give the farmers some guidance. Mrs. Yerger said some are afraid of having to pay all these back taxes. Mr. Johnson said you only have to pay maybe seven years of back taxes and that's pretty reasonable.

B. COMMUNITY DAY

Mr. Maxfield said Community Day is Saturday, August 19. It starts about 9:00 AM and goes until 9:00 PM at night, and then it goes over to Dimmick Park in the late afternoon and evening. Mr. McKenna said always prepare for rain. The EAC will have a booth there, as normal, and they could use some help in manning it, so at the next meeting, he'll have some schedules and sign up sheets. Even if you show up for an hour or two, that will help us. Mr. McKenna asked if the township had their own booth? Mr. Maxfield said they have their own booth and he doesn't know if the school district is going to share it this year. The EAC got a little scrunched in the booth last year. Mrs. Yerger said if you have any kind of material you would like to distribute, bring it in and we'll get copies. Mr. Maxfield said Laura's website is going pretty good. Mrs. Yerger said she did suggest putting some things on the website about the County Conservation District. Mr. Oren said Laura really did a good job on the website.

C. GIS PRESENTATION – JULY 20TH AT 6:30 PM

Mr. Maxfield said this is a presentation that is put on by a couple of people we know. It's going to be prior to the PC meeting that night. It's going to show you a system that we are purchasing that has some hand held units and also they will explain what you can do with the GIS system. Everybody is invited. Come on in at 6:30 PM. It's going to be a half hour presentation. The EAC is going to be involved in this mapping of the unnamed streams as we are concerned on getting them on the maps. We've had problems with streams on the maps as the developers argue that the streams aren't on the maps. We want to get them on the maps.

II. DEVELOPER ITEMS

A. HIDDEN MEADOWS CONSERVATION EASEMENT

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Mr. Maxfield said we looked at this plan before. It's the old Mease farm on Lower Saucon Road. What is going on is the property expands on two sides of the road. One side is a cluster development and the other side where the farmhouse is, everything will be kept as it is and a conservation easement will be put on the major parts. We didn't get any maps or any additional information. What they are asking us is what we would like to see in the conservation easement and what we would like to see on that property to protect it?

Nancy Buschak, resident, said she lives right next to the property and they are interested in what's going to happen to the property. Her questions would be what the property would actually be used for, what parts actually will have the easement, what part of the property remains as an environmental easement, and is this easement part of the older home, etc. Mr. Maxfield said there is a small envelope around the house that will not be improved with the lots. The open space area must be offered to the township first. The township will accept it or turn it down. Their hope is that the township turns it down so they can put an easement on it. Our concern so far is we did a natural resource inventory back in 2000. One of the spots that was of greatest importance was the mountain right behind that property. The township probably will ask for restricted conditions on this. He suggested this personally that a section of this be not touched. There's also a stream that runs through there. He told the Engineers about it and there are pipes there that are going to have to be removed or moved. He also suggested that we restrict trail bikes and things like that. Mrs. Yerger said what she strongly suggests is that an easement is held by multiple entities, a conservation organization and the township. The township would be a partner in it, but they need another entity involved in it because politics change and Council changes. You need to get another party in there when you have an easement. Following that through, she suggested we have a baseline study done on the property and that's when they determine what should and should not be touched on the property. The township does not have anyone on staff that has the expertise, that's why you need a third entity to make sure everything is the way it should be. Ms. Buschak said a couple of years ago they took out nine trees and at the first rainstorm, the road was impassable. There were big huge boulders that washed down into the stream. It was a total disaster.

Mr. Johnson asked which side of the road Mrs. Buschak lives on. She said in the little brick ranch house on the south side. He asked if they are drinking their well water. Mrs. Buschak said yes. She is very impressed with LST and wants to commend everyone on how they want to preserve the natural resources. Mr. Johnson said it's good to hear that. He said he heard a couple of times that people had bad feelings of previous Council's in LST and how they were treated. They still think it's the same way and that's why they don't want to have anything to do with government and come to any meetings. How do you get over that, he doesn't know.

Mr. Maxfield said we should recommend that people who are buying the property that we put together an educational packet on how to take care of this property.

Mr. Johnson talked about the narrow roads. Mr. Maxfield said we widen the roads, and it's like saying you are improving 78 and suddenly we have twice as much traffic and they go faster.

Mr. Maxfield said people are going to have to get used to the idea that conservation areas, there are tight restrictions on it.

MOTION BY: Mr. Beardsley moved to make all the above recommendations
SECOND BY: Mr. Araynos
ROLL CALL: All in Favor: Yes
Opposed: None

B. 3672 ROUTE 378 SITE PLAN

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Mr. Maxfield said all they have so far is this map. He's not really sure and hasn't heard anything about this one except that from reading the information on it, it looks like it's an existing building that they are going to turn into a dance studio. It's right next to Keystone Industries. It looks like there are short two spaces on parking and it looks like they are 12% over on impervious coverage.

Mr. Tralies said they did their review yesterday. A dance studio wants to come into this commercial building and share with an existing tenant. It's two store fronts. They gave us a summary letter which stated they had demolished parts of the building in order to give them more room to provide additional parking. He didn't do the site visit on it and basically they said they couldn't tell, based on this drawing, what was out there – what was existing and what was going to be proposed. By what she said, the parking areas are not striped right now nor is it a finished parking area. They said they need a lot more information on this. They also have a use issue – they are not permitted to have two separate uses on this property which will be their biggest issue. The dance studio and the other use is another different commercial use. As far as any environmental issues, he can't comment on that.

Mr. Maxfield said there are no recommendations at this time.

C. WTVE-TV ANTENNA CONDITIONAL USE AND SITE PLAN

Mr. Maxfield said this is a co-location of an existing tower. If everyone is familiar with the two towers out on Sherry Hill, that's where it is. On one of those towers, they want to put a TV antenna that has multiple units on it. The township has always had a policy to encourage co-location. He thought this tower was full though. Mr. Tralies said they had very similar issues in their review and they stated everything they are going to put on there will be at 120 foot height. They didn't state how high the tower is or how tall their addition was going to be. They don't say that anywhere and that was their big issue. There's also a note somewhere that they say the additions are going in a place where they had previously moved something from the tower.

Mr. Tralies said you should also be aware that the towers, as they are now, are already existing non-conformities. They are too close to each other, too close to property lines, and their access driveway encroaches on a couple of properties that they aren't supposed to be on. It goes right through a couple of properties which are the same owners. Even if they make their tower wider, it would worsen the extent of their distance non-conformance. We don't know if there are any actual access agreements as their access driveway goes through property owned by the same people that may just have been overlooked before.

Mr. Maxfield said there is a flashing red light on one of the towers, it is slow and it's not annoying. Mr. Johnson said what about the power of the broadcasting? How many watts is it going to be? Is it going to interfere with anyone else around there.

Mr. Maxfield said we need more information, specifically the plan for the original tower, and more details on the additions including any height changes or lighting, appearance, which tower is it. We also need answers on the environmental aspects. We can address things like lighting, color, additional height, things like that.

MOTION BY: Mr. Maxfield moved that the EAC needs the above information.
SECOND BY: Mr. Johnson
ROLL CALL: All in Favor: Yes

D. FILLER MAJOR PRELIMINARY PLAN

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Mr. Maxfield said someone told him today that Mr. Filler passed away a couple of days ago. It's the guy who used to come to Council meetings.

Mr. Maxfield said they wanted to subdivide the section where Mr. Filler's house was so they could separate the lots. He showed a map of the lots. He said nothing is changing. It's just a repeat of what we had before.

E. CHAFFIER, THOMPSON & FILLER MAJOR PRELIMINARY PLAN

Mr. Maxfield said some are existing lots. Mrs. Yerger said one of the things we mentioned to them was we really can't guarantee that this property is going to be subdivided and not need additional EDU's unless there is a conservation easement placed on the property that they cannot acquire, so we don't feel we're in a position to allocate these EDU's anywhere else. Mr. Maxfield said there are road concerns about sight distances. From an environmental standpoint, it's pretty much covered. They've done a carbonate study. There isn't anything for us to do. When Lori Car was here, she made a recommendation that the soil, since it is old agricultural land, be tested for contaminants, i.e. arsenic, etc. We might want to make that recommendation. They got a letter from the LVPC saying they have some problems with the lots, the way they are shaped.

Mr. Tralies said this is really a nasty plan with the developer just trying to shove something in front of you.

Mr. Maxfield said recommendation are to readdress the design to be more sensitive to existing natural features, provide recreation/open space plan as opposed to the dollars, keep the tree line along Four Seasons, and look to naturalize the pond or wet pond.

MOTION BY: Mrs. Yerger moved for above recommendations.
SECOND BY: Mr. Johnson
ROLL CALL: All in Favor: Yes
Opposed: None

III. OLD/MISCELLANEOUS BUSINESS

A. SMART GROWTH PRESENTATION

Mr. Maxfield said on July 27, we were trying to get a lot of people here. It's Michael Frank and Terry Clemons. We are going to address the issues surrounding the referendum. There are papers Mr. Maxfield handed out. We are going to talk about smart growth issues, why we want to preserve property, ways to preserve property, things like that. It's going to be an interesting show. We are hoping to get a lot of public people here so it can be a kick off for the referendum. It's at 7:00 PM. It's going to be an EAC presentation and it would look really good if everyone showed up. They'll be posters and it will be put in the newspapers. The best thing is word of mouth.

B. LOWER SAUCON OPEN SPACE ACTION PLAN

Mr. Maxfield said we really have nothing tonight on this. What we are going to do is the draft Rick gave us last time, let's get together our comments for the next meeting and go over it.

Mrs. Yerger said she thought it was great. On page 6, section B, No. 3, subsection C, location and recreation, at the end of the page, she thought somewhere in there we could stress connectivity for natural areas as far as habitat, wildlife and use it as a reference. Mr. Tralies said he can expand it more.

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Mrs. Yerger said on page 7, section E, riparian buffers, she was wondering if we could look into possible extensions. Mr. Tralies said he thought we had talked that it was happening in Springtown.

Mrs. Yerger said on page 8, section H, what kind of criteria factors are there for that? Mr. Tralies said he's not sure yet. Mr. Maxfield said how about panoramic view.

Mrs. Yerger said on page 9, Industrial/Commercial sites, she'd like to see the future landfill site plan where he talks about utilizing features and industrial sites to enhance them for future environmental. Mr. Maxfield said he is going to propose for the future, that we put a windmill farm on top of the landfill once it's closed. You get breezes from the river, you may get solar sun. The power lines are there already, so there's a system you can connect into. Conectiv is at the bottom there. Somehow he'd like to hook up where the township could make money with a windmill farm. Mr. Johnson said the big problem will be foundations for the windmill towers. If you can find some areas that were never disturbed, you'd probably be okay as the whole mountain is rock. Mr. Maxfield said they are putting buildings and roads up there. Mr. Johnson said you ought to be able to put a few up there. Mr. Maxfield said they are beginning to make the windmills go slower and make them smaller. We have to do something up there.

Mrs. Yerger said on page 10, natural resources plan study, is that natural resources inventory? Mr. Tralies said yes.

Mr. Maxfield said going back to the riparian buffer item. We don't have it divided into zones at all. He's been pushing the idea that we ought to have a zone which is a no touch buffer zone. People have to re-grow and leave it alone. Mr. Tralies said they have it in another township where they have two zones, 50 foot each. Zone 1 is pretty much untouchable. Zone 2 actually can expand based on characteristics of Zone 1 and characteristics of the land. He's seen that done before. If you put it into your zoning ordinance, it applies to everybody, just not to subdivisions. Everything they've done already is existing. You could ask Terry Clemons about it as he worked on the ordinance.

Mr. Johnson said he noticed in the paper that our neighbors in Upper Saucon Township adopted their open space study by Harry Roth and they elected to go along with those TDR's. Maybe they had some place to put the high density development where the people can transfer their TDR's to.

C. SUB-COMMITTEE UPDATE ON OPEN SPACE REFERENDUM

Mrs. Yerger said the Council passed the letter that went to the County. Now we have to push on July 27 for this open space referendum. Mr. Maxfield said the only major thing he's seen about the referendum, which wasn't totally negative, was in a newspaper article, so it's really important we get our facts straight and we get documentation that we can rely on. We are going to be providing more information. If you don't know something, please ask. Mr. Maxfield asked Mr. Beardsley if he ever saw any evidence how property value changes after conservation easements, like either neighboring properties or even the property itself, taxes going down. Mr. Beardsley said he can only relate it to New Jersey, but there you have to write to the tax assessor that you've got this easement on your property. You can't tax me at the development rate anymore, and usually they have to get an appraisal before and after of the property saying what the property is worth. If you are buying an easement, you have to get a before and after appraisal - usually property values, next to permanent open space, whether it be park land or farmland usually increase. Mr. Maxfield said that could be a benefit. Mr. Beardsley said that study has been done over and over and usually it comes out positive every time. Mrs. Yerger said your physical property will go down in a sense that the demand is not there. Mr. Maxfield said he heard landowners say they don't want to get a conservation easement because of the value of their property, it decreases. Mr. Beardsley said it

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does and devalues the subject property where you are putting the easement. It's not worth what it was before. The farmland program in New Jersey is that they come in and appraise it, the State buys it, they put the easement on it, and then they resell it for a much lower value because now it's only for agricultural. Basically, there could be situations where a conservation easement would enhance the value of a property.

D. REVIEW AND APPROVAL OF MAY 2, 2006 AND JUNE 6, 2006 MINUTES

May 2, 2006 Minutes

Mr. Araynos said he didn't receive the May minutes. Mr. Maxfield said they postponed them last meeting. This will be postponed until the next meeting.

June 6, 2006 Minutes

This will be postponed until the next meeting.

IV. UPDATES/REPORTS

A. HELLERTOWN REPORT

Mr. McKenna said the Community Day is Saturday, August 19, 2006.

Last time we got together, we talked about the walking tour for the Thomas Iron Works, unfortunately that night, it rained and Tony Branco was sick, so they cancelled it. They will be doing it again this month. It's now Monday, July 24. They will meet at Water Street park unless the weather is terrible, then they will meet at Borough Hall, 7:00 PM and have their regularly scheduled meeting. They stored some of the rocks that were taken out of the original culvert. They needed a place to store them so they put them down there. Tom Henshaw needs to take them back and they are going to line the stream bed using the rocks. The stream is Silver Creek where the culvert comes out to prevent any future erosion. One of the things they forgot to do was put up a silk fence.

V. NON-AGENDA ITEMS

Mr. Beardsley said on 412 by Bechtold's Orchard, there are two houses, there was a place in front of that first house on the right that he thought was a sinkhole, now they put a detention basin there with an outlet and they put a grate over the sinkhole if it was as sinkhole. It looked like a sinkhole. They put a grate there so any water that is going to flow from that detention basin is going to go into the sinkhole. Mr. Maxfield said he thought there was a pipe there and a swale. Mr. McKenna said maybe it's something you can't see from the road, unless you get out and look. Mr. Beardsley said all of a sudden it appeared and water came down the ditch and it would stop. Maybe there is a pipe under there. Mr. Maxfield will check into this.

Mr. Beardsley said Meadows Road – Toll Bros. – is that going to be on the agenda? Mr. Maxfield said he can put it on the agenda as a report item. Mr. Beardsley said the conservation district is supposed to go out and look at it within ten days. He knows the ground was saturated. There was mud coming down Meadow's Road and the water was deep. We never used to have that before Toll Bros. He took pictures and emailed the conservation district. He offered to get some neighbors together if they wanted to talk about it. There are definitely some changes since they've been there. Mr. Maxfield said they'll bring that up and say they have to be informed if he doesn't hear from the conservation district. Hopefully, we can address these items.

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Mr. Johnson said two weeks ago he went on a field trip with the Alliance for Sustainable Communities. They went to a place run by Rutgers University. They call it their eco complex. They are doing all kinds of neat stuff down there which some how may be able to be included with some of the stuff we want to do in there future. This facility is located next to a large landfill and they are utilizing the landfill gas for energy. What their goal was, is to run their whole complex just from the energy they could get from the landfill gas. One of the interesting things was they have a small company in there that developed a process to clean up the landfill gas so that it's so clean you can burn it in a turbine and not have any pollution. Also, after the landfill gas is cleaned up, they liquefy it and Mack Truck is using it in their trucks, who is a partner in this laboratory, working on this experiment. They have a pumping station there where they were filling garbage trucks. Their main big thing is a greenhouse. In there, they take the landfill gas and they have a couple of small micro turbines that generate about 20 kw each, and they get their electricity from that to run the pumps and fans in the greenhouse. Then the heat that comes out of those turbines, and they utilize it to heat water and then the water they use in the greenhouse for heating. In the greenhouse they have hydro vegetables they grow which are tomatoes and lettuce and flowers. They grow fish and sell Tilapia. What they do to get extra bucks from the Tilapia, is they sell them live to the Chinese people in the Philadelphia section and they pay a premium price for that. The idea is not to make money, the idea is to develop concepts like a concept bed where you can try out new ideas and see if they work and then sell them to some company who will develop them on a commercial scale. The dirty water that comes from these fish tanks, they filter it and they run it through big tanks that have fish nets in there and there's bacteria growing on these fish nets. As the water runs over the fish nets, the bacteria eats a lot of the bad stuff out of the dirty water and then they filter it to take the solids out and take that nutrient rich water to grow the lettuce in. This is like a sustainable and usable thing all built into one. They have an anaerobic digester there where they put moist stuff in there and it makes gas which they feed back into the boiler. Their long term concept for the anaerobic digester is to learn how to build small ones so they can cook these small ones right at a restaurant that generates a lot of energy and make gas right there. Here they are trying to develop ways to recycle and sustain. He ate a sample of the tomatoes and they were great.

Mrs. Yerger said something about Macungie Institute.

VI. ADJOURNMENT

MOTION BY: Mr. Beardsley moved for adjournment. The time was 9:30 P.M.
SECOND BY: Mr. Aranyos
ROLL CALL: All in Favor: Yes
Opposed: None