

I. OPENING

- A. CALL TO ORDER:** The Environmental Advisory Council meeting of Lower Saucon Township was called to order on Tuesday, September 8, 2015 at 7:06 PM, at 3700 Old Philadelphia Pike, Bethlehem, PA, with Sandra Yerger, Chairman, presiding.
- B. ROLL CALL: Members:** Sandra Yerger, Chairman; Tom Maxfield, Vice Chairman; Laura Ray, Dru Germanoski, Hazem Hijazi. **Absent:** Allan Johnson & Ted Beardsley. **Associate Members:** Sarah Stanlick, Michael Boyle, David Jauregui & Thomas Carocci. **Absent:** Glenn Kaye. **Hellertown Liaison:** Terry Boos. **LST Staff:** Diane Palik
- C. PLEDGE OF ALLEGIANCE**
- D. ANNOUNCEMENT OF EXECUTIVE SESSION** – None

II. OPEN SPACE SUB-COMMITTEE

A. PROPERTY UPDATES

1. MARSON BASELINE STUDY

Mrs. Yerger said this baseline study was amended by Wildlands Conservancy. The reptiles and animal sections were changed. The EAC had questions on the plants and shrub list which they reviewed.

MOTION BY: Tom Maxfield moved that the EAC recommends to Council that Council approve the Marson Baseline study.

SECOND BY: Laura Ray

ROLL CALL: 5-0 (Absent: Mr. Johnson and Mr. Beardsley)

2. PROPERTY NO. 2015-1

Mrs. Yerger said that Council voted to notify the property owner that they were not interested in purchasing the property.

III. NEW BUSINESS

A. DISCUSSION WITH ELY BROWN ON NATIVE PLANT GARDEN

Ely Brown was present. He said over the summer the Boy Scouts continued to work on the garden. They did a spring clean-up. They put the pump into the pond and spread out the rest of the mulch. He was wondering if there was anything else the EAC wanted the Boy Scouts to do besides continuing to weed. He also questioned whether or not they wanted more plants planted in the garden as there was a big space where there is nothing planted. Mrs. Yerger said it's too dry right now to plant anything, why don't we wait until spring to do any planting. Ely asked the EAC about the trees that were supposed to be trimmed. Terry Boos said he met with Roger Rasich today and Public Works will be trimming the oak and maple trees in the garden in the fall time when the leaves are down. Terry Boos showed Roger which tree branches should come down as this will provide a little bit more openness and light to the garden. Ely said he will be back in the springtime to talk with the EAC when it's time for the spring plantings. The EAC said the native plant garden looked great.

B. NATIVE PLANT SALE FOR FALL (SEPTEMBER 20TH OR OCTOBER 4TH)

Sarah Stanlick and Tom Carocci volunteered to sell native plants at the Farmer's Market on October 4th. Since the next EAC meeting isn't until October 13th, Sandra Yerger will get in touch with Edge of the Woods to see what plants are available and get back to the EAC to see if this is a go for October 4th.

C. DISCUSSION OF LATEX-BASED PAINT COLLECTION EVENT FOR HABITAT FOR HUMANITY OF LV (NOVEMBER 7TH)

Mrs. Yerger said Roger Rasich is okay to have this event at the Township on November 7, 2015. Keep this on your calendar and those of you who can help, let Diane know.

- MOTION BY:** Ms. Ray recommended to Council that Council approve the Latex Based Paint Collection Event for Habitat for Humanity of the Lehigh Valley at Lower Saucon Township on November 7, 2015 from 9:00 am to noon.
- SECOND BY:** Mr. Maxfield
- ROLL CALL:** 5-0 (Absent: Mr. Johnson & Mr. Beardsley)

D. ADOPT-A-ROAD CLEAN-UP FOR OCTOBER (NEED TO PICK A DATE)

The EAC picked Saturday, October 24th for their clean-up starting at 9:00 am. Mrs. Yerger said to bring this back to the next meeting to see who will be volunteering for this clean-up.

IV. DEVELOPER ITEMS

A. IESI BETHLEHEM LANDFILL DEVELOPMENT #LD0115 – 2335 APPLEBUTTER ROAD

Mrs. Yerger said everyone got the information for this agenda item. She asked for comments and questions.

Mr. Dru Germanoski said by going up higher, they are changing the whole topography. It looks like they are aiming to go up 725'. Parts of that ridge tops out at 650' and 700'. Site lines are going to be altered from the south. It's a quality of life thing. From a technical standpoint, the plan is to go higher on top of part of the trash pile that is unlined, so he can't help to wonder what that does to the pore pressures of the leachate in the underlying pile of trash. That's going to drive leachate into the subsurface. He wonders about slope stability. He thinks it's risking what was seen at Chrin a couple of years ago with their failure. It's unknown quantity in the old landfill.

Mr. Hazem Hijazi said he had similar concerns. He raised some of those concerns when the DEP came and gave a presentation. The DEP assured us that they learned from the Chrin failure along the safety factor that they use with the liner. They have used such technology of putting waste on top of waste in other landfills throughout the area and it has been successful. The landfill has their engineers saying it's been done in other places safely and DEP has their technical people assuring us yes, it's safe and feasible. With respect to the line of site and elevation, he thinks that issue was raised in the presentation and the landfill's engineer position is that it was an approved elevation and they are not really going above what was approved in the original plans. He does have concerns of putting waste on top of waste. Mr. Germanoski said with respect to piling trash, when you start from the ground up and you're engineering the whole thing following modern standard practice, but they are dealing with a big unknown there. It's unlined, and you are going to drive that leachate out. Where's it going to go, it's going to go down. It's not like a normal situation where they have a leachate collection system and they can monitor these things. That's a huge concern for him from an environmental standpoint.

Mr. Maxfield said at Council, the big topic of discussion was the temporary covers on the intermediate fill areas. There's a western part of the fill area that they want to temporary cover with some sort of tarp material. They said it's like a friendly green color and from what our engineer said it will do about 85% of the job that a normal cap would do as far as odor control, keeping water out. They want to cover part of it. There are large areas that are intermediate that also would be covered and if they get their approval, they want to basically work on the southeastern side and the eastern side and come back and work on the western side. That intermediate cover is going to be there for quite some time. They said in the literature that if the western zoning change is off the table, they basically will take that temporary cover and leave it there and pile the finished soil on top of it to put a real cap on top of it and finish it off. If they do a western zoning change, then that would all be graded into whatever goes onto the west so that would be major, major changes there. One of the big ideas is it's supposed to cut down on the odor from whatever's going on there. Somebody brought up the same thing as Mr. Germanoski did. Years ago they talked about the geological makeup of the site, carbonate down below, and it was highly fractured nice. To him, that opens you right up to groundwater. Mr. Germanoski said the

ridges that are comprised of metamorphic rock are heavily fractured and they do serve as groundwater recharge. This is significant and if you have a question, all you have to do is look at the redistribution of springs. There are springs at the base of all these ridges because it's rainwater going into the bases of all these refractors and coming out at the base of the ridges. Mr. Maxfield said their whole idea has been you can't put the liner at the bottom, they cap the top off and the water does not go through and let it filter down. With the extra weight, you don't need the water on there, it's like a garlic press. Referring to the slope, he's pretty sure that the entire slope of the landfill is well above what anybody in the Township would ever approve for a normal development. It is pretty steep in areas and he thinks they are planning for it to get steeper. At the top they built an MSE wall and are planning on putting a sizeable one at the bottom also which will take off some of the stress of it. People have all kinds of questions whether these have been proven and they say they have been proven to work. On those slopes, we're talking about six acres of area that was never disturbed that has no fill on it that they will now be attempting to bridge into and put fill on top of plus combined with the other stuff that has fill and that's all basically going to be impervious. All that water is going to run down into that system to the eastern part of the Township where they are trying to keep it from going away from the North Slope and it will go down into that wetland on the eastern part and that all will be exiting out on Applebutter Road when we have big storm event. He thinks there are all kinds of stuff that we really need to eyeball. They will minimize what they are doing, but if you look at a map of what they are proposing, it's really extensive and huge. The difference from what was planned before like little mounds is now the entire ridge filled in and slopes being rebuilt. It's pretty extensive. The general opinion is it probably will get passed by DEP as they are entirely within their footprint so it will be a project that happens, but we have the opportunity to make sure it happens in the best possible way for Lower Saucon. There are things we need to think about and comment on.

Ms. Laura Ray said the part that was capped off anyway, even though they say they can go higher, why did they stop using it to begin with and now they are going to use it again? Was there a problem then? Mr. Hijazi said he thinks the old part was the old historic part used by the City of Bethlehem, so IESI came after that part was covered and they started to move into the new areas. He doesn't think their plans when they took ownership of the landfill involved the whole part. They were focusing on new landfill with liner so they didn't touch the old stuff. Now they are in need of additional space, so that is one way to go back to the old area and we can load it with new waste on top of the old waste.

Mr. Maxfield said back when Bethlehem owned it, it was a open big raw dirt patch where you drove your car up, backed up to this concrete curb that had a drop-off and dropped your junk off of that and a bulldozer came and took it wherever. You could see bicycles, dolls and whatever. In a way, what IESI has done was really clean up that stuff, but they had to do it by law. It was even nastier than it is now and that's why you have areas that are unlined. They had to cap those areas with a waterproof cap, but in the old days, they didn't have to do that, so they let it rot. That's why there was a lot of water pollution out in Steel City.

Mr. Germanoski said from an environmental point of view, he doesn't see any amenities. There isn't anything positive and just potential for environmental degradation, then the ancillary aspects to run that operation and the truck traffic and all of the exhaust that comes along with that. Everything we approve or recommend is benign in terms of allowing them to continue to operate. Those impacts are part of the process and from an environmental standpoint, he doesn't know how we could condone it. There may be other considerations in the big picture.

Mr. Jauregui said he's listening to what we are all saying and he looks at the memo and almost all the waivers they claim to have a pre-existing approval, the scope of our group is to assess the environmental aspects and Mr. Germanoski's argument about leachate and based on the structural integrity, if you were to assume they were to design it properly and that they have the engineering in place so it's not a structural problem, then what would be the environmental impact besides the

traffic. They address the leachate problem by saying they are connecting to another underground system that connects to the original leachate system. It seems they covered their bases, so he's trying to understand what we are empowered to go off and question or make judgment on? Mrs. Yerger said we can still voice our opinions and send them on to Council and our concerns in the environmental realm. It may or may not stop it from happening, but it may end up minimally producing a better outcome because we have voiced those concerns and they will be careful on how they implement this even if DEP does approve it.

Mr. Maxfield said there's a protocol set up on how things go down, government meetings, things like that. There was a question our Solicitor was asking himself and others whether if it was a major enough change if they required a special exception which it's not special or an exception. It's kind of a condition that requires certain things to be done like site plans, etc. He thinks a lot of the statement about waivers and those things are an attempt to say we feel that we don't have to do a special exception. In the meantime, if he understood our Solicitor, what he said was IESI has agreed to go through basically the process of a special exception without actually doing a special exception. He doesn't know what the big difference is. The Township has those restrictions and IESI is going to have to go through a lot of that stuff. That goes back to them minimizing things, as a special exception is a big thing and we feel they should do it and it's only fair and much more extensive than what was planned before.

Mr. Germanoski said regarding the leachate, it's going to go on top of the new liner and that collection system, his concern is fluid and liquid in the old trash heap underneath it which is not lined. It may be in status quo where it's in equilibrium with the material now, but it's the loading of that material than can mobilize that and that's the unknown here before technology and regulations were enacted. He doesn't have nearly as much concern from them engineering from the ground up.

Mr. Thomas Carocci said Mr. Germanoski makes good points there, and so does Mr. Jauregui, but we should be specific in our concerns as they were very specific in their plans. He wouldn't be surprised if DEP passes it also as it's a well-written plan. He thinks we have to be specific as to what we're objecting to. You have to pick your fights here and it doesn't seem that's a fight that's going to carry a lot of weight, the emission from the trucks. Mr. Germanoski's other points are very well stated and would be very legitimate and that's where we may be able to get some concessions with them.

Mr. Maxfield said the first things they did was borings of the first waste they did, so if someone can read a boring log, we could get those and look at them. Mr. Germanoski said he and Mr. Hijazi may be able to look at them. Mr. Hijazi said there's a Landfill Committee that is involved in the oversight of the work that's being done at the landfill and he's a member of that committee. These consultants are hired by the Township and they review the work that is being done and all the submittals made to the DEP. There were items provided by these consultants to the DEP in terms of an environmental impact assessment, so there was something done by the Township on the Township side with respect to this proposal with technical details and issues and what could be the insensitive impacts. Some of these issues were raised by the consultants, so he thinks maybe some of these reports could be copied to the EAC.

MOTION BY: Mr. Germanoski moved that the EAC recommends to Council that the Township Engineers and Engineers overseeing the landfill ascertain that they've adequately characterized the existing foundational waste to evaluate its moisture content, and whether there's a potential for loading that trash to drive leachate into the subsurface and to ascertain whether the material can support the proposed additional mass of material on top of it.

SECOND BY: Mrs. Yerger

ROLL CALL: 5-0 (Absent: Mr. Johnson and Mr. Beardsley)

B. KUNKLE/CHROMCZAK SITE PLANS #SP 02-15 (KUNKLE) & #SP-03-15 (CHROMCZAK) CRESTLINE DRIVE (BETWEEN 2654 & 2588 [KUNKLE]) & 2645 CRESTLINE DRIVE (CHROMCZAK)

Mrs. Yerger said this is timbering. There is a timbering plan by Timberland Consulting. It's somewhat of a sloped area. They are taking about 187 trees. Mr. Boos said looking at the number of trees and the diameter class, he doesn't see any trees below a 16" diameter class, so he's not sure exactly what the strategy is. He can't imagine this forest doesn't have any trees less than 16" and if this is the case, he would classify this as a diameter limit cut which from a forest management point of view is not to be recommended. As far as whether there's additional growing stock in the small size classes below 12", he'd like to at least have acknowledgment of that coming out. If that material is coming out, then he'd say this timber sale might be worthwhile, but with a diameter limit cut, he wouldn't recommend it. Mrs. Yerger said what you are basically saying is they are taking the larger trees. They are not doing an across the board management. Mr. Boos said they are talking in the forest management plan about multiple age forest and you still need to take some smaller size trees out to achieve that goal. The way it's described in this plan, it doesn't meet that objective. If those trees would be removed, he would say that generally speaking, the distribution isn't that bad, and the volume is not bad either, so other than that, he'd say it would be acceptable.

Mr. Maxfield said on the Chromczak site plan, there's a little chart that talks about slope and we've been really concerned about steep slopes for some time and he doesn't see any timber harvest being done with mules or anything that might be less impactable, so he's guessing that there's going to be machinery in there and they will be dragging things along. There are at least four classes of trees where the slope is 15% or above. They do have a 75' buffer for the stream, but he just questions the wisdom of taking out trees on that kind of slope. He knows there's always the explanation they are going to leave the stumps, but you are still disturbing the area to get a lot of trees out of there. Mr. Boos said that may or may not be true. Most of the times skitters now-a-days have a winch cable system on the backend, so even when the tree is felled, they are able to winch that tree back to the skidding machine. With the residual stocking that's listed on the location points, the stocking levels are more than adequate for retaining forest cover unless they are creating absolute horrendous ruts. A good operator at the end of the job will fill those ruts or make all the adjustment and put all the water bars or anything else that needs to be put in to keep water from washing out. Mr. Maxfield said he didn't quite understand, what is left is the percentage of cover or canopy? Mr. Boos said the basal area just as a rough rule of thumb, in this area, most forest slopes tend to run between 120 and 160 as a common standard. The numbers you are seeing in that range and normally when you do a forest harvest, you want to bring your residuals between 80 and 100. Looking at the species composition, those numbers will work out just fine. Mr. Maxfield said it looks like they are taking a lot of ash. Mr. Boos said they should anticipate emerald ash if that comes in we're going to lose it as a forest species anyway. They are at least getting utilization out of it, and right now there is value. Once there's a glut in the market, they will not be worth anything. Even if they are taking all the ash out and on the management plan they said there was advanced regeneration present, ash is a wind borne species for seeding properties and it seeds like crazy. They are just being proactive, it's going to happen.

Mrs. Yerger said they are going after all the big ones and not doing a mixed cut, which is what you should do for a true forest management plan. Mr. Boos said you get a more diversified forest canopy, so you'd like to have three or four layers in your forest. Mr. Germanoski said it sure looked like a range of tree sizes on the property. Mr. Maxfield would like to see further documentation on how they propose the slopes will be okay and they are not going to cause erosion or big ruts. We don't even know that their equipment is updated.

MOTION BY: Mr. Maxfield moved that the EAC recommends to Council that Council recommend opposition to the Kunkle/Chromczak Site Plans on Crestline Drive on the grounds that from the facts and figures, it appears to be a diameter limit cut and it's not clear as to how the slopes above 15% will be protected during this operation.

SECOND BY: Mr. Hijazi
ROLL CALL: 5-0 (Absent: Mr. Johnson & Mr. Beardsley)

C. INDOOR RECREATION FACILITY – FORMAL SKETCH PLAN REVIEW – 1920 LEITHSVILLE ROAD

Mrs. Yerger said this is for an indoor recreation facility that is proposed for roughly where Route 412 and Reading Road intercept past the Giant going south. Mr. Maxfield said he wants an indoor volleyball court for kids. It accesses from Route 412 and he thinks it's too dangerous so his main and only access will be down on Reading Road. Ms. Ray said it seems logical to her. Mr. Maxfield said he put the access down as far as he could on the property. When the P/C looked at this, when you are pulling out on Route 412, you know you are pulling out on a mess no matter what, but when you are on Reading Road, it's almost like a function at Stabler where people can go another way as there's multiple ways to go. The applicant said if there was a tournament, they could extend parking out on the grass. The only comments the P/C had was John Noble said he preferred an exit on Route 412 as the slope coming up Reading Road is so steep when you get up there. Mrs. Yerger said technically that's not our purview, so are there any environmental issues?

The EAC had no comments as there are no environmental issues.

V. UPDATES/REPORTS

- Mrs. Yerger said the LVPC has worked with a committee on a local return on the environment. It has taken a look at the Lehigh Valley and has taken the actual values of open space; the trees, the open space, what it saves us in infrastructure, what it gives us in recreation facilities. The first one to do this was the Delaware P/C down in Montgomery and Chester areas. They actually put a dollar value on it if they had to build another plant to filter their waters and it goes on and on. She thought the EAC might find this interesting as we are all advocates of open space. For people who don't care or don't understand it, this literally does put a local dollar value on why our environment is important. It's been very beneficial in Bucks County. She will send the link to everyone.
- Mr. Maxfield said he has some signs that a Boy Scout generated for the Heller Homestead for the nature trail. It's a nice job of garnering the signs.

VI. APPROVAL OF MINUTES

A. REVIEW AND APPROVAL OF JULY 14 & AUGUST 11, 2015 MINUTES -

MOTION BY: Mr. Hijazi moved for approval of the July 14th and August 11, 2015 minutes.
SECOND BY: Mr. Germanoski
ROLL CALL: 5-0 (Absent: Mr. Johnson & Mr. Beardsley)

VII. OLD/MISCELLANEOUS BUSINESS – None

VIII. TERRY BOOS – HELLERTOWN REPRESENTATIVE – REPORT

Mr. Boos said the Water Street Park is approaching completion until the 90-day cure process has expired. It should probably re-open by the end of October.

IX. NON-AGENDA ITEMS

- Mrs. Yerger said there's a webinar you can partake in for land conversation in PA. If you are interested in it, please look at the email and follow the directions.

X. PUBLIC COMMENT – None

XI. ADJOURNMENT

MOTION BY: Mr. Maxfield moved for adjournment. The time was 8:24 pm.
SECOND BY: Mr. Germanoski
ROLL CALL: 5-0 (Absent: Mr. Johnson & Mr. Beardsley)