

I. **OPENING**

CALL TO ORDER: The Environmental Advisory Council meeting of Lower Saucon Township Council was called to order on Tuesday, November 10, 2009 at 7:03 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; Haz Hijazi, and Allan Johnson. Absent: Ted Beardsley.

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

Hellertown Liaison: Terry Boos

Jr. EAC Member: Sara Cote

Planner: Kevin Kochanski – Boucher & James

PLEDGE OF ALLEGIANCE

II. **NEW BUSINESS**

A. **A-PLUS RECYCLING**

Mrs. Yerger said A-Plus is with us this evening. Glorinda and Wayne Cook from A-Plus Industries were present.

Mr. Cook said they are just here to find out if there are any concerns or questions regarding the recycling event that took place on October 10? If there is anything that may have happened so they can make the event better for the future. They had one situation that arose. They had to charge for monitors the first time in the last couple of years. They thought everything was taken care of and it was just a misunderstanding. They just want to know if there are any concerns or if there is any timeframe they need to let people know if there's going to be a change for the future.

Mrs. Yerger said as soon as you find out about a change, please let the Township know because usually it's staff that puts the ads in. The EAC doesn't control that. We will set the date and then turn it over to staff, and they coordinate with someone from your office on how to do the ad. Anything that needs to be said or not said, needs to be coordinated with Carol like TV's in, TV's out, or any other changes like that. Mr. Cook said maybe next time they can get something signed off.

Mrs. Yerger said she was at a local conference this past weekend and she spoke with Mr. Tom Dittmar from Northampton County. He just sort of requested, and it would be beneficial to know, when we were going to hold our recycling events so that you are not having them one after another. Ms. Ray said the County held a hazardous waste recycling event over at Northampton Community College. Mrs. Yerger said Upper Saucon did their recycling a week before. What Mr. Dittmar was saying, for citizen's sake, if we can set dates earlier, he'd help us promote it through the County. Mr. Cook said it would be best to have both at the same place as people pulled up to see if they could do it at the Township instead of driving over to Northampton Community College. Mrs. Yerger said she thinks Mr. Dittmar was even thinking about doing things county wide where it's having maybe a drop off point here, then further north, and coordinate it together, which kind of made sense to her. We're not being obligated to tie into this. He was just trying to make it more efficient. We are in a partnership with Hellertown and the SV School District and Mr. Dittmar gave a presentation there last month about recycling. He's trying to keep everything coordinated

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and smooth so the residents have the biggest opportunities to recycle their goods. He can put dates in the County newsletter for us and promote it and people can go wherever it's most convenient for them. It's something we need to look at. Do we have to opt in? No, if it doesn't work, we don't have to do it.

Mr. Cook said the \$10 charge isn't something that is permanent from now on. Basically the recession had a weak market, especially for glass, plastic and copper. A lot of these places don't buy those kinds of materials anymore. Mrs. Yerger said as long as we know going in, there shouldn't be an issue. Whatever changes come down, the market goes up, the market goes down, you can let us know. Mr. Cook said the recession has hit everything across the board. Mrs. Yerger said the one thing you agree, the more convenient we can make it for the residents, and if we can make it across the board and bring a lot of things, that would be great. We'd have to coordinate it with the County. We don't have the capacity to get rid of hazardous waste though, but the County does.

Mr. Johnson said what does A-Plus do with the recycling you get from us? We expect that you are doing it in a manner that is good for the environment. What do you do with the stuff? Mrs. Cook said as far as the monitors are concerned, they used to deal with a company in upstate New York who used to use the glass and sell it to Corning. Then we deal with a company in New Jersey who also recycles glass. Mr. Johnson said do they disassemble the monitors or do you? Mrs. Cook said they do not disassemble them. Printers, scanners, copiers, things like that all are recycled properly. Mr. Cook said it goes through a shredder and the magnetic puts the material into separate bins. Aluminum would fall straight down, steel would come a little bit closer, plastic would get blown away. He's seen the whole process. For them to buy the equipment, it would cost them about \$3 million. Mr. Johnson said it's okay if you can't do it, but what happens to it afterwards? Mr. Cook said the plastic goes to a company who reuses the plastic to make other plastic materials. The metal goes to be recycled and gets sent off to steel mills in Pittsburgh and the same thing with aluminum. Copper gets used in Reading. Mr. Johnson said all the materials are separated and reused by someone? How about the computers? Mr. Cook said absolutely. The cover is taken off the computer and that goes with the metal. The circuit boards are taken and put in an incinerator to extract the precious metals. Everything goes to a gigantic shredding system. Mr. Johnson said the company that does that, are they in the United States? Mr. Cook said there's one in Canada, and there are not too many in the United States. The final process, the gold reclamation, a lot of it is sent over to Eastern Europe. There are some companies in the United States that will do small batches, but it's not as efficient. He gets a batch charge and it's a lot cheaper to ship it to a company in a country like Belgium. They don't have regulations like we do here and they can refine it for a lot less. He can actually put it on the boat and ship it overseas for less than he can send it to Massachusetts. A-Plus is more of a coordinator and a collector. For them to actually do this would be ridiculous in Allentown. There are so many in the United States who are coordinators and collectors.

Mr. Maxfield said as far as the advertising, how long do we need, a month or so? Mrs. Yerger said the sooner we know, the better. Most of the papers we advertise are weekly and they have a deadline a week before, so we need it at least two to three weeks ahead. Mr. Cook said next time they will let them know, have it written down, and present it to the Township and have the Township sign off. Mrs. Yerger said a month notice would be better. That gives our staff a little time to handle it and send it in. Mr. Cook said any changes that would be made after the initial presentation, would be A-Plus's problem.

Mrs. Yerger said there were a few LCD monitors. Those are still okay? Mr. Cook said those are great. They can still fix them. Those people didn't have to pay the \$10.00 as they still have value. Mrs. Cook said the website needs to be worked on as far as advertising. She went on the website and she didn't see anything on there about the recycling. Mr. Maxfield said they are trying to work

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out the system for getting information on there. Ms. Ray said it was on the EAC website. Mrs. Yerger said we are changing providers where it's going to enable our staff to do some of the changes in-house as opposed to sending it to them to make the change on the website.

Ms. Tokura said this recycling event should also be educational for the community. Why do we recycle, are we charged? If we add some explanation as to why we recycle and why we charge, this will encourage residents and make sense to recycle. We should post information on the website explaining why it's important to recycle. As a resident, she's very much interested where her computer ends up. That information is very important because we are charging for the monitors. People don't know why we are charging, so they are throwing their monitors away in the landfill. Mr. Cook said on their website they are going to show a person what happens with every single thing that gets recycled and go as far as walking through and showing the entire process of where it ends up and how it gets recycled. It's going to be done within the next month or two and will explain the entire process of recycling. Mr. Maxfield asked if we could do a link to the A-Plus website? Mr. Cook said absolutely. Mrs. Yerger said we can still put a paragraph or two, and then put "to learn more", and have it linked to the A-Plus website. Mr. Cook said that's fine with them. People say all the time, are you taking the stuff and dumping it in China. He says why would he do that and sit out here and collect all this stuff and send it to China and dump it on the ground somewhere. He's got to get paid for it. He doesn't get paid by sending it to China. It doesn't make any sense. Mrs. Cook said they were one of the first recyclers in the Lehigh Valley. Anyone is welcome to come by and take a look.

Mr. Johnson said you take some of the chips off of the boards? Mr. Cook said yes, that's the majority of their business – any integrated circuit. They've got parts from the 60's, 70's, and the 80's. The manufacturer stops making the parts every three years now. The life is three years. They tell the person to redesign. They call us and the part used to be a dollar and we sell it to them for \$150. It's just the way it works. Mrs. Cook said with a guarantee.

Stephanie Brown, Meadows Road, said she wants to make some observations as she is one of those people who were trying to get to all the recycling events. She's not aware before this year of any county wide recycling events. Wasn't this the first year? Ms. Ray said she thinks it was the second year. Mr. Maxfield said they used to have them up in Martins Creek and now they transferred it down here. Mrs. Yerger said part of it is because Mr. Dittmar has become the County Coordinator for the recycling program, so he has broadened the approach of this. That's how this started. The County finally hired him. He used to do it for Palmer Township. That's why it went county wide. Ms. Brown said she has no problem bringing her recycling to the Township as the Township gets the money. The problem with the Township event, is there's a lot of things the Township won't take, and thank goodness, finally, she found out about the County event. There were things she had to pay for. Her father gets upset with her because she tends to collect things and doesn't get rid of them until she can recycle them. It would be nice if instead of having the events in the fall and the spring, have more events so there is less time in-between the events. You'd be surprised at what people aren't recycling. It just would be a lot better if she didn't have to store things for six months. In terms of coordinating with the County, it would be worse, as a resident, to go to two recycling events in one day. Mrs. Cook said they've done many recycling events of numerous townships, churches, etc. Actually the spring and the fall do work pretty well. If you do in-between there, you are not going to do that good. There are other electronic recyclers out there. If you call them, you can drop your recyclables off. You don't have to wait for us. Mrs. Yerger said that's what Mr. Dittmar will do is he'll post it, Macungie is having it this week, Bethlehem is having it that week, etc., etc. This is what they are going to do. This is what they are going to charge. He wants to coordinate efforts if you don't want to wait for six months, and you find one in Macungie, and you want to drive there now as opposed to holding your recyclables for three months. He's trying to get all these events coordinated and what you can and can't do at these events. He's also trying to work with Lehigh County. Ms. Brown said the household waste event,

you actually had to make an appointment. She found that to be very annoying. It should have just been a drop off event. They spent forty-five minutes in line.

Mrs. Cook said Macungie just had an event and laid out a check for all the monitors that residents dropped off. The residents didn't have to pay the \$10 charge.

Mr. Kochanski said do we have anywhere where we post how much we recycled? He just saw 14,400 lbs. Mrs. Yerger said Ms. Ray puts it on the EAC site. It should also be posted on the Township website how much recycling we collected. Diane will take care of getting it on the Township website.

B. DISCUSSION ON WINDMILL AND SOLAR REGULATIONS

Mrs. Yerger said Boucher & James worked with Doylestown Township with this draft ordinance that was included for wind energy. Are there any concerns, questions, or comments?

Ms. Ray said the first one that jumped out at her was the "shall not be located anywhere within the front yard". She's thinking we have people you can't even tell there's a house as they are way far back. Why should they have to go through the hassle of getting a variance because we have this no front yards or even if your front yard isn't three acres away, why is it? Why, because you think they are ugly and no one should see them. They are going to see them anyhow.

Mr. Kochanski said this ordinance was developed for Doylestown Township and they are a little bit different community and that specific section, 14B, was revised to actually no longer require it at 300 feet back, but they cannot be any closer than the front of the house. It would not be able to be located in the front of the house to the street. That was specifically something that Doylestown wanted as part of the regulations for their community. It would be up to you, as a committee what you don't want to see, that's why this is coming down for you for your review and recommendations. The Township has been starting to receive some requests for these and when it was discussed at the staff level and briefly with Council, Council wanted them to receive your input and see if you felt the existing regulations were appropriate or if regulations like what we had created for Doylestown were more than what you thought was appropriate to regulate this. The biggest issue facing windmills is the height. Currently you have a 50 foot height requirement. On this area, 50 feet doesn't really get you very high with the winds. The wind maps in this area are very poor, so there's not a large sustaining wind force that is going to drive them, so you really need to get them up taller. At 50 feet, it's not practical from a wind generating system standpoint. The biggest issue facing wind energy systems is the setback on property lines. What is very typical is 1.1 times the height on the property line wherever you put it on the property line. Ms. Ray said that makes sense if you are concerned if it falls over. Mr. Kochanski said you see regulations similar to cell towers, the setback, the height. Wind energy systems, it's pretty universal across the board, even coming from the model from the state; it's 1.1 times the height. It's to protect the adjacent neighboring properties. It doesn't get into what height a wind energy system could be because they vary. It really depends on where you're at and what obstacles you need to clear. The area is rated as poor and that's a wind speed, (it goes from poor to superb). This entire part of PA is not very good. There are some pockets that do receive slightly higher wind speeds and ratings, but the area, in general, is poor.

Mr. McCormick said the rule about the front yard is a totally appropriate rule in the context in if it's going to change the community. White picket fences, now all of a sudden there's a windmill in front of the house. In Doylestown, it would make sense, but a lot of those properties would struggle with the 1.1 anyway. Here, you are right. You have houses where the front yard is 90% of the property. It would be silly to say they can't put it in their front yard. First of all, it isn't even their front yard. At one point, it gets so big; it's not a front yard. Should that one have a size

requirement on any lot that's less than five acres, it can't be in the front yard. Any lot over five acres, it can be. Ms. Ray said why are we regulating that because of looks? You could have a hideous house right up at the street.

Mr. Johnson said talking about towers, some towers have guy wires, then you have a tower that is a free standing tower, which is a lot more expensive. You have to be sure the regulation addresses the placement of the guy wire. Ms. Ray said there are guy wires in here somewhere. Mr. Johnson said that's something you have to take into consideration. The higher you go, the more expensive the tower is, and the price goes up. You need a much bigger area if you use the guy wires as they have to be in the ground. As far as the height of the tower goes, these windmills, if they are up high enough off the ground, and the air is not being disturbed by the trees or mountains, then you get more efficient conversion of wind flows. That's another reason why they put them up so high. The commercial ones are 200 feet off the ground. Mrs. Yerger said there's a 65 foot maximum. Mr. Johnson said if there's a hill nearby and the air comes over the hill, you are not going to get good performance as the air is going to be turbulent as it comes over the hill and the windmill isn't going to work well. Some of these places like the DaVinci Center or the energy show at Kempton, they have windmills, but they are pretty much demonstration mills and they don't care if they don't generate actual much electricity. If you buy a wind turbine, if that's capable of making 20 kilowatts at a certain wind speed, you are going to want that performance. You are not going to want to spend all that money and get 10 kilowatts because of the air flow. It's up to the person who builds it to make those decisions as far as efficiency and cost. Mr. Maxfield said wind power is something that should be encouraged.

Mrs. Yerger said you are talking about setbacks, and she's trying to envision areas like Quarter Mile Road, that have windmills up and down it, and she's wondering, and trying to play devil's advocate, what are the neighbors going to think to have five or six windmills on Quarter Mile Road in the front yard as some of those homes could get away with it in the front yard. Mr. Maxfield said the windmill is not that bad looking. Ms. Ray said she doesn't think we are going to be overburdened with windmills in the Township because of the costs of them. Mrs. Yerger said can we restrict the as far as the zones? Ms. Ray said it almost is based on the amount of space you need. Mr. Kochanski said the height setback requirement does limit it to certain size lots and depending on the type of system someone wants to get and how efficient they want it to be, the taller it is, this does cap it at 65 feet. To get it higher than 65 feet, it's going to be more efficient with the wind speeds. Mr. Johnson said are you talking about the tower as 65 feet or the tip of the blade? Mrs. Yerger said it's to the tip of the blade. Mr. Johnson said that would even make it lower. It could only be 30 feet off the ground. Ms. Ray said we're supposed to be promoting things that are good for the environment. Mr. Kochanski said it's typical to have accessory types of structures behind the house. Ms. Ray said maybe your house backs up to the woods and your front yard is the open place. Do you want to make them chop down their woods? Mrs. Yerger said then they can apply for a variance. As we tread into this, one nice thing is ordinances can always be modified. She thinks she would be a little more comfortable for people to start having them in the backyard.

Mr. Johnson said you can't attach these things to a building as they need too much structural strength or a foundation. Ms. Ray said they do have turbines attached to a building or a roof. They are tiny. We need to address that. Mr. Johnson said do you want to get into that, attach a wind turbine to their house, are you going to have some kind of regulation that requires an engineer to look at it so they don't rip the roof off of their house.

Mrs. Yerger said what if we max it out at 65 feet? Mr. Johnson said if we restrict the height, that is going to be a big problem. Mrs. Yerger said if it's not going to generate much in electricity, then it's a moot point. Mr. Johnson said the person is going to hire a consultant and the consultant is going to tell them if they don't put it up to a certain height, it's not going to work right.

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Mr. Johnson said he heard a guy give a talk about wind energy. He said it's got to be up in the laminar wind flow or the blades are not going to work like they are supposed to. The blades might spin once in awhile, but it's not going to be able to create a high torque. When those blades are spinning, they are trying to turn a generator for electricity. The more electricity that generator makes, the more torque or twist you need to turn the generator. The wind going across the blades creates that. If you don't have a good wind going across the blade, you aren't going to get much electricity from a generator. Bigger blades give you more power. He doesn't think that people who live on a small lot are even going to think about this. You should have something in the ordinance that restricts the amount of acreage you should have. Mrs. Yerger said that's why we were talking about the zones. Mr. Kochanski said the height setback really dictates that. If you are talking about a 65 foot structure, you need in excess of 70 feet on either side of that, now your lot has to be 140 feet wide and you start looking at the dynamics of that, you start limiting the ability for small lots to support these types of structures.

Mr. Johnson said when is the tower going to fail? The answer - in a windstorm. Suppose the wind turbine is spinning around and the tower collapses and who knows what will happen when those blades hit the ground. Mrs. Yerger said you want to have a big enough setback from the neighbor's property and for safety reasons. Ms. Ray said she doesn't think you need to go by zone. Why say you can only put it in RA and you can't put it in R40. You can live in R40 and have ten acres. It should just be whether your property is appropriately sized. Mr. Hijazi said the issues we are discussing are the height of the tower, the area where the tower can be placed whether it's in the front or the back, so it's the height and the location we are concerned about.

Mrs. Yerger said there's definitely an effect on wildlife, how the blades are turning, how they are constructed, what the windmill looks like. They've known if it's put up in any kind of flyway at all, it's decimating to birds, bats, anything that flies, depending on the type of turbine that's put up. That's just a fact as they literally get pulled into it. A lot of it depends on the speed of the turbine. The slower it turns, the less power it will generate, and the slower it turns, the safer it is for wildlife.

Mr. Johnson said the fourth thing is noise. Mrs. Yerger said there is noise. People didn't realize how noisy they were, especially in residential neighborhoods. Mr. Kochanski said the location, as far as where it's on the lot comes down to what you would like to see for the community, what recommendation you want to pass on. The height right now, Doylestown restricted it to 65 feet maximum. That was something that was appropriate for their community. If you are looking for something taller, there is still the setback requirement of the 1.1 times which provides a slight safety factor. It provides a bit of cushion. There are safety systems built into them if there is a malfunction. The setback really helps dictate where these things can be located, what districts and what size lots. Mr. Johnson said when these things fall, they have blades sticking out and the blades are going to hit hard. Mrs. Yerger said at a 65 foot height, she'd like to know if we have any handle on what kind of power can this actually generate. Mr. Maxfield said there are all kinds of windmills. There are horizontal windmills. Mr. Hijazi said our goal is to guide the residents and we have to determine what is safe for the health, safety and welfare of the people in our community.

Mr. Johnson said why must we set a height. If a guy has a ten acre piece of property and he wants to put up a 120 foot windmill, or if someone has a smaller property, they put up a 50 foot windmill, Council makes the decision. Mrs. Yerger said what you come back to again is he could apply for a variance. Set a certain standard that is going to cover the majority and if his falls out of those parameters, he can apply for a variance. Mr. Kochanski said the other issue is if you want to cap the maximum height you still have the setback. The larger the property, the taller the structure somebody could have. That's where that comes into play as to what lots can get how big a wind turbine.

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Mrs. Yerger said we are going to have to deal with the windmills and to create an ordinance to fall within the parameters we are comfortable with now. If they improve the technology, that's great. She doesn't want to base an ordinance on "oh, they are working on it and it might get better".

Mr. Kochanski said in here there are specific requirements for a certain type of windmill that has the type of rotary blade that you would still want to keep in any ordinance as that's probably the more popular windmill that's out here. It also does not prevent someone from going with an alternate design. Most of these regulations would still apply. It's not going to change whether it's vertical or horizontal type of windmill configuration. You still want that height. Ms. Ray said if you have one that you are putting on a roof, then how would these setbacks work. Mr. Kochanski said there are requirements in here for roofs. It's on page 3, letter (r).

Mr. McCormick said for our body, we should just decide together whether or not we want to encourage wind power in the Township. His guess is the answer is yes. If so, we should simply say that other important people in the Township government might have important concerns like zoning and safety and maintaining the nature of neighborhoods, things like that. From an environmental perspective, wind power is good. We should encourage innovation. We should urge everyone else in the Township government to be as permissive as possible so it shouldn't say only in backyards. From an environmental perspective, it's good to have a windmill in the front yard. Zoning, and again, the Doylestown Historic Preservation people might say no, I know you love wind, but only in the backyard. For our body, we should just say the EAC endorses and encourages the use of wind power in the Township and recommends that the ordinance be as permissive as appropriate. Ms. Ray said that's kind of general. If they are using this as their guide, we should pick out in here what is good and bad. Mrs. Yerger said Chris Garges request was we weigh in on how high the windmill should be. Mr. McCormick said Chris shouldn't ask us that as none of us know how tall a windmill should be. Ms. Ray said she doesn't think they know either. Mr. McCormick said then they should engage Boucher & James or another consultant to tell them how tall windmills should be. He can't weigh in on that, nor can anybody else probably weigh in on that. We shouldn't have in the ordinance about tide water as we don't have any ocean front, so if we are concluding there is not a lot of wind in Saucon Valley, we should probably relax a little about this. In the EAC's opinion, put them up. If we need an ordinance, it should be as permissive as possible.

Mrs. Yerger said she is still having problems with the wildlife kills. We're an EAC, we are for the environment and no matter how you break it out, windmills are a definite problem with wildlife kill, birds and bats. That is something that has to be considered. Ms. Ray said you can look at it bigger. That's less electric they need to use, so it's less coal that's being burned, so less fly ash thrown somewhere. It's less mountains being destroyed. Mrs. Yerger said it depends on how you look at it especially when you see 300 to 400 dead creatures a night under a windmill. Audubon is weighing in on this because it's a real problem. Mr. McCormick said it's not going to be a problem in Saucon Valley because there is no wind here. He understands there is carbon and there's innocent animals being killed and those are competing interests, but none of us are equipped to weigh in on which one outweighs the other. None of these discussions are going to solve that. In our Township, it's not really that important because it's called Saucon Valley, it's a valley. It's just not a big deal. He knows for sure if Mrs. Yerger could cut the carbon in PA by half, you'd be out there killing wildlife left and right. Mrs. Yerger said no she wouldn't. Her whole spin on this is we've got to start using less, a lot less. Mr. McCormick said it's the same as nuclear versus coal. Everything is bad, nothing is perfect.

Mrs. Yerger said we were asked to look at this and do we have an opinion, and things we want to weigh in on. They understand none of us are wind experts here. They understand we looked at it, they wanted to see if we saw any red flags on this model, discuss it, and if we have any real issues with it, send them on to Council for their consideration.

Mr. McCormick said you raised a good one, the wildlife, now what? What's your recommendation? We could say no wind, because we're afraid of wildlife killing. Mrs. Yerger said the 65 foot high restriction probably would not be a problem. It's when we started the discussion that we're going to allow 150 feet. That's when it's going to become a problem. Her question to everybody, and she would love an answer, we're saying wind is not a big issue here. It's not going to be this giant generating of all kinds of power, is it worth it? Is this a balance? Is this something we're doing just because it looks kind of good that we're allowing it to happen and it's not really going to be a contributing factor to energy efficiency? At 65 feet, that would be a supplemental home system. If this is where our goal is, what are we looking at? Mr. McCormick said if someone says they think it should be 70 feet because you won't have any more dead animals, but you may have more wind, he knows they made that up. We don't know, so our two options are to have somebody volunteer to figure it out, recommend that the Council incur some modest expense to hire somebody smart to figure it out, or to not take an action. Sixty five is a number. Mr. Kochanski said it was part of the model ordinances. You have seen that for residential type systems. Mr. McCormick said was it driven by dead animals or most residents systems happen to be 65 feet. We don't know. Mr. Johnson said how tall are trees, mostly? Mr. Boos said if you are dealing with Oaks, they are usually 85 to 90 feet tall. Mr. Johnson said your Oak trees will be higher than the windmill.

Mr. McCormick said if the windmills are not going to work and doing it for demonstration purposes like DaVinci, would we be recommending unless we have a compelling environmental concern, people should be allowed to do what they like. If there is an environmental compelling concern, we should step up and say wait a minute. Generally, he's in favor of windmills because of the carbon issue. He didn't know there's a wildlife concern, but he believes when you are on the PA turnpike and see those big windmills, he can believe they form some wind tunnel and suck in geese, but nothing here will happen like that. Not one animal is going to die because they are sucked into a wind turbine in Saucon Valley. It's just not going to happen.

Mrs. Yerger said she knows it's a concern and she doesn't know what these numbers are, at 65 feet, how much electricity is it going to generate. Mr. Kochanski said you can't determine that as it all depends on average wind speeds but it varies from month to month and year to year. Typically what happens when someone wants to install these, it can be tens of thousands of dollars to put them up is there's a wind study that's done. The wind study is done for two years in the larger types of systems as they want to average it out over the four seasons over two years to get some sort of consistent average where they can determine what the expectant yields are. Mr. McCormick said is a resident here going to really do a two year study. Mrs. Yerger said did Four Season do a wind study? Mr. McCormick said it was concerned seniors who wanted to do something that was environmentally favorable. Mr. Kochanski said there is some sort of study, and it may not last two years, but it determines what the wind speed at any given season. Ms. Ray said what do we have in our zoning ordinance now? Mr. Kochanski said it's on front of the memo from Chris, and it's not much at all. Mr. McCormick said it would seem odd for an environmental council to be putting up roadblocks for windmills. Mr. Johnson said put it on the ordinance that they have to do a study to see if it's feasible.

Mrs. Yerger said what is the consensus of the EAC? Do we want to say to Chris, do we want a recommendation, do we want to just let it go, do we want the Township to come up with an ordinance and maybe come back to us when they actually have one in place. Ms. Ray said it looks like we have this front yard restriction already. Mr. Maxfield said let's make some recommendations on physical things that we know about like setbacks and front yards. Mr. Johnsons said we should encourage windmills, but safety is the highest priority and we don't have the expertise to make the decision. Mr. McCormick said this body should not weigh in, Council should weigh in.

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Mrs. Yerger said do you want to pursue this to the extent that if we can come up with an “expert” to come and talk to us? Mr. Kochanski said the biggest issue he is hearing is with the height. They can do a little bit more research, pull up some of the information they had that they used to develop this and find out what the driving factor is. Was it something that the community wanted? We have the basis for this now that he has this as one of your specific concerns. We can provide that information back to you. As far as how these regulations affect the different types of systems, they are intended to be all inclusive. There are a lot of regulations in here that are specific to the windmill that you are specifically seeing that are more vertical because those provide different types of hazards, how close they can be to the ground, and so forth. That needs to be in here as it’s a safety issue. Mr. Johnson said he thinks it should be run by Hanover Engineering. Those are engineering and safety things. Mr. McCormick said they are not any of our business. Mr. Johnson said if you are going to do an ordinance, run it by Boucher & James and Hanover Engineering.

Mr. Maxfield said let’s look at windmills historically. First of all, windmills don’t just provide electricity. Windmills are currently being used to aerate ponds, pump pumps, farmers use them forever, so you can have some type of a residential windmill that’s not going to be 100 feet tall and something that everybody wants. It’s just going to be a small system.

Ms. Ray said do we really need to waste hours and hours, and hundreds of thousands of dollars making these elaborate things? What we have now is very minimal. Why do we think we need to regulate them to death?

Mrs. Yerger said what she’s hearing is that this is imperative. Why don’t we hold it for now and see if we can come up with a little more backup on why some of these numbers were picked and see what we can come up with. Ms. Ray said do we really need to move towards that? Mrs. Yerger said or should we just let it go? Mr. McCormick said if someone came to the Township and said he wanted to build a windmill, Laura makes a very good point. What’s wrong with our current ordinance which is very short. Ms. Ray said except it can’t be in their front yard. Mr. McCormick said fewer rules are better than lots of rules.

Mr. Kochanski said there are a lot of safety and setback issues built into this ordinance. Those are things that are not currently in your ordinance and these applications are probably going to become a little more prevalent. Do we want to start looking at those safety issues and getting a uniform code instead of regulations so that across the board this is what is expected when you install them. Mrs. Yerger said what she’s hearing from most of you is those would probably fall under planning and/or Council as far as safety issues. We are an environmental advisory council so what we are addressing is the environmental issues. The only other one is noise pollution, which do we consider that environmental. Noise is not addressed in our current ordinance and she knows that there are some types of windmills that are very noisy and it may be something we need to look at. One of the goals in our Open Space Plan is scenic vistas. It depends what your interpretation of a scenic vista is. Is it including windmills or not? There are flyways through our Valley. We have to investigate the flyway as that is an environmental concern.

Mrs. Yerger said she will leave it for investigation and she will discuss it with staff. We will hold it for another month.

Mr. Kochanski said two concerns he is hearing is the height and the location within the front yard. Mrs. Yerger said she thinks noise is going to be an issue also.

Mr. Boos said page 2(e), if it eight feet for a particular reason? Ms. Ray said she doesn’t agree with it either. It’s for the storage cell building. Mr. Kochanski said they were looking at the regulations within Doylestown to make sure the shed was of a certain height. The intent of providing this was would you want to see something like this adopted. If so, what are your

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concerns we should look into, strike out, or provide you with additional information. Mr. Boos said (g) the flicker hours, is that a reasonable period of time. Mr. Kochanski said it deals a lot with the angle of the sun.

Mrs. Yerger said she will see if she can get an expert to come to a meeting to discuss this and it will probably be back on next months agenda.

III. DEVELOPER ITEMS - None

IV. OLD/MISCELLANEOUS BUSINESS

A. REVIEW AND APPROVAL OF OCTOBER 6, 2009 MINUTES

Mr. Boos said page 8, line 31, it should say “Not” going to be as easily monitored. Page 9, line 23, after extra one-quarter, add “percent”. Page 15, line 27, second word should be “explore”.

Mr. Johnson said page 2, line 47, it should be “add”, not “ad”. Page 3, line 30, it should read “was” not printed to scale. Page 4, line 31, instead of Why is, it should be “What if”. Page 4, line 53, “there” should be “their”. Page 9, line 39, after one-quarter, add “percent”.

MOTION BY: Mr. Maxfield moved for approval of the October 6, 2009 minutes, with corrections.

SECOND BY: Mrs. Yerger

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

B. REVIEW OF DRAFT LANDOWNER ACQUISITION LETTER – MR. MCCORMICK

Mr. McCormick said he draft a letter. He converted what we had settled upon with staff recommendations. It’s a form letter that would be sent to a landowner who is interested in selling a conservation easement to the Township for conservation purposes. He converted that to use for the landowner whoever is not interesting in pursuing a conservation easement, but selling property outright through a sale. A lot of the letter is the same. He will send it to Mrs. Yerger. Mrs. Yerger said this will be on the agenda next month.

V. UPDATES/REPORTS

A. OPEN SPACE SUB-COMMITTEE

1. PROPERTY UPDATE

a. PETRIE & SKRABAN RECOMMENDATION

Mr. Johnson said the Open Space Committee recommends that we notify Skraban and Petrie that the Township will not use Township money to conserve property on which a landowner wants to keep the right to timber. The Open Space Committee recommends to the EAC that the Township has an appraisal done on the Skraban and Petrie properties if the landowners agree to give up their rights to timber the conserved property. His comment is the Township must define what they mean by timbering and in order to proceed with an appraisal, Skraban and Petrie must define the areas of their property they want to keep out of the conservation easement. A good way to define the areas would be to provide the Township’s with a map of their property showing the areas to keep out of the conservation easement. The appraiser will need to understand the areas that will be conserved and will not be conserved. Possibly Skraban and Petrie can work with the

Township Zoning Officer and he can provide a map showing the areas of the property to be conserved and not conserved. Mrs. Yerger said first of all we need to send them a letter to make them understand this has been passed by Council. We do not want to allow commercial timbering on property we pay for conservation easements on them or pay for the development rights on them. If they agree to that, then your recommendation is to go forward with an appraisal once both Mr. Skraban and Mr. Petrie take an aerial map, block out the areas, building areas where their current house and buildings are, and that taken out of the equation and any other land that they want not to be in the conservation easement area. Mr. McCormick said with those pieces of property, the map is the best and easiest way to do it. We had that letter that was approved by staff, and copies of that letter would be a good cover. Mrs. Yerger said that's personal preference and something that needs to be worked out. Mr. & Mrs. Petrie were in attendance. Mrs. Yerger said the Township will send them official letter notifying them that the Township's policy is to not compensate or purchase development rights on properties where commercial timbering is going to be conducted. If you are in agreement with that, they ask you work with our zoning officer probably to map out the areas you want held out of the easement. Most property owners will take their house, barn, in the immediate area, and that's your area to do with what you want to. That would be the next step, and then we can go forward with an appraisal. Mr. McCormick said we have a form letter and on that letter you can tell us is there any particular or special activities you want to continue. Mrs. Yerger said they did fill that out. We still need the more definitive areas. She will get a GIS of your property. Mr. Maxfield said it can be tailored any way you want it. Mrs. Petrie said what kind of usage do you want for the property? Mrs. Yerger said that was public access. Mr. Maxfield said we are looking for it to stay the way it is. Anything further would be by agreement. You could have scouts come onto the property twice a year to do a hike, or the Girl Scouts do a birding event. Mr. Johnson said one of the things that has come up in the past has been hunting. You may say no public hunting, or only hunting by approved people you know and approve. That would have nothing to do with us. You'd have to let us know though.

MOTION BY: Mr. Johnson moved that the timbering policy letter be sent to Petrie, Reiss and Skraban.
SECOND BY: Mr. Maxfield
ROLL CALL: 5-0 (Mr. Beardsley – Absent)

MOTION BY: Mr. Johnson moved that if Mr. Petrie and Mr. Skraban, and/or Mr. Reiss agree that they want to go ahead with conserving their property and not retaining their timbering rights, then the next step is to supply us with information defining the areas that they want to include in the conservation easement, and the areas of their property that they want to exclude from the conservation easement.

SECOND BY: Mrs. Yerger
ROLL CALL: 5-0 (Mr. Beardsley – Absent)

Mrs. Yerger said they will direct staff to send a letter to them ASAP and then once you respond to that letter, we can move forward. She will talk to Chris about getting an aerial map.

VI. TERRY BOOS – HELLERTOWN REPRESENTATIVE – REPORT

Mr. Boos said Lehigh University is going to do a study on the Hellertown marsh areas. They are looking at PNDI (PA Natural Diversity Index) which identifies all species of plants and animals.

VII. NON-AGENDA ITEMS

- Mrs. Yerger said there is a seminar on February 19 and 20, 2010. It's "Responsible Energy Protection and Protecting Your Cold Water" at Penn State. If you are interested, let her know. The Township will pay for your registration, but not your overnight stay.
- Mr. Maxfield said on November 17, 2009, there's a lecture by John Cronin who will talk on water quality and impacts. It's a free seminar at Lafayette College at 7:00 p.m.
- Mr. Haz Hijazi said the PADEP issued IESI a letter recently discussing construction quality assurance quality control plans for the landfill, and the problems with final cover specifications, specifically the presence of larger size stones/rocks with sharp edge that can potentially damage the liner. The DEP also is pressuring IESI to provide answers and a remedy to the excessive leachate detection zone flow. The letter is tough and is requiring IESI to conduct a number of activities in response.
- Mrs. Yerger said you were given the solar information. Let's see if we can talk about it in December. Mr. Kochanski said they pulled up some sample models of languages other municipalities had and also created some best regulations that were appropriate to them.
- Ms. Stephanie Brown said with a vacancy on the EAC board, what is the procedure to fill it? Mrs. Yerger said it's usually send in a letter to Jack Cahalan. The vacancy is on the website, but hasn't been advertised. There are regulations and it is permissible to move a non-voting member up to a voting member position. It's part of the by-laws. If you are interested, you'd send a letter telling him you are interested in filling the vacancy.
- Ms. Stephanie Brown said she has concerns with the lighting. Mrs. Yerger said it's coming up. It's something that is being looked into and they will be working on it. Ms. Brown said her biggest problem is a street light that sits on the corner of Meadows and Stover. Half of her backyard is lit up at night. The issue has been when Toll Bros. went in, there was never a telephone pole there, and one was put in. A couple of years later it was moved because of their redoing of the lines. In some ways, it moved a couple of feet, but it's affecting her property. She went to the electric company and they said the police want it there. Mrs. Yerger said she doesn't know for sure, but it may be a safety issue.
- Ms. Stephanie Brown said she read on the website about the open burning. As somebody who burns, she's been trying for years to get the Township put in an ordinance that protects her. Where she lives, it's difficult for her to burn and she burns very little because she recycles a lot, but she still has a need. She just can't tell you how asinine the ordinance is if her smoke crosses over her property line, the police can be called and she can be put in prison or be fined. Mr. Guerra said if you can't pay the fine, anything over \$1,000.00, you can be put in prison. Ms. Brown said if she has some semi-permanent burning structure that was very safe, it would be great, but she can't do that in this Township. There's still a need for burning. Some people still burn their leaves in the township which doesn't make any sense as we have a compost center. She puts her leaves in her garden. Mr. Johnson said what do you burn, Stephanie? Ms. Brown said you don't want to know. Something that technically by ordinance, she's not allowed to – it's the first time she heard you weren't supposed to be burning household trash. Mr. Maxfield said he understands no one in the Leigh Valley can legally burn any leaves or trash. Ms. Brown said she finds it very frustrating as fire is a necessary evil in life. Burning is nature's way of clearing out and getting rid of things. She'd rather burn trash that isn't recyclable that is paper based like tissues and white paper board than have it sit in a landfill for a thousand years. She was hoping we could get a township drop off point for recyclables besides IESI.
- Ms. Laura Ray said she went to the Appalachian Mountain Club workshop on trail building. There was also somebody from the Parks & Recreation board there. They asked us what things we were looking to hear about. She suggested Polk Valley Park and the trails and horses or animals going on them, and they didn't seem to have any issues with animals using trails. They think it's something that should be encouraged on the Rails-to-Trail or in our parks. She wasn't sure where we ended up on that with Polk Valley Park. The Appalachian Trail is in favor of getting animals

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out and have people using the trails. Horse riders have the unwritten code where they carry a scooper. They don't take it home with them but they throw it off the trail. Mrs. Yerger said sometimes they actually wear bags depending on the amount of activity that is on the trail and how urbanized it is. It's the same they use with carriage horses. Each park has their own separate rules. There is a set of guidelines that the Equine groups that do have trail etiquette and there is a brochure on it, so it could be brought back to the meeting. It's what they recommend to their own Equine colleague what is the proper way. Mr. Johnson said he thinks the horses would be too heavy for the pervious trails and their hoofs would dig into it. Mrs. Yerger said we have to talk to Roger about the horses on the trails. It may be a recommendation to keep the horses off of the trails. It should be looked at it, and we should restrict the areas the horses may be allowed in and limit where they can be in the park.

- Ms. Stephanie Brown said for the first time in 25 years awhile back, she saw someone ride a horse down Meadows Road into the Toll Bros. development. Again, over the weekend, she thinks she saw the same person. Not only do we need to address issues at the park, but we need to address issues within the Township as it was not the same Township it was before regarding riding horses. It needs to be applied here in the Township. Mr. Johnson read that if the horses want to use a trail it must be much wider and the branches have to be cut down. Mrs. Yerger said some trails in back of the park have been mowed pretty wide. It's something we have to look at.

VIII. ADJOURNMENT

MOTION BY: Mr. Maxfield moved for adjournment. The time was 9:23 PM.
SECOND BY: Mr. Hijazi
ROLL CALL: 5-0 (Mr. Beardsley – Absent)