

I. **OPENING**

CALL TO ORDER: The Environmental Advisory Council meeting of Lower Saucon Township Council was called to order on Tuesday, December 5, 2006 at 7:06 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Tom Maxfield, Chairman, presiding.

ROLL CALL: Present – Tom Maxfield - Chairman, Sandra Yerger – Vice Chairman, Laura Ray - Secretary, Tom Conlon, Allan Johnson, and Hazem Hijazi. Rick Tralies from Boucher & James was present. Absent - Mike McKenna from Hellertown, Dennis Aranyos, Ted Beardsley and Glenn Clouser.

PLEDGE OF ALLEGIANCE

II. **NEW BUSINESS**

Mr. Paul Pagoda, resident, was present. He resides at 1278 Hilltop Road, Lower Saucon Township. He moved here July 1, 2005 from Allentown. He was a participant in their recycling program. They have a model program in Allentown. He left Allentown for the farmlands of LST. One of the first introductions to LST was when he was clearing out his yard, he had some yard waste, and he drove them to the Bethlehem Recycling Center. After two times of doing that, they called him after checking his address and told him he could no longer drop the yard waste there anymore as he lived in LST. He then visited the Township offices and was told there was no program for recycling of yard waste in effect at the time. It's quite an undertaking of gathering all your leaves together. It's tiresome and expensive, and bad for the environment. How do we get rid of our waste – having a hauler take it away in bags that they fill or burning it on site. Those are the options given to him when he first raised the question a year ago. Either option is bad for the environment. He checked with some of the landfills and most do not accept bags of leaves. There is a place in Pen Argyl that does take the bogs, but most do not in this area. You have to dump your bags there. He spoke to Mr. Cahalan and found out that there might be a program in the early developmental stages with a joint effort with Hellertown. His purpose in coming tonight is to tell the EAC his neighborhood is certainly interested and would support any effort on the part of the township to help out with the recycling program. If there is such a program being contemplated, he will volunteer to be a part of that program because he believes in it.

Mr. Maxfield said LST was approached by Hellertown six months ago. They had interest in taking their old Hellertown dump site, which was close to Polk Valley Park area, and put in a lawn waste leaf recycling center on that property. They wanted an entrance from Polk Valley Park as they thought it wouldn't be practical to have an entrance from Springhill Town Road, to which they are not in agreement with. They are definitely in favor of the recycling center. Mrs. Yerger said they didn't want that volume of traffic going up and down with the park and kids running around since there is a viable entrance on the other side. Hellertown is still taking the leaves at this point in time. We could call them and ask them if they are still considering it and also bring it up at the COG (Council of Governments). Mrs. Yerger said Hellertown is having budget issues already, she doesn't know if there was a problem with the recycling program. Their residents were not anticipating taking their leaves to a center. They wanted curbside pickup. They've had some financial issues so they wanted to step back on a drop off until they revisit it to see if they could afford to continue to pick up the leaves and then somehow work it into. LST backed off until they figured out their internal issues. Mr. Maxfield said for a township to do pickup of leaves, we have private roads that are ridiculously long and they would have to truck all the stuff down to a public road somewhere. Mrs. Yerger said it does take manpower and it does take machinery. The machinery could be relatively expensive, and it was going to be applied for jointly by Hellertown and LST. We feel we didn't want to pressure them at this time until they got some of their issues squared away. Mr. Johnson said it should be found out if the dump site will take non shredded stuff or does everything have to be shredded. Otherwise, you are going to need a shredding machine at the dumpsite.

Dennis Aranyos arrived. The time was 7:20 PM.

Mr. Pagoda said any one of the offices from Salisbury or Allentown would be willing to sit down with a resident of LST and tell the how to go about it. It's labor intensive and it's very expensive.

Mr. Hijazi asked if there was ever a feasibility study done, evaluation, cost, etc.? Mr. Maxfield said a proposal was done a few years ago, about putting some kind of Christmas tree, leaf compost at the Township and it ran into hundreds of thousands of dollars. There are also some sort of regulations if you are going to have curbside pickup, you have to have other things. If we could have some sort of facility where we could just drop off, he thinks that would work. Lehigh University has a leaf dump. They have a dump truck, vacuum unit and a shredder. They shred everything and dump it on top of the mountain and take a bulldozer up there and shove it around and turn things over. It's about an acre on the mountain. It's perfect mulch up there.

Mr. Maxfield said they will refer it to the COG. They meet once a month and meet with representatives from Hellertown, the school district and LST. They can bring it up and revisit it.

Mr. Pagoda said he talked to some of the haulers. Everyone said they are not allowed to pickup and dispose of the bags in the landfills. They are going somewhere. They take tons of space up. Mr. Johnson said people should compost these leaves in their back yards. Mr. Pagoda said he reduced his leaves from 90 bags last year to 30 bags this year by using his compost and shredding his leaves.

Mr. Maxfield said as a last resort, maybe we could find a place where we could dump the leaves for the time being. Mr. Johnson said you have to be careful then that people don't dump other things there besides leaves and that becomes one of the issues. Mrs. Yerger said it's the day to day monitoring and manpower of the site that costs so much.

Mrs. Yerger said they will bring it up to the COG and see if there is anymore thought on the program. Mr. Maxfield said we should also ask the COG if this particular solution isn't available, then explore other options to solve the problem.

- MOTION BY:** Mr. Johnson moved to refer this to the COG and that the option that has been mentioned earlier of the site at the old Hellertown Dump, if it's not available, explore other options.
- SECOND BY:** Ms. Ray
- ROLL CALL:** All in Favor: Yes
Opposed: None

B. DRAFT STORMWATER ORDINANCE

Mr. Maxfield said he thought everyone had copies of this ordinance. They will give the EAC members a quick synopsis of it as it's scheduled for an advertisement vote at Council as they are trying to get it installed and they'd like to have a recommendation from the EAC that they go in this direction. Mrs. Yerger said there is still time to make minor changes. It's very technical and a lot of calculations.

Mr. Maxfield said the purpose of this is that it's more in line with DEP recommendations and more in line with the storm water goals of the township than what we previously had. It encourages infiltration wherever possible and mandates it where possible. It asks for your BMPs, it specifies the BMPs, and specifies certain methods for calculating storm water.

Mrs. Yerger said this all stems from the DEP direction that they want to control not just water quantity like they've always controlled, but they also want to control water quality. Mr. Maxfield said to control water quality, they propose infiltration which is a big thing allowing the systems to work more naturally, and a lot of it is talking in terms of having storm water being managed to the point that the way the site existed before as far as storm water absorption and infiltration is the way it has to be the same in pre and post development depending on the soil.

Mr. Maxfield said there are innovative things in the ordinance like pre-ponding where things would settle out before it would go into the detention pond. This addresses setbacks from detention pond outlets from public roads and why in places where the system is working like it should, why is there destruction from the water coming out of it. This addresses all those kinds of things. A lot of it is the calculations and directions to developers on how to get to these calculations and the types of calculations they must use as opposed to optional methods. This will become part of the Zoning Ordinance. In order to get our complete storm water ordinance in the past, you had to look at a couple of different places, now this will be attached to all the documents so it's all the same. It deals with things like sub watersheds and release rates for different water sheds that have been pre-calculated. There's even a chart showing you which BMPs you can use for certain types of things.

Mrs. Yerger said the old rule of thumb that governs storm water management issues or lack of management was to get it off the site as fast as you can. Now they realize that's not a good idea and we have to regulate how this is leaving the site and not even be able to make it leave the site and have it infiltrate and act more naturally after development the same as it was pre-development.

Mr. Johnson said is it possible that it might state that no more storm water can leave the site after development that left the site before development? Mrs. Yerger said yes, depending on the soils, and infiltration is possible, that's exactly what it says. Mr. Maxfield said we should all know how this is going to affect things in a practical way. How will this change what we see in the landscape and Mr. Brien Kocher gave Mr. Maxfield an answer to that. It has different specification for detention ponds and sizing and things like that. We are trying to avoid the standard detention pond with the fence around it. Slopes have been reduced. Sometimes a larger, but gentler impact on the vegetation. Mr. Maxfield would like to be able to send this on with a recommendation for tomorrow night. There is time to make small changes as it's only going for an advertisement, not for acceptance. If you have any questions or suggested changes, email them to Sandy, Mr. Maxfield or the township. This is actually a result of what this body asked for a year ago. We actually made this one of our goals to look at storm water and they've been working on it for quite some time now.

MOTION BY: Mrs. Yerger moved to have Council approve the storm water ordinance for advertisement on December 6, 2006.

SECOND BY: Mr. Aranyos

ROLL CALL: All in Favor: Yes
Opposed: None

III. DEVELOPER ITEMS

A. REDINGTON ESTATES PRELIMINARY PLAN

Mr. Maxfield said they came to Council with a couple different things and he thought they were going in another direction, but he doesn't know what they are doing now. We thought they were going to go in the direction of a cluster, which was pretty nice. They had no access to the open space in the back, so now they've just attached the open space to a giant central lot. They had proposed to Council that was at the third lot, they had a cul-de-sac that curved in and they had all

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the lots in there so that whole side was all open and would have had plenty of room for septic facilities.

Mr. Tralies said if you remember their big issue with the cluster, they kept saying to build the road was too expensive. They didn't want to deal with building a cul-de-sac. They kept saying the road and sidewalks were just too expensive and kept pushing to get ten or eleven lots if they went to a cluster. The other issue was they had their nine lots across the front with open space completely cut off in the back. There was an issue that open space has to have frontage. Chris had the issue that if this is completely cut off back here, it's a lot and a lot has to have frontage regardless of its open space or a building lot. Those were their issues and this is how they get around it. They don't have to do a cluster and if they don't do a cluster, they aren't required to dedicate open space so this is their way around all those issues and make one enormous lot that contains everything. Mr. Maxfield said as a township we can still ask them for open space dedication. Mr. Tralies said you can ask them for it, or they have to pay. There aren't any requirements if you don't do a cluster subdivision. Mr. Maxfield said there is a recreation fee and the option is land. The township also does not like odd sized lots.

Mr. Johnson said we asked them to coordinate with the proposed development across the street and link up any open space. Mr. Maxfield said if they are not doing a cluster, they don't have open space to link up. We're not sure of the status of the one across the street anymore.

Mrs. Yerger said they can get away with a community septic, per our ordinance, on private property. They are putting the septic in an environmentally sensitive area.

Mr. Maxfield said if there is a community system proposed, it be located in the area where the soils and all that make it allowable which would basically be lots 1 and 2 and that the other lots instead of being odd shaped and whatever, would be lined up, and they extend all the way to the back property line and they use that area down there as the area for septic with access to the road. That way, your access to the maintenance is within a few feet from the public road instead of going way back through an area with stone road that may or may not be maintained. We would like to recommend that the riparian corridor be deed restricted. The lots would be closer to portion that the ordinance recommends and we'd also have septic in an area where you are not going to have problems and have septic in an area where you are not creating tons of additional disturbance. The fact that each one of the lots may have a chunk of the stream, the lots will be large enough that any of those conditions would be offset by how much property there is.

Mr. Maxfield said the recommendations are:

- The amount of woodland disturbance
- System maintenance, owner and ownership of the community system
- Easement status for maintenance of the system
- The amount of overall disturbance
- The fact that the community system is proposed for environmentally sensitive wooded area. It's a rather large disturbance.
- The fact that Lot 4 does not seem to meet township recommendations which because it's so oddly shaped.
- We recommend that the community system be in the area where it is allowed by soils and the other conditions
- We deed restrict the riparian corridor for whichever lot it falls within to double up on the strength of the ordinance.
- We would really prefer to see cluster

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MOTION BY: Mrs. Yerger moved to approve the recommendations as stated above.
SECOND BY: Ms. Ray
ROLL CALL: All in Favor: Yes
Opposed: None

B. PENN VIEW ESTATES

Mr. Maxfield said we saw this many times before and it seems to have the same problems that we encountered before. The only remaining big problem is the disturbance of the wooded area for the septic system. They have a secondary site out front and he's guessing you could get an in ground system up there because it's non-carbonate, so he doesn't know why you would chose to disturb the woodland if it wasn't necessary. If you have a secondary site back there and you have to disturb the woods eventually, well, so be it.

The EAC has no comment at this time. The previous recommendation letter said what we wanted to say and if we have nothing more to say, we'll just pass it on by.

C. CHAFFIER, THOMPSON & FILLER GEOLOGY RESPONSE LETTER FROM HEA

Mr. Maxfield said the biggest issue is we're not sure in the carbonate geology study if they included the additional parcels that were added on to it, and that's a lot of land. We should recommend that they check that out and make sure about the carbonate geology study. Mrs. Yerger said they are buying up some of the neighboring parcels on Friedensville Road and it's added there already, but you have to do the carbonate there too. Mr. Maxfield said they had some access issues from Friedensville Road and this was their solution to that. Original comments from HEA was they were using an old and not an updated carbonate geology study of the area and HEA was aware that a more recent one had been done. Now it looks like if those additional parcels were investigated also. Mr. Maxfield said we haven't seen a revamp map for a year, since they added the parcels. There was a question about whether that would constitute a brand new application or not. The township pretty much thought it would, but we compromised with them, but he doesn't know where we are at with it now as we haven't seen another plan, but it sounds like they are moving ahead with some things.

The EAC recommended to make sure that the consultants make sure all the parcels have the correct carbonate geology study.

MOTION BY: Mrs. Yerger moved that as an EAC, we echo the concern expressed in the letter from HEA of November 9, 2006 including the on site geological inspection of the added parcels and also that the EAC asks that we be updated with current maps and current info since we haven't seen anything new for quite some time.
SECOND BY: Ms. Ray
ROLL CALL: All in Favor: Yes, (Mr. Aranyos Abstained)
Opposed: None

III. OLD/MISCELLANEOUS BUSINESS

A. REVIEW AND APPROVAL OF NOVEMBER 14, 2006 MINUTES

Mrs. Yerger said Ms. Sikes should be Sykes. Last page, add "if there was legislation on a state wide level for protection of the highland area". Add Dennis Aranyos that he was present at the meeting.

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MOTION BY: Mrs. Yerger moved to approve the November 14, 2006 minutes with changes as stated.
SECOND BY: Mr. Aranyos
ROLL CALL: All in Favor: All Yes; (Ms. Ray Abstained)
Opposed: None

IV. UPDATES/REPORTS

A. HELLERTOWN REPORT

Nothing - Mike McKenna was absent.

B. OPEN SPACE SUB COMMITTEE

Mr. Kern asked that this be turned in to the group that we alluded to in the open space plan. Allan Johnson has volunteered to be on the board and Mr. Maxfield wants to ask Ted Beardsley if he would serve on the Open Space Committee. If anyone is interested, please let Tom Maxfield know. It's a three person board and Tom Maxfield and Sandy Yerger will not be on the committee as they are on Council. They are already getting inquiries about properties that they want to preserve, and some if ag land. We also may be getting a new member or two to the EAC.

V. NON-AGENDA ITEMS

- Mr. Conlon said he is going to hand in his resignation from the EAC as his term runs out at the end of this year. He is going to spend most of his time with the Saucon Creek Watershed Committee. The EAC thanked him very much and said it was nice having him on the EAC. They appreciate everything he's done with the EAC. They asked him to please send a formal letter to Mr. Jack Cahalan, Township Manager.
- Mrs. Yerger said she has gotten two phone calls in regard to our open space action plan. It's out circulating with the other municipalities. The two phone calls were to tell her how impressed they were with the action plan. One was from Millie Martin of the LVPC who said she was real impressed with it overall and she had a few comments. Springfield is very impressed with our action plan, so it's out there, and we'll be getting comments and Council can vote on it. It should be in place at the first of the year.
- Mr. Hijazi asked about the riparian corridor. Mr. Maxfield said he didn't get a response on that yet, but they heard from some other people who made comments that it does currently exist in other places in Bucks County, so we decided to leave it advertised with it in there unless we get a really strong reaction from Terry Clemmons, so we'll leave it in there and see what happens.

VI. ADJOURNMENT

MOTION BY: Mrs. Yerger moved to adjourn. The time was 8:50 PM.
SECOND BY: Ms. Ray
ROLL CALL: All in Favor: Yes
Opposed: None

Next EAC meeting is Tuesday, January 9, 2007.