

I. **OPENING**

CALL TO ORDER: The Environmental Advisory Council meeting of Lower Saucon Township Council was called to order on Tuesday, May 6, 2008 at 7:00 P.M., at Seidersville Hall, Bethlehem, PA, with Sandra Yerger, Chairman, presiding.

ROLL CALL: Present – Chairman, Sandra Yerger; Vice Chairman, Tom Maxfield; Allan Johnson, Ted Beardsley, Tom McCormick, Laura Ray, Terry Boos, Hellertown Representative and Judy Stern Goldstein, Boucher & James. Absent: Bob Davis, Glenn Clouser, Haz Hijazi and Dennis Aranyos, Glenn Kaye.

PLEDGE OF ALLEGIANCE

II. **NEW BUSINESS**

A. **SAUCON CREEK STREAM RESTORATION AT SVCC DESIGN PLAN**

Jim Roney wanted to thank the EAC for allowing them to present the proposed stream restoration plan on the property of Saucon Valley Country Club (SVCC). They previously presented this information to the LST during a recent past staff meeting. It was requested they provide this presentation to the EAC. They are excited about the project.

Drew Altland said they came and presented the concept. It's currently in the review process. The hope is they can go to construction with this project in late August of this year. They received some comments from the Township and he emailed their responses back to Jack Cahalan. The plans he put up are the landscaping plans. They had to change a few species and add some. They had a construction grant from DEP. They added as many trees as they could and also address the township's concerns. The project begins at Green Acres Drive and goes 1,000 feet downstream. The project has a beginning point and an ending point based on physical constraints. Historic wetlands and gravel were identified. The hatched area on the map is the new wetlands. He showed the main tributary coming in. The main tributary runs along the Green Acres Drive and ties into Saucon Creek. He showed the relocation of the tributary, 350 feet downstream from its original location. He showed where it begins and where it ends.

Mr. Glenn Kaye arrived. The time was 7:18 PM.

Mr. Boos asked if Red Maple would be a better choice than the Sugar Maple? Drew said they have Red Maple in the lower elevation and Sugar Maple on the high elevations. They came up with this plan, but if you'd rather have Red Maples, they can swap the species out. Mr. Boos said Sugar Maples prefer moist sites, not necessarily wet sites. They do okay as street trees. Another choice might be Black Gum. Mrs. Yerger said are all of the structural remediations going to be the same? Drew said the rock structures, they haven't changed since the last time they were submitted. He pointed out on the plan the rock structures. There's a pretty big scour pool under the bridge. Where that existing scour pool ends, it's where they put the first structure which is the shallow water that flows down.

Mrs. Yerger asked what the little dots were on the plan? Drew showed the trees and the shrubs, but they put on the notes those are random places, not the exact places. Sometimes it's better to wait to actually put them in.

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Ms. Stern Goldstein said they'd like some more natural species and more shade for the creek itself and use larger trees and some Willow stakes. That's what they were expecting to see, economical plantings and shading. That's sort of the comments they had in their letter and she's surprised they are not there and it doesn't look like they did that yet. Drew said on the notes it has there are 53 shrubs, 37 trees, 5,500 herbaceous quarts, 3,000 herbaceous plugs will be installed throughout the flood plain. Ms. Stern Goldstein said those are extremely small numbers for the shrubs. Drew said the containers are ten gallons and the shrubs are five gallons. Drew said they should give them a recommendation on the trees they'd like to see in there. Ms. Stern Goldstein said you could do the willow stakes in there which would be an economical planting. She's interested in shade trees.

Mr. Allan Johnson asked where the floodplain was. Drew pointed out on the plans where the floodplain was located. Mr. Johnson asked how often would it flood? Drew said anytime there was a runoff in the watershed.

Jim said they had discussed incorporating some native riparian vegetation. Maybe one of the reasons that wasn't incorporated in the updated version was it may not have been included in the comment letter. They are open to working together with the township. They are going to have to balance some of the objectives in a way they can maximize the environmental benefits of this project. There are some certain constraints that do exist. As they move forward, they will try to address the request of the township to get some additional Willow material. They will make every effort to incorporate as many of those recommendations as they can. He does know there are some constraints, so they are hoping for that understanding as well.

Drew said they are open to do the Willow stakes and are willing to do that. They will get back with another plan.

B. DRAFT FLOODPLAIN ORDINANCE

Ms. Stern Goldstein said the big part if this ordinance was the definitions. Hanover tweaked minor ways to the model ordinance to fit Lower Saucon Township. There's a lot more definitions. Some of the terminology you are used to seeing is slightly different. The A and AE Zone are referring to the flood insurance rate zone. Zone A corresponds to the 100 year floodplain where base flood elevations are not shown and Zone AE corresponds to the 100 year floodplain where base flood elevations are shown at selected intervals. Both are dealing with 100 year floodplain. Base Flood is a flood having a 1% chance of being equaled or exceeded in any given year, also known as the 100 year flood. Base Flood Elevation is the elevation shown on the flood insurance rate map. Development is any man made change to improved or unimproved real estate, including, but not limited to buildings, or other structures, the placement of mobile homes, streets, and other paving, utilities, filling, grading, excavating, mining, dredging or drilling operations, the subdivision of land and the storage of materials or equipment. These definitions are unique to this ordinance. Freeboard is the amount of height above a flood elevation used as a factor of safety in determining the level at which a structure's lowest floor, including basement, must be elevated or flood proofed.

Mr. Johnson asked what was wrong with our old ordinance? Ms. Stern Goldstein said it didn't match up with DEP's model of the flood ordinance. We need to be aligned with DEP. Mrs. Yerger said are there any definitions that bother anybody? Mr. McCormick said would you say our measure coming from the EAC, would this be a be a more environmentally or less environmentally ordinance? Ms. Stern Goldstein said it's neutral. The only reason we are doing it is to conform with DEP. This is a stand alone ordinance. It's an extra layer of protection. Mr. McCormick said is there any other reason we should not adopt the ordinance? Ms. Stern Goldstein said no. Mr. McCormick said what would it's impact be on projects that are already approved? Ms. Stern Goldstein said once you've gotten your approval, you're vested. Mr. McCormick said do they have to be told never mind the old ordinance, here's the new ordinance? Ms. Stern Goldstein said most

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projects are already adhering to these standards. The definition of Land Development is the same definition in the MPC. Two or more residential or non residential buildings, whether initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure, or the division or allocation of land or space, whether initially or cumulatively, between or two or more existing or prospective occupants by means of or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

Mr. Maxfield asked about page 17, and adding “mercury” to that list? Ms. Stern Goldstein said she will note it as there are many chemicals that are regulated already and don’t appear on the list.

Mr. Maxfield said on page 15 of 22, A3, park area – get rid of that.

MOTION BY: Mr. McCormick moved insofar as it is permissible under DEP guidelines, the EAC recommends that the April 10 Flood Plain ordinance be revised at Section 90-25 A3, to insert Mercury and PCB’s.

SECOND BY: Mr. Maxfield

Mrs. Yerger asked if anyone had any questions? No one raised their hand.

ROLL CALL: 7-0 (Mr. Aranyos, Mr. Hijazi, Mr. Clouser, Mr. Davis – Absent)

MOTION BY: Mr. McCormick moved to recommend to Council to enact and ordinance a new flood plain ordinance in the form of the April 10, 2008 draft.

SECOND BY: Ms. Laura Ray

Mrs. Yerger asked if anyone had any questions? No one raised their hand.

ROLL CALL: 7-0 (Mr. Aranyos, Mr. Hijazi, Mr. Clouser, Mr. Davis – Absent)

III. DEVELOPER ITEMS

A. REDINGTON ESTATES AT LOWER SAUCON PRELIMINARY MAJOR SUBDIVISION

Mrs. Yerger said this is for preliminary plan approval.

Ms. Stern Goldstein said you’ve seen this one a lot. It will go to Planning Commission next Thursday. She showed the plan and showed where they put in their septic. It was previously wood lands. Now on the plans, it’s not and their response is the trees are six inches or less, it’s not woodlands. Their own plans show they met their disturbance. In addition to that, they messed up the steep slope calculations and they are not correct. In their response letter, they said they went out and surveyed it. They will say it’s a mathematical error for the site capacity calculations.

MOTION BY: Mr. Maxfield moved to uphold our prior recommendations for Redington Estates as stated previously.

SECOND BY: Mrs. Yerger

Mrs. Yerger asked if anyone had any questions? No one raised their hand.

ROLL CALL: 7-0 (Mr. Aranyos, Mr. Hijazi, Mr. Clouser, Mr. Davis – Absent)

B. ESTATES AT STONEHURST FINAL PLAN

Mrs. Yerger said the only reason this is back is because they are going to final. There are no new changes.

MOTION BY: Mr. Maxfield moved to restate the March 5, 2008 recommendations of the EAC.

SECOND BY: Mr. Beardsley

Mrs. Yerger asked if anyone had any questions? No one raised their hand.

ROLL CALL: 7-0 (Mr. Aranyos, Mr. Hijazi, Mr. Clouser, Mr. Davis – Absent)

C. TARANTINO MINOR SUBDIVISION

Mrs. Yerger said this is a two lot subdivision. They have not seen this before. They received a letter from the LVPC. They are not in favor of this subdivision because of where they have decided to do the site disturbance.

Mrs. Stern Goldstein agrees with the LVPC's letter. She said they should take out the woodland calculations and change the location of the house with less steep slopes. The letter said the plan proposes locating the dwelling on wooded slopes of 15-25%. The County Comprehensive Plan recommends trees be preserved where feasible, and sites with slopes of 15% or greater have minimum lot sizes of three acres. We recommend consideration be given to locating the dwelling east of the proposed location, where the plan shows less than 8% slope and less trees.

MOTION BY: Mr. Maxfield moved that the EAC concurs with the LVPC letter of April 9, 2008 and recommends relocating the house site on the property.

SECOND BY: Mr. McCormick

Mrs. Yerger asked if anyone had any questions? No one raised their hand.

ROLL CALL: 7-0 (Mr. Aranyos, Mr. Hijazi, Mr. Clouser, Mr. Davis – Absent)

D. 2200 WASSERGASS ROAD SITE PLAN

Mrs. Yerger said this is the old school building on Wassergass Road on Lower Saucon Road that used to be owned by Mr. Atiyeh. The applicant is Victor Frey. It is supposed to be a short term stay suite with employees coming in that work in the area at hospitals, etc. It's like the Residence Suites in Allentown. Mrs. Stern Goldstein said they have yet to acknowledge this.

Mrs. Yerger said her question is the septic system. There are now 36 units. Is this site going to be able to handle this water use? Mr. Maxfield said it's in a carbonate geology area. Mrs. Yerger said there is valid concern about the on lot water and sewer for this site and it was always the issue.

Mrs. Stern Goldstein said they didn't do their site capacity, didn't look at the NRS protection standards, there is inappropriateness of the water and sewer, and they will probably go over the impervious coverage limit. The water could be drawing on other wells in that area.

MOTION BY: Ms. Laura Ray moved that they do their NR protection calculations and the EAC expresses a concern for the current on lot water and sewer as it's not appropriate for the use on this site.

SECOND BY: Mrs. Yerger

Mrs. Yerger asked if anyone had any questions? No one raised their hand.

ROLL CALL: 7-0 (Mr. Aranyos, Mr. Hijazi, Mr. Clouser, Mr. Davis – Absent)

IV. OLD/MISCELLANEOUS BUSINESS

A. STREAM SIGNAGE SURVEY FORM

Mrs. Yerger said this is a survey for stream signage and the bridges. The EAC wants the township to complete the survey and send it out.

MOTION BY: Mrs. Yerger moved that the Township staff complete this survey and send it out.

SECOND BY: Mr. Maxfield

Mr. Yerger asked if anyone had any questions? No one raised their hand.

ROLL CALL: 7-0 (Mr. Aranyos, Mr. Hijazi, Mr. Clouser, Mr. Davis – Absent)

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V. UPDATES/REPORTS

A. OPEN SPACE SUB-COMMITTEE MEMBERS

Mr. Beardsley said there is not much new. Linc called him and left a message and they've been playing phone tag. Mr. Dravec seems to be okay with the estimates of the appraisals. Mr. Beardsley walked the property with DCNR and the guy liked the site.

VI. NON-AGENDA

- Mrs. Yerger said there are copies she handed out and it was presented by a young Girl Scout pertaining to the Heller Homestead. She presented this to the Parks and Rec's last night. They recommended it come to the EAC and we look at it. She's doing a brochure and she's worked with Bill Sweeney from the Department of Natural Resources, who has guided her on this. The only change would be to put the Girl Scout's name at a different place or word it different as it looks like she designed the nature loop. Other than that, she did a wonderful job. It will be at the park in Plexiglas and there will be small brochures of it.

MOTION BY: Mr. Maxfield moved to take her name off the page where it says "Designed by Mary Pashewiz" and put the credit someone else on another page.

SECOND BY: Mrs. Yerger

ROLL CALL: 7-0 (Mr. Aranyos, Mr. Hijazi, Mr. Clouser, Mr. Davis – Absent)

- Mr. Johnson said he has been talking to a forester and he will put something together for June, a Thursday or a Saturday. Mr. Johnson will send an email and let everyone know.
- Mrs. Yerger said Allan Johnson got copies of a groundwater article. Take a look and this and this can be put on the website.
- Ms. Laura Ray said there's a Source Water Protection Workshop on June 4 and it's on the website.
- Mr. Beardsley said Bethlehem is doing electronic recycling and they are taking TV's. It's a company from Allentown. He will contact that company and see how they are doing it with the TV's. It's this Friday and Saturday and it's on the website.

V. ADJOURNMENT

MOTION BY: Mr. Maxfield moved to adjourn. The time was 8:45 PM.

SECOND BY: Mr. Johnson

ROLL CALL: 7-0 (Mr. Aranyos, Mr. Hijazi, Mr. Clouser, Mr. Davis – Absent)