

**Salisbury Township
Environmental Advisory Committee
Meeting Minutes
September 16, 2009**

A Public Meeting of the Salisbury Township Environmental Advisory Committee was held on September 16, 2009 at the Salisbury Township Municipal Building located at 2900 South Pike Avenue, Allentown, Lehigh County, Pennsylvania. The meeting was brought to order at 7:00 P.M. Committee members in attendance: Bruce Burchard, Louis Cinquino, Jane Benning, Commissioner James Brown, Joseph Hebelka, Planning Commission representative; and Ms. Cynthia Sopka (Secretary to the EAC).

Mr. Burchard called the meeting to order at 7:00 P.M.

Ms. Sopka announced that all sessions of the Salisbury Township Environmental Advisory Counsel regular meetings are electronically recorded as required by the Bylaws and for the purpose of taking the Minutes.

Minutes – 8/19/2009

Motion was made by Mrs. Benning to approve the August 19, 2009 Environmental Advisory Committee Meeting Minutes as amended with grammatical corrections. Motion seconded by Mr. Burchard. The Motion passed by unanimous voice vote.

Agenda Review

Discussion with Rebecca Kenned Watershed Specialist with Lehigh County Conservation District.

Ms. Kennedy discussed **regulations on surface water expressions and what protections are available**. Ms. Kennedy stated that the only way for these features to be adequately protected is by the individual Municipality. Ms. Kennedy stated that springs and seeps are not the only natural resources that can be protected at the Municipal level, there are several others. Ms. Kennedy stated that a Hydrogeologist, Mr. Todd Gittings, in the Penn State College area has created model regulations, which have withstood legal challenges because they were adequately defined.

Ms. Kennedy stated that protecting these resources could be done within the next two months by adopting each of these features as a stand alone Ordinance. She indicated that there are typically two obstacles in the way, for instance the Township Engineer and Township Solicitor, because as professionals they need to be extremely cautious and emphasize keeping the Township out of court. Ms. Kennedy indicated she feels safe with natural resource protection standards that mirror the standards of the DEP, especially from a legal standpoint.

Mr. Burchard asked Ms. Kennedy to address the topic of Riparian Buffers and their association with seeps and any water ways. Ms. Kennedy indicated that the LVPC produced a Model Riparian Buffer Ordinance. The Ordinance is well structured, researched and presented. She felt the numbers are problematic and is concerned these regulations would not stand up in

court. Typically the numbers supported by previous research is between 100-150 foot buffers. Ms. Kennedy stated that she felt 150 buffer or more could be defended in court because it would be 100 feet of natural vegetation and a 50 foot setback in which there are no structures or active uses.

Ms. Kennedy stated that there are model buffer regulations for all entities. The Township could write an Ordinance for every Riparian Buffer determined with specific conditions for every single site and base it on a variety of factors.

Mr. Burchard stated that Salisbury Township is concerned with environmental impacts because most of the open land with the Township is located on South Mountain where basically all the headwaters for most of the streams and creeks come from. Mr. Burchard inquired as to what could be done for the environmental impact, what can be recommended to our Commissioners, and where to start. Ms. Kennedy stated that Salisbury Township does not have adequate environmental regulations; therefore, protecting the surficial ground water features, as well as seeps and springs should be the first priority. Mr. Hebelka stated that not only do you want to protect the seep and/or spring specifically, you also want to protect the area providing that water source.

Ms. Kennedy stated that in order to protect these features it is imperative to establish the Natural Resource Inventory, provide a dictionary definition, and specify the location. The sources to reference for the feature locations are the maps and also residents 60 years or older whom have been familiar with the Township, who possibly grew up on farms or hunted prior to development. Ms. Kennedy referenced her work on the Saucon Creek Watershed Assessment which took roughly three years to complete. They contacted fisherman and hunters over the age of 80, interviewed them, reviewed maps, did fieldwork, and published some of the 50+ year old pictures provided by the residents.

Ms. Kennedy stated that if the STEAC and Board of Commissioners decided to pursue doing a Natural Resource Inventory, that the LCCD will assist the Township because this particular Municipality is critical in the natural resources for Lehigh County. She also indicated that her Board of Directors would support her and the Township staff by helping to put an effort into the resource list because it is a major area of concern for the entire County. Ms. Kennedy indicated that she has the technology and advanced GIS to help process information for the seeps and springs in Salisbury Township. Ms. Kennedy stated that she would help put together the plan and guide the STEAC on implementation, and specify the tasks that are needed to get it done. She also indicated that she will look into funding to support the Natural Resource Inventory. In addition, Ms. Kennedy advised that she needs a letter of request from the Board of Commissioners asking the LCCD for assistance in developing the Natural Resource Inventory with some reference on their proposed use for the information such as incorporating the information in the Comprehensive Plan, Zoning and SALDO updates.

Ms. Kennedy stated that another natural resource to focus on is the critical habitat areas. These areas are being lost rapidly and they are extraordinarily valuable and irreplaceable. Ms. Kennedy stated that Salisbury Township has habitats and native landscapes for wildlife and endangered animals which need to be protected. Ms. Kennedy informed the group that Salisbury Township is

within the migratory path of the Purple Martin and stressed the importance of securing unique habitat that promotes this species.

Ms. Kennedy also suggested seeking a real estate professional to join the EAC because not only do they know the properties being sold, but can address conditions of sale and possibly use specific tools to protect the Natural Resources.

Mr. Hebelka asked Ms. Kennedy if there was anything the LCCD is doing now or in the future that the STEAC can support. Ms. Kennedy indicated that they're in the process of developing the TMDL (Total Maximum Daily Load) for Saucon Creek. It is the Clean Water Act of 72 that mandates every single water body has a designated use and has water quality standards associated with it. When a surface water body is determined that it does not meet the standards, it is labeled as "impaired". It is then mandated and delegated by the EPA that the State Department of Environmental Protections develops a TMDL. The TMDL is a numerical computer model that advises how much pollution the water body can handle and still meet its water quality standards. Ms. Kennedy stated that she will be doing the first TMDL in the DEP Northeast Region. Sampling is going to be started on Saucon Creek which requires storm chasing. The DEP requires ICE (In-stream Comprehensive Evaluation) to be done which is mandated and has protocols for water quality testing. The protocol requires samples taken in low flow conditions and three other storm conditions such as: the end of the winter storm; a flash storm after a dry period; and a storm that is part of an ongoing front for a period of time. **Volunteers would be welcome for this project.**

Discussion was made regarding the location identification of environmental features for the map of Salisbury Township. A variety of suggestions were shared including the geology of Salisbury, residential areas, land preservation, etc. Ms. Sopka stated that the eastern portion of Salisbury has many ground water seeps with homes constructed on top of them. Mr. Burchard indicated he is very familiar with some seeps along Church Road and Black River Road.

Discussion was made on Dr. Niesenbaum's preparation of condensing priority items that will be presented to the Board of Commissioners. Mr. Cinquino stated that arranging the priorities, defining and communicating them with explanations to the Board of Commissioners will help gain their support, interests and common goals. Commissioner Brown stated that a presentation on the Natural Resource Inventory should be made to the Commissioners.

The EAC further discussed the importance of the education process associated with projects.

Ms. Sopka advised the members of the agenda and the time frame for submitting comments or future agenda items.

Discussion was made regarding the recommended Bylaws. Ms. Sopka stated that there are three areas that she is recommending to change:

- **Article III. Purpose.** The second sentence will be change from issue recommendations to provide recommendations.

- **Article V. No. 1 Monthly Meetings.** The last sentence will include the meetings being posted on the Township website, and advertised in a newspaper of general circulation at least seven days prior to each meeting.
- **Article V. No. 6 Notes/Minutes.** Sentence will be added stating, Notes/Minutes will also be available for public inspection and kept on record t the Municipal Building.

NEW BUSINESS

Mr. Hebelka discussed The Planning Commission meeting on September 8, 2009. Mr. Hebelka indicated the Board and staff reviewed the sketch plan for the Lehigh County Treatment Facility and the plan expansion of the Crossroad Baptist Church:

1. The Planning Commission entertained a host of questions regarding the Work Release/Treatment Center expansion. Overall, final determination concluded the project will require “Conditional Use” approval with the Board of Commissioners.

2. Concerns regarding the Crossroads Baptist Church included storm water management; potential impact to the stream/wetland located behind the Church; and traffic.

Committee Reports.

None

**There were technical issues with the tape which prevented appropriate transcription. Therefore, only summary information was gathered, as referenced below:*

Additional Discussion Information

Discussion was made in regards to each member going to another EAC meeting in a different Township. All members were in agreement. Mr. Cinquino advised he will be attending some Allentown EAC meeting.

Future Agenda Items

Board of Commissioners Workshop – presentation for the Natural Resource Inventory.

Communication regarding volunteers to approach the Board.

PA NRI importance in the EAC Handbook.

County discussion for model regulations prepared by the LVPC.

Agenda Items of Upcoming Events

Little Lehigh Watershed/City of Allentown water protection.

PA DEP Public Hearing October 5, 2009 for Erosion and Sediment Control/Stormwater Management.

Invite Whitehall to November 2009 EAC meeting.

Invitation for Wildlands Conservancy November 2009.

Public Comment

Representatives from the Whitehall Township EAC addressed the STEAC.

Mr. David Grube #610-769-7695

Mr. John Delserro #484-239-2039

The Whitehall EAC was formed 18 years ago. They meet the 2nd Thursday of each month at 7 p.m. at the Whitehall Township Municipal Building. They advertise on the Township website. This website includes a volunteer form which can be downloaded.

They expressed that their main areas of concern is to protect and preserve the natural 110 acres at Whitehall Parkway. Conversation ensued regarding an Environmental Resource Inventory. They did express that they visiting other EAC's for future ideas on future projects.

They indicated that the Township funds the EAC up to \$1,000. This budget was used towards the Whitehall Parkway. It helped to provide planting of Cranberry bushes and birdseed for wildlife.

The EAC sponsored recycling events and contests. The first year of participation they recycled phone books through the schools.

They indicated the Township conducted research on solar panels and windmills thereby adopted Ordinances to address these issues.

Adjournment

On a motion by Mr. Cinquino, second by Mr. Burchard the meeting was adjourned.