

I. **OPENING**

**CALL TO ORDER:** The Environmental Advisory Council (EAC) meeting of Lower Saucon Township (LST) was called to order on Tuesday, February 14, 2023 at 6:30 p.m., with Thomas Carocci, presiding.

**ROLL CALL**

**Members:** Thomas Carocci, Chair; Cindy Oatis, Vice Chair; Dru Germanoski, Allan Johnson, and Laura Ray; **Associate Members:** Jennifer Helton and Kathy Pichel McGovern; **Staff:** Carol Schneider. **Absent:** **Members:** Sandra Yerger and Ann Spirk, **Associate Members:** Kaitlyn O'Connor Sommer, Glenn Kaye, and Nicholas Lynn.

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENT OF EXECUTIVE SESSION** – Tom said they did not meet in Executive Session.

II. **OPEN SPACE SUB-COMMITTEE**

A. **PROPERTY UPDATES** – None

III. **NEW BUSINESS** - None

IV. **DEVELOPER ITEMS**

A. **STEEL CLUB PHASE 3 MAJOR #MAJ 01-23 – SUBMISSION 700 LINDEN AVENUE**

Mr. David Spirk was present at the meeting. Mr. Spirk said he's the majority owner of the Steel Club, the development, everything. He's been doing this developing since 1987. This was the Silver Creek Club and Bethlehem Steel Club at one time. It started in the 40's by the Bethlehem Steel. It is 280 acres and Silver Creek bought it from Bethlehem Steel in 1986. In 2018, they sold it to Mr. Spirk as they were in financial trouble. They were looking at a lot of different developers to cover all of the acres with houses. They came to him and asked him if he was interested in buying it. He said yes, but he's not interested in covering it with houses. They came up with the idea, and Sandra Yerger was on the Council at that time, and cajoled him to come up with a different way to preserve most of the property. They took the capacity, and it's in the R-40, so that meant 40,000 sq. feet or an acre per lot and subtract the water courses, riparian buffers, steep slopes and things like that, heavily wooded areas, and it came out to about 184 houses that they could cover this with. At that time, Boucher & James was the Planning Engineer for the Township and they said 159 houses, so 159 it was. They made an amendment to the R-40 zone and again, the Council was in on the idea for a golf course use. It's the only golf course in the Township. They were then able to cluster the 159 on three different spots. They look pretty much the way they presented it to Council in 2014. There's really nothing really different. It's virtually identical. One time they were going to put it down by the tennis courts, but nobody liked that plan, including Hellertown Borough so they put it on top of the mountain, which is the highest part of the entire property by the clubhouse. The bottom line is they moved it here so it's farther away from the rest of the houses and more contained on the property. They have 280 acres; 220 acres are in LST and he showed everyone where the Hellertown line was. The 220 acres is where they got their capacity from. It hasn't really changed from 2015, 2016. They got approval for the zoning amendment which they have the right to do this. They are now going for land development approval. They are showing the topography, they are showing where the stormwater goes. They already have comments from the LVPC and are waiting for some comments from Hanover Engineering. They don't anticipate there's going to be much by way of comments as they've already gone through this. The common question he gets is why did he wait so long to do this? They wanted to make the clubhouse a more viable place to be so it would be more attractive. He pointed out Lost Cave, the Hellertown Pool.

Kathy asked if they were aware of the new law on Stormwater? Mr. Spirk said LST has adopted the new ordinances so they knew they were going to be in place. The new rules are actually better and allow more, it's called Best Management Practices. For instance, this came in front of you maybe a year ago, so the old ordinance doesn't necessarily allow rain gardens, infiltration, and the old ordinance just pretty much allowed retention ponds. When Mountain View was built, there was no stormwater management. They put in stormwater pipes and were sending it to the closest river. They have 11 pipes that come onto their property. All of Mountain View drained onto their property. There's no

stormwater, no management. Everything flows to Constitution. In the worst storm, there's a 3' pipe and the water shoots out of there like a firehose.

Allan said is that Silver Creek that's out in Hellertown? Mr. Spirk said yes. Dru said what's the total acreage of open space right now in the golf course and how much will be consumed, however you want to put it. How much is it now and how much after or how much will be lost? Mr. Spirk said we are consuming less than 30. We're altering some things. This is the campus where you have dinner right now. By the ordinance, they must keep somewhere around 110 acres in perpetuity as open space. They invested heavily in the club and made it a viable place and now it's desirable and people will want to live there.

Dru said what does Hellertown see and what has been their feedback? Mr. Spirk said they were just at their Planning Commission, it's all informal at this time because there's not much in their municipality. You have to come down Linden Street and you wind your way through the neighborhood and what they are proposing is to bring the driveway here to Constitution and Durham and make a four-way intersection. Hellertown liked that idea and they prefer that idea. It would be better for everyone. The downside from his perspective is it's going to cost a quarter of a million dollars to put a road in there. It's better for the community instead of going through the neighborhoods. It's going to look better. If you come to the club now, you are in the parking lot and you see the side of the club, now you will sort of get glimpses of the clubhouse from the front.

Laura said this was when we put in our cluster ordinance, is that correct? Mr. Spirk said he doesn't know if we have a cluster ordinance. Laura said cluster development so that R-40 you don't have to have an acre per house, you can bunch them together like that. Mr. Spirk said there was no cluster development at that time. If that has changed since then, he's not aware of it. They didn't have a cluster development at that time, they made an amendment to the golf course use, which was what everybody wanted to see, but that's a good question. Laura said they talked about that a number of times, do you remember Allan? Tom said he never heard of that in Planning and he's been on Planning for six years and here for ten. He's never heard of a cluster ordinance. You can ask Linc. Mr. Spirk said there are some municipalities that have it, but there aren't that many.

Tom said he likes that 110 acres are conserved and more than that with this. We were fortunate to have money in the open space to buy the Woodland Golf Course and turn that into open space. There used to be Locust Valley and they basically closed it and turned the entire thing into houses all over. They got rid of all the open space and are building homes. He's glad this is pretty much the only golf course left in the Township. There's a small part of the Saucon Valley golf course in LST. This is the only golf course left in the Township, so he's glad it's being preserved for our residents.

Mr. Spirk said they are putting a walkway all along the perimeter so it can be used by the golfers if they so choose to hit the ball that far offline, but they are putting a sidewalk for the residents so you can sort of walk around it. The residents shouldn't walk through nor should anybody, even the members as a risk of being hit by a golf ball. They don't show it on their plans, but the sidewalk is going all the way through the intersection on East Depot and Durham, but that's the idea so the residents can walk into town as well. The residents will have carts and garages so they can drive right to the clubhouse. This development will probably keep a lot more cars off the road. They had 280 inquiries already and none have children at home, all are either empty nesters, still working or retired. Tom said your school district appreciates that as it is school tax dollars without having to educate a child and that's the best kind of tax dollars if you are on the school board. Mr. Spirk said the average sale price of the houses are \$600,000, \$700,000, \$800,000.

Dru said he'd be concerned about developing this real estate with a severe impact to the water recharge and any open space is positive, but you mentioned 110 acres would be in conservation. Imagine you lose your golf members, then is this open to you coming back and putting more cul-de-sacs in. Mr. Spirk said there's no more capacity. The Council, or the citizens would have to allow the R-40 to have

more like an R-20. Tom said he's never heard of anything smaller than an R-20, but maybe there is. Mr. Spirk said there would have to be a zoning change.

Allan said the land is being conserved. Mr. Spirk said its 110 acres of open space. Allan said you are considering the golf course to be open space (green space). Mr. Spirk said yes. Allan said he learned from Dru that lawn is not the best to absorb rainwater, but this has been here for a long time so you are not really changing anything much. He got a pretty good look at the maps on the computer and it looks to him like you're really not destroying a lot of trees when you build this. Mr. Spirk said correct. Allan said do you know what the acreage of trees you are going to be destroying? Mr. Spirk said he doesn't even think it's an acre. There is no heavy woodlands. Allan said there's marks on the drawing that's circled the woodlands. So, compared to all of this, you're not really removing that much woodland and he thinks that's good. The stream, Silver Creek, and since he drives by here a lot, he's noticed that the banks of this stream are straight up and down, there's a lot of erosion going on. He was thinking since there probably won't be a lot of golfing going on during construction, this would be a good time...Mr. Spirk said there's going to be golfing going on. Allan said this would be a good time to include the banks of the stream. Mr. Spirk said if there's no golfing going on, he's in big trouble. Hellertown has asked them to help them with flood mitigation and they are talking to them. They have to have some plans to create some ponds. The problem with the steep banks is that water rushes through. Allan said there's a fix to that. That's what he's talking about. You taper the banks of the stream and plant grass there, some kind that the water can't wash away. Mr. Spirk said they already have the plan for that. Allan said you are getting funding, so you may not have to pay for all the expenses. Mr. Spirk said that's the plan to not pay anything because what they are going to do is create ponds with the bridges. It lets the regular amount of water go through and then as it arises, it stops. It can't spread out. It's 9' deep down here, that's where the 3' pipe is.

Tom said this is going to help Hellertown. Allan said they don't like when you restrict the flow of the streams. Mr. Spirk said they are not going to restrict the normal flow of the stream. One day it will be in front of this group, it's not done yet. The motivation there is to mitigate the flooding. It's just flying through. The banks are so straight. That will cut down on the erosion. The only way to have the water go out is to stop it. When he was a kid, you could just walk right through there. It has eroded and it went down 4' in the Sandy storm. He met the Manager there and they said they knew it went down 4' on Front Street. They had backhoes there. They lost one bridge.

Cindy asked some MS4 questions. Mr. Spirk said the golf course has virtually no impervious, it's all pervious, although again woods are better. The meadows are the next best. It's still pretty good. They don't have a lot of straight sheet runoff. It's not like your front lawn. What they are planning, as they don't have things worked out much at all, they are just starting the idea of how they are going to mitigate the flooding. What they want to do is hold all the water coming from Mountain View and some of this water coming from upstream off of the Wassergass area. They have to somehow hold it and allow it then to recharge. That's the plan.

Dru said he heard they were going to put in some infiltration. Mr. Spirk said the plan here for this development and when they got this approved, under the turf field is a football field basically and it's all infiltrated, stone, that kind of thing and then next after that is what would be a more common detention pond. It's not very deep and not very big. The idea is to try to not just have a giant pond that is mowed. The ordinances are now trying to move away from that and some better more creative things to do. It's better for the recharge, better for the water table. They have a retention pond and a rain garden.

Allan said somewhere you have an infiltration pond. Mr. Spirk said that is right. When we introduced that, that big pond he mentioned earlier, it does have pipe, but it's mostly just a detention pond. The turf field has a tremendous amount of infiltration under it. We proposed these things, but under the ordinance before it was adopted, it didn't allow that. They are not keeping up with the time, so now there are more creative ways to handle the stormwater. The ordinance actually helps them now.

Laura said along the Panther Way, there's a bit of a tree line there, does that stay as they aren't very big lots. Mr. Spirk said their proposal is to clean it up. They will put the tree line pretty much on the property line. Laura said that's where all the deer hang.

Allan and Dave discussed Dave's plans to help mitigate the water in Mountain View. Some discussion was in audible as Allan/Dave did not speak into a microphone.

Tom said you have seen golf courses all over the country turn into 500 town homes and it happens all the time and that would be great if we could avoid that. Mr. Spirk said there have been golf courses for generations then they are pressured, money, things like that, then they are gone.

Tom said maybe we just recommend that if once you talk to Hellertown and you get the Silver Creek banks, you just file another plan with the EAC just so they can see that portion. Mr. Spirk said sure. Allan said can you share that with the Saucon Creek Watershed. Mr. Spirk said they would need everyone's support. They are talking millions and millions of dollars. Tom said once we see those plans, the EAC and Council can write a letter to the appropriate bodies to try to help you get some funding for it.

**B. SINKO LOT LINE CHANGE #LL 01-23 – 1603 & 1611 HAFLER ROAD**

Tom said there was a big map for this lot line change which Tom put on the table for the EAC to discuss. After discussion among themselves, Tom said there's an application but not much detail. Laura said a lot of times we get a lot line change and we don't have a reason or what the next step is supposed to be, so it's hard to make suggestions. Tom said there's nobody here to discuss the Sinko property. After more discussion, Tom said we have to make a recommendation, he's not sure there's anything to vote on. Do we have no comment? The EAC said there was no comment on the Sinko Lot Line change.

**V. UPDATES/REPORTS**

**A. REIMBURSEMENT FROM 2022 E-CYCLING EVENT**

Tom said we received a direct deposit of \$1,700.00 from Northampton County for the reimbursement of the fall 2022 E-cycling event on February 2, 2023.

**VI. OLD/MISCELLANEOUS BUSINESS**

**A. ELECTRONIC RECYCLING SPRING EVENT FOR APRIL 22, 2023 (SHARED WITH UPPER SAUCON)**

**B. SECURE FALL ELECTRONIC RECYCLING DATE WITH CLEAN EARTH (PENCILED IN FOR 10/14/23 WITH UPPER SAUCON TOWNSHIP)**

Tom said he will pass around a sample of this, but basically a shared recycling event on April 22, 2023 with Upper Saucon Township. Patrick Leonard of Upper Saucon Township said he would take care of every aspect and will not require assistance from the EAC or our staff. They will set it up and man it. They will email the flyer with both municipalities added and split the cost. We will do the same when we have a fall recycling event, so we'll staff that one and we will not require any assistance with Upper Saucon Township and we will share the expenses. We have to pick one of the dates. Carol said for the fall one you picked November 11<sup>th</sup> which actually falls on Veteran's Day and she didn't know if anyone had any issues with that, so she secured both dates and you can pick one. Tom said you never know what type of weather you are going to get in November so you are a little bit better with weather for an October date. The date would be Saturday, October 14<sup>th</sup>. Carol said Upper Saucon will take care of their flyer in April and she will post it and then we will take care of the next flyer and get it out to everyone. They will not be doing paint. Tom said hopefully we can get these dates in the newsletter. Carol said yes.

**MOTION BY:** Dru moved to recommend to Council that the EAC recommends Saturday, October 14, 2023 for the Fall electronic recycling event which LST will share with Upper Saucon Township.

**SECOND BY:** Laura

**ROLL CALL:** 5-0 (Absent – Sandra Yerger and Ann Spirk)

**ROLL CALL:**

**C. EDUCATIONAL IDEAS FOR RESIDENTS (MS4, RAIN GARDEN, RAIN BARRELS)**

Tom said any ideas? Jennifer said she'd like to entertain working with Saucon Creek Watershed as part of the rain barrels like we did in the past. There are already rain barrels we have from the past and we could build that mutual relationship back up. Dru said he thought we had some educational flyers or literature we shared in the Township newsletter previously. If we could ask Carol to look through the archives and see if we have something, we can look at again and see if it's still appropriate like for MS4 and rain gardens. Sarah Stanlick had produced something that maybe we can look at and it's already made and well-conceived. Jennifer said she can reach out and report back at the next meeting.

Laura said long ago we did a composting workshop and that would be a great thing to bring back. Cindy said there is somewhere they will set up the machines and give you a discount. Laura said that's how we did it and the residents could take it home with them after the workshop, the big black things. Carol said it was in 2002. Tom said what type of organizations do this? Do you want Carol to look into it? Carol said she thinks we got a grant for the bins themselves at that time and then Deb actually ran the class and residents signed up and they left with a free bin. We have one or two bins left but they are cracked or broken now. Tom asked Laura if she wanted to do this or have Carol do it. Carol said if Laura looks up information and sends it to her, she can call them. Tom said if we can get Carol pointed in the right direction for this, we can bring it back in March as an agenda item.

**D. REVIEW AND APPROVAL OF DECEMBER 13, 2022 MINUTES**

Dru said page 5 of 12, line 2, we should add "ing" "trying to put", rather than "try to put". Page 7 of 12, line 10, they will eventually end up, rather than land up in the Bull Run. Allan also provided feedback that were corrected. Dru said page 6, "this real estate is some of the best conditions that's heavily used in the Township". To try to fix line 5, "we would be agreeing to facilitate our Township property with whatever transpires" would convey the intent. Page 7, line 4, he would change "there's no question about that" as opposed to "there's no question to that". Again Allan had corrections and questions. Tom said if you have comments about the minutes hereon in, you could email them to Carol before the meeting instead of trying to piece them together at the meeting.

**MOTION BY:** Laura motioned for approval of the December 13, 2022 minutes, with corrections.

**SECOND BY:** Dru

**ROLL CALL:** 5-0 (Absent – Sandra Yerger and Ann Spirk)

**E. REVIEW AND APPROVAL OF JANUARY 10, 2023 MINUTES**

Laura said she wanted to make some corrections but just glanced at them and doesn't have the corrections together. Carol said if you don't speak into the microphone, it's really hard to hear. Diane is doing them, we go over them and that's why Carol takes notes. Tom said we can table them tonight.

**VII. PUBLIC COMMENT ON NON-AGENDA ITEMS**

- Sal Galiano, said he uses Applebutter Road daily to go to and from work and the area from the bottom where the trucks come in on Shimersville Road. He rides a motorcycle and that road is pitifully dirty. He's not worried about the dirt on the bike, it's the dirt getting into his lungs. What do you guys do for the cleanliness of the trucks exiting? They are probably clean when they go in, that side of the road is clean. It's the exit side that's just mud and dust when it's dried. What do you guys have in way of protection for that or to eliminate that? Tom said the landfill is supposed to wash the trucks when they exit, so he's surprised the exit is dirtier than the entrance. His understanding is they do that as at the last Landfill meeting they gave a number of days where the washer was operational, he forgets when that was. It seemed to be operational. Sal said it's just terrible and getting worse and worse with more trucks coming in. He realizes weather has something to do with it but if they are washing them, then the road shouldn't look the way it does. After it rains, where does it go, into our waterways? Tom said the number of trucks does vary but it's capped by our Host Municipal Inspection Agreement, so it

shouldn't be substantially a large number of trucks compared on a month to month basis and it's generally not. Sal said he understands that, but it's very dirty all the time. Dru said it's a fair point of observation as he drove by there this morning and the road was dirty on the exit and he made a comment at one of our other meetings that his truck looked like he was off-roading on a rainy day driving through that stretch. When he got out of his truck, he was astonished at the mess, so he thinks Sal is making a clear point and the observation in his experience is factual. Sal said he has to breathe that dust, he can't close his windows going past it on a bike. Dru said is it appropriate to convey this to the Landfill Committee? Tom said yes. Sal said this is an environmental problem. Tom said we can refer it to the Landfill Committee to see what recommendations or solutions they can come up with for the landfill. They work with the landfill when they have their quarterly meetings that deal with complaints such as yours. Sal said okay. Tom said the committee doesn't do it. Our Engineer goes up there and does his inspection and reports back. He does air quality as far as odors if he detects that sort of thing. Sal said you are an environmental agency here. Tom said we are the advisory board who can make recommendations to Council. Sal said that's why he is bringing it up here. Tom said we can recommend that the Landfill Committee address dirt and dust on Applebutter Road with the landfill at their next meeting and ask them what else could be done. Sal said this is a lot of mud, maybe a half a mile. Tom said we will recommend to the Landfill Committee and have Scott Brown look into it. Laura said she had a conversation someone at the landfill and there was a period recently he said the street washer thing was broken.

- Ginger Petrie, said when the future is coming and the landfill proposal comes to the next stage which is changing their conservation easement, she would like to invite all of you and maybe you would consider doing it, coming out to her property and standing out in the field and have an actual visual of the side of the mountain and where the landfill currently is. From their property you can also see where the expansion that they are planning on Phase V is going to be coming along side of the mountain, and it will be meeting into their property. The reason she is asking you to do this is because when the time came that they wanted to put their property in conservation easement, we had everyone come out there. We had the EAC, the Planning Commission and the Council come out and visit. Part of the attraction for the Township to put our property in this open space was that it was going to be contiguous properties. The Bethlehem property at that time, the 275 acres that the landfill has purchased, was already in a conservation easement and the Township had a goal to have properties that were going to reach each other. Kathy you might have been contacted at that time about your property as it was contiguous coming from Bethlehem through the Petrie property which is at least 100 acres of timber on the side of the mountain and then it was going to go toward the Pichels. The reason she's asking you to do this is they were basically vetted in order to have the Township want their property. They don't have an issue as they also had the Heritage, a third-party agreement when they went into their easement. She said because there's going to be a major change in conservation easement through the Phase V, she thinks it's very important for everyone involved before a decision is made to please stand on the ground. You guys are all into environment and one of the things about their property was that it had a lot of special things. It had all the animals and it had the rare plants. Not only is the Bull Run at the bottom, but there's a lot of springs that run through the mountainside so that is the same mountain range that the landfill is going to be taking over. The same type of rock cropping, the same type of steep slopes so she feels it's important instead of just looking at a map, that if you have a visual of what you are really going to see. This whole side of the mountain is also seen from Route 33 and it's also see from Route 78. From what she's been told, from Route 33 you can almost see this mountain side all the way from Wind Gap, so before the changes are made that you can't take back, this isn't just clear cutting trees and planting more to grow, this is something that's going to change the soil, the environment, the water, the air. Please take her invitation, maybe you can discuss it at the next meeting and take her invitation on your convenience whenever you could and please come for a visual. She'd respect that a lot.
- Laura said regarding membership and attendance, going back to the by-laws, and filling the positions, so it is Article IV, Section 2. It says regarding attendance of members, Chairman of his/her own may or a majority of voting members present at any scheduled Advisory Council meeting may vote to notify any EAC member or Associate who is absent from any four consecutive regular monthly EAC meetings or who is absent from six regular monthly meetings during any twelve month period without reasonable

**Environmental Advisory Council**  
**February 14, 2023**

cause and then it goes on. So you notify the person, you are asking them to show up or resign or do something. We've been talking about this for several months now. Regarding specifically Nicholas Lynn, from what she can tell, he came on the board in 2021, he attended January, February, March and that's the last we saw of him. None of us even remember what he looks like so he was absent April 2021, and then we had all our meetings cancelled from May to October 2021, and then he was absent November and December 2021. We didn't see him at all in 2022 and we haven't seen him yet in 2023 so can we do a vote to send something to him and we can do it ourselves. He's an Associate Member, and it says written notification so we can email him and say would you like to resign so we can fill this position with a person that can come. We are limited to the number of Associate Members and it would be nice to have more people when we do projects. Tom said he agrees. Contact him and he doesn't even remember what he looks like either. Cindy said does the letter have to come from the Township or can the EAC write it. Laura said it really doesn't say. Dru said he brought the same issue up in the fall. Carol said you could make a motion. She said he did respond when she reached out to see if he wanted to be on the EAC. Tom said it would be Council's job to remove him. You can recommend that to Council. Send him an email telling him that the EAC is going to recommend him being removed by Council as you haven't attended the meetings and see what he says and then we'll know in March if he responds or not.

**MOTION BY:** Laura moved to recommend to Council that the EAC recommends to take action to contact Nicholas Lynn to let him know he will be removed from the EAC as he hasn't attended meetings (in 2021 he attended 3 out of 6 meetings), in 2022 and 2023 – he did not attend any.

**SECOND BY:** Cindy

**ROLL CALL:** 5-0 (Absent – Sandra Yerger and Ann Spirk)

Carol said she will send an email tomorrow and then she will let him know if he doesn't show up our recommendation is to have Council remove him.

**VIII. ADJOURNMENT**

**MOTION BY:** Tom moved for adjournment. The time was 7:52 p.m.

**SECOND BY:** Dru

**ROLL CALL:** 5-0 (Absent – Sandra Yerger and Ann Spirk)

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Thomas Carocci, Chair