

Upper Makefield *Township*

Environmental Advisory Council Meeting

March 11, 2014

The March 11, 2014 public meeting of the Upper Makefield Township Environmental Advisory Council was called to order by Vice-Chair Cathy Magliocchetti at 6:30 p.m. In attendance were the following members of the Environmental Advisory Council: Chair Ed Ford, Vice-Chair Cathy Magliocchetti, Member Bud Baldwin, Member Kyle Dudley, Member Lorraine Muth, Member Bob Needle, Planning & Zoning Department, Wendy Mecke, Board of Supervisor Liaison, and Mary Ryan. Also in attendance were Supervisor Larry Breeden, Supervisor Mike Tierney and Resident Ron Smolow.

I. Call to Order - 6:40 p.m.

II. Public Comment-No public comment.

III. Approval of Meeting Minutes

A. February 11, 2013-Motion made to approve. Second, all in favor, motion passed.

IV. Land Development

A. Washington Crossing Inn-Sketch Plan. Ms. Ryan informs the EAC this Sketch Plan was before the HARB once before and will be again before the HARB due to lack of quorum. EAC has no comment additions as technically the decrease in impervious surface is a swap for paver impervious for building addition impervious. The discussion moves to the seepage pit, capacity and drainage, the restaurant is increasing its seating the septic will be impacted. The EAC is reminded that this is a Sketch Plan; with they're input the design can change. The conversation changes to parking issues. Mr. Baldwin informs the EAC the Inn currently run a valet service down to the Historic Park parking lot and the bank across the street. Dr. Ford announces the EAC is neutral to the proposed Sketch plan unless the impervious surface increases or the Planning Commission determines there is need for additional parking, and then he asked for the Sketch Plan to come back to the EAC in a future meeting. Dr. Ford would like to know if the Inn has sufficient septic to handle the guest rooms accommodations that are on sight if or when they are approved for use and that information should be know prior to going to the Planning Commission for review.

V. Discussion Item.

A. DVRPC/ Tap Grant Program.

Dr. Ford discusses the 50' easement at Lookout Park to the canal and the possibility of creating public trails with grant money. Being the due date of this grant is so close, for a future grant this may be a possibility. Tyler State Park is in use of a color coded trail system, this may work for Upper Makefield Township. Dr. Ford asks to get a copy of their trail map for reference. Mr. Baldwin feels this may be a Board matter for the future. Ms. Magliocchetti noted along those lines that the macadam path in Look out park is not a complete circle. It would be nice to make it continuous, making it a complete circle. Mr. Baldwin moves the discussion to

receiving grant money to do a complete stream study, then putting the streams back where they belong.

Ms. Muth asks if that study would be covered under the TAP Grant. She does not believe it would be. Ms. Ryan added that to be covered under the grant, the study would need to be related to a highway. Dr. Ford informs Mr. Breeden and Mr. Tierney of the desire of the EAC to have a comprehensive stream study, ultimately leading to the repair of the streams. He goes on to tell them members of the EAC have walked the streams and have evaluated the damage done, however they are not experts, which this study would require. Mr. Tierney discusses the problems at 303 Stoneybrook Road and how they are related to the Jericho National Golf Course. He then announces he may have an engineer that will do the stream study at no cost to the Township. He goes on to suggest using retention blocks the erosion could be stopped at 303 Stoneybrook Road. Mr. Tierney also proposes using boulders to maneuver creek flow instead of planting along the creeks. Dr. Ford suggested the State would not be happy with that proposal and there are also permits that need to be acquired from the State because there are riparian buffer zones. Ms. Magliocchetti brings the conversation back to 303 Stoneybrook Road, noting it's not the Township holding up the project; it is the property owner on the other side of the property. If that property owner would be in agreement, the project could move forward. Mr. Tierney asked if a stream study of all the streams was done. The EAC replied that that is a project they have been working towards. Dr. Ford explains to Mr. Tierney because the State considers most bodies of water "Waters of the Commonwealth" any work within 60' of the waters edge will require a permit issued by the State prior to any work being done. Ms. Magliocchetti clarifies permits can be acquired, what is holding up the project is the neighbor's permission; the EAC has tried to speak with the neighbor and neighbors' attorney. Mr. Tierney has given "100% guarantee" he will acquire the neighbors' permission for the project at 303 Stoneybrook Road to move forward after he speaks with the neighbor. Ms. Ryan feels this solution should be left to engineers. Mr. Tierney states his engineer has already come up with a solution and he will bring him in at the appropriate time. Ms. Magliocchetti reminds Mr. Tierney and Mr. Breeden about the design of the Riparian Grant Fund and the legalities of its payments. Mr. Breeden questions the bidding process. Dr. Ford reminds Mr. Breeden that the EAC does not take that into consideration. That is a matter for Board discussion, if he chooses to take that up with the Board (of Supervisors). The EAC is here to evaluate submissions on environmental issues. Mr. Breeden continues that a three bid options by the homeowner would be following the law. Dr. Ford, again reminds Mr. Breeden that is not what the EAC looks at when a submission is before them. That is up to the Board of Supervisors. "This is an advisory level, if you as Board member, choose to require having the homeowner get three bids that is up to you." Dr. Ford stated. Mr. Breeden claimed "that is the law." Ms. Ryan interjected "no, that is your interpretation of the law. Our Solicitor has determined that you are misinterpreting it. You are taking a few sentences out of the Settlement Agreement that says the Grantee has to abide by all State rules, and you are applying Municipal bid rules to the Grantees." Dr. Ford interrupted stating that that is a discussion for the Board of Supervisors. The EAC will review the submission on the environmental impact only. Mr. Tierney tried to continue the conversation; Ms. Mecke strongly reminded him that this is an advisory committee for review of environmental impact only. Ms. Magliocchetti does feel that this grant is the appropriate grant for the storm water creek study. Ms. Muth feels the same, Ms. Ryan agrees. Ms. Magliocchetti states that different avenues of grant money should be researched for a stream study to be done. This particular grant doesn't seem suitable for what the EAC is looking for. She reminds the EAC a profession has been tapped to write a RFP for what is needed in a stream study. At the time it was to not exceed \$1000.00. Dr. Ford asks Mr. Tierney if he could bring his professional to a meeting. Mr. Tierney agrees to bring the professional to a meeting. Mr. Dudley makes a motion for the Board of Supervisors to approve not to exceed \$1000.00 for

Mr. Bergstrom to create an RFP for parameters for a survey. Motion second, all in favor, motion passed. Mr. Tierney asked what the approvals the Jericho National Golf course would need to supply. Ms. Ryan confirms that it would need to be discussed through the solicitors of both parties. Mr. Tierney asks for the original rejected contract presented Jericho National Golf Course for review. Dr. Ford noted that Mr. Tierney will report back at the next EAC meeting on the status of the Jericho National Gold Course meeting with Mr. Tierney.

B. Open Tree Grant. Ms. Mecke notifies the EAC of the money still available in the Tree Grant fund from the previous year. Mr. Baldwin makes a motion to open the Tree Grant Fund for the spring, motion second, all in favor, motion passed.

C. Falkenstein-303 Stoneybrook Road.-Discussed earlier.

VI. Liaison's Report

A. Board of Supervisors: Mary Ryan. The Board of Supervisors has agreed to fund a tree not to exceed \$50.00 in Paul Greger's name at Brownsburg Park. The tree will be planted on the morning of April 26, 2014. The tree is a 15 gallon Red Bud, the site of the tree is to be determined. Mrs. Greger will be present for the planting. Ms. Magliocchetti and Mr. Baldwin volunteer to locate a spot for the tree at Brownsburg Park. Mr. Dudley inquires about the plaques and bricks. He asks for constancy, to place a boulder and plaque at the base of Paul's tree. The EAC likes that idea better. Ms. Ryan states she will coordinate with Mr. Dudley on pricing for the boulder and plaque. Public Works will dig the hole once the spot is determined and Ms. Mecke will bring the Township camera the morning of the event to take pictures.

B. Park and Rec.: Cathy Magliocchetti. Ms. Magliocchetti is meeting with the Director of the Historical Park to perform a survey of the trees that were planted a few spring ago will be done to determine maintenance. Ms. Ryan offered she would like to take part in that survey as well.

Baseball Club would like to donate up to 4 trees for shade at Lookout Park. Dr. Ford reminds Ms. Magliocchetti that Baseball would be eligible for the Tree Grant. Ms. Magliocchetti believes the trees are going to be donated to the Baseball Club and says she will relay the grant information to them. The four trees will be maple. Once the plan is more definite they will foreword it to the Township. They are also adding two flag poles.

Ms. Magliocchetti will bring completion of the macadam circle trail at Lookout Park to the next Park and Rec. meeting. On behalf of the EAC Ms. Magliocchetti makes a motion to continue the macadam trail for completion of the circle at Lookout Park. Mr. Dudley seconds the motion. All approves. Motion passed.

C. Planning & Zoning: Wendy Mecke: Nothing to report.

Dr. Ford thanks the three Supervisors for coming to the meeting.

VI. Adjournment; 8:45 p.m.

*Next meeting – Tuesday, April 8, 2014 at 6:30 p.m.
Approved at the April 8, 2014 meeting.*