

# Upper Makefield *Township*

## Environmental Advisory Council Meeting

May 11, 2021 Meeting Minutes

The May 11, 2021 public meeting of the Upper Makefield Township Environmental Advisory Council was called to order by Chair Bud Baldwin at 7:04 p.m. In attendance were the following members of the Environmental Advisory Council: Chair Bud Baldwin, Member Harry Barfoot, Member Kathryn Benson, Member Nicole Khan, and Member Jack Wiseman. Also in attendance were Board of Supervisors Liaison Ed Ford, and Planning and Zoning Administrator Denise Burmester.

**Confirmation of Quorum:** Mr. Baldwin confirmed a quorum.

**Public Comment:** There was no public comment.

### **Approval of Meeting Minutes:**

- A. April 13, 2021:** Mr. Baldwin requested a title change on Discussion Item B to ‘Water Issues at Mill Pond and Mt. Eyre’. A motion was made by Mr. Wiseman to approve the April 13, 2021 meeting minutes with changes. The motion was seconded by Mr. Barfoot and carried by a unanimous vote.
- B. April 24, 2021 Holly Pond Visit:** Procedural discussion regarding the notes from the visit prior to motion.  
A motion was made by Mr. Baldwin to approve the April 24, 2021 meeting notes as amended. The motion was seconded by Mr. Barfoot.

### **Discussion Items:**

#### **A. Holly Pond Property Review:**

The EAC visited the Holly Pond Farm property at 43 Vansant Road on behalf of the Board of Supervisors to satisfy the following paragraph in the agreement between the Township and the Property Owner:

**(e) Appellant shall create a fifty (50) foot no-mow, no disturbance, zone from the pond and stream on the Property, and shall reforest the fifty (50) foot no-mow area with the help of trees from the Township tree bank. Within thirty (30) days following the Court's issuance of an Order approving this Stipulation of Settlement, Appellant shall invite the Township Environmental Advisory Council to walk the Property to offer suggestions on effective erosion and sediment control measures. Intervenor shall also be permitted to walk the Property with the Township Environmental Advisory Council for observation purposes.**

Discussion of the Holly Pond property visit included the following:

- The EAC will work to develop a sketch plan for the reforestation of the trees on the property along the stream, which may include a 50 foot setback per agreement and ordinance requirements. The Pennsylvania Stormwater Best Management Practice Manual, (BMP) 6.7.1, refers to the buffer restoration, which document key design elements, applications, functions, water quality functions and very specific guidance for restoration.
- Concerns raised regarding the environment health of the pond on the property. This pond flows to the creek with possible contamination to Pipcock Creek in Solebury. Suggestion that the pond should be cleaned out and barriers installed to ensure horses are kept back at least 50 feet from the pond.
- There were two dumpsters on the property that were above capacity, in addition to two dumpsters that were being filled. Concerns with four dumpsters on the property at the same time, rain water runoff from the multiple dumpsters could further contaminate the pond with suspended solids that could then contaminate Pipcock Creek. The high levels of suspended solids could impact compliance for programs such as the MS4 program in Solebury Township.
- The ditch located between the pastures on the north side of the property might provide better drainage if rip rap rock was put down in the area to reduce the erosion. Rip rap would not be used for the repair of the riparian buffer, only the water flow within the ditch leading to the creek.
- Further discussions regarding the property should include the property manager who is involved in running the daily operations of the farm.
- Concerns raised that the number of horses that are on the property did not comply with the Township Ordinance for grazing animals, which raises some environmental concerns.

Mr. Baldwin will meet with Dave Kuhns to discuss the recommendations made above. Ms. Benson will distribute the BMPs for the Board of Supervisors reference which can be referenced from [www.stormwaterpa.org](http://www.stormwaterpa.org) .

#### **B. Newtown Jointure Comprehensive Plan:**

Mr. Baldwin introduced discussion following the email from Mr. Barfoot on January 14<sup>th</sup> as the basis for discussion and EAC recommendations.

Discussion included the following for each section of the Newtown and Wrightstown EAC Recommendations:

1. Mitigate the Climate Emergency – There is agreement that we have some broad macro crisis, but the term "emergency" is too strong. Recommend it should be "Climate Change" and reference to the "change".
2. Smart Growth - The EAC supports Smart Growth as written, but recommend that this development applies only to the Washington Crossing Commercial District and zoning in Upper Makefield.
3. Native Plants - Support as written.

4. Water/watersheds/stormwater –Include the Land Studies analysis and recommendations completed recently on Hough’s and Jericho Creek. Include improvement of water quality as part of the vision statement.
5. Trees - Upper Makefield Tree Grant program offers the promotion of planting native trees in the community. Would like reference to the program.
6. Plastics -Support as written.
7. Renewable Energy - Support as written with consideration to aesthetic of the community. Aesthetic concerns may be best served via Ordinances. Inclusion of other renewable sources to include Geothermal energy. The EAC recommends the support of the ‘Ready for 100’ renewable energy program with Township policy statements.
8. Open Space – Promote the use of a rating scale to evaluate Open Space opportunities.
9. Bike/ped – There was discussion of the Bike Path plan that was developing with Newtown. Last planning session had a bike path that went from a path in Newtown at Stoopville Road and continued down Eagle Road. The plan never came to fruition due to funding.
10. Electric Vehicles - Support as written.

Recommend adding an Overall Beautification Strategy for the preservation of current environmental characteristics.

**C. E-Waste Event – Dates and Volunteer Participation**

The EAC feels that there are currently numerous local places, such as Vintage Tech in Langhorne, where electronic waste can be disposed. Do not feel it is warranted or cost effective to the Township or Residents to host this event in Upper Makefield.

**D. Trees for Topper Brick Property:**

Mr. Barfoot introduced the topic sighting that the Upper Makefield Township Tree Grant program that was recently redone by the EAC has a limitation of \$975.00 per property per year. Mr. Barfoot noted that the Brick Property has recently been placed into a Conservation Easement, which may entitle the property owner to additional funding. Mr. Brick, the property owner, is requesting the Township provide him with a funding amount that he could apply for that would allow him to do some mass planting of trees. Mr. Barfoot and Mr. Baldwin met with Mr. Brick for a walkthrough of the property where they identified five (5) or six (6) areas where they agreed trees should be planted. Mr. Barfoot to provide pictures of the locations. Mr. Brick has onsite landscapers that will plant the trees at the price of the reimbursement for each of the trees planted, as well as install deer fencing. Mr. Brick committed to documenting all trees and deer fencing for reimbursement. Mr. Barfoot proposed that there should be a recommendation to the Board of Supervisors to fund the Brick property at \$10,000.00 for tree reimbursement to ensure the tree grant program is not depleted before the Brick property is allowed to carry out the tree planting plans. Mr. Barfoot feels that since Mr. Brick has donated the easement to the Township that the Township should return in kind the funding for the trees. Further, if Mr. Brick installs the trees afforded by the \$10,000.00 grant, Mr. Barfoot recommends that additional funding should be considered for 2022.

Discussion included the following:

- Dr. Ford clarified that there was no financial compensation from the Township for the Conservation of the Brick property. There is an agreement that there will be no future development on the property. With a Conservation Easement, the Township does not own the property, nor is it the responsibility of the Township to maintain the property. Mr. Brick is the deed owner and responsible for maintaining the property. The reason for the discussion of increasing the allowance of the tree grant funds is for the Reforestation of the property.

- The plan is to plant trees a few inches in diameter. Purchase discounts are available to Mr. Brick via Mr. Brick's business associates that will afford him the ability to purchase larger trees for a wholesale price. Research by some of the EAC members have found that a red maple 2.5 to 3 inch caliber, 12 to 14 feet in height is costing \$400.00 per tree.
- A request was made to approach Mr. Brick about an introduction to the organization offering the wholesale discounts to the native trees to make this discount available to all Upper Makefield Residents. Less expensive trees would allow Residents to plant a higher volume of trees Township wide. Mr. Baldwin noted that he would be in company with Mr. Brick in the near future and will ask if that was a possibility.
- Plantings are planned for Fall 2021.
- EAC calculated that 123 trees could be planted for \$10,000.00 with the current costs reimbursed through the tree grant program. The expectation is that there would be at least 123 trees planted with the \$10,000.00.
- Concerns were discussed in the viability of maintaining 123 trees to maturity. This would be quite an effort to water and tend to the trees to ensure their survival. Mr. Baldwin noted that Mr. Brick has an understanding of what the maintenance of this number of planting would require, and would be willing to ensure the survival to the best of his ability.

A motion was made by Mr. Barfoot that the Board of Supervisors approve up to \$10,000.00 from the Upper Makefield Tree Fund to plant a minimum of 123 trees in the Topper Brick Conservation Easement based on a plan provided by the property owner, with receipts for trees and planting services presented to the Township for reimbursement with per tree limits defined in the Tree Grant program.

Motion did not receive a second. No vote was taken.

### **Liaison Reports:**

#### **A. Board of Supervisors – Ed Ford:**

Updates included the following:

- Board of Supervisors meetings have been very brief as of late and the second meeting of the month was cancelled due to no agenda.
- Discussion that the Grange Fair has been cancelled for 2021.

#### **B. Planning and Zoning – Denise Burmester:**

Conservation Easements are continuing in 2021, with a three-year cycle for the inspection of the Easements by Heritage Conservancy. In 2021, 16 properties are on the schedule for inspection. Dr. Ford noted that the results and reports produced by the Heritage Conservancy should be of public record, at the very least should be shared with the Board of Supervisors and violations should be followed up by the Township.

### **Adjournment:**

A motion was made by Mr. Baldwin and seconded by Mr. Wiseman to adjourn the meeting at 8:28 p.m. Motion carried by a unanimous vote.

**Approved:** June 8, 2021