

WORKSHOP MEETING MINUTES
MARCH 16, 2022
UPPER NAZARETH TOWNSHIP BOARD OF SUPERVISORS

The MS4 Workshop Meeting was called to order at 6:00 p.m. by Chairman Scott Sylvainus.

Board members present were Kristin Mullen, Michael Rinker, Brian Sayago, and Scott Sylvainus. Also present were Township Solicitor, Gary Asteak, Township Engineer, Sean Dooley, Township Manager, Lisa Klem, Road Superintendent, Shawn Shupe, and Treasurer/ Recording Secretary, Deanne Werkheiser. Robert Disbrow was absent.

Township Engineer Sean Dooley started the presentation with a brief history of the stormwater requirements. A new ordinance is needed by 2025. General items for the ordinance will be reviewed.

Sean stated that SALDO covers the basics for stormwater management. Act 167 addresses discharge rates and volumes. LVPC (Lehigh Valley Planning Commission) looks at the entire area during their review. They have received a new model from DEP. Looking to align the DEP model with Act 167 and NPDES requirements. We need to resolve the differences with what is existing and what is suggested Sean stated the water quality volume is the main issue to look at.

Sean stated that the goal of the new ordinance is to address deficiencies in the current ordinance. The new ordinance needs to address DEP requirements as well as our MS4 requirements. Needs to address areas that need the most mitigation as they are being developed. We could have a more restrictive ordinance than DEP requires. Sean stated there are aspects that need to be resolved with DEP and LVPC. We need to look at the next five-year cycle as well. Brian Sayago asked if we could require more from the developers? Sean responded no; we are bound by our requirements. We need to know what we must be treating so that we can get the credit. DEP's percentage of required reductions are needed for the ordinance. Michael Rinker asked what the timeline is for an ordinance. Sean responded they are waiting for clear answers from DEP. Probably will be months.

Sean stated the methodology must be established. The two deficiencies that are known must be worked on. There are several optional sections. One is regarding riparian buffers. This is a critical area regarding sediments entering into streams. Gary Asteak asked if this is currently covered in our Zoning Ordinance? Can it be in both ordinances? Sean responded he is currently cross checking them. Gary responded section five of the Zoning Ordinance may contain this item. The Board does want this to be addressed in the ordinance. Another optional section deals with noncommercial livestock. This would deal with any pathogen issues. Gary Asteak responded ACT 38 through the Department of Agriculture deals with these types of issues. Nathan Pritchard stated that the NCCD (Northampton County Conservation District) covers this as well. Gary stated that the Nutrient Management Plan by the Department of Agriculture needs to be added to our Zoning Ordinance update list.

Brian Sayago asked if Biosolids are addressed in the ordinance. Sean responded no; they are managed by the state. Gary agreed and added we cannot regulate agricultural practice. Sean stated if we add state requirements to the ordinance it should cover us.

Sean stated stormwater needs to be addressed as an amendment until upgrades are done on Zoning, SALDO, and Comprehensive Plan. Gary responded it would be nice if everything could be done together. The hope is to have everything done by the end of the year.

Sean stated another item is small project revisions. They do create issues overall with what is acceptable. Current requirements simply state nothing more than 40% impervious coverage. Sean used Eagles Landing as an example with what is accounted for with existing plans versus what is added by each homeowner after the project is completed. Would be looked at a

Like a sliding scale. Could add major costs to projects. Mitigation calculations would be based on 100-year requirements. Engineering testing would be required as well as items like infiltration beds. All would be extra costs that the residents would need to pay. A brief discussion ensued on whether this would be a burden that we would want to put on residents. Need a balance that is acceptable and economically feasible. Some community's asses a fee for projects that would be over X amount of impervious work. This needs to be reviewed more and realistic ideas are needed. Gary asked what the consequences are if we do nothing? Sean responded the MS4 requirements and cycles. We are at the threshold now. We are required to reduce. A brief discussion ensued of what other municipalities are doing.

Workshop ended for the Board of Supervisors Meeting.

Respectfully Submitted,

Deanne Werkheiser
Recording Secretary