

**CITY OF NEWARK
DELAWARE
CONSERVATION ADVISORY COMMISSION
MINUTES**

APRIL 10, 2007

MEETING CONVENED 7:02 p.m., City Manager's Conference Room

MEMBERS PRESENT: Robert Bennett presided until Steve Dentel joined the meeting at 7:50 p.m., Jennifer Byrne, Thomas Fruehstorfer, Kurt Phillip, Ajay Prasad, Kass Sheedy, Fred Stiegler

MEMBERS ABSENT: Steven Beard

STAFF PRESENT: Charlie Emerson, Parks & Recreation Director

1. APPROVAL OF MINUTES FROM MEETING HELD ON MARCH 13, 2007

Ms. Byrne corrected the first line on page 4 to read, "Jennifer Byrne – A Better Newark Award; Review of Planning Department's Reports;"

Ms. Sheedy questioned Item 9-a on page 4 as to which City Manager's Office she was to contact regarding curbside recycling. It was clarified this was the City Manager's Office in Newark, DE.

Mr. Stiegler corrected the last sentence on page 5, Item 9-e, to read, "Mr. Dentel said he would contact Scott Lynch of the Delaware Energy Office to discuss this further."

MOTION BY MR. STIEGLER, SECONDED BY MR. PRASAD: THAT THE MINUTES FROM THE MARCH 13, 2007 MEETING BE APPROVED AS AMENDED.

MOTION PASSED UNANIMOUSLY. VOTE: 7 to 0.

AYE: Bennett, Byrne, Fruehstorfer, Phillip, Prasad, Sheedy, Stiegler

NAY: 0

ABSENT: Beard, Dentel

2. PUBLIC COMMENT

There were no comments forthcoming.

3. LEED

Mr. Dentel had two meetings with Roy Lopata, Charlie Emerson, Tom Sciulli, and Steve Wilson where LEED certification was discussed. The Building Department felt our Code was strict enough that 100% of what was built in the City would get LEED points, but Mr. Dentel thought the Code was not exactly equivalent. Certification requires 26 LEED credits. Mr. Dentel questioned Mr. Sciulli and Mr. Wilson about how many LEED points would be received by adhering to Code requirements when building in the City. The Building Department believed over 20 points would be attained. Mr. Dentel was convinced only 4 LEED points would be met automatically: Credit 4 - Energy and Atmosphere; Credit 3.2 - Indoor Environmental Quality; Credit 7.1 - Thermal Comfort; and Credit 3.1 - Water Efficiency. The LEED score sheet has three categories - yes, no, and question mark. Eighteen additional points were in the "questionable" category but Mr. Dentel believed these could be easily attained. Mr. Dentel commented that Mr. Lopata felt LEED certification through building Code requirements was the most logical way to go about implementation. Mr. Dentel expressed that the incentive program proposed by CAC would be helpful where there was a gap toward meeting the required LEED points. In addition, incentives may encourage builders to seek a higher level of LEED certification.

Mr. Dentel will have additional meetings with the Building Department on the Arlington, VA Green Home Choice program which applied to residential construction. To be certified with Green Home Choice 175 points were required. The Building Department was pleased that since this was a more stringent program, it should be easier to check against Code.

The LEED presentation to Council will be on April 23rd and will offer general recommendations on the incentive program as well as a proposal that the City develop an implementation plan for the program in coordination with the CAC. LEED will involve various departments within the City, so deciding how to administer the program in the City would be an important consideration.

Mr. Dentel will share his power point presentation with CAC members.

4. SIERRA CLUB'S "COOL CITIES" PROGRAM

This item was tabled due to the absence of Mr. Beard.

5. FLOODPLAIN AND STORMWATER REGULATIONS

Mr. Fruehstorfer distributed his revision to the Proposed Improvements to City Policy and Code for Floodplain Protection and Stormwater Management. Mr. Fruehstorfer summarized the major points of his executive summary on page 4. These items were beginning points for discussion with suggested changes for consideration by City staff.

Ms. Sheedy suggested that the wording on the forest zones item be changed to

read: "New construction along streams should establish forest zones (15-25 feet) and transition zones (20 additional feet)." Mr. Emerson commented that tributaries might be considered for inclusion under this point.

Mr. Emerson mentioned that the proposed report by the Christina Basin Tributary Action Team might help to strengthen the item on construction in the City being subject to greater restrictions on reduction of permeable space. This report has not yet been adopted.

Ms. Sheedy recommended a change in wording on the item regarding widths of existing and new roads to read: "Consider reducing the widths of existing and new residential streets in order to increase permeable areas."

On the point of target dates for stormwater management, Mr. Fruehstorfer suggested this be considered in future planning.

Ms. Sheedy requested the wording in the item regarding existing developed property be changed to: "Owners of existing developed property in the stream buffer area should be encouraged to provide native tree and shrub planting along the stream."

Mr. Fruehstorfer changed wording of the item on existing structures in the floodplain to: "If owners of existing structures in the floodplain or riparian buffer wish to expand..."

At the suggestion of Mr. Emerson, the last bullet on was changed to: "Code should be strengthened to require all lands in the 100 year floodplain of new developments to be designated as public open space."

Mr. Fruehstorfer added a final bullet to read: "City should work with upstream communities to improve stormwater management throughout the region."

Mr. Stiegler asked if any part of the Chester County Water Resources Authority ordinance referenced on page 6 was referenced in the Newark summary. Mr. Fruehstorfer stated that the third bulleted item on discharge rates was pulled from the Chester County ordinance.

Mr. Stiegler questioned whether parking restrictions in the Special Permit Parking District (IPR Zone) referred to in the second paragraph on page 6 were enforced. Mr. Fruehstorfer stated that the restrictions were enforced in his neighborhood.

Mr. Phillip felt that since this was a CAC document, any first person references should be removed. Mr. Fruehstorfer intended his proposal to be a starting point for conversation to the City's approach on water management. The Committee agreed that Mr. Fruehstorfer should incorporate the changes discussed on page 4, and his front page would become a preface to the document. Mr. Dentel will prepare a brief cover page to add to the report.

Mr. Dentel thought that getting changes made to the Code would have the most long-term impact. Mr. Emerson stated that by pointing out specific changes to the Code, it would be easier to work through the process of strengthening the objectives of the Code. Mr. Stiegler questioned where the changes were being recommended. Mr. Fruehstorfer stated they were outlined on page 2 (City Drainage Code, Appendix III, and Article XXVI, SPECIAL PROVISIONS FOR FLOODPLAINS AND LAND ADJOINING FLOODPLAINS).

MOTION BY MR. DENTEL, SECONDED BY MR. FRUEHSTORFER: THAT THE CAC FORWARD THE REPORT AS AMENDED TO CITY COUNCIL FOR ITS CONSIDERATION WITH A REQUEST THAT CAC BE GIVEN PERMISSION TO CONDUCT A WORKSHOP ON THIS TOPIC TO DISCUSS THE DEVELOPMENT OF SPECIFIC CITY CODE CHANGES.

MOTION PASSED UNANIMOUSLY. VOTE 8 TO 0.

AYE: Bennett, Byrne, Dentel, Fruehstorfer, Phillip, Prasad, Sheedy, Stiegler
NAY: 0
ABSENT: Beard

6. A BETTER NEWARK AWARD

Mr. Dentel nominated 116 Manns Avenue, owned by Steve and Debbie Hegedus. Their home is the first house in Newark to take advantage of the green energy program. Solar panels were put on the roof of the house. Ms. Byrne volunteered to print the property photograph for the press release and the award.

MOTION BY MR. BENNETT, SECONDED BY MS. BYRD: TO APPROVE 116 MANNS AVENUE AS THE 2ND QUARTER A BETTER NEWARK AWARD WINNER.

MOTION PASSED UNANIMOUSLY. VOTE: 8 TO 0.

AYE: Bennett, Byrne, Dentel, Fruehstorfer, Phillip, Prasad, Sheedy, Stiegler
NAY: 0
ABSENT: Beard

(Ms. Byrne conveyed that Mr. Beard verbally approved this selection to her prior to the CAC meeting.)

7. ANNUAL REPORT

Mr. Dentel will finalize the annual report pending receipt of Mr. Fruehstorfer's summary of Floodplain Regulations. A draft report will then be forwarded to all CAC members for their review.

8. RECYCLING

Mr. Fruehstorfer suggested that a trash survey be completed by the City to determine how much recycling material was generated. Mr. Emerson stated that Mr. Lapointe had a good handle on recycling. According to Mr. Dentel, the City of Wilmington pilot curbside recycling program concluded in November or December. In spite of lower than anticipated participation, the program has been expanded throughout the City. Recycled material was weighed at each residence, and through an incentive program based on weight, residents were given coupons for use at area businesses such as grocery stores and Starbucks. Newark's side-loading trucks would not be compatible with the automatic weighing system used in Wilmington's rear-loading trucks. Retrofitting the Newark trucks is currently being explored by Blue Mountain Recycling. Mr. Fruehstorfer feels that recycling would have greater participation when it is free, curbside, and mandatory. Mr. Emerson advised that Rich Lapointe would have a recommendation put together by year end, and it would probably reference the success of the Wilmington program.

9. REVIEW OF PLANNING DEPT. REPORTS re POSSIBLE FUTURE DEVELOPMENTS

No comments were forthcoming.

10. OLD/NEW BUSINESS

(a) Mr. Philipp advised that the University of Delaware will host a panel discussion on global warming and climate change, and he would e-mail additional information to the Committee.

(b) Community Clean-Up will be held on Saturday, April 21st. Mr. Emerson requested Committee members to communicate their attendance plans to him by e-mail. In addition to clean-up, there will be some mulching of trees at Handloff and one other City park.

(c) Mr. Stiegler questioned whether there had been any communication from Scott Lynch of the Delaware Energy Office since February. Mr. Lynch wanted to make a presentation to the CAC about the content, scope and philosophy of the DEO. It was believed Mr. Lynch was on leave, so this item was placed on hold.

(d) Mr. Emerson announced a May 8th Council workshop on the Curtis Paper Mill which he would confirm to the Committee by e-mail. In order for Committee members to attend the workshop, the next CAC meeting was tentatively re-scheduled for May 1st.

10. Meeting adjourned. Time: 9:30 pm.

Alice Van Veen
Secretary

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