

**CITY OF NEWARK
DELAWARE**

**CONSERVATION ADVISORY COMMISSION
MINUTES**

February 11, 2014

MEETING CONVENED: 7:00 p.m City Manager's Conference Room

MEMBERS PRESENT: Tom Fruehstorfer (presiding), John Hornor, George Irvine, Bob McDowell, Ajay Prasad, Carol Riggs, John Wessells

ABSENT: Cara Lampton, Kass Sheedy

STAFF PRESENT: Charlie Emerson, Parks & Recreation Director

GUESTS: Tom Coleman, Asst. Public Works and Water Resource Director
Mike Fortner, Development Supervisor, Planning & Development

Kass Sheedy

1. Mr. Fruehstorfer suggested the Commission address the topics from the guest speaker's, Mr. Coleman and Mr. Fortner.

Mr. Tom Coleman stated he was present to discuss what had transpired at the Council meeting the previous evening. Mr. Coleman stated an Ordinance was presented to Council to modify the wetlands section of Appendix 3 in the subdivision Code in several ways. The first matter would be to revise the title from Public Works to Public Works and Water Resources. The second item would be to fix what the City viewed as inaccurate wording or "unintended consequence" of the way the riparian buffer is worded. He reported that on underdeveloped parcels the riparian buffer is 50 feet from the edge of the wetlands jurisdictional line. (if it's a jurisdictional wetland). On developed parcels, it was the City's belief that it was intended to be from the wetlands jurisdictional line to the impervious surface up to 50 feet. However, the phrase "up to 50 feet," was missing. This missing phrase has cause issues. This phrase needs to be added. Mr. Coleman stated the way the Code is written states that wetlands can only be disturbed in general for stormwater features in non-jurisdictional wetlands, however as soon as they become jurisdictional it is no longer permitted due to the riparian buffer requirements.

Mr. Fruehstorfer asked why this item did not pass at the Council meeting of February 10, 2014. Mr. Coleman the reason was because it had not come before the CAC for review initially. Mr. Fruehstorfer stated items do not have to come before the CAC prior approval before they go before Council. Mr. Fruehstorfer asked if anyone took issue with the content of what was written or proposed. Mr. Coleman stated three people spoke against it. In addition, Ms. Amy Roe, resident stated she was disappointed it had not come before the CAC. Mr. Coleman stated with those issues in mind, it did not go forward.

Mr. Fortner stated the matter has to come before the CAC at an additional meeting as well since he and Mr. Coleman's appearance was last minute and was not placed on the initial agenda but was added last minute. Bruce Herron, City Solicitor also suggested the matter come before the Commission again and advertise it on the agenda.

Mr. Hornor stated it was his understanding the CAC's role was to give an opinion on issues that Council asks them to review. Mr. Fruehstorfer stated in addition, the CAC can think of matters they wish to discuss as well. Mr. Fruehstorfer reiterated the CAC is not a Planning Board like the Board of Adjustment, etc.

Mr. Fruehstorfer stated during prior discussions he had recommended a fifty foot riparian buffer. The first 15-25 feet being forest and the remaining being a native brush/tree mix. He had based the recommendations on research he had done (i.e. how large a buffer needs to be to protect a stream). Mr. Coleman stated New Castle County had reforestation requirements for their riparian buffers. Mr. Coleman stated they could look into adding a reforestation requirement for riparian buffers.

Action Item: The Wetlands Design Alternative will be placed on the March agenda. Mr. Coleman will return to discuss the proposal. The CAC asked Mr. Coleman to find out about the City installing a dumpster for metal. Mr. Coleman will also see if it's possible to add a sustainability link to the City's website.

Mike Fortner was present to update the CAC about the Comprehensive Development Plan. He reported there was a "4th" draft online. At the end of February he will be attending a meeting with various state agencies to review the Plan. The items that fall within the CAC's scope are:

- Environmental quality
- Healthy active community
- Sustainable community
- Inclusive community

Mr. Fortner asked the CAC to review and provide input on Chapter 7 (Environmental Quality and Natural Resources). He stated the goals and action items need the most work.

Mr. Coleman reported the City had applied for and received "The William Penn Grant." He will provide more information at the next meeting. Ms. Riggs asked when water from the Reservoir is used. Mr. Coleman stated it is used when it rains, when the river freezes and when there is a drought. Every summer except the past summer of 2013 the Reservoir was used. Mr. Coleman stated it is much cheaper to drill wells and treat the water than surface water.

Additional ideas Mr. Coleman proposed were:

- Promote mulching as it reduces curbside leaf pickup and is beneficial to lawns in general.
- Measure and track pollutants entering streams so we can understand the impact this has long term.
- Outreach activities that promote such things as "stream watch" (volunteer) where

the volunteer would take samples and give measurements for analyzing.

Action Item: Mr. Fortner will return next month to review and discuss the CAC's comments and suggestions. The Wetlands Design Alternative will be placed on the March agenda. The CAC should read Mr. Fortner's draft and be prepared to discuss at the next meeting.

Mr. Coleman will return to discuss the proposal. The CAC asked Mr. Coleman to find out about the City installing a dumpster for metal. Mr. Coleman will also see if it's possible to add a sustainability link to the City's website

3. FUTURE GOALS FOR 2014/2015

The CAC agreed to consider the following topics for future discussion/action:

- Sustainability with a value based theme i.e. quality of life, parks, public transportation, etc.
- Green jobs not just "jobs"
- Food waste collection from homes (fat, oil collection)
- DNP Design Committee issues i.e. parking, etc.
- Plastic shopping bags
- Newark's carbon footprint

Action Item: Each CAC member will come up with three items for the next meeting to work on. They will be prioritized according to group interest.

4. OLD/NEW BUSINESS

- Mr. Fruehstorfer spoke with the City Solicitor Bruce Herron who reported the CAC can voice their opinions without causing an issue. The Commission has no authority therefore it shouldn't be a problem to voice an opinion.
- Public Speaking Time at Meetings. Mr. Fruehstorfer will draft a paragraph to discuss at an upcoming meeting. He will follow City Council's directive of how they limit public speaking at Council meetings.
- Anti-Idling Ordinance – Ms. Riggs spoke with Chief Tiernan regarding enforcing the Ordinance. The Chief stated he preferred a softer approach by educating the public.

Action Item: Chief Tiernan will be invited to an upcoming meeting to discuss the Anti-Idling Ordinance enforcement.

5. BETTER NEWARK AWARD

MOTION THAT THE A BETTER NEWARK AWARD BE AWARDED TO 506 LARK DRIVE, ARBOR PARK.

MOTION PASSED UNANIMOUSLY

Pictures will be forwarded to Tara Schiano once received.

9. NEXT MEETING DATE

The next meeting was scheduled for Tuesday, February 11, 2014 at 7:00 pm in the City Manager's Conference Room.

10. MEETING ADJOURNED AT 9:32 PM

Tara A. Schiano
Secretary

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