CITY OF NEWARK
DELAWARE

CONSERVATION ADVISORY COMMISSION
MINUTES

September 11, 2018

MEETING CONVENED: 7:00 p.m. Council Chambers

MEMBERS PRESENT: George Irvine (presiding), Kass Sheedy, Kismet Hazelwood, Bob McDowell, Ajay Prasad, Sheila Smith, John Wessels, John Horner, Jason Kramer

STAFF: Renee Bensley, City Secretary; Mary Ellen Gray, Planning and Development Director

Mr. Irvine called the meeting to order at 7:03 p.m.
(*Secretary's note: Ms. Smith arrived 7:04 p.m.)*

1. APPROVAL OF MINUTES FROM MEETING HELD ON JUNE 12, 2018

There were no comments or amendments to the minutes from the meeting held on June 12th.

MOTION BY MR. HORNER, SECONDED BY MR. KRAMER: THAT THE MINUTES FROM THE JUNE 12, 2018 MEETING BE APPROVED.

MOTION PASSED UNANIMOUSLY.

2. PUBLIC COMMENT

Lena Thayer, resident, expressed concern regarding the proposed development at 0 Papermill Road and the impact it might have on reforestation efforts. She said she was unsure if Parks and Recreation staff provided the developer with a clear definition of reforestation and plans to comply with expectations. Ms. Thayer stated an action plan needs to be provided to the developer in addition to offering funding support. She hoped the CAC would work with City staff to ensure reforestation was included in the development process.

Mr. McDowell asked Ms. Thayer to clarify the address for the Papermill Road development. Ms. Thayer stated the address was 0 Papermill Road. There was discussion at the table regarding the site. The proposed development was across from Pine Meadows. Mr. McDowell said he recently read an article about the proposed project in the newspaper. Ms. Thayer said the proposed project was low density and expected to have 18 homes. She said the developer would give half the land to White Clay Creek, but she expressed concern about what was being done to develop the other half.

Mr. Irvine asked Ms. Thayer to clarify her concern and he asked if she believed there should be more trees. Ms. Thayer said at the last Planning Commission meeting there was discussion of the City providing the developer with monetary support for reforestation. She believed City staff did not provide the developer with a clear plan for reforestation and said she wanted everyone to be on the same page. Ms. Thayer envisioned a plan where a new tree would be planted to replace each tree that was torn down.

Mr. Wessels asked if the Papermill Road plan had passed the Planning Commission but had not yet been approved by Council. After discussion, the CAC members confirmed the matter had been brought before the Planning Commission but had not yet been brought to City Council.

Ms. Smith informed she attended the last Planning Commission meeting and asked Ms. Thayer if she was aware of the number of trees that would be removed as part of the Papermill Road development. Ms. Thayer was unsure of the exact number of trees that were being removed. Ms. Smith believed the number of trees that were being removed was very large and said that she was shocked by the amount portrayed on the overview. Ms. Smith stated Parks and Recreation Director, Joe Spadafino and Parks Superintendent Tom Zaleski had counted all trees at the property on Papermill Road. She informed there was a specific calculation (based on the diameter of a tree) used to determine the monetary value assigned to each tree. If a tree was removed, a new tree with a diameter between 1.5-2.0 inches must be planted as stated by City Code.

Ms. Smith stated she believed the developer was required to pay the City to remove the trees at Papermill Road. According to Ms. Smith, she believes the concern with the plan's approval was all replacement trees were required to be planted within City limits. She said the proposed development was an annexation and rezoning permitting the developer to build 18 homes. Ms. Smith said she believes a resident was told by a City staff member that there was not enough room for the trees.

Although unsure of the provision number in the Code, Ms. Smith said it [the Code] stated she believed that a certificate of occupancy could not be established until trees were planted. She expressed that she was unsure that the Planning Commission understood the Code's provision; specifically, how the value tree process worked. According to Ms. Smith, although the funds provided for reforestation were a good idea, she had reservations regarding their application. She said the trees would be replanted as needed and believes the fund should assist with maintaining existing trees. Ms. Smith said she understood that the reforestation and replanting would be done over time and emphasized the intent was not to plant 500 trees at once.

Mr. Irvine asked if the Planning Commission approved the developer's proposal. Mr. McDowell stated the Planning Commission approved the proposal 5-1. Ms. Smith said it was her opinion only one commissioner considered the project's impact on the ecosystem. She believes the project was environmentally questionable and was concerned with the impact to the White Clay Creek area and ecosystem. Ms. Smith said she believe a large amount of the ecosystem would be harmed due to the number of trees that were scheduled to be removed. In her opinion, this conflicts with the City's reforestation efforts.

Ms. Smith believes were two issues/concerns with the proposed Papermill Road Development: 1. If the trees will be planted as recommended by Code and 2. Whether City truly needs the development. She wanted to know if the decision was based on sound judgement from the Planning Commission. Ms. Smith stated sustainability, sustainable development and climate change were important factors that needed to be considered in relation to the proposed development. She expressed concern for the impact to White Clay Creek's ecology and habitat.

Mr. Irvine thanked Ms. Thayer for her comments regarding the reforestation efforts and asked if anyone from the audience had additional comments.

Mr. Irvine asked Ms. Smith for clarification regarding her previous statements about the Planning Commission's 5-1 vote. He wanted to know if the vote was for annexation and rezoning of the Papermill Road development. Ms. Smith said the vote pertained to annexation, rezoning, and the development plan. She reiterated the vote in this matter was 5-1. Mr. Irvine asked for the date of the Planning Commission's last meeting. Ms. Bensley stated that the Planning Commission's last meeting was Tuesday, September

4th.

Ms. Bensley said Mary Ellen Gray, Planning and Development Director, was in attendance and would provide insight regarding reforestation and the Papermill Road Development. Ms. Sheedy asked if the exact number of trees to be planted was provided. Ms. Smith believed 560 trees would be planted. Ms. Sheedy asked for the specific number of trees that would be in the ground on the [Papermill Road Development] property. As Ms. Thayer previously mentioned, Ms. Smith said the developer was donating half of the lot to the state. Mr. McDowell said he believed the developer would donate 6.2 acres. Ms. Sheedy stated the lot was 13.9 acres. Ms. Smith reiterated she questioned the City's need for the housing and asked if it was a sustainable development.

Ms. Sheedy said the developer appeared to be donating 6.2 acres on the rear of the property and asked if the canopy along White Clay Creek would be disrupted. Ms. Smith agreed the canopy by the creek would not be disrupted but was concerned with the effect to additional areas. Ms. Smith said 70 trees would be replanted as the developer's contribution to the reforestation of the area.

Mr. Irvine asked Mr. McDowell for the date of the Reforestation Day. Mr. McDowell said Reforestation Day was scheduled for November 3rd. It was previously mentioned in the meeting there was potentially a lack of room for donated trees. Mr. Irvine asked if it was possible for the donated trees to be utilized as part of the upcoming Reforestation Day. Mr. McDowell said 400 trees were currently expected for the event, and was unsure if they would be able to accommodate additional trees at that time.

Mr. Irvine stated the Planning Commission recommended the annexation and rezoning go forward and suggested the CAC could convey their reservations at the next step in the process. He said Ms. Smith presented valuable objections to the Planning Commission's recommendation; however, he said it could be argued that the CAC did not have enough knowledge of the developer's plan to object at this point. Mr. Irvine wanted to know how the members of the CAC felt regarding the proposed development; specifically, since it related to the sustainability and conservation of the City of Newark. He noted the CAC could present their objections to Council.

Ms. Bensley told Mr. Irvine that CAC could not state their objections to Council as their next meeting was October 9th. She said the CAC should review the project prior to October 9th and add the discussion to their recommendations at the next meeting. Ms. Bensley said advanced notice was required for Council, and reiterated the CAC's presentation would be added to a future Council meeting. Ms. Bensley said all members of the CAC needed time to thoroughly review the developer's plan before deciding.

Ms. Smith asked when the Planning Commission's recommendation would be on the City Council meeting's agenda. Ms. Bensley stated the item would be no earlier than October 22nd.

Ms. Smith said that the development proposal was an important topic that required enough time for review before a decision could be made.

Ms. Gray stated the following information would be helpful for the CAC:

1. The applicant (developer) could speak at the next CAC meeting to provide further information on the project and answer any questions.
2. The Planning Department was meeting internally to discuss the tree mitigation plan and the interpretation on the Code.
3. Information regarding the tree mitigation and interpretation of the Code would be provided in writing prior to being presented at Council.

Ms. Sheedy asked if Parks and Recreation had any involvement and response in the planning process. Ms.

Gray stated that all plans that come into the City are reviewed by the Planning Department and all applicable departments. She said Parks and Recreation was part of the Subdivision Advisory Committee and provided feedback and comments to their applicable parts of the Code. Ms. Gray stated the part of the Code referenced by Ms. Smith was a purview of the Parks and Recreation Department. Ms. Sheedy asked if Parks and Recreation had provided any comment or feedback on the developer's plan. Ms. Gray said Parks and Recreation had commented on the plan and was involved in the process since the beginning.

Ms. Gray said the developer's plan and all land-use plans that are currently under review are posted on the City's website for the public. Additionally, the plan and any comments from the Subdivision Advisory Committee are posted on the website to provide further information and insights related to each project. Ms. Gray stated the Planning Department and the Parks and Recreation Department were meeting with the applicant the following day to discuss the reforestation issue. Ms. Sheedy asked if White Clay Creek Personnel were involved in any part of the process.

Ms. Gray said the applicant met with the White Clay Creek Wild and Scenic River Committee in December and were waiting on a letter detailing the specifics of that interaction. She expressed the White Clay Creek Wild and Scenic River Committee did not have any concerns with the applicant's proposal. Ms. Sheedy stated the White Clay Creek Wild and Scenic River Committee was not part of the park. She wanted to know if park personnel from White Clay Creek had been involved and thought they should be included.

Ms. Gray stated that park personnel from White Clay Creek were not involved in the process. When the Planning Department advertises a project, the City notifies all adjacent property owners within 300 feet of the project. Additionally, adjacent property owners are provided with a meeting schedule. Ms. Gray stated that White Clay Creek has not provided an official comment regarding the proposed development. She believed that a White Clay Creek Park staff member was on the board for the White Clay Creek Wild and Scenic River Committee, and Ms. Sheedy confirmed same. Ms. Gray said that the White Clay Creek park member who was on the board attended the meeting on December 4th.

Mr. Kramer asked which entity would receive the land donation from the Paper Mill Road project developer and asked if Newark's Parks and Recreation Department would be involved. Ms. Gray said the land would be donated to the State of Delaware. Ms. Sheedy said the City's Park and Recreation Department would plant the trees that were donated on the project's remaining acreage. Ms. Gray noted the developer would be required to follow a landscaping plan under the supervision of Newark's Parks and Recreation Department. In addition to landscaping supervision, the Parks and Recreation Department would oversee the tree mitigation plan.

Jan Baty, resident, questioned the City's method for organizing various boards and commissions. Ms. Baty stated the Papermill Road development was a major project. She asked if the Planning Commission spent time reviewing plans and projects before presenting them to Council. Ms. Baty said that Ms. Smith's previous statements and objections to the developer's proposal (i.e. the project's effect on White Clay Creek, climate change, habitat, and ecosystem) mirrored her own. Ms. Baty reported she previously served on the Planning Commission and experienced frustration with the lack of communication; specifically, the lack of communication between the City's various boards and commissions. It was her opinion that due diligence was not done by the various board members before projects and items were presented to Council.

Ms. Baty said the CAC members provided invaluable expertise, and believed the City and Council could gain insight from them regarding conservation efforts. She said she had lived in Newark for over 40 years and that development and building have increased each year. Ms. Baty believed the City needed to reflect on the environmental impact large scale development had on the environment. She believed the City needed to evaluate the rate at which it was developing and should protect the community with environmental consciousness. Ms. Baty reiterated the CAC members needed to increase communication, specifically, among members of the commission and Council.

Mr. Irvine thanked Ms. Baty for her comments and concerns. He said that a previous Boards and Commissions Review looked at the various commissions and their effectiveness. Because of the Boards and Commissions review, Mr. Irvine noted the CAC increased their outreach to citizens and the community of Newark. He said public comment and Op-eds were only one way to communicate ideas and share resources with the community. Mr. Irvine stated the CAC sees the minutes from the Planning Commission's meetings ex post facto. He agreed the CAC had concerns regarding historic conservation and preservation with the Planning Commission. Ultimately, Mr. Irvine believed historic conservation and preservation fell under the realm of the Planning Commission. He stated the CAC did not meet regularly with the Planning Commission to discuss conservation and preservation efforts and mentioned this could be addressed going forward.

Mr. Irvine noted Ms. Gray had provided an opportunity for the CAC to participate in the LEED Green Building Design work group. He stated that the LEED Ordinance Amendment Discussion from the Planning Commission would occur later in the meeting.

Mr. Irvine said the Paper Mill Road project and reforestation effort encompassed effected issues (i.e. conservation, reforestation, planning) that were relevant to both the CAC and the Planning Commission. It was his opinion that both the CAC and Planning Commission needed to be involved and provide input to the project.

Mr. Irvine stated the CAC would review the Planning Commission's recommendation to allow the annexation, reforestation and Paper Mill Road project before the next meeting. He believes the CAC should provide Council with their recommendations or concerns regarding the project prior to the October 22nd Council meeting.

Ms. Smith asked for a handout from the Planning Commission regarding the Paper Mill Road project and annexation. She reminded all the table that she had emailed referenced the section of the City Code detailing reforestation. Ms. Bensley said all documents from the Planning Commission's last meeting were available online and that she would distribute them to the CAC board members. Ms. Gray said she would be happy to share information with the CAC and that all items from the Planning Commission's meetings were posted online and linked to the agenda. Ms. Gray stated that all plans from the Planning Commission were disbursed to Council by email. She offered to include the CAC board members on the email if they desired.

Ms. Gray reiterated that she would be willing to meet with the CAC to provide further information on the Paper Mill Road project and Planning Commission meetings. She also added a copy of the Paper Mill Road applicant's PowerPoint would be provided upon request. Mr. Irvine asked Ms. Gray if the CAC would be advised of the Planning Commission's meeting agenda prior to their next meeting. Ms. Gray confirmed the agenda would be posted before the next Planning Commission meeting. She reminded all when a plan was submitted for review, it was posted on the website and a notification was distributed to the Planning Commission and City Council. She said the CAC would be added to that notification system. Additionally, the CAC would receive a copy of the staff report and the meeting materials a week prior to the Planning Commission's meeting. The CAC members agreed that they would be interested in being added to the Planning Commission's notification list.

Ms. Gray stated the CAC would receive the following: 1. Notification list for new plans, 2. Planning Commission packet and 3. Meeting materials. She informed everyone present that the Planning

Commission meets the first Tuesday of every month. An additional meeting to discuss the Capital Improvement Program (CIP) was scheduled in mid-October. Mr. Irvine said it made sense for the CAC to receive this information since it was his opinion that there was cross-over with the Planning Commission.

Mr. Irvine said the Newark Futures Workshop was scheduled for Tuesday, September 25th from 6:00- 8:00 p.m. at the Trabant University Center. He said effort was being made to discuss the future of Newark, and stated that the workshop hoped to bring together constituents from all parts of the City (including the University). Mr. Irvine said the workshop provided an opportunity to discuss the issues that spanned the Planning Commission and CAC with the public.

Ms. Sheedy asked if the City could add a requirement for developments above a certain size (i.e. greater than two homes) to be approved by the Planning Department. Additionally, Ms. Sheedy asked if the City could require a carbon budget approval for new developments. It was her opinion that the Paper Mill Road proposal took away a significant number of trees in comparison to the number of 3,000 square foot houses that were proposed. She stated that a carbon budget would have been useful in discussions with the developer. Ms. Sheedy expressed that the project ultimately took away carbon sequestration and added carbon generators.

Ms. Gray expressed that a carbon budget was not currently a code provision. Mr. Kramer asked if the provision of the code regarding reforestation was discussed; specifically, if the City's legal department requested to review that section. Ms. Smith said the Code provided a specific formula for reforestation and stated the formula and method to accomplish same was not previously discussed. Ms. Gray confirmed the provision was not discussed at the last meeting. She said she would not interprete Code that was not her purview, and that an interpretation of the Code from Mr. Spadafino would be forthcoming in a memo to City Council.

Ms. Smith said a dashboard tracking energy losses and gains over time was previously discussed; specifically, the City's expenditures. She asked if the Planning Commission had a record of the City's overall energy losses, gains, and impervious surfaces. Ms. Smith stated development effected the loss and gains, and that a dashboard would assist decision making referencing sustainable growth. Mr. Irvine noted the dashboard would be discussed in the future.

Ms. Bensley confirmed that the Paper Mill Road project discussion would be added to the CAC's meeting agenda for October 9th.

Mr. McDowell asked if the provision of the Code for reforestation would be provided. Ms. Smith said she emailed the Code and the Paper Mill Road plan to members at the table.

3. <u>LEED ORDINANCE AMENDMENT DISCUSSION FROM PLANNING COMMISSION</u>

Ms. Gray stated that the Planning Commission was tasked with reviewing the LEED Ordinance in Chapters 7 and 32 of the City Code. She asked for the CAC's help and expertise to review the Code and mentioned that Will Hurd from the Planning Commission would provide further information. Mr. Hurd said he was able to answer any questions regarding the LEED Ordinance Amendment discussion. He stated numerous projects had been presented to the Planning Commission for site plan approval and there was a noticeable increase in the LEED points over the requirements in the City Code.

Mr. Hurd believed the Code's requirements for LEED points were vague. He stated the developer for Paper Mill Road was not aware of the points adjustment system for LEED, and there was some confusion regarding the requirements. Ultimately, Mr. Hurd noted that clarification regarding LEED requirements needed to be addressed in terms of site plan approval; specifically, in terms of the City's requirements for applicants. Mr. Hurd believed the LEED requirements were old and needed to be upgraded.

Mr. McDowell said the CAC came up with an idea called LEED Light and discussed a gradual increase of LEED points. Mr. Prasad stated the CAC had not discussed the LEED Light or point increase for many years. Mr. McDowell said the CAC initially realized that LEED points needed to be re-addressed in the Code when major development on South Main Street was underway. Moreover, Mr. McDowell said energy efficiency practices have become standard for new developers and believed that providing a clearer definition of LEED points and increasing standards would improve the environment. He expressed that LEED included permeable surfaces and tree canopy, and those components should be addressed or added to the amendment.

Mr. Horner said he agreed LEED needed to be improved and asked what the process would require. Mr. Hurd stated the LEED working group would meet for six months to discuss the needed changes. Results would be shared with the Planning Commission who would provide additional insight and review for Council. He believed this process would streamline the LEED amendment process for Council. Mr. Hurd suggested the CAC presentation to Council would provide the opportunity for public comment and developer comment. Ms. Gray noted a developer would be a part of the LEED amendment work group.

Mr. Hurd said Developer Ben Prettyman and members of Code Enforcement would participate in the LEED work group. He stated Code Enforcement's participation in the work group provided expertise and knowledge required for amending LEED. Mr. Irvine asked who was responsible for setting the LEED standard. Mr. Hurd advised Mr. Irvine that LEED standards are set by the U.S. Green Building Council (USGBC) and are updated every seven years. Mr. Hurd said the City currently uses the 2009 standards for LEED from the USGBC. He stated that the 2009 standards would be utilized for the LEED amendment since it was free of charge. Mr. Irvine expressed concern that the most recent USGBC standards would not be used; specifically, since the standards have changed. Mr. Hurd said the concern would be placed on the agenda.

Mr. Irvine expressed the City had a chance to be leaders in the field of green development, and believed it was important to show developers there was value in environmentally conscious construction. Mr. Irvine asked if it would be possible to put a rider in City Code to automatically update the definition of LEED certified to reflect the amendments to the USGBC's standards. Mr. Hurd informed Mr. Irvine the structure of the Code would have to be changed to allow for the rider. He stated the LEED amendment working group would need to determine if the goal was to allow developers to achieve certification by any means possible or if there were credits that needed to be performed to achieve that status.

Mr. Irvine thanked Mr. Hurd for inviting the CAC to participate in the LEED amendment work groups.

Ms. Sheedy said it was previously mentioned the most current version of the USGBC's LEED standards would cost additional money and inquired how much the City would be responsible for contributing. Mr. Hurd said there may be a municipal or government membership level. Ms. Sheedy agreed with Mr. Irvine that remaining with the 2009 USGBC's standards may be frustrating; specifically, since it would not be leading edge due to its age. She reiterated the working group was a great idea but emphasized the need for the latest edition for LEED standards.

Ms. Smith asked if there were guides or resources available at the State level regarding pre-existing LEED standards. Mr. Hurd said DelDOT had resources available and stated that he would search for additional materials from the State. Mr. Irvine said the USGBC potentially could provide additional information regarding strategies for amending municipal codes for cities similar in size to Newark. Ms. Sheedy stated a representative from the USGBC had previously spoken to the CAC regarding LEED and green building. Ms. Sheedy asked what the time commitment would be for participation in the LEED group.

Mr. Hurd informed the table that the LEED work group was scheduled to meet over a six-month period. He stated the meetings should not take longer than a few hours and expected they would be scheduled during the day. Ms. Gray said the LEED work group would meet once a month, similar to the Parking Subcommittee. The intent was to schedule meetings that would not require participation outside of work hours. There was significant discussion at the table regarding availability or lack thereof to volunteer for the LEED work group. The commissioners' schedules did not permit commitment to the LEED work group.

Mr. Prasad suggested that Mr. Hurd allow the CAC to present their ideas regarding the LEED amendment at a future CAC meeting allowing members to participate without taking on an additional meeting. Mr. Hurd asked Mr. Irvine to provide a date that would work for any commissioners that were interested in the work group. Ms. Smith asked what the ideal background for the LEED work group would be. Mr. Hurd informed Ms. Smith that the ideal member would have familiarity and experience with LEED. He stated that Code Enforcement would provide insight and expertise regarding the evaluation and enforcement of LEED credits and the CAC would provide direction to the most pressing environmental concerns that needed to be addressed.

The commissioners agreed that a commitment of once per month between 3:30 p.m. and 5:00 p.m. would be conducive to participation in the LEED work group. Additionally, the commissioners decided two board members (Mr. Irvine and Ms. Sheedy) would participate to ensure coverage. Mr. Irvine informed Mr. Hurd that he had previous experience with LEED and had promoted it in Southeast Asia. Mr. McDowell said he thought that LEED should be included regularly on CAC agendas.

Ms. Smith said the Sustainability Commission had been involved in finding Green Building certification alternatives to LEED (i.e. Living Building Challenge, Green Globes, Passive House etc.). Mr. Hurd stated that he was familiar with some of the LEED certification alternatives.

Ms. Baty asked Mr. Hurd if the LEED work group would be open to participation from the public; specifically, from residents who were not board members of the CAC or Planning Commission. She stated that she knew one resident who might be interested. Mr. Hurd confirmed the LEED work group was open to assistance and participation from the public. Mr. Irvine thanked Mr. Hurd for his presentation.

4. <u>COMMUNITY DAY</u>

Mr. Irvine stated that Community Day was scheduled for Sunday, September 16th. Ms. Smith stated the rain date was scheduled for the following Sunday, September 23rd. Mr. Wessels said there were t-shirts for the children who attended Community Day with the CAC logo. Additionally, Mr. Wessels stated environmentally friendly shopping bags would be given away for interested attendees. Mr. Wessels said there would be games (i.e. bean bag toss). Ms. Hazelwood and Mr. Horner offered to provide canopies for the event.

Mr. Wessels asked for volunteers at the table. He said the event was scheduled for 11:00 a.m. – 4:00 p.m., and that help was also needed an hour before and after for set-up and clean-up. Volunteer time-slots were divided into two-hour shifts, with all members of the CAC participating.

Mr. Wessels said he would provide a six-foot table and a card table for the CAC to use for their display. Mr. Irvine said he would provide the CAC's materials from the previous Community Day. There was discussion regarding the various games, activities, and prizes for the event. Mr. Wessels noted a demonstration regarding the problems created by plastic straws would be presented.

Mr. Prasad asked Mr. Wessels to discuss the solar panel that was provided by IEC. Mr. Wessels stated IEC provided a solar panel from 1990 that would be used as a demonstration at the event. Mr. Prasad informed the commissioners that IEC had their own booth at Community Day. Mr. Irvine said the solar panel would provide a good example of the changes in green energy technology. Mr. Irvine asked Ms. Bensley if the City could provide pamphlets for conservation issues. Ms. Bensley told the commissioners to email all relevant information in PDF format and said her staff would make copies.

Ms. Bensley said she would reach out to the Public Works Department and request any relevant pamphlets and information. Mr. Irvine said questions regarding anti-idling and recycling had been asked in previous years and noted it would be helpful to have resources available to promote education. Mr. McDowell stated he would provide a handout on the Reforestation Day. Mr. Irvine added that information regarding the Better Newark Award and native plants would be useful to have on hand. Ms. Smith asked Mr. McDowell if he could provide seedlings or additional materials as an exhibit for reforestation. Mr. McDowell said he would provide seedlings for display at the event (i.e. Dog Woods, White Pines etc.).

Ms. Thayer mentioned a list of vendors and a map previously was provided for reference at Community Day. She recommended the CAC utilize maps clearly marking the green initiative booths for the attendees.

Mr. Prasad asked Mr. Wessels for the location and number of the CAC's booths. Mr. Wessels said the CAC's booths were assigned to table 616 and 617 and confirmed that it was in the same spot as the previous Community Day. Discussion regarding the visual appeal of plastic straws commenced at the table, and final details regarding sign up times and tear down was discussed. Mr. Wessels said he would provide additional information regarding time and location by email.

5. <u>REFORESTATION DAY</u>

Mr. McDowell informed the table that Reforestation Day was rescheduled from September 29th to November 3rd at Red Park behind the reservoir. He noted Red Park was forested already but there was no understory. It was decided the area would be reforested due to the lack of understory. Mr. McDowell stated that many large trees in the area were dead or dying and the forest would be gone if corrective measures were not taken soon. He informed that he (with the help of Mr. Coleman) selected four native trees that would reforest the area. Mr. McDowell expressed one type of tree selected was a Butternut Hickory tree and said 400 trees would be donated from the National Wildlife Federation.

Ms. Smith asked if the Spice Bush tree, and understory tree, was one of the native tree varieties. Mr. McDowell said he did not believe Spice Bush trees would be planted.

Mr. Irvine asked what time on November 3rd was scheduled for Reforestation Day. Mr. McDowell said he would check with Joe Spadafino from Parks and Recreation to confirm the time. Ms. Smith expressed said Parks and Recreation had not yet provided advanced information for the event. Mr. McDowell said climate change delayed the City's receipt of trees for September 29th, which led to the event being rescheduled for November 3rd.

Mr. Irvine said he imagined that Boy Scouts and Girl Scouts would be interested in participating in the Reforestation Day; to earn community service hours. Additionally, he stated that high school honor's societies would be interested in assisting with the replanting efforts. Mr. McDowell said Newark High School required at least 60 hours of volunteer work prior to graduation and agreed that they would promote the event as well. Mr. Kramer added the University Engagement Initiative would be interested in sharing the information with students to recruit potential volunteers. Mr. McDowell expressed many volunteers were needed to make the event run smoothly.

Mr. McDowell said water would need to be driven to the top of the trail head of the reservoir and would need to be hand delivered to the location of the trees. Mr. McDowell said volunteers would need to hike the water to the top of the reservoir. Mr. Kramer asked Mr. McDowell to send him information to provide University Students.

Mr. Wessels asked Ms. Bensley if it was possible to add Reforestation Day to the City's calendar and Inform ME. Ms. Bensley informed the CAC that Inform ME was not set-up to advertise community events. She expressed that Reforestation Day would be posted on the website and calendar, and said that Parks and Recreation had previously shared the information in the Fall Activity Guide. She stated that Parks and Recreation would promote the November 3rd date as part of their outreach.

Mr. Irvine encouraged commissioners to promote Reforestation Day between October 9th and November 3rd. He hoped for a good turnout and mentioned the coordination of volunteers would be key to the event's success. Mr. McDowell said Community Day would be scheduled next year for November to account for tree availability and factors such as climate change. Ms. Sheedy asked Mr. McDowell if he had any printed materials for Reforestation Day. Mr. McDowell said he did not have a flier and stated he was not sure if Parks and Recreation would provide one. Ms. Sheedy told Mr. McDowell if he decided to provide a handout that she would be willing to advertise Reforestation Day at a Fall Festival at the farm on September 29th.

Mr. Irvine asked Ms. Bensley if the City's Communication Department would be able to prepare a flier for Reforestation Day. Ms. Bensley said that she would be able to connect Mr. Irvine with Ms. Bachman to explore the possibility of developing a flier. It was decided Mr. McDowell would be the point of contact for this matter.

6. <u>OLD/NEW BUSINESS</u>

- A Better Newark Award:

Mr. Irvine asked Ms. Smith if any applications for the had been received. Ms. Smith said she had not received any applications for the award and said that she had petitioned to drop it in favor of a commendation from the CAC. Ms. Smith said she had designed a flier for the commendation and reported she would email it to the commissioners. Mr. Irvine said he would add discussion and review of the A Better Newark award to the agenda for the CAC's October 9th meeting. Ms. Smith informed Mr. Irvine the last individual selected for the award had no interest in receiving it. She expressed the most recent efforts to promote the award did not yield a successful response; therefore, it was her recommendation to attempt the commendation as opposed to the time-consuming award.

Ms. Smith stated that there were many groups or individuals that had been identified as deserving of a commendation. She mentioned Bike Newark deserved a commendation for their substantial outreach to the City. Ms. Smith said the First Friday rides were a meaningful event for the community.

- Follow up on discussion of potential elimination of plastic straws and Styrofoam containers at local businesses and potential Newark Senior Center solar project:

Mr. Irvine said Mr. Horner made a good point regarding the potential elimination of plastic straws and Styrofoam containers in local businesses and the potential Newark Senior Center solar project. He stated that he was not currently ready to talk about the project and stated that it would be discussed at the CAC meeting on October 9th.

Mr. Prasad informed the table that he had spoken to Wendell Davis from Newark Senior Center about the potential to put solar panels on the property. Mr. Davis expressed that it was previously determined to be cost prohibitive. Mr. Prasad said he told Mr. Davis the solar panels would be provided at no cost to the center, and the purchase power agreement would supply the funding. Upon learning that solar panels would be provided at no cost, Mr. Davis told Mr. Prasad he was interested in the project. Mr. Prasad said the CAC should visit the property to plan for the installation. Mr. Wessels said he would assist Mr. Prasad with inspecting the property.

Mr. Irvine said that the next step after inspection of the center's property would be to determine who would contact the investors. Mr. Irvine asked the commissioners if they thought the plastic straw discussion should be tabled until the meeting on October 9th.

Mr. Prasad said that he was previously assigned the task of speaking with Michelle Bennett from the University regarding their stance of banning plastic straws. He said Ms. Bennett believed the University was not currently taking measures to ban plastic straws. Ms. Smith said the practice of banning plastic straws was spreading. She stated restaurants at the beach were not providing straws and mentioned there was a student from Charter who had started a group called Youth Climate Lobby. The Youth Climate Lobby has gone to different restaurants and asked that they discontinue the use of plastic straws. Ms. Smith suggested that a representative from Plastic Free Delaware could come and present.

Mr. Irvine suggested the CAC make a recommendation to Council regarding the banning of plastic straws. He recommended partnering with the University to use reusable bags in lieu of plastic bags. Mr. Irvine said it might be most effective to ban plastic straws completely. He stated a research group from Lewes provided a list of alternatives to plastic straws and suggested reusable straws were provided as an option. Mr. McDowell said he recently went to a restaurant in Smyrna where biodegradable straws made from plant material were used. Mr. Irvine informed Mr. McDowell the straws were made from potato fiber. Mr. Irvine said he received the unit cost from the Green Turtle for a box of biodegradable straws.

Mr. Irvine stated substantial data regarding biodegradable straws had been gathered by the CAC and believed it was time to make a case to Council to ban plastic straws. Ms. Baty noted plastic bags caused significant damage to the ocean's ecosystem and believed that they should be banned in Newark in addition to plastic straws.

Mr. Hurd strongly advised against a complete ban of plastic straws since members of the disability community would be affected. He informed all present plastic straws are vital to individuals with disabilities; specifically, plastic straws allow them [members of the disability community] to drink unassisted. Additionally, metal straws are not a viable option since the mechanism does not allow individuals to drink without assistance. Mr. Hurd suggested plastic straws should only be given out to members of the disability community. He expressed he was in favor of providing environmentally friendly replacements for plastic straws and reiterated plastic straws served an important function for the disability community.

Mr. Horner stated restaurants at the beach did not hand out plastic straws; however, they were available upon request. He said adopting a practice like this might be a good option for the City of Newark. Ms. Thayer suggested the CAC take a bold approach and request an outright ban of plastic straws. She agreed with Ms. Baty's prior statement regarding the mutual banning of plastic bags and straws.

Ms. Bensley asked Mr. Irvine for clarification regarding the plastic straws and plastic bags discussion at the next meeting. Mr. Irvine requested plastic straws and plastic bags be placed as two separate items on the agenda. He said the CAC needed to make recommendations on both items. Mr. Irvine said studies have shown that efforts to reduce business's plastic bag use require a partnership with the business community to be successful. He expressed he did not believe Council wanted to ban plastic straws now.

Mr. Irvine asked Ms. Smith to provide an update on the Sustainable Newark meeting. Ms. Smith said Ms. Sierer discussed the use of plastic bags, straws, and Styrofoam containers at the last CAC meeting. She stated there were three representatives from AECOM at the meeting and noted there was a substantial discussion regarding the basic principles of stability at the meeting. Ms. Smith said a sustainability workshop would be scheduled at some time in October or November. Additionally, Ms. Smith stated that AECOM would have a booth at Community Day on September 16th.

Ms. Smith said the meeting was the initial step to discuss the Sustainable Newark Plan, and mentioned a review of other Municipalities' sustainability plans was underway. She stated Philadelphia's sustainability plan, Green Works, was very successful and provided a good model for Newark. Mr. Irvine asked how Newark's Comprehensive Plan related to the definition of sustainability. He expressed that Mr. Fortner mentioned the City had a definition of sustainability and wanted to know if the definition needed to be clarified. Mr. Irvine stated it seemed to him that AECOM used a process to create a sustainability plan for Newark. He mentioned AECOM used a similar process with all municipalities.

Ms. Smith said the goals for Sustainable Newark from the Comprehensive Plan are:

- Maintain and improve the City's existing utility infrastructure.
- Ensure that City's utilities meet or exceed all Federal and State environmental regulations/codes.
- Encourage affordable and safe housing.
- Diversity concerns.
- Promote and remove impediments to fair housing.
- Ensure that renovations and newly built housing are environmentally friendly and energy efficient.
- Advance Newark as a bike friendly community.
- Reduce traffic congestion.

Ms. Smith stated the City's guidelines for sustainability under the Comprehensive Plan are very broad. She asked the CAC commissioners to provide her with specific recommendations for the sustainability plan and mentioned she would incorporate concerns that were previously discussed at CAC meetings. Mr. Irvine stated the City's tax structure should be changed; specifically, about the City's carbon use. Ms. Smith said Ms. Sheedy previously mentioned carbon costs (carbon budget) should be included in the initial planning stages. Mr. Irvine informed the table the UN defined sustainability as the ability to pass down habitat to future generations and he believed a carbon tax would aid the City's sustainability efforts.

Mr. Irvine said sustainability efforts would be aided by implementation of incentivizing behavior change with the public; therefore, Newark should consider the use of incentives to promote sustainable behavior. Ms. Smith said sustainability rating systems were discussed previously and mentioned she needed to discuss the historical significance of sustainability with AECOM and others. Mr. Irvine stated the concept of sustainability was to due no harm in the present to protect the environment for seven generations. He told Ms. Smith he would sent her a reference to the U.N.'s Brant Commission of 1972 which provided a set concept of sustainability. Mr. Irvine expressed the U.N.'s definition of sustainability was concise and would serve as a helpful reference for Newark's sustainability efforts.

Ms. Smith reiterated AECOM would have a booth at Community Day and expressed that members of the CAC should stop by and provide comments and feedback. Mr. Irvine thanked Ms. Smith and asked her when the next meeting with AECOM and Sustainable Newark was. Ms. Smith said that she would have to verify the meeting date. Mr. Irvine reiterated the most effective method for behavior change was to provide an incentive for individuals to change; therefore, he noted incentivizing sustainable behaviors needed to be considered.

7. <u>PLANNING & DEVELOPMENT REPORTS:</u>

Mr. Irvine said the discussion regarding Planning and Development reports were discussed earlier in the meeting. There were no additional comments.

Ms. Smith asked Ms. Bensley for the City's general number for information. Ms. Bensley said the number was 302-366-7000 and stated information regarding rain dates would be posted on the website.

8. NEXT MEETING – October 9, 2018

9. ADJOURNMENT:

The meeting was adjourned at 9:15 p.m.

Renee K. Bensley, CMC
City Secretary

/wcp