

Upper Delaware Council  
PROJECT REVIEW COMMITTEE MEETING MINUTES  
February 28, 2017

Committee Members Present: Fred Peckham, Jeff Dexter, Alan Henry, David Dean, Aaron Robinson, Susan Sullivan, Jim Greier, Debra Conway  
Committee Members Absent: Larry Richardson, Harold Roeder, Jr.  
NPS Partner: Carla Hahn  
Staff: Laurie Ramie, Cindy Odell, Pete Golod  
Guests: None

The UDC's Project Review Committee held its monthly meeting on Tuesday, February 28, 2017 at the Council office in Narrowsburg, NY. Vice-chairperson Dean called the meeting to order at 6:30 p.m.

A motion to approve the February 2 meeting minutes was made by Robinson, seconded by Henry and carried. There was no public comment on the agenda.

**Discussion Items Report:**

**Project Review Update**

New York

**Town of Delaware:** Golod reported that he attended the Town's Planning Board Meeting on February 15 regarding Delaware River Solar's proposed solar array on Baer Road in Callicoon. It was said that the solar array will be minimally visible to the general public in its new proposed location closer to Lahm Road out of the designated river corridor. The Town Planning Board unanimously approved the 2-Megawatt array on 10-acres just north of Callicoon. Delaware River Solar CEO Rich Winter hopes to be producing power by July. Peckham questioned if 10-acres is a minimum lot size to qualify for New York State solar energy related incentives. Golod said he will check into that.

**Town of Tusten:** Golod said that on February 14 he attended the Town's Planning Board meeting. The meeting was to amend Section 11.6.2 of the Town's Zoning Law, which allows the Zoning Board the right to override any decisions made by the Town Board and Planning Board. Tusten Supervisor Wingert told Golod that this amendment was directly taken from New York State law. The Town also adopted the local law placing a three-month moratorium on all Major Subdivision applications in the Town.

Pennsylvania

**Damascus Township:** Golod reported that back in December he received a draft Zoning Ordinance Amendment for Alternative Energy Systems from the Township Code Enforcement Officer. On January 27, he reviewed the amendment with NPS Management Assistant Carla Hahn and has made notes and comments. On February 24<sup>th</sup>, he received an updated version that was edited per Wayne County Planning's comments. An additional review is required with NPS Superintendent Heister due to several issues that arose during the initial review. The Damascus Township supervisors will hold a public hearing on March 20<sup>th</sup> for the proposed Zoning Ordinance Amendment. Golod said he was informed by the township Code Enforcement Officer that this will be the last opportunity for the UDC or NPS to provide comment.

**Resource Specialist's Report:**

- FY 2017 TAG Mid-Term Reports: Golod reported that he has received mid-term reports from the Town of Lumberland, the Town of Deerpark, the Town of Highland, and Shohola Township. He noted that Berlin Township has completed their TAG project updating the official Berlin Township map to include all storm water culvert locations. Golod added that the Towns of Hancock and Tusten have not submitted their Mid-term reports that were requested by the

- February 28 deadline. Golod stated in regards to Berlin Township TAG project 2017-05 that he has received and reviewed all the required paperwork and recommends the project be approved and funded. Ramie said that will come up under New Business.
- Golod said he is currently coordinating a schedule to continue discussions with NPS Superintendent Heister regarding how to interpret the Enforcement Program Report per the River Management Plan and what the annual report should entail to meet our Cooperative Agreement goals.
  - Golod said that on February 10<sup>th</sup>, he, Executive Director Ramie and NPS Management Assistant Carla Hahn continued work on revising the draft for the proposed updated Project Review Guide. Another working session is tentatively scheduled for March.
  - Golod said he met with Hahn on February 16 to work on a database spreadsheet tracking system for all issues and reviews pertaining to substantial conformance presented to the UDC or NPS, and how those are resolved.
  - Golod reported regarding his first course through the Penn State World Campus GIS Certificate Program: The Nature of Geographic Information, that as of February 28<sup>th</sup> he has completed 8 chapters, taken 41 quizzes and seven exams, and completed two projects. He is currently maintaining an 80% average, he noted. Committee members congratulated Golod on this accomplishment thus far.

### **Old Business**

**Draft Solar Position Paper Next Steps:** Ramie noted that Superintendent Heister would very much like to be present for any discussion regarding this topic, but has been away for training. Ramie suggested that a subcommittee be formed to work on revising the position paper and a meeting or meetings scheduled to address this subject solely. Referring to the compilation of comments submitted to the UDC regarding the “Position Paper on Large-Scale Solar Energy Systems” and the copies of letters from some of the participating towns and townships provided to members at the January full Council meeting, Robinson feels that at least half of the municipalities didn’t feel a blanket policy was in the towns/township’s best interest. He added that personally and on behalf of Shohola Township, they don’t see how the towns and townships being the “lead agency” regarding issues such as solar is an impairment to the River Management Plan. He noted that perhaps it is an enhancement to the RMP because they know their own towns and townships the best. Ramie noted that comments were received from 8 of the 13 participating municipalities during the 90-day period offered for input. Sullivan stated that she read through the comments and one of the commonalities that she picked up on is that of those that have responded, the towns/townships want to reserve their right to do their zoning. She added that many of the municipalities base their zoning with the River Management Plan as a guide. Henry recommended that a subcommittee be formed. Golod said that towns and townships are moving forward with their zoning and may be using the River Management Plan as a Guide, but the RMP does not address alternative energies. Greier said that the UDC was not addressing the issue of solar when the Town of Fremont drafted their zoning regarding solar development. Dean asked Ramie what her interpretation of the responses regarding the position paper on large-scale solar from the towns and townships was. Ramie said it is her opinion that of the eight responses, four were against, two for and two undecided. Sullivan provided details of the Town of Tusten’s zoning amendment process. She said that Tusten Planning Board Chairman Ed Jackson took a copy of the River Management Plan to the New York Planning Federation. She noted they had never seen it before, but are now aware of it. Sullivan said that “there is a huge amount of respect for the intent of the River Management Plan; the intent that things have a small footprint; the intent that there not be commercial in certain areas.” Sullivan suggested that the towns and townships that did not respond should be reached out to one more time to solicit their opinion. Greier read an excerpt from the River Management Plan, “Leaving land use decisions in the hands of local governments is the most important step in building a cooperative working arrangement among all levels of government. The programs of State governments can complement these local efforts at land use regulation. In many cases these programs provide the opportunity to achieve the objective of Congress without having to invent new approaches or institute added regulations.” Robinson stated that the towns and townships already have the mechanisms in place to review projects. He added that “locals know how best to use their property.” A motion to assemble a subcommittee and develop a meeting schedule to further address the solar position paper was made by Henry and seconded by

Peckham. Those expressing interest in being on the subcommittee were Henry, Peckham, Robinson, Greier, Dean, and Dexter. Peckham suggested bringing up the establishment of a Solar Position Subcommittee at the full Council to find interested members. Golod noted as the Resource Specialist it is his job to interpret and implement the River Management Plan. He asked members if they feel the River Management Plan should address or at least define alternative energy. Dean said he feels that all the committee members should have the opportunity to provide input on this question. Henry suggested that Golod email the Project Review Committee members a request for their thoughts on whether and how the River Management Plan does or should interpret/define alternative energies to provide him with guidance for when these issues arise in participating towns and townships. Peckham said that the River Management Plan was developed as a conservation document in a flexible manner and already addresses oil and electricity. It allows for rational development, he added. Henry stated that the RMP was supposed to have been reviewed every five years since its inception, but that hasn't been done. Sullivan said she understands that Golod needs guidance for reviewing different uses as they are presented by the towns and townships, therefore, the Council needs to come up with that guidance. Henry said Golod does not have to review these uses on his own. He said he can bring them up to the Council for assistance and decisions. Hahn said that if one reads the Scenic & Wild Rivers Act, the Upper Delaware Act, the Land and Water Use Guidelines, and the River Management Plan, things fall into place. Sullivan said the use of the word "guidelines" is important. She asked members if they feel the Plan has been working thus far. Do they feel the area looks good? Do they feel we benefit by having a valley that looks the way it does as opposed to a place that is covered with industrial development? She said there have been more than 20 years of experience with the current Plan and it hasn't been a bad experience in her opinion. Greier said we have all gotten so dependent on energy and energy is on everyone's minds. This is not going to change, he added. Henry reiterated his motion of setting up a solar position subcommittee and developing a meeting schedule to further address the issue. Members shared various ideas for meetings of this subcommittee. Peckham withdrew his original second. The motion was then seconded by Robinson. A vote was taken and the motion carried with Peckham voting no. Peckham feels the subcommittee should meet before the April 6<sup>th</sup> full Council meeting. Sullivan said she would like to participate as a member of the subcommittee. Ramie said she will look to solicit input on the Draft Position Paper on Large-Scale Solar Energy from the five municipalities that have not done so yet.

**Red Alert Emergency Phones Follow-up:** Ramie said there is no new information to report.

**Project Review Workbook Update:** Ramie referred to a copy of a memo sent to the five county Planning offices of Delaware, Sullivan and Orange, NY and Wayne and Pike, PA seeking information on project review procedures specific to their offices. Ramie said that the Project Review Guide Subcommittee which consists of herself, Golod and Hahn has been reviewing the deadlines to include in the Guide. She said they are trying to coordinate the reviews knowing that the Council is not the only entity looking at a project. A description of each county's review responsibilities, procedures, and turnaround times for rulings and recommendations was requested. Responses have been received from both Wayne and Pike Counties and the subcommittee continues to collect this information to inform their process. Ramie noted that the addition of another dedicated UDC e-mail address is being explored for receiving applications to be reviewed electronically. Have the capability to receive these applications electronically could help speed up the process, she added. Golod agreed that receiving the applications electronically would be very beneficial. He noted that some of the municipalities are already sending their applications to him in that manner.

**Other:** None

### New Business

**Shippensburg University GIS Project Follow-up Questions:** Ramie said that Hahn had taken the questions that Greier, Sullivan and Richardson posed regarding this project and addressed them all in a very comprehensive manner in the handout provided in members' packets. Ramie thanked Hahn for that effort. Hahn encouraged members to ask her any questions about the project at any time and she will get the answers to them. Greier read the objective, "Assist the NPS in determining security needs for the whole webmapping application and/or specific data layers. Implement these measures in the final system (i.e. by

including password protection, or making certain services available only to select users).” He asked if this system would be available to everybody. Hahn explained that currently there are only 25 “subscriptions” available for this application and they are still trying to determine what information can be made public and what information can not.

Greier noted that he has been involved with the Council for a long time, having known people like Peckham’s uncle George Frosch, Noel van Swol, and Glenn Swendsen. The end result from all the discussion and fighting is the River Management Plan. He does not want anything to circumvent what is in the document. He referred to the Plan as a “peace treaty” between the landowners and the Department of the Interior. Dean commented that as things change, the Plan needs to adapt to that change. He added that a prime example is the topic of solar. Hahn said as the project relates to the RMP, there is no new data being used. They will be updating data, not changing it. She iterated that the project is developing a “tool” for the users to consult when reviewing projects.

Henry questioned if the project will cost more than is projected due to the need for newer software. Hahn explained that no software will be required for the program. Users will access it on-line. She compared it to using Google Maps. She said that updates will be made as they come up with the data.

**Draft Annual Enforcement Program Report Outline:** Ramie noted that Golod is waiting for Heister to return from her training to work on this issue.

**Approval of Berlin Township TAG 2017-05: Create Stormwater Culvert Inventory for Addition to Base Map:** Ramie stated that Golod addressed this during his Discussion Items Report where he reported that he had received all the required documentation from the Township. A motion to approve the project was made by Henry, seconded by Conway and carried unanimously. Hahn suggested that the Council obtain copies of the shape files of any maps funded by the Council.

**Other:** None

**Public Comment:** None

**Adjournment:** A motion by Peckham, seconded by Henry to adjourn the meeting at 7:23 p.m. was carried unanimously.

*Minutes prepared by Cindy Odell, 3/7/17*