

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
July 26, 2016

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

The UDC's Project Review Committee held its monthly meeting on Tuesday, July 26, 2016 at the Council office in Narrowsburg, NY. Chairperson Richardson called the meeting to order at 6:31 p.m.

A motion to approve the June 28 meeting minutes was made by Peckham, seconded by Roeder and carried with Richardson abstaining. There was no public comment on the agenda.

Discussion Items Report

Project Review Update

New York

Town of Delaware: Golod said he attended a special meeting solar workshop held by the Town Board on July 12 in light of the recent applications submitted by Delaware River Solar. The Town received recommendations from the County regarding corrections to the zoning law proposed amendment. Chairman Sykes read the proposed corrections and at the same time questioned Delaware River Solar representative Pete Golges, who was in attendance. Chairman Sykes spent a great deal of time discussing taxes and the PILOT program. Code Enforcement Officer Jim McElroy spoke directly to Chairman Sykes and Golges regarding several topics. The Board has scheduled another workshop to be held on 8/3 preceding their Town Board meeting on 8/10. Golod plans to attend the workshop on 8/3.

Town of Lumberland: Golod reported that on 7/11 he received the Town's Comprehensive Plan Update and a full SEQRA Environmental Assessment form. The Town will hold a Public Hearing regarding the Comprehensive Plan on 8/10 which he plans to attend.

TAG Program

Golod stated that he received the Town of Lumberland's completed TAG project and all the required documentation on July 20th. He said he recommends the committee vote to approve the project.

Pennsylvania

Damascus Township: Regarding the zoning variance application for the construction of an agricultural barn and produce processing and storage facility in a Flood Hazard Area on Hickory Lane, Golod said he attended the Township's Zoning Hearing Board Public Hearing on July 12th. Damascus Code Enforcement Officer Ed Lagarenne addressed Golod's questions from the Upper Delaware Council. The proposed barn will not be visible from the river with its setbacks and low height. He added that there are two existing structures already in front of the proposed barn site that are visible from the river. The Zoning Board voted unanimously in favor of the applicants. A copy of the Class II review conducted on the project was included in members' packets.

Golod reported that on July 14, he received a building permit for a 2,849 sq ft single family home on Leslie Lane. A Class II review was conducted with the NPS and according to the Schedule of Land Uses in the Land and Water Use guidelines, the dwelling falls within the Recreational segment and therefore is a

compatible use. The conservation district has also been involved with this project, he added. A copy of this Class II review was included in members' packets.

Richardson asked if certain construction characteristics are required for the barn proposed to be built in the Flood Hazard Area. Golod said they do. He said the steel frame construction will have certain features to prevent flooding damage and explained some of those features.

Shohola Township:

TAG Program

Golod reported that on July 22nd, he received Shohola Township's completed TAG project and required documentation. He recommends the committee vote to approve the project.

FY 2016 TAG Update:

Golod reported that all the mid-term reports have been submitted and project completions are due by August 22, 2016. The forms are available at www.upperdelawarecouncil.org.

Enforcement Program:

Golod reported that he has completed drafting a report of the 2015 Enforcement Program Review and will be submitting it to the National Park Service in the near future.

Training and Other for Resource Specialist Pete Golod:

7/13: Golod attended the New York-Pennsylvania Interstate Bridges meeting held at the Tusten Towns Hall. Executive Director Ramie provided a full report at the 7/19 WU/RM Committee meeting.

7/16: Golod attended the Zane Grey Festival and staffed a booth as the representative for the Upper Delaware Council.

7/18: Golod said he participated in Kittatinny Canoes' 27th Annual River Clean-up and provided details of the day.

7/26: Golod corresponded with NPS Management Assistant Carla Hahn for a Class II review on a building permit issued for Damascus Township and coordinating a review of the Town of Lumberland's Comprehensive Plan.

TBD: Golod said he is coordinating with Shohola Township UDC Representative Robinson in an attempt to locate areas suitable for some form of Emergency Response System along Route 97. Robinson noted there are 9 miles of solid dead zone south of Narrowsburg on Route 97 and he and Golod will be looking for places that would be suitable for some sort of technology and safe for pulling off of the road. Robinson added he is trying to determine what type of technology is affordable before he makes the next step. He said a representative from Frontier Communications will be attending the September full Council meeting to talk about cost-effective alternatives and had requested the siting information in advance.

9/19 & 20: Golod is requesting permission to attend the 4th Annual Delaware River Watershed Forum being held at the Normandy Farm Hotel & Conference Center in Blue Bell, PA. Pre-registration costs for the conference are \$90 and \$125 after 8/19. On-site lodging for overnight Monday is \$139. Golod said he plans to carpool with NPS staff. His written report contains a list of the topics to be discussed. Golod said he feels this event would be a good opportunity for him to network with other organizations.

Heister noted that the Class II reviews typically involve a recommendation and vote by the committee. Golod referred to the first Class II review provided in the packets. He stated this review is of the barn project in Damascus Township. Golod went over the review page by page with members. He explained that the review was required as the variance request was considered a conditional use permit. Members recommended adding a cover page on UDC stationery to the reviews with title and date, and a summary page of findings and recommendation of the committee (include the motion/2nd, vote and date) for submission to the NPS and the involved town/township for project review documentation purposes. Henry suggested assigning numbers to each issue. Hahn said that a numbering system for issues is being worked on. Richardson recommended digitizing the documentation. Hahn stated that when the Class II reviews are conducted, there is an assumption that the town's/township's zoning is in substantial conformance with the River Management Plan. A motion to recommend the Damascus Township Class II project to the National Park Service was made by Roeder, seconded by Henry and carried.

Richardson suggested reviewing the other Class II project provided in the packets. Golod noted that a review was not required for this project; however he conducted it for his own benefit. The application was for a building permit for a single family dwelling on Leslie Lane off River Road in Damascus Township. Golod went over the review page by page with members and a brief discussion about the project and past floods took place.

New Business

Approval of Town of Lumberland TAG 2016-05: Develop a Historical Marker Site Brochure: A motion to approve TAG 2016-05 was made by Henry, seconded by Conway and carried. Ramie passed around one of Lumberland's Historical Marker Site brochures produced with the assistance of this grant. She said it could serve as a good prototype for other towns or townships.

Approval of Shohola Township TAG 2016-08: Purchase & Install Historic Kiosks in Rohman Park: A motion to approve TAG 2016-08 was made by Henry, seconded by Conway and carried.

Project Review Workbook Recommendations Workbook Re-design Bids: Ramie noted that on July 11th a Request for Proposals was sent seeking Graphic Design Services to Create Two Re-formatted Booklets from Existing Content with Print Publication and Website Portal Arrangements. The goal of this project is to separate the 1988 Project Review Workbook for the Upper Delaware Scenic and Recreational River into two booklets geared to two different audiences to more concisely and efficiently organize its content, thereby facilitating its use. One booklet will be geared towards municipal officials and the other booklet will be for the UDC and Park Service. She said she fielded many questions including how to specifically accomplish this task; who would provide the content; and if the timeframe to complete the project by the end of the fiscal year was realistic. Ramie said she was pleased to have received two bids by the July 25th deadline. Copies of those bids were included in members' packets. She noted that printing costs are not included in either of the bids. Both bids were reviewed. Ramie said because of past positive experiences with W Design, she would recommend them for the project. Ramie noted there is a step missing between the Project Review Workbook recommendations report done by Environmental Planning & Design in March and providing the necessary content to the designer. She said Odell suggested reaching out to A.J. Schwartz of Environmental Planning & Design to ask if he could help us fill in the missing step. Ramie added that the Project Review Committee approved the recommendations of EP&D, but we need assistance in helping prepare and organize the content for the designer. Ramie spoke with Schwartz earlier in the day. He said he would be interested in taking on this task. A call with EP&D to further discuss this proposal is scheduled for Monday, August 1, she added. Ramie said she is proposing as an interim step before the graphic design phase that we work with EP&D to bring the recommendations across the gap that currently exists. She does not feel we are in position to complete this step in-house. Ramie stated that Schwartz of EP&D understands that our intention after working with him is that we will have the booklets separated out. Schwartz advised us that he has the old workbook available in the Word format after re-formatting it during the review process but expensive editing is required. Ramie said she would like to form a subcommittee of this committee to assist with this project. A motion to accept the bid of W Design for the Project Review Workbook re-design was made by Henry and seconded by Conway. After a brief discussion, a vote was taken and the motion passed. Richardson questioned if we will have the quote from EP&D to act upon at the August 4 full Council meeting. Ramie said we would.

2015 Enforcement Program Report: Ramie said this written report was included in members' packets. It was noted that one responsibility of the Project Review Committee is to perform an annual review of enforcement in each participating town/township to ensure that the goals, principles, and objectives of the River Management Plan are being met. Golod said he picked up where former Resource Specialist Travis O'Dell left off collecting the required information from the 13 participating towns and townships. The report contains a summary of the permits issued in each participating town or township from January 1, 2015 through December 31, 2015. Golod spoke about two permits that he had needed to obtain further information on; one being in the Town of Delaware and the other in the Town of Lumberland. Conway shared her concern over the Town of Highland reporting that there were no permits issued in the river corridor during the 2015 season. A lengthy discussion about educating the Town on their responsibilities as a member of the Council and some projects in the Town took place. Members decided to invite the Town

of Highland Supervisor Jeff Haas to meet on August 4th at 6:30 p.m. in advance of the full Council meeting to explain the UDC's project review responsibilities and procedures. Ramie noted that the enforcement report in the packets is a draft based on the information that was given to us. Ramie said the next step with the report is to submit it to the Park Service. A motion to approve the report and send it to the National Park Service was made by Henry and seconded by Robinson. Robinson questioned if there is a deadline on submitting the report. He was told no. He asked if the report is going to change. Richardson said that we are basing this on the information that was submitted to Golod by the towns and townships themselves. Robinson asked if the report is an annual one. Ramie told him it is after being implemented in 2014. Richardson said the report is correct to the best of our knowledge. A vote was taken and the motion carried.

Other: Ramie asked that anyone interested in serving on the Project Review Workbook subcommittee let her know. Richardson suggested Ramie keep the membership open and let Council members know when meetings are scheduled to solicit participation. A brief discussion regarding the idea of new member orientation took place.

Old Business

Commercial Solar Energy Discussion: Heister referred members to the handouts about solar provided in their packets. She thought it would be helpful to have a basic definition and understanding of what a solar energy system is. She anticipates the UDC Project Review Committee would want to think differently about residential, small scale, and large scale or utility scale solar. Heister said that according to the NY Solar Energy Guide, the four factors municipalities consider when creating zoning definitions include: energy system type; location where system-produced energy is used; size and shape of system; and system energy capacity. Heister referred to the handout which starts with the three definitions of solar energy systems. The handout contains examples of how different states and organizations have defined large scale solar energy. Examples of small-scale solar energy generating systems definitions are included on pages two and three of the handout. Heister asked members if they could decide on a definition of a solar energy system that they would want to use from the three options provided. She feels the Town of Fremont's definition, "A combination of components that utilize solar radiation (direct, diffuse, or reflected) to produce energy designed to provide heating, cooling, hot water and/or electricity, including solar photovoltaic systems and facilities and solar thermal systems and facilities" is probably the simplest. Robinson asked if the objective is to not impair the visual quality of the valley. Heister said that solar is a new use and it is the obligation of the Upper Delaware Council to determine how this new use fits into the River Management Plan. She said the Council may come to the conclusion that it is a Compatible Use. Robinson asked what we are trying to not affect in the river corridor. He spoke of the process of review of solar in the Commonwealth of Pennsylvania. Hahn noted that there are values that Congress identified when it designated the Upper Delaware as a Wild and Scenic River. The Land and Water Use Guidelines are what are supposed to help us to preserve those values within a community's zoning. Richardson said he sees solar as a visual threat. He said issues being discussed regarding solar in the Town of Cochection include run-off and how to control vegetation underneath the panels. Dean stated that technology is moving so quickly that he foresees the day when solar collectors will be much smaller and would allow for commercial electricity without impairing views and space. Sullivan said it would be helpful to confine the discussion to large scale solar. She said the NYS Model Solar Energy Law defines that as "for use off-site". Sullivan stated that all zoning starts with a definition. She said as defined by the New York State Model Solar Energy Law, a large scale solar energy system is a solar energy system that is ground-mounted and produces energy primarily for the purpose of offsite sale or consumption. She feels that is a good definition to start the discussion with in order to determine what kind of use solar would be considered in the corridor. Heister read Objective 2 of Principle F of the Land Use Guidelines which states, "Reinforce existing pattern of land use and private ownership by providing for similar allowed uses. Alternative techniques for accomplishing this are the same as those identified above. Regardless of which approach(es) is used, there are certain uses which are appropriate as principal permitted, uses, others which should be treated as conditional or special uses and still others which are inappropriate for the river corridor. The Schedule of Compatible, Conditional, and Incompatible Land Uses describes these uses and draws distinctions for those areas which are classified as 'Scenic', those classified as 'Recreational' and hamlets." She said that all we are trying to accomplish is to "get to a point where we can sufficiently define what we need to define in order to get to whether it is compatible, conditional, or incompatible use, how that differs in the scenic and

recreational area”, so that it can be reviewed under our Project Review procedures. After more discussion it was decided to resume discussion at the August 23rd meeting of strategies for the UDC to develop standards for the review of large-scale commercial solar energy proposals in the river corridor. Richardson encouraged members to read over the handouts regarding solar provided in their packets. Heister added that members should really read the guidelines, particularly the sections that have been highlighted. She wants them to think about the character of the Delaware Valley region. Richardson stated he feels we should be promoting solar energy, but it “has to fit.”

Follow-up on Telecommunication Services in the River Valley: Robinson said he has made a lot of phone calls and spent a lot of time exploring many different types of technology for the purpose of enhancing communication in the river corridor. He spoke of distributed antenna system, or DAS to expand cell service. He said this technology is very expensive and needs to be connected through fiber optics. Richardson questioned what the range is for the DAS. Robinson told him 1000’. Richardson asked him what the cost is for such a system. Robinson said he will look to obtain those costs. Robinson said he has been focusing on a 9-mile section of NYS Route 97 from the Mongaup River to south of Barryville which is sparsely populated and has seen emergencies such as drownings. He noted that cell service along Route 97 is scattered, but in spots is seeing some improvement. Robinson spoke of the OpenSignal app which points the user in the direction of better phone signal, measures signal strength, data speed and reliability, and displays nearby Wi-Fi networks. Users of the app share information with OpenSignal, which is used in their independent maps of carrier coverage. Henry suggested Robinson ask the representative he is working with about costs for adding technology to increase coverage to existing infrastructure. Robinson said that an alternative is Wi-Fi hotspots. He said these spots would be carrier neutral. Robinson stated that he has a representative from Frontier Communications lined up to speak to the Council at the September 1 meeting.

Update on Emergency Sirens Issue: Ramie said the letter of UDC Comments on the NYC DEP Emergency Action Plan Seminar was sent out on July 8th. That was followed up on July 22nd with a request for support from our river valley municipalities. A press release titled, “UDC Rallies Support for Reservoir Emergency Public Warning System” was released on July 22nd. Soon after the release went out, Ramie said she received a phone call from the NYC DEP spokesperson. She said they feel the UDC’s tone is overly aggressive in that they have not had a chance to respond before we went out and solicited support from the communities. She said NYC DEP officials are actually open to the idea of using emergency sirens, but feel the UDC’s publicity suggests that we’ve met resistance. She reported from the call that the initiative is under serious consideration and is well within the realm of possibility. The NYC DEP is exploring how such a system has worked in other regions, she added. Members discussed continuing to be persistent with the advocacy for this plan.

Ramie reported that she awaits responses from three of the county emergency management offices regarding operating sirens in their river towns and townships, which had been requested by August 1.

Other: None

Public Comment: None

Adjournment: A motion by Roeder, seconded by Sullivan to adjourn the meeting at 8:46 p.m. was carried unanimously.