

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
November 24, 2015

Committee Members Present: Larry Richardson, Debra Conway, David Dean, Aaron Robinson,
Susan Sullivan, Jeff Dexter, Al Henry
Committee Members Absent: Nadia Rajs, Harold Roeder, Jr., Fred Peckham,
NPS Partner: Carla Hahn
Staff: Laurie Ramie, Cindy Odell, Travis O'Dell
Guests: A.J. Schwartz

The UDC's Project Review Committee held its monthly meeting on Tuesday, November 24, 2015 at the Council office in Narrowsburg, NY. Chairman Larry Richardson called the meeting to order at 6:32 p.m.

Project Review Workbook Update: Environmental Planning & Design: Ramie introduced A.J. Schwartz of Environmental Planning and Design, LLC (EP&D) out of Pittsburgh, PA. Schwartz said he would provide an overview of what the project is and a status report of where they are with the project. He noted that the idea is to go through the whole workbook and identify any problematic elements in an attempt to make the document more user-friendly. Schwartz spoke of the survey that EP&D is conducting. He asked members to take the time to complete the survey if they have not already. The short questionnaire is posted on-line at <https://www.surveymonkey.com/r/UDCSurvey>. Schwartz said a stakeholder session geared particularly toward those with project application responsibilities in their communities was held earlier in the day to obtain their impressions of the Workbook. He shared some of the comments that were offered during those sessions. A common theme was that people felt the Workbook is repetitive and redundant. Schwartz commented that one improvement may be to better clarify the process for determining if a project needs to be reviewed by the Upper Delaware Council. He stated the Workbook was developed in 1988 and there are some things in there that can't be complied with. Schwartz said there has been lots of discussion in terms of zoning ordinance amendments and what triggers a substantial conformance review. The unpredictability of issues/projects being sent to the Council for review is probably the weakest part of the process, Schwartz noted, and he hopes to be able to come up with recommendations for making this smoother. Schwartz noted that the River Management Plan clearly outlines what are ordinance amendments, but there is a distinction under Land Use Law of map changes vs. text changes. He said the Workbook does not speak to these changes. A brief discussion about Shohola Township's recent zoning revision took place. Richardson noted that some of the repetition in the Workbook is due to the fact that it is broken down into a number of different types of reviews and those repetitive pages were included to make the Workbook easier. Schwartz commented that it was "canned" based on topic. He said making the workbook easier to use may be accomplished by simply adding some sort of graphic to better define the different sections. Richardson explained how the Project Review process has taken place in the Council historically with Dave Soete and Bill Douglass typically taking the lead. He does feel it may be better with more of the Project Review Committee members involved in the review process. Schwartz stated that people mentioned to him that it would be helpful to have some training available, but he is not sure how to accomplish this. Town and township board turnovers were discussed. Dean commented that because of these turnovers, "less is more" and simplifying the book needs to be done in order to be productive. Richardson suggested that pulling each section out of the book to produce as its own separate document may be helpful. Hahn noted that the digital version of the Project Review Workbook has been bookmarked with Adobe Acrobat to differentiate the separate sections. Richardson commented that members of his town's Planning Board do not use computers. Schwartz commented that one issue that needs to be addressed is figuring out a way to get more people using the Workbook consistently. Richardson suggested it needs to be made as clear as possible to the boards when this project review process needs to be used. A brief discussion about to whom and when the survey was sent out took place. It was decided to re-send the survey and extend the deadline in order to get more input. Schwartz noted that the UDC Board members are liaisons back to their respective communities and to some degree they should be ensuring that these documents are being used by those board members. Robinson stated that the members of Shohola Township's Planning Board do not act independently; they are only a board when they convene. This was a consideration when it came to filling out the survey. Hahn added that the meeting cycles of the boards and

the meeting cycles of the Council and the time frames needed to accomplish anything are definitely a consideration. Ramie stated that the next phase of this project will be to obtain more feedback from stakeholders. She said it is a six-month project due to be completed in March. A final report will be delivered either in March or April, Ramie added. Sullivan asked how to get future ideas or suggestions to Schwartz. He told her to submit any questions or comments through Ramie or O'Dell.

A motion to approve the September 22 meeting minutes was made by Henry, seconded by Robinson and carried. It was noted that there was no quorum for the October 27th meeting. There was no public comment on the agenda.

Discussion Items Report

Project Review Update

Town of Hancock: O'Dell reported that on November 12th he attended an Upper Delaware River Tailwaters Coalition meeting as a member of the Stream Corridor Management Plan Project Advisory Committee at the Town of Hancock Town Hall. The Coalition is made up of municipalities below the dams including the Town of Hancock. The Coalition has secured a grant through the New York Department of State's Local Waterfront Revitalization Program to develop a stream corridor management plan for the areas of Delaware and Broome Counties in the Delaware watershed below the NYC reservoirs. The first step is to hire a consultant to drive the process. O'Dell said he will send out the draft Request for Qualifications to members. The final project is anticipated to be completed by 2018.

Town of Fremont: O'Dell stated that another public visioning session was held on November 14th at the Chestnut Café in Long Eddy NY to discuss the future of the proposed access on Ferry Street. He said much about this project has changed. Sue Currier of the Delaware Highlands Conservancy will attend the December 3 full Council meeting to provide information regarding the project. O'Dell provided some history about the project and information about the tentative plan. Richardson said it is disappointing that people did not express their feelings about the project earlier in the process.

Town of Tusten: O'Dell noted that Brendan and Kathy Weiden have applied for two special use permits for the Narrowsburg School, now called the Narrowsburg Union. One permit is to allow higher education classes to take place in the building and the other is for a farmer's market to operate on the property. O'Dell noted that both are compatible uses according to the Land and Water Use Guidelines.

Lackawaxen Township: O'Dell reported that the Tennessee Gas Pipeline Company, LLC (TGP), a subsidiary of Kinder Morgan Inc., filed an application with the Federal Energy Regulatory Commission (FERC) for its proposed Orion Project on October 9, 2015. The proposed pipeline will install 12.91 miles of additional pipeline that connects with the existing TDP 300 line. As proposed, the project will impact Berlin, Lackawaxen and Palmyra Townships in both Wayne and Pike Counties in PA. As proposed, the loop will cross using an open trench method. O'Dell referred to the November 16, 2015 comment letter from the National Park Service to FERC provided in members' packets. The letter suggests crossing the river using directional drilling methods to cross under the Lackawaxen in place of the open trench method.

Shohola Township: O'Dell said the draft substantial conformance review for Shohola Township's proposed Zoning Ordinance No. 79 will be discussed under New Business.

Pond Eddy Bridge: O'Dell referred to the copy of the National Park Service's Section 7 review for the Pond Eddy Bridge replacement project provided in members' packets.

Delaware River Basin Land Use Dynamics Project: O'Dell reported that Shippensburg University held a fairly well attended workshop on November 10th at the UDC office. The Delaware River Basin Land Use Dynamic mapping project was introduced and a look was taken at historic trends in land use throughout the basin. The second half of the workshop consisted of participants using a SWOT (strength/weaknesses/opportunities/threats) analysis focusing on current and future scenarios of the

Delaware River Basin. It is anticipated that the project will be finished by the end of 2016. Ramie said this will most likely be the subject of a UDC presentation in the spring of 2016.

FY 2016 TAG Program

O'Dell reported that he has received signed TAG contracts from the Towns of Tusten and Delaware, and the Townships of Berlin and Damascus. He awaits signed contracts from the Towns of Lumberland and Highland, and Shohola Township.

New Business

Town of Cochection Substantial Conformance Review Exercise: Richardson suggested tabling this exercise until the next meeting due to the late time. He added that his goal is to finish this review, make a recommended determination, and send it on the full Council. O'Dell questioned if the Town Board has been involved with this review. Richardson said they are aware of it. Henry suggested designating one meeting specifically to this review. O'Dell said he feels the Shohola Township review should be undertaken and a recommendation made to the full Council. Ramie reminded members that the three committees meet on the same night in December with abbreviated agendas. It was decided to put Cochection's review on the agenda for another meeting, tentatively January 2016.

Other: None

Old Business

Shohola Township Zoning Changes Substantial Conformance Review: O'Dell referred to the Draft Report for Shohola Township's Substantial Conformance Review of Proposed Zoning Ordinance No. 79 along with the corresponding pages of the draft ordinance provided in members' packets. He explained the process by which he conducted this review. Members collectively reviewed the written report page by page reading the principle, discussing the objective and the manner by which it was met, noting the sections of the ordinance pertaining to the meeting of the objective, and discussion the recommendation. A brief discussion about the definition of the word "substantial" took place. Robinson explained how Shohola Township conducts a Conditional Use Review. Conway questioned if the page-by-page review was necessary. She was told it was, as a recommendation by the committee would need to be made to the full Council. Ramie added that it is a function of this committee to make these recommendations. A lengthy discussion about Principle B, Objective 5 took place. It was decided that O'Dell would amend the Review and Discussion sections to include subsections A, B & C of Draft zoning Ordinance No. 79, p. 41, Section 508.8. Members agreed. For Principle C, Objective 2a, O'Dell said he will add the applicable language from the zoning under "Discussion". Regarding Principle F, Objective 2, O'Dell noted that two of the three objectives were met. There was no language in the zoning that addressed, "Densities for nonresidential uses should be based on an equivalent dwelling unit concept (tied to estimated sewage effluent) **and**". Robinson and Dexter explained that in Pennsylvania, these have to meet PA DEP state standards. O'Dell said he will look into this. Robinson noted it was beneficial to have O'Dell come to the township to address some of the issues during the process. Ramie noted that pages 15, 17, and 26 all require either further citations or additional investigation. Richardson stated that he does not feel the committee can take action on a draft document. He said that once the Township has approved the document, then the committee can make a determination on it. Dean feels the committee should give the township an opinion on the document as it stands now. Richardson noted it could be said that this committee has reviewed the draft document and based on the review, feel that it substantially conforms. Richardson asked when the public hearing is. Robinson said it is the second Thursday of the month. Richardson suggested that perhaps a determination could be made at the December 15th meeting as a recommendation to the Council at the January meeting.

Other: Robinson noted that his expectations of the cell tower presentation were different than what was presented. He added that his goal was to find out how service could be extended. Robinson said he did some research on his own and he does not want to rule out Wi-Fi hot spots in dead zones. He stated these are relatively inexpensive and there are plenty of lines running up and down to valley to establish these areas. He wondered if Park Service funding could be used to accomplish this. Robinson spoke of a tower just erected in Shohola Township that has added four miles of coverage in the area. He stated that between

Pond Eddy and Mongaup, there are lots of areas that are pull offs that he feels would be perfectly suitable for Wi-Fi hot spots. Hahn noted that Sullivan County, New York has a plan out regarding cellular need and plans to increase service are moving forward on the New York side of the Delaware. She hopes that New York and Pennsylvania can work together to establish service that complements both sides of the river. Henry said he recently spoke with individuals that feel Wi-Fi could be installed on the existing infrastructure in the valley which includes National Park Service towers and emergency service towers. The service may not include voice over, but may be adequate enough for people to dial 911. Henry noted that Park Service radios cover the river valley fairly well. He feels this should be looked into. After a brief discussion, Hahn was asked to inquire about the feasibility of using the existing infrastructure that supports the National Park Service's radio communications in the Upper Delaware River to extend services to the public, for at least emergency purposes. Ramie stated that Heister did some research after the November presentation and found rural broadband service funding information sources. She will forward that information onto members.

Henry stated that the Pennsylvania Environmental Council recently cleaned up a dump on Buck's Cove Hunting Club property. He noted there is a huge dump on the Beach Lake Hunting and Fishing Club property. The PA Environmental Council has funding available to accomplish such clean-ups. Henry has a meeting set for Thursday, December 3rd at 11:00 and he will provide a report to the Committee about the program at the December meeting. The person he is working with is Palmira Miller and her email address is pmiller@pecpa.org.

Public Comment: None

Adjournment: A motion by Henry, seconded by Sullivan to adjourn the meeting at 8:54 p.m. was carried unanimously.

Minutes prepared by Cindy Odell, 12/3/15