

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
May 22, 2012

Committee Members Present: Larry Richardson, Nadia Rajsz, Harold Roeder, Jr., George Fluhr
Committee Members Absent: Debra Conway, Fred Peckham
NPS Partner: Sean McGuinness
Staff: Dave Soete, Laurie Ramie, Cindy Odell
Guests: David Dean, Anne Willard, Jack Niflot, Bernie Handler

The UDC's Project Review Committee held its monthly meeting on Tuesday, May 22, 2012 at the Council office in Narrowsburg, NY. Chairperson Larry Richardson called the meeting to order at 8:53 p.m. A motion by Rajsz seconded by Roeder to approve the April 24 meeting minutes was carried. There was no public comment on the agenda.

Discussion Items Report: Soete reviewed his written discussion items report that contained information on project review/substantial conformance developments. Highlights were as follows:

Pond Eddy Bridge update: Soete reported he received a copy of a letter dated 5/18/12 from NYS Senator John Bonacic to NYS DOT stating he would like a meeting of all involved parties.

Town of Highland: Soete stated the Town of Highland held a public hearing at the Eldred Central School on May 4th regarding the proposed zoning amendment. He noted it was well attended. The comment deadline was May 14th. Soete submitted a comment letter to the Highland Town Clerk dated May 14th via e-mail noting that his comments pertain only to the small portion of the town located within the designated Upper Delaware Scenic and Recreational River corridor. A copy of the letter was provided in members' packets. He said the UDC received a copy of the NPS comment letter dated May 10th to the Town of Highland. Soete believes that the Highland Town Board is still considering the public comments and has not made a decision regarding the proposed zoning amendment. McGuinness asked Soete if the proposed zoning amendment looks good as far as the UDC is concerned. Soete said he does not see where it would affect substantial conformance.

Johnston & Rhodes Bluestone Company Quarry Road update: Soete asked McGuinness if there was anything new with the road. McGuinness said he received a call from PA DEP who said the owners are going to remove the road's use out of any kind of managing of the mine, which is outside the river corridor. The road will be for private residential use by family. Consequently, PA DEP has no jurisdiction over the road. They are going to hand over the issues of erosion and sediment to the Conservation District.

Upper Delaware River Roundtable update: Soete noted the next roundtable meeting is scheduled for June 7th from 1 pm to 4:30 pm at the Tusten Town Hall in Narrowsburg.

Town of Lumberland Zoning: Soete reported that the Town of Lumberland did approve their new zoning law on April 11, 2012.

Natural Gas Leasing/Drilling in the Region update: Soete noted that last month Fred Peckham said Damascus Township is waiting to hear back from the Pennsylvania Public Utilities Commission (PUC) regarding their inquiry about Act 13 and being out of substantial conformance with the River Management Plan. McGuinness said he received a phone call from the Public Utilities Commission and was advised that Act 13 will not be implemented until a decision has been reached regarding the current lawsuits against the state. He added that the PUC is looking for a resolution for Pennsylvania townships in the river corridor.

Town of Delaware Proposed Zoning Law and Zoning Map Changes update: Soete said he mentioned last month that the Town of Delaware was moving away from the Delaware River District/river corridor boundary on the zoning map and going more with property boundaries. He, Sean McGuinness, and Carla

Hahn attended the public hearing held on May 9th. Soete said the Planning Board made some revisions to the proposed zoning amendments and recommended that the Town Board adopt them. An updated zoning map showing the proposed changes will be prepared. The Town Board will have to hold a public hearing and there will be an opportunity for further public comment. McGuinness said there is some concern about moving away from the river corridor boundary and he is waiting to see what language they choose to use in the law about following the River Management Plan. After some discussion about possible changes to the districts, Roeder suggested that McGuinness and Soete meet with town officials about the proposed zoning changes. Dean remarked the subject of metes and bounds of the actual river corridor had been discussed at a previous meeting. McGuinness said there is a legal description that does exist, but it is difficult to define on the ground. McGuinness said he did follow up on this matter with Park Service cartographers and the land office. They pulled out the description and it is very similar to the way it is described in the River Management Plan. Fluhr stated that the information that we have now does not clearly tell us where the river corridor boundary line is on the ground. Soete noted that years ago the USGS wanted to put the corridor boundary on the topographic maps and the Council board at that time did not want to have that done as it might give the impression that the land was public. Soete wondered if the USGS could be approached to do that now. McGuinness stated that the boundary is legal, it is just a matter of identifying it.

Millennium Pipeline Company, LLC – Hancock Compressor Project (Town of Hancock) update:

Soete reported that on 5/17 three people representing Millennium Pipeline Company gave a briefing at the UDC office regarding the proposed Hancock Compressor Project. Those in attendance included UDC staff, Harold Roeder, Fred Peckham, Jeff Dexter, Jack Niflot, and Don Hamilton. Soete said the company has chosen a location for the compressor station. The site is located on Hungry Hill Road in the Town of Hancock. The site is approximately two miles north of Long Eddy and is out of the river corridor. Soete said that on May 29th an Informational Open House regarding the project will be held at the Hancock Middle/High School from 4 pm to 7 pm. Soete said there will be a natural gas-run 15,000 hp compressor housed in one building with a second building along side for maintenance purposes. A handout which included renderings, specifications, and a map was provided in members' packets. A pre-filing application has been made to the Federal Energy Regulatory Commission (FERC), Soete said. The Millennium Pipeline representatives were not able to answer some of the technical questions that were asked, but said technical people would be available at the Informational Open House. Discussion about the project costs took place. Members feel Soete should attend the Informational Open House. Ramie said the Millennium representatives assured them that the compressor station would not be visible or audible from the river, which is about three miles from the site. Ramie added that representatives said the development of the two buildings will be on three to four acres and the rest of the ten acres will act as a buffer. The entire site will be fenced in.

Town of Tusten: Soete noted that a Legal Notice in the 5/17/12 issue of *The River Reporter* stated that the Town of Tusten Zoning Committee will hold a series of Planning Zoning Workshops that will take place the fourth Monday of every month, except the May meeting will be held on the 30th, to consolidate a number of local laws focusing on planning and land use under the new zoning that was passed in 2011.

Hurleyville, NY Proposed Development: Soete said he received an e-mail from a concerned citizen stating "I just thought I would mention to you an issue I think might be of some interest to the UDC." The issue is that of a massive 900-unit development being discussed for the old Columbia Hotel property near Hurleyville in Sullivan County. Soete said the project is quite a distance from the Upper Delaware Scenic and Recreational River corridor.

Old Business

Use of the 1988 Project Review Workbook: Due to the time, Richardson recommended tabling this item until next month.

New Business

FY 2013 Work Plan: McGuinness noted that of the three work plans, Project Review is the one he feels is of most importance. Discussion took place about the substantial conformance review in the Town of

Hancock which is noted as number one on page 2 of the work plan. It was determined to change the wording from “continue” to “complete” for this task. With reference to number 2 on page 2 of the work plan, McGuinness recommended more formally documenting reviews of any ordinances that affect the river corridor. Richardson suggested implementing a policy where the Resource Specialist meets on some sort of a regular basis with the planning boards on both sides of the river. Rajszt feels a yearly letter should be mailed to remind the towns and townships of their responsibility as River Management Plan partners to notify the UDC of proposed projects within the river corridor warranting the Council’s review. McGuinness stated this task is addressed on page four of the work plan. It was decided to add the wording “through an annual letter” to task # 3 on page four. Dean questioned if these tasks pertain to zoning in the river corridor or does it pertain to the whole town zoning. McGuinness said just the river corridor. Fluhr added that a town’s whole zoning ordinance may have issues in it that affect the river corridor. Dean noted that the Town of Deerpark was very careful to segregate the river corridor in their zoning. Richardson would like to see a year-end summary of what has been reviewed throughout the year and what the determinations were. A brief discussion about telecommunications in the river valley took place. A motion to recommend the work plan as amended to the full Council for approval was made by Rajszt, seconded by Fluhr and carried.

Millennium Pipeline Hancock Compressor Project 5/17 meeting update: Soete covered this issue during his Discussion Items Report. Ramie encouraged members to attend the Informational Open House to be held on May 29th at the Hancock Middle/High School from 4 pm to 7 pm if they are interested.

Other: Roeder provided an update on the issue of a disabled individual’s attempt to get a staircase built so that he can access his riverfront property. The individual informed Roeder that he finally heard back from the PA DEP. They acknowledged his request and provided him with multiple forms to be completed. There are 27 compliance conditions that need to be met, Roeder said. The individual is going to try and maintain his sense of humor and move forward.

Public Comment: None

Adjournment: A motion by Roeder seconded by Rajszt to adjourn the meeting at 9:38 p.m. was carried unanimously.

Minutes prepared by Cindy Odell, 6/1/12