

Upper Delaware Council
PROJECT REVIEW COMM. MEETING MINUTES
Jan. 22, 2008

Committee Members Present: Harold Roeder Jr., Alan Bowers, Larry Richardson, Jay Shafer, George J. Fluhr
Committee Members Absent: Steve Barnes
Partner: Sandra Schultz, NPS
Staff: Douglass, Soete, Coney, Ramie
Guests: John McKay

The 2007 committee chairperson Harold Roeder Jr. called the meeting to order at 7:47 p.m. He called for election of the committee chairperson and vice-chairperson.

Election of 2008 committee chairperson and vice-chairperson: Bowers nominated Roeder for chairperson. There were no further nominations. Harold Roeder Jr. was elected as 2008 committee chairperson.

Bowers nominated Richardson as vice-chairperson. There were no further nominations. Larry Richardson was elected as 2008 committee vice-chairperson.

Minutes: A motion by Fluhr seconded by Richardson to approve the Dec. 18, 2007 meeting minutes was carried.

Public Comment on the Agenda: There was no public comment on the agenda.

Discussion Items Report: The committee reviewed the Discussion Items Report, some highlights:

Barnes Landfill (Town of Highland) update: At the January UDC meeting, Bill Rudge of DEC reported that the Barnes Landfill case had been referred to the new NYS Attorney General. He mentioned that no leachate was being pumped out of the landfill, but added that they repaired the cap and road before the escrow money ran out. Rudge noted that the road had contributed to the buildup of leachate prior to its repair. He felt that the site will probably need future maintenance.

New York Regional Interconnect proposed power line project (corridor-wide and beyond) update: On Dec. 26, 2007, the NYS PSC released a revised Active Party List for the New York Regional Interconnection power line project. This was the first document posted since Jan. 30, 2007. It appears that individuals have been placed into larger representative groups and then listed. A NYRI spokesperson has indicated a completed Article VII application should be provided to NYS PSC sometime in February 2008, according to media reports.

PPL Plans new power line: The committee was provided with a news clip from the Jan. 21, 2008 edition of the *Wayne Independent*. The article reviews PPL's intentions to construct a 500,000 volt transmission line, more than double what is in place now. The projected line will be south of the Upper Delaware River corridor. One option PPL is examining is to use the same right-of-way as the current line but alternate routes would be explored and public input would be essential. PJM Interconnection, a separate non-profit entity which controls planning for power transmission throughout 13 northeast states and Washington, D.C., identified the need for expansion in their annual plan. PJM projects the demand for electricity during peak summer usage in the Middle Atlantic Region to grow by 10,000 megawatts in 10 years. The project's application to the PA Public Utility Commission is expected to occur in late 2008.

Holbert Bros. Bluestone (Lackawaxen Township): Soete attended the Dec. 19, 2007 meeting of the Lackawaxen Township Supervisors. A conditional use hearing for Holbert Bros. Bluestone major mining proposal was scheduled for Feb. 12, 2008. Douglass and Soete visited the Township office in January to review the Holbert proposal. In 2005, Holbert sought mining permits for two 5-acre lots on his property. His contention was this was an "existing" use and he was granted the permits.

Holbert is now requesting one 40-acre permit for a major mining project expansion. Soete displayed photos of the property in question. All of the project would be in the Upper Delaware River corridor. The River Management Plan (RMP) covers 2-acre face and a total of 4 acres with ancillary operations for minor surface mining, but "major" surface mining operations are a prohibited use anywhere in the River corridor. Lackawaxen Township allows 5-acre increments with permits. This project appears to be above and beyond the RMP guidelines and the Township regulations. Soete said it was not clear if the Township Planning Commission gave the project its approval. The applicant has been informed that he needed a state permit as well. Soete indicated that the UDC should send a comment letter regarding the project similar to the comment letters on past projects.

McKay suggested the UDC could be parties to the hearing and make comments at the public hearing. He felt this project was not a traditional bluestone mining project. Soete noted that several neighboring property owners have contacted UDC about the project. Fluhr commented that the Township Supervisors could decide the night of the hearing about this project. It doesn't necessarily have to go to the Zoning Hearing Board. A motion by Bowers seconded by Richardson to have staff prepare a comment letter for review at the UDC meeting in February was carried. The committee consensus was that UDC staff and NPS attend the Township's public hearing on the issue in February.

Cell Tower (Town of Tusten): According to media reports, the Tusten Code Enforcement Officer informed the Tusten Town Board recently that he received a letter from J & S Enterprises regarding the Municipal Tower Owner Program. The program allows the Town use of the tower without purchasing it, and the revenues from its rentals to service providers are split 50/50 between the Town and J & S. The proposed tower will be 160 feet high with three legs and it can host up to three wireless providers along with emergency services. It would not involve any expenses to the taxpayer. So far, one service provider is interested in using the tower. The Town has not issued a timetable for this project.

Town of Tusten Zoning Law proposed update: The Town of Tusten Town Board agreed recently to research names to serve on a committee to review and possibly recommend updates to the Town of Tusten zoning laws.

New Hope Manor expansion proposal (Town of Highland): The Town of Highland Planning Board has informed the UDC that an expansion proposal from New Hope Manor in Barryville, NY was received. An existing building is being replaced with a new, slightly smaller building which meets present codes. The Town is checking the adequacy of the sewage treatment plant to accommodate the extra waste. The Town Planning Board wants to be the lead agency under SEQR and Soete indicated he had no issue with that suggestion.

Upswing in national gas leasing/exploration in the River Valley Region: Many property owners in northern Wayne County, PA and Sullivan County, NY have been approached recently by natural gas companies and speculators wishing to explore and drill wells on their land. Some have reportedly already signed leases. Several educational programs have been held in the Region and some landowners are working cooperatively to negotiate the best lease prices. Property owners have been warned to know what every word of the lease agreement means before signing.

Soete handed out a fact sheet to the committee, "Selected References to 'gas', 'oil' and 'pipeline' from the Upper Delaware Scenic and Recreational River Management Plan" for their use and information. In some instances these are not compatible uses under the RMP. Douglass noted that gas leases are being done in Corning and Elmira. Schultz suggested staff take a road trip to review/research an operating lease and get some answers to the questions that the committee had on this topic in relation to the RMP 20-year review process.

Old Business None

New Business

TAG review process reminder: Roeder reminded the members to bring their TAG review file folders to the February meeting to begin the process of reviewing the TAG procedures.

River Corridor Boundary: Fluhr noted that Shohola Township was in the process of codifying its zoning ordinance. The Zoning Officer wanted to know where the River "corridor" was. The Township has overlay districts for the ridgeline, corridor, etc. but the only corridor map is in the River Management Plan but it is not defined. The question is can the Township do that definition?

Soete commented that UDC looks at the River corridor in a town/township when it does substantial conformance reviews. Fluhr wondered what happened if the Township and the UDC disagree on the boundaries? Soete responded we have GIS as a tool now. We can use GPS to tie-in coordinates to show where boundaries are. Schultz indicated Leslie Morlock, NPS GIS coordinator, has digital boundaries of some of the corridor. NPS can also go out with a GPS unit to get the coordinates. Douglass noted that the towns/townships have agreed to follow the general River corridor boundary lines in the RMP. Fluhr mentioned Shohola Township would like to show that line. Bowers noted they could define the corridor on a map using GPS and then get the area surveyed. He felt there should be a corridor map.

Public Comment None

Adjourn A motion by Bowers seconded by Fluhr to adjourn the meeting at 8:51 p.m. was carried.

Carol Coney, Office Manager

