

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
April 22, 2014

Committee Members Present: Larry Richardson, Fred Peckham, Nadia Rajsz, Debra Conway, David Dean (6:45p.m.), Harold Roeder, Jr., Jeff Dexter
Committee Members Absent: George Fluhr
NPS Partner: Malcolm Wilbur, Carla Hahn
Staff: Laurie Ramie, Cindy Odell, Travis O'Dell
Guests: Andy Boyar

The UDC's Project Review Committee held its monthly meeting on Tuesday, April 22, 2014 at the Council office in Narrowsburg, NY. Chairperson Larry Richardson called the meeting to order at 6:32 p.m.

A motion to approve the March 25 meeting minutes was made by Rajsz, seconded by Conway and carried. There was no public comment on the agenda.

Discussion Items Report

Project Review Update

Town of Fremont: T. O'Dell learned from a legal notice that appeared in the April 8th edition of the *Sullivan County Democrat* that Windsor Sullivan Property, Inc. applied for a State Pollutant Discharge Elimination System (SPDES) permit for the former Delaware Valley School site. The permit is for the surface discharge of 17,000 gallons per day of treated sanitary wastewater to an unnamed tributary of the Delaware River. On April 14 O'Dell said he spoke with Lee Kassin, the NYS DEC contact person for the permit, and was informed the application submitted was a request of transfer of the original permit with no changes. Peckham questioned if the DRBC is involved. O'Dell will check with the DRBC to see whether the Windsor Sullivan Property, Inc.'s SPDES wastewater permit request for the school site in the Town of Fremont in on the docket for action.

Town of Cochection: O'Dell said that a NYS DEC permit application for the Little Joseph Realty LLC Sand and Gravel Mine was received on March 31st. The authorized activity on the permit application is to continue to mine and process (dry screen only) sand and gravel from maximum of 4.5 acres of 9.0-acre total life of mine area, situated on 245 acres controlled by the permittee. Effective dates of the permit are from 3/28/14 – 3/27/19. Included in members' packets was a copy of the permit and a copy of the Project Review Committee's March 23, 2006 letter to the Town of Cochection Zoning Board of Appeals regarding this issue.

Town of Highland: O'Dell noted that on April 3rd, the UDC received a complaint about a clear-cut across the Lackawaxen River in the Town of Highland. He shared photos that were sent to him. O'Dell said the Town's zoning allows up to 5 acre clear-cuts without town approval. Hahn stated that the River Management Plan recommends two acres. O'Dell added, "unless it is for agricultural purposes." He stated that the cutting shown in the photos does not appear to be recent. Boyar stated that the cutting is maybe five to seven years old and the area has grown back in to some extent. Hahn stated there has been some recent activity there.

Lackawaxen Township: O'Dell reported that a public hearing was held on April 21st to consider the Conditional Use application for Holbert Brothers Bluestone Company, Inc. The applicants were seeking to change the restriction on family ownership of the quarry.

UDC Project Review Municipal Presentations: O'Dell reported that he has arranged to give a presentation on the Upper Delaware Council's project review process on May 6th for the Town of Lumberland Planning Board. Rajsz said she plans to extend an invitation to attend this presentation to the Town's Zoning Board members and she is going to suggest to her board that educational credits be

available to those who attend. O'Dell plans to arrange similar arrangement for all UDC member towns and townships in the upcoming months.

TAG Update: O'Dell said there are no new TAG updates officially. He does believe that the Town of Hancock study is complete, but he has not received anything to date.

Training: O'Dell said he has been invited to attend a two-day training session in watershed analysis on May 19 and 20 in Bushkill, PA. The NPS Delaware Water Gap is hosting the training session that will also be attended by employees of NPS Upper Delaware.

O'Dell stated that included in members' packets is a copy of a letter from the Town of Highland Supervisor Boyar to NPS UDSRR Acting Superintendent Malcolm Wilbur advising him that the Town recently adopted a digitized version of their Zoning Map and reinforcing how mapping of the river corridor would be useful. Wilbur said that a meeting with the Delaware Water Gap GIS staff is scheduled to review the priorities that were developed in consultation with Ramie and O'Dell.

Wilbur stated it is hoped that a UDC representative may be available to attend the watershed analysis training. He has also been in contact with the Upper Delaware Scenic Byway to see if someone from that organization would be available to attend as well. He hopes to get enough people from the Upper Delaware down to the training to get an idea of what this tool is, understand how it works, and then come back and try and determine if it will be useful and to whom it would be useful. Wilbur noted that a speaker at the Communication Towers Workshop suggested that one of the first things that towns and townships should do when considering towers is to decide what their scenic values are. If the consensus is that the tool is a valuable one, Wilbur said it is being discussed to have more training in the fall with a broader audience.

New Business

Follow up to Communication Towers Workshop Discussion: Dexter said he attended a Pennsylvania Townships meeting last week and learned of communication technology he had not been familiar with that is permitted in Pennsylvania without any zoning because it is located within utility right-of-ways. The one technology involves streetlights, he said, and he is not concerned with that as Damascus Township does not have any streetlights. The second technology involves running broadband through power lines with an extension on the poles. Dexter stated that Penelec, which is available in parts of Wayne County, PA, is moving forward with this technology. Hahn questioned if there is going to be anything that comes out of the UDC's workshop that was held on March 29th. Richardson said that the Town of Cohecton reviewed their tower ordinance after the workshop and adjusted their fee schedule. T. O'Dell commented that Dick Comi of the Center for Municipal Solutions, a speaker from the Towers Workshop, is available to represent and assist local governments in their efforts to regulate communications towers and wireless facilities. Discussion took place about municipalities applying for a Technical Assistance Grant (TAG) to look into Communication Tower ordinances. Hahn suggested that the UDC could develop a model ordinance. Richardson said it is his opinion that the UDC should take the lead and try to come up with a workable plan to provide cell service that we can live with, not the industry. Hahn suggested holding a forum to learn about the different types of technology that is available. Roeder said it is his opinion that one of the municipalities could apply for a TAG and have a model ordinance done and then share that with others. Wilbur suggested that a checklist of things that should be considered when developing an ordinance of this type might be the way to go. Dean questioned how many towns don't already have a cell tower ordinance in place. O'Dell was unsure, but suspects that many may be out of date. He added that it would be his suggestion for municipalities to contact Dick Comi. After much discussion, it was decided that O'Dell would prepare a memo to send to the towns and townships requesting information on their existing communication tower ordinances or lack thereof to collect an inventory. He will advise them of The Center for Municipal Solutions services, and ask if assistance is requested of the UDC for a river valley regional approach to this issue.

Emergency Action Plan Workshop Discussion: T. O'Dell noted it was Peckham's suggestion to look to develop a plan to address any issues with the New York City reservoir dams, the railroad and any sort of issue that might affect the Delaware River. Discussion took place about trains traveling through with

hazardous materials and the fact that very little is known about them. Rajszy said New York State is working on a regulation that may change this. Dean said the Town of Deerpark has an Emergency Management Plan that addresses the river plus dams. He said he would be happy to furnish a copy if so desired. Dean noted that the plan is five years old and due to be updated. He spoke of the great expense involved to keep plans updated. Peckham spoke of a particular situation during which emergency services from the states of New York and Pennsylvania were unable to communicate. Ramie said it has been discussed that interoperability between the five counties in the two states needs to be addressed. Peckham spoke of his desire for an early warning system, such as a siren, during times of flooding. Rajszy suggested that the emergency managers from the county level of both states should be brought together. Richardson said he feels that the railroad needs to be brought back into the discussion. After more discussion, it was decided that staff would work on a conceptual outline for a UDC-sponsored workshop involving the emergency management offices for the five river valley counties for further discussion at the next Project Review Committee meeting.

Old Business

Use of 1988 Project Review Workbook: Members resumed their page-by-page review of the workbook beginning on Page SP-5 (Review of Significant Projects) and ending at page SP-7.

Other: Richardson questioned if there has been any response to the April 3rd letter to PA DCNR regarding the two proposed towers in Damascus Township. Peckham asked if that can be followed up on. Ramie said that it has not been that long in terms of agency response time. It was decided that O'Dell would ask the Pennsylvania Rep. Dugan to check on the status.

Public Comment: None

Adjournment: A motion by Rajszy, seconded by Roeder to adjourn the meeting at 7:47 p.m. was carried unanimously.

Minutes prepared by Cindy Odell, 4/29/14