

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
May 27, 2014

Committee Members Present: Larry Richardson, George Fluhr, Nadia Rajs, Debra Conway, David Dean, Harold Roeder, Jr., Jeff Dexter
Committee Members Absent: Fred Peckham
NPS Partner: Malcolm Wilbur
Staff: Laurie Ramie, Cindy Odell, Travis O'Dell
Guests: Andy Boyar

The UDC's Project Review Committee held its monthly meeting on Tuesday, May 27, 2014 at the Council office in Narrowsburg, NY. Chairperson Larry Richardson called the meeting to order at 6:49 p.m.

A motion to approve the April 22 meeting minutes was made by Rajs, seconded by Boyar and carried. There was no public comment on the agenda.

Discussion Items Report

Project Review Update

Town of Hancock: O'Dell noted he learned from the DRBC's Notice of Applications Received that the French Woods Performing Arts Camp, D-2003-001 CP-2, applied for renewal of existing 0.048 mgd WWTP and its discharge. Treated effluent will continue to be discharged to Sand Pond at River Mile 318.9 – 1.9-1.5 (Delaware River – Bouchoux Brook – Sand Pond) via Outfall No. 001. This is located outside the corridor, O'Dell said, but was provided for members' information.

Town of Fremont: O'Dell said he reported last month that the Windsor Sullivan Property, Inc. applied to New York State for a State Pollutant Discharge Elimination System (SPDES) permit for the former Delaware Valley School site. This was not part of the DRBC's April 28, 2014 list of permit applications.

On May 2, 2014 the UDC received a notice from the New York State Department of Transportation regarding a rock scaling project on State Route 97. That project has since been completed, O'Dell said.

Town of Delaware: O'Dell said that on May 23, 2014, Code Enforcement Officer Jim McElroy called to inform the UDC of proposed construction of a heli-pad at the Grover M. Hermann Division of Catskill Regional Medical Center in Callicoon. Tentative plans are to cut close to an acre of trees for the construction and the landing of helicopters. O'Dell noted that the River Management Plan allows for the removal of up to two acres of trees. McElroy said he will forward a copy of the complete application once he receives it. A brief discussion took place about the project. Roeder said that McElroy has just started working for the Town and he is doing a superb job. It was noted that McElroy also works for the Town of Fremont.

Town of Highland: O'Dell said that at the NY-PA Joint Interstate Bridge Commission meeting on May 14, the NYS DOT was advised that Reber's River Trip livery in Barryville is operating in or near to the DOT right-of-way. Last August the Project Review Committee directed staff to inquire about the livery operation. Correspondence was sent to the Town Board on September 3, 2013. An article in the September 19, 2013 *River Reporter* stated that the letter was forwarded to the Town planning board. No response has been received from the town to date, O'Dell noted. O'Dell said he will be in the Town of Highland on June 4th to present his Project Review Process presentation.

Damascus Township: O'Dell said as a follow up to the April 3 letter from the UDC to DCNR Secretary Ferretti, he called DCNR Forester and UDC Representative Timothy Dugan on April 30 to inquire on the status of projects or any response to the letter. Dugan said he was working with the DCNR solicitor on the issue. The solicitor was wondering what exactly was being asked. O'Dell said he explained that the primary

concern was the incongruent language of PA Code 25 which states that “To the maximum extent permitted by law, all administrative departments, independent administrative boards and commissions, and other State agencies shall act consistently with the goals, policies and objectives of the Upper Delaware Scenic River Management Plan and provide for adequate consideration of the National interest involved in planning for and siting of facilities and the use of resources in the Upper Delaware Scenic River corridor when the planning, siting and uses are of more than local interest” and the actions of Commonwealth funded Chapter 30 initiative was the concern. He waits for a response to this inquiry.

O’Dell said that on May 23rd he received a phone complaint about excavation work on River Road across from Narrowsburg. He was advised that an excavator was located near a stream with no apparent silt fencing in place. O’Dell contacted Building Inspector Ed Langarenne who was unaware of any current permits in the area and referred O’Dell to the Wayne Conservation District. Wayne Conservation District Watershed Specialist Jamie Knecht said she believed it to be a Dirt and Gravel Road project. This has not been confirmed. Dexter said he believes the Dirt and Gravel Road project on River Road is taking place closer to Callicoon.

Berlin Township: O’Dell reported that a public notice in the May 23, 2014 edition of the *Wayne Independent* stated that the Board of Supervisors instituted a 6-month moratorium on the installation of signs in the Township to allow time to address adopting a sign ordinance. O’Dell said he just learned of this today and will follow up with the Township to offer some suggestions as the Plan does have some limitations on signage.

Tennessee Gas Pipeline Company, LLC, D-2013-021-1: O’Dell said this was listed on the DRBC’s Notice of Applications. An application for the approval of an existing natural gas pipeline project consisting of two separate loops was submitted. Loop 321 is located in Mount Pleasant, Clinton, Dyberry, and Berlin townships, and Bethany and Honesdale boroughs, Wayne County, Pennsylvania. Loop 323 is located in Lackawaxen, Shohola and Milford townships in Pike County, Pennsylvania. Both pipeline loops cross numerous waterbodies in the basin, and are subject to review under the Commission’s Floodplain Regulations. Additionally, the project involves surface water withdrawals from Dyberry Creek and Shohola Creek for the purpose of hydrostatic testing of the pipeline loops. After testing was completed, the hydrostatic test water was discharged at five upland locations along the pipeline route. The project is located within the drainage area of the Upper and Middle Delaware River, which is classified as Special Protection Waters.

UDC Project Review Municipal Presentations: O’Dell reported that he gave a presentation on the Upper Delaware Council’s project review process on May 6th to the Town of Lumberland Planning Board and will be attending the Town of Highland’s planning board meeting on June 4th. Plans are to bring the presentation to all member Town/Townships in the coming months. Rajsiz noted that O’Dell did a wonderful job. She added the presentation was “short and sweet and to the point.” O’Dell said it is his opinion that when he is presenting in a town or township, it is good to have the UDC representative present. Rajsiz said the Town of Lumberland did offer their planning and zoning board members one hour educational credit for attending.

Communication Tower Ordinance Assistance: As a follow-up to the UDC sponsored workshop in March on communication towers, a May 5th memo was sent to member towns and townships offering assistance with facilitating updates to communication tower ordinances and inquiring about the possibility of a regional ordinance for the placement of future towers in the corridor. Response was requested by June 2nd. To date only the Town of Tusten has replied. O’Dell believes that the Town of Tusten is following up with the Center for Municipal Solutions. The Center teams with, represents and assists local governments in their efforts to regulate communication towers and wireless facilities at no cost to the Community.

TAG Update: O’Dell said the deadline for completion of FY-2014 projects is August 22, 2014.

Training: O’Dell said he attended a three-day training session on May 19, 20 and 21 hosted by NPS Delaware Water Gap in watershed analysis. As part of the NPS Enjoy the View campaign, the newly developed system brought forth a systematic and repeatable process for identifying, rating and inventorying scenic views and landscapes. An inventory of the Upper Delaware Scenic resources would be beneficial in

assessing projects for their potential impact to the landscape. Thoughts are to follow up with the WU/RM Committee as a resource management issue for the next steps; whether to attempt to host a similar training inviting municipal officials and planning board members to provide them with a tool to assess their Towns/Townships or to pursue an NPS led inventory of the Upper Delaware Scenic landscape for record purposes. O'Dell explained how the NPS led inventory might work. He said the viewshed analysis would be helpful in trying to analyze projects. Wilbur noted that part of the real value of the training is if you come up with a process, then it is more defensible. He recalled that one of the suggestions at the communication tower workshop was for the towns and townships to inventory what their scenic values are in their town/township. Fluhr noted that about fifteen years ago, Shohola Township completed a TAG project which identified the landforms in their area that have national, regional, state, and local significance. Richardson asked that the completed TAG be located and available to members by the next meeting.

New Business

Review of Draft FY 2015 Work Plan: Ramie referenced the draft Project Review Work Plan in members' packets and previously circulated for advance review. It was decided to review the Plan page by page and for members to provide input as they felt necessary. A page by page review of the Plan took place with just one change suggested. The Barnes Landfill in the Town of Highland was discussed. A motion to forward the FY 2015 WU/RM Work Plan with the recommended change to the full Council in June was made by Boyar, seconded by Rajszyk and carried.

Proposed Concept for Emergency Response Workshop: Ramie referred members to the outline provided in their packets. She said it is the intention to hold this workshop within the current fiscal year. Staff will be working closely with Chief Ranger Joe Hinkes on this issue. The objective is to bring together the chief Emergency Management Coordinators from the five river valley counties with local municipal leaders, invited presenters, and guests in a guided, interactive meeting to address preparedness and public outreach practices for emergency situations occurring in the Upper Delaware region. This preliminary forum will start at the county level; additional workshops with more targeted focuses would be considered based on collective discussion of needs and goals. Fluhr suggested that the invitations go to the local fire departments and to the emergency management directors in the local municipalities. Boyar noted there may be different approaches to emergency situations in the two states adding that in New York, the local towns rely heavily on the county during a true emergency. Ramie questioned how we would obtain contact information for all the local fire departments. Fluhr said perhaps each Council representative could provide the names of the people who should be invited. Dexter suggested that bringing in the five county emergency management coordinators to discuss broad issues first may be the way to go and then develop an agenda for a more local approach from there. A timeframe for the workshop was discussed. Wilbur said that Joe Hinkes has suggested it may be best to hold this workshop after the new superintendent starts. He believes the person will begin duty the week of July 13th. Ramie said we will target July 16th or 17th to start.

Co-sponsorship of 9/22 UDSB Presentation on Tourism Study: Ramie noted that the UDC funded a TAG project to the Town of Lumberland in order to do a study on the economic impact of the visitation to the Scenic Byway. Peter Fairweather of Fairweather Consulting is conducting the study that must be completed by August 22nd. The Byway would like to reveal the results of this study at their September 22nd monthly meeting. The Byway was interested in requesting that the Upper Delaware Council be a co-sponsor of the presentation and invite in elected officials along with other interested parties. After a brief discussion, a motion to co-sponsor the presentation by Peter Fairweather on the results of the visitation study on September 22nd was made by Rajszyk, seconded by Boyar and carried.

Other: Rajszyk stated that the Town of Lumberland is looking for a letter of support as they will be applying for a NYS Consolidated Funding Application (CFA) grant for the acquisition of a piece of property with frontage on the Delaware River in the Town of Lumberland. The location was discussed as well as possible uses for it. Richardson asked that she bring the Council a letter outlining what her request is. Fluhr noted that in 72 miles of river, there is no place to legally go swimming. He asked Rajszyk to keep that in mind. The letter will be brought up at the June 5th full Council Meeting. Ramie noted that the state grant deadline is June 16th.

Old Business

Use of 1988 Project Review Workbook: The consensus of the committee was to table this review until next month due to the time.

Other: None

Public Comment: None

Adjournment: A motion by Roeder, seconded by Rajsz to adjourn the meeting at 7:49 p.m. was carried unanimously.

Minutes prepared by Cindy Odell, 6/3/14