

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
January 24, 2012

Committee Members Present: Fred Peckham, Nadia Rajs, Harold Roeder, Jr., Debra Conway, Larry Richardson
Committee Members Absent: None
NPS Partner: Don Hamilton
Staff: Dave Soete, Laurie Ramie, Cindy Odell,
Guests: Patricia Jeffer, Cheryl Korotky, Anne Willard

The UDC's Project Review Committee held its monthly meeting on Tuesday, January 24, 2012 at the Council office in Narrowsburg, NY. Chairperson Fred Peckham called the meeting to order at 7:49 p.m

Election of Chairperson and Vice-Chairperson: Current Chairperson Peckham called for nominations. A motion to nominate Richardson as Chairperson was made by Rajs and seconded by Conway. A motion to nominate Peckham as Chairperson was made by Roeder with no second. Richardson was elected by a voice vote. A motion to nominate Conway as Vice-Chairperson was made by Rajs and seconded by Richardson. Conway was elected by a voice vote. Richardson conducted the remainder of the meeting.

Odell noted a change to the December 20, 2011 meeting minutes. She said that under Soete's Discussion Items Report, under sub-title "Holbert Bros. Bluestone (Lackawaxen Township) Update:" the date should read December 9th, 2011. A motion to approve the December 20th meeting minutes with the noted change was made by Rajs, seconded by Roeder and carried with Richardson abstaining due to his absence from that meeting. 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:

Town of Hancock: Soete reported that on January 3, 2012 the Hancock Town Board approved the Site Plan Review Law, which was funded by a 2008 Technical Assistance Grant from the UDC. He noted that he and Peckham were both in attendance at that meeting. Some of the items the law addresses are spelled out in his report. Richardson questioned if it is correct that the Town only has a subdivision law and not a zoning law. He was told that was correct and Roeder noted the subdivision laws are very stringent. Roeder explained a subdivision policy the Town of Hancock has in place that keeps taxes on subdivided properties at the same tax base until individual lots are sold, at which time the lots are reassessed as a building lot and then a percentage is taken off the remainder of the property. This policy, he noted, allows the developer to exist by not having to give all his money on unsold lot taxes. He said this is a town law. More discussion about Hancock subdivisions took place. Soete added that mining and forestry practices are exempt from the Site Plan Review.

Little Joseph Realty, Inc. Sand & Gravel Mine (Town of Cohecton) Update: Soete reported that as of January 24th, he still has not received a report from the NYS DEC determining whether the site operators are complying with their permit. He noted he has not received any complaints lately on this matter.

Pond Eddy Bridge Update: Rajs stated she wanted to discuss this issue later in the meeting.

Town of Highland: Soete said they are still working on their comprehensive plan and there will be a zoning law update eventually. Conway pointed out there is a second hearing on the matter scheduled for February 14th.

Natural Gas Leasing/Drilling in the Region update: Soete said that on January 5th, the UDC approved a comment letter to the NYS DEC regarding the draft SGEIS. Reportedly, the state received over 40,000 comments. He added he had seen an article in which someone suggested that there may not be any drilling this year due to delays. He noted the price of natural gas has really gone down.

Town of Lumberland Zoning Law: The Town of Lumberland will hold a second public hearing on the Draft Zoning Law February 6th at 7:15 p.m. according to Rajsz.

Proposed major PJM mid-Atlantic power lines (several lines in various states) update: Soete said he is keeping an eye on the Susquehanna to Roseland transmission line due to the fact that it goes through the Delaware Water Gap National Recreation Area. He said recently some information has come out that PPL is offering thirty million dollars to acquire and conserve property near the Delaware Water Gap National Recreation Area if the project is approved.

Holbert Bros. Bluestone (Lackawaxen Township) Update: Soete said the UDC at the January 5th meeting approved a letter to the PA DEP requesting a hearing and NPS Superintendent Sean McGuinness was authorized to start negotiations with Holbert for a potential settlement. Richardson asked about the status. Soete said the parties are talking and in the early stages of coming up with something. Ramie added that McGuinness is actively working on it.

Tennessee Gas Pipeline TGP Northeast Upgrade Project (in various Pike and Wayne County, PA townships) update: Soete said he had come across a docket on the DRBC website for Tennessee Gas Pipeline. The application is for a one-time surface water withdrawal project to supply up to 6 mgm of water for the applicant's natural gas transmission pipeline upgrade project from two sources located on the Lackawaxen and Delaware Rivers. He said he will try and find out where the withdrawals are proposed to be from specifically. Peckham said it is to pressure test the pipes to make sure they don't leak.

Sullivan County Emergency Communications Systems Upgrade update: Soete reported that Joe Hinkes is scheduled to speak at the WU/RM Committee meeting in February and will have an update on emergency communications.

Big Island in the Town of Delaware: Soete said that Bill Rudge gave an update at the January 5th UDC meeting. The NYS DEC did not pursue any fines against the operator for the alleged, illegal tilapia farm. He added that the US Fish and Wildlife Service is still investigating.

Johnston & Rhodes Bluestone Company/Hazel Peterson New Quarry Road (Manchester Township) update: Soete believes that the PA DEP has taken over jurisdiction of the new road.

Eagle Creek Hydro Power LLC – Minimum Flow Unit at Rio Dam Rio Hydroelectric Project (FERC No. 9690): Soete stated the possibility of writing a letter concerning this project has been discussed the past several months. He had discussed his concerns with Rajsz, Town of Lumberland Supervisor, and she had contacted the power company and addressed the concerns. Rajsz said the power company is going to have continuous monitoring for water temperature and the oxygen content, and that they will continue with the 100 cfs release. She added the power line is to parallel the existing comstock. Soete noted that NYS did not have any issues and it was reported the eagles don't frequent the area in question. He feels the concerns have been addressed. He said that a docket for this project appeared on the DRBC's "Most Recent Notice of Applications Received (NAR)".

Pennsylvania Senate Bill 1100 and House Bill 1950 regarding impact fees for natural gas drilling update: On January 5th, the UDC approved a letter to Pennsylvania Governor Corbett supporting UDC member Damascus and Shohola Townships' opposition to the proposed bills. Richardson asked if the bills have been voted on yet. Soete believes they are still being discussed in the House and the Senate.

New Business

Other: Rajsz said that a discussion about the Pond Eddy Bridge replacement took place at the January 23 Upper Delaware Scenic Byway meeting. She wanted to discuss it again with the committee. She feels that it is a very large expenditure for New York State residents to undertake, in today's economic state, for a bridge that size. The estimated cost of \$12 million would be divided equally by both states and the federal government. She added that she does believe the Pennsylvania residents need a safe way to get over to their

side of the river and a safe way for goods to be delivered. Peckham believes they are constructing all bridges to high capacity standards. Richardson said it was discussed at the Byway meeting that the proposed bridge is to be built for future use and that in fact, they may be able to rehabilitate the existing bridge to a certain safe standard, just not to the 40-ton weight limit that PennDOT is proposing. Richardson said that he personally would like to see if this is true. Conway would like to see a study done by an independent group of engineers, not PennDOT, not New York State. Roeder noted no one knows how much it would cost to retrofit the existing bridge to a safe standard. Richardson wonders if the existing bridge could be rehabilitated to a 20-ton standard and said the question becomes how can we find out. Discussion about the Roebling Bridge rehabilitation took place. Roeder asked how this subject was brought up again. Richardson stated it was discussed at last night's Scenic Byway meeting in which that group's delegate to the Design Advisory Committee, Glenn Pontier, gave a report. Rajsza added that these questions were raised at the first meeting of the Pond Eddy Bridge Design Advisory Committee held back in December. She said it was members expectations' that they would go into this meeting and brainstorm what the new bridge is going to look like, but at the conclusion of the meeting that was not the sense they had. The sense they had was that the design may already be a done deal. Discussion about the proposed 30' Pond Eddy Bridge width and how the Lordville Bridge had been built took place. Richardson asked if it is the consensus, do we want to send a letter asking that another look be taken at this project to determine if it could be built to a safe standard that does not meet the 40-ton limit? Discussion took place as to who should receive the letter. Peckham feels they should get whatever they can get to build this bridge now because funding is going to start drying up for these infrastructure projects. Roeder commented that this proposed project has been going on for 20 years. He feels the bridge should be built and get it done with. Rajsza said we don't want another Shohola-Barryville Bridge there. Richardson asked Jeffer her opinion as a Pennsylvania resident. She does not see that the bridge needs to be constructed to federal standards. Rajsza does not feel there can be a cookie-cutter model used for everything on the river. Richardson asked what is the harm in sending a letter out.

A motion was made by Rajsza to send a letter to the New York State Department of Transportation and Sullivan County, New York with the Pennsylvania Department of Transportation copied asking them to take another look at the Pond Eddy Bridge project to determine if the existing bridge could be rehabilitated to a safe standard other than the 40-ton federal standard. Conway seconded the letter and it was carried with one nay (Roeder). Richardson asked that a draft of the letter be sent out to members for review before the February 2nd UDC meeting.

Old Business

Use of 1988 Project Review Workbook: It was decided to table this until a future meeting.

Public Comment: None

Adjournment: A motion by Rajsza seconded by Peckham to adjourn the meeting at 8:26 p.m. was carried unanimously.