

Upper Delaware Council  
**PROJECT REVIEW COMMITTEE MEETING MINUTES**  
**September 24, 2013**

Committee Members Present: Larry Richardson, Harold Roeder, Jr., George Fluhr, Nadia Rajsasz, Fred Peckham, Debra Conway, Jeffrey Dexter  
Committee Members Absent: None  
NPS Partner: Sean McGuinness  
Staff: Laurie Ramie, Cindy Odell, Travis O'Dell  
Guests: None

The UDC's Project Review Committee held its monthly meeting on Tuesday, September 24, 2013 at the Council office in Narrowsburg, NY. Chairperson Larry Richardson called the meeting to order at 6:31p.m

A motion to approve the August 27 and September 10 meeting minutes was made by Roeder, seconded by Dexter and carried. There was no public comment on the agenda.

**Discussion Items Report**

**Substantial Conformance**

**Town of Hancock:** T. O'Dell referenced the draft Substantial Conformance Review Report in members' packets. He noted the draft report has been shared with Town of Hancock Supervisor Sam Rowe and Delaware County Chief Planner Shelly Johnson-Bennett. He requested that they review the document and provide to him any comments to resolve any possible discrepancies before the final recommendation is forwarded to the National Park Service.

**Project Review Update**

**Town of Highland:** T. O'Dell noted that an article in the 9/19 edition of *The River Reporter* referenced the Town Board's meeting where this committee's letter regarding Reber's River Trips operation was discussed. The article states that the Town Board referred the letter to the Planning Board and town attorney for review and response. O'Dell said that to date, we have not received any response to the letter.

**Hancock Compressor Station:** O'Dell said that enclosed in members' packets is a copy of a letter from Millennium Pipeline Company to the Federal Energy Regulatory Commission (FERC) requesting final approval for the construction of the proposed compressor station located on Hungry Hill.

Fluhr requested the committee go back to the draft Town of Hancock Substantial Conformance Review Report. He questioned the document being sent to the Town and County before being reviewed by the Project Review Committee. O'Dell said it was sent to everyone at the same time so that comments could be made by all before a final was drafted. Fluhr suggested that the Project Review Committee should review any documents before they are sent out. Richardson suggested reviewing the report now. O'Dell stated that more committee participation would be beneficial at the meetings that take place with the towns to review such issues. Procedure was discussed and it was decided that documents should be vetted through the Committee before they are sent out anywhere. Members collectively reviewed the draft report. O'Dell explained the process he used to come to his conclusions. A very lengthy discussion took place about how some of the Principles are and can be met. Ramie said it would be helpful if in the conclusion, a summary could be provided of the Principles that aren't met and an explanation provided of how to meet those goals. She added she is appreciative that the present committee wants to be an active committee and noted that this is the first Substantial Conformance review that has occurred during her 16-year tenure with the UDC. Roeder suggested noting in the document that the review only involves lands in the river corridor. Richardson said they do not have a river corridor designation in the Town. A lengthy discussion took place. Fluhr suggested the map in the River Management Plan could be referenced in the document. Other members offered their ideas. McGuinness asked for clarification as to what the next step in this process is.

O'Dell said he is waiting for responses from the Town and County with any recommendations they may have or input. Discussion took place about providing the Town with the suggestions that were offered which included advising them of the Principles that were not met, what land is included in the review and offer to meet with them to explain how to meet some of the Principles that were not met. Roeder asked that committee members be advised when the meeting is and said perhaps some of them can make it. O'Dell said he would, that would be great and noted that having members other than the town's representative would help in avoiding miscommunication. O'Dell said that once the Project Review Committee is done vetting the conformance review, it then gets sent to the full Council for their approval who will then make their final recommendation to the National Park Service.

**Town of Fremont:** T. O'Dell said an article in the September 24 edition of the *Sullivan County Democrat* reported that the old Delaware Valley School has been sold to a private school based in Flushing, NY that provides college-prep curriculum for foreign-born and domestic students in grades 7 through 12. The adjacent 56-acre parcel is still being negotiated.

**NYS State Route 97, Scenic Byway:** T. O'Dell referenced a letter enclosed in members' packets from the NYS DOT about designating Route 97 and other highways in the area as access highways for special dimension vehicles. O'Dell said on 9/19 he spoke with NYS DOT Acting Traffic Safety and Mobility Engineer for Region 9, Tony Signorelli, about the request and was informed that the request was prompted by bridge construction and the fact that many trucks delivering materials are essentially not legal which is placing a burden on NYS Troopers. Rajsz noted that the Upper Delaware Scenic Byway, the Upper Delaware Council, and the National Park Service were not copied on the letter. McGuinness said that this designation would eliminate the need for trucks to get special use permits. Richardson said that is where he feels the fault is. McGuinness noted that consideration has not been given to the fact that this valley is "a special place." Richardson read from a letter that the Scenic Byway wrote addressed to Senator Bonacic and Assemblywoman Gunther. The letter states, "While the Upper Delaware Scenic Byway, Inc. supports the traditional use of Route 97 by commercial vehicles, our organization strongly objects to providing blanket approval to allow over-sized vehicles to travel on a highway that New York State saw fit in 2002 to designate as a Scenic Byway in recognition of its special qualities. Our members feel that such requests should be made and evaluated on a project-by-project basis when required. The safety of motorists, pedestrians, bicyclists, and motorcyclists that the Upper Delaware Scenic Byway attracts because of the beautiful vistas and a desire to escape the congestion of major interstates is paramount. Our promotions invite people to take a leisurely drive and enjoy the amenities offered by the charming, historic, and natural communities in the Upper Delaware River valley. Over-sized vehicles could jeopardize that experience as well as the infrastructure of the existing roadway, requiring more frequent and costly repairs." Fluhr suggested seeing if a compromise could be worked out such as no over-sized vehicles on weekends and that the designation be reviewed on an annual basis. Richardson said he would like to see them exempt Route 97 from this regulation and leave it as it is today. After more discussion, a motion to forward a letter regarding this issue to the full Council in October was made by Rajsz, seconded by Conway and carried with Peckham abstaining.

**Damascus Township:** T. O'Dell said that Mr. Jason Egal from PST, Inc., the company representing Verizon Wireless for the two proposed communication towers, inquired about the Project Review Committee's status on the proposed cell towers. O'Dell informed him that at the August committee meeting the photo simulations were reviewed and there was concern that they did not accurately represent the view from the New York side of the river and that there was further concern about the need of the towers being located in such close proximity to other Verizon-owned towers that are not yet in service. Dexter discussed a letter Damascus Township received from Verizon.

**Communications Tower Workshop:** T. O'Dell said that he inquired with PSI, Inc. and Towpath Associates about the possibility of addressing the potential for a comprehensive plan for tower placement in the river valley to help keep the scenic qualities intact while still allowing for service. He noted he has not heard back from either of those companies. O'Dell said he could reach out to the Dept. of State if that is a direction the committee would like to go. Richardson said that his preference would be to get somebody who has experience with the industry. Ramie said staff is open to suggestions if members know someone who has industry experience to reach out to. Richardson said that often individuals move from the industry

to consulting firms. O'Dell said it would be helpful to have someone explain the local authorities available under the Federal Telecommunications Act.

**TAG Update:** O'Dell said the proposed FY 2014 TAG projects are outlined in his report. He said he included a blurb from the website about what the funding was intended for in his report as well.

**Training Update:** O'Dell said that on September 4<sup>th</sup>, he participated in an American Planners Association webinar on "Ethical Rules and Considerations for Planners, Plan Commissioners and Lawyers." Four main topics were: (1) Aspirational Principles; (2) Rules of Conduct; (3) Procedures; and (4) Rules for Planners Convicted of Serious Crimes.

### **New Business**

**FFMP Listening Sessions Oct. 1 – Discuss UDC participation:** Ramie noted that regrettably, we did not have a quorum at the September 17<sup>th</sup> Water Use/Resource Management meeting to discuss this issue. The Decree parties will be holding Flexible Flows Management Program (FFMP) Listening Sessions at Sullivan County Community College on October 1 from 3 pm – 5 pm and 6 pm – 8 pm. Staff needs to know if the Council would like them to attend and make a formal statement. Ramie said many comment letters have been written on reservoir releases and management in general. Richardson feels that the Council should be represented and a statement should be made. A motion for staff to attend the listening sessions and make a statement was made by Rajs, seconded by Conway and carried.

Discussion took place about letting the Town of Hancock, Friends of the Upper Delaware River, and Delaware County know that there are many resources available to them at the UDC for their upcoming TAG project of completing an economic study on improved releases from the New York City Water Supply System.

McGuinness stated that having staff at the FFMP Listening Sessions will be a good opportunity to educate those in attendance of the purpose of the Upper Delaware Council. Ramie agreed it is good exposure.

**Cell Tower Workshop Update:** This topic was discussed during O'Dell's report.

**Other:** McGuinness said he received a complaint from a Milanville, PA resident about the noise at Lander's Skinners Falls Campground. He said a similar situation exists at Lander's Narrowsburg Campground. A lengthy discussion took place about noise ordinances and possible solutions. Ramie suggested a meeting could be set up to discuss a number of issues with the owner of Lander's. McGuinness said the Park Service could provide technical assistance to work on the noise issue. The Park Service has a soundscape office in Denver that does sound management all over the country. Monitoring could be done to provide baseline data over the period of a whole summer. That data could be turned over to the affected towns and townships. Richardson said he does not believe the Town of Cochection has received any correspondence concerning this issue. He suggested that McGuinness could send a letter to the town board about the letter he received and the offer of technical assistance, and the board will address it at that time.

### **Old Business**

**Use of the 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 Rajs, seconded by Conway to adjourn the meeting at 8:02 p.m. was carried unanimously.