

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
June 25, 2013

Committee Members Present: Larry Richardson, Harold Roeder, Jr., George Fluhr, Nadia Rajsasz, Fred Peckham
Committee Members Absent: Debra Conway, Jeffrey Dexter
NPS Partner: Sean McGuinness
Staff: Laurie Ramie, Cindy Odell, Travis O'Dell
Guests:

The UDC's Project Review Committee held its monthly meeting on Tuesday, June 25, 2013 at the Council office in Narrowsburg, NY. Chairperson Larry Richardson called the meeting to order at 8:41 p.m

A motion to approve the May 28 meeting minutes was made by Rajsasz, seconded by Fluhr and carried. There was no public comment on the agenda.

Discussion Items Report

Substantial Conformance

Town of Hancock: T. O'Dell reported that he met on May 31 with Delaware County Chief Planner Shelly Johnson-Bennett, who works closely with the Town of Hancock planning board, to go over the substantial conformance checklist from the Project Review Workbook. He presented her with the UDC's project review form for projects within the corridor. She was going to forward it on to the code enforcement officer and the planning board. The possibility of the Town requesting UDC Technical Assistance Grant to develop a Comprehensive Plan for the Town was discussed.

Project Review Update

Town of Deerpark, N.Y.: T. O'Dell noted that on May 29, the UDC received site plans for the proposed Hawks Nest Café and a lot consolidation in the Town. He said that draft letters regarding these projects will be discussed during the New Business section of the meeting. He reported that a meeting is scheduled for June 26th with UDC Deerpark Representative David Dean, Supervisor Karl Brabenec, Planning Board Chairman Alan Schock, and Town Engineer Al Fusco, Jr. The purpose of the meeting is to discuss the project review procedure, and the roles and partnership between the UDC and the Town of Deerpark.

Town of Delaware: O'Dell said that on May 29 he attended a public hearing on Local Law 4 of the year 2013 entitled "A local law amending the Zoning Law and Zoning Map of the Town of Delaware, Sullivan County, New York." The Town Planning Board had received the UDC Project Review Committee's May 28 comment letter with attached Substantial Conformance Checklist and took public comment on the proposed amendments. There was some concern among residents about the noise ordinance and the Planning Board agreed to consider some of the comments and concerns. O'Dell asked Roeder if he knew where the issue stood. Roeder said they decided to not take any action on the noise ordinance section at this time, but he believes the rest of the amendments have been passed so that projects that have been on hold can move forward. A brief discussion about the concerns over the noise regulations took place. Richardson said he would like to know about any municipalities that have a noise level ordinance that works. Rajsasz said that the Town of Deerpark has a pretty good noise ordinance. O'Dell said he has heard that the Town of Windsor has a good noise ordinance as well. Roeder said the Town of Delaware visited the Town of Windsor for the purpose of reviewing their noise ordinance. It was noted that noise ordinances are a challenging issue.

O'Dell asked McGuinness to explain the letter concerning the UDC Substantial Conformance Recommendation for the Town of Delaware's Local Law No.4 to the Project Review Committee. McGuinness noted that O'Dell did a good job in preparing the substantial conformance review which was referred to the Park Service, but said the final version of Local Law 4 had not yet been referred by the

Planning Board to the Town Board. As a result, the NPS reserves a determination regarding substantial conformance until the final document is completed. McGuinness said we are trying to get back to the process that is laid out in the Project Review Workbook and we are all learning as we go.

Town of Highland: O'Dell said that at the June 20th Zoning Board of Appeals meeting, the owners of 56 River Road in Barryville sought an area variance for a rear yard setback of 40 feet for an addition to expand their business. The required setback is currently 50 feet. The business is a compatible use according to the Land and Water Use Guidelines. O'Dell did request some additional information on this project.

Town of Tusten: O'Dell reported that the Town is in the process of adopting amendments to their zoning law. The date has not yet been set for a public hearing at which time comments will be accepted. The amendments would include revisions to the Town's Scenic and Recreational River Districts. O'Dell has been in contact with Planning Board Chairman Ed Jackson for more information.

Shohola Township: O'Dell noted that according to Planning Commission Chairman Aaron Robinson, a proposed retail store and preliminary plan to add gas sales and additional retail space was brought before the Planning Commission on June 20. They are proper conditional uses within both the underlying zoning district and the Upper Delaware overlay district; they are also appropriate conditional uses as per the Land and Water Use Guidelines. The project is located on Route 434, approximately 200 feet south of the railroad underpass adjacent to an existing automotive repair/gas station/convenience store enterprise. The Planning Commission reviewed and recommended the project for Supervisor approval, subject to some conditions which include: minor changes to the original approved plan regarding the driveway location, handicapped access and parking, and a deck; and a lot consolidation plan that is in the initial step of a submitted preliminary plan to augment this retail site for gas sales and additional retail space.

Lackawaxen Township: On June 20, Sean McGuinness and Don Hamilton of the NPS and UDC Town of Delaware Representative Harold Roeder, along with PA DEP District Mining Manager Michael Menghini and some of his staff had an on-site visit to discuss the 40-acre Holbert Quarry permit. Roeder commended the PA DEP for their extensive work on the permits and said the meeting was a good one. Richardson commented that a positive aspect to have come out of this experience is he feels we raised the awareness of the UDC and the Park Service in the eyes of the PA DEP. Roeder spoke of the major work of public art for Rockefeller Center by artist Ugo Rondinone using rough-hewn slabs of bluestone from the Holbert quarry to create nine colossal stone figures, each with a distinctive personality. They are on display until July 7th. These figures can be viewed at www.publicartfund.org/view/exhibitions/6014_ugo_rondinone_human_nature. Roeder spoke of the process to get these figures put in place and what needs to be done once the exhibit is over. Roeder asked that the link be made available so other could view these figures. Richardson suggested seeing if a photo of one of these figures could be put in the next Upper Delaware newsletter.

Damascus Township: O'Dell reported that two new telecommunications towers are proposed in Damascus Township. Public Notices in the June 21 edition of the *Wayne Independent* have the proposed projects located at 199 MacCubbins Road and 52 Jurgensen Road. Both proposals are for 189-foot tree pole communications towers and associated compounds, and are located in the Upper Delaware River Corridor. Discussion of the tree pole communications towers took place. Peckham said he is all for cell towers, but not in the river corridor. Richardson agreed with him.

TAG Update: T. O'Dell said he has made contact with all those with outstanding 2013 TAG projects to remind them that the deadline for project completion is July 26th.

New Business

Draft Letter: Town of Deerpark – Butler Land Improvement Parcel Consol: O'Dell said the letter states that “the properties are also located within the federally designated river corridor; therefore, the Guidelines should be consulted for any future projects or development associated with lands within this boundary.” The letter also points out there are remnants of the Delaware and Hudson Canal that should be considered as they represent a unique aspect of the Delaware Valley cultural history. O'Dell described

where the property is located. He said it is very close to the end of the designated boundary line. Richardson asked if letters could provide a little more information about what the project is and noted that once the UDC's PowerPoint equipment is received it will come in very useful for seeing where these projects are located. A motion to send the letter was made by Roeder, seconded by Rajsz and carried unanimously.

Draft Letter: Town of Deerpark – Hawks Nest Café, Inc.: O'Dell reviewed the comments concerning this project as they were set forth in the letter provided in members' packets. The comments concern the existing "reputed septic area", lighting, and design. Richardson said he recalled commenting on this project not long ago. Ramie said comments were made back in 2010. Peckham believes the comments at that time were about parking and the septic issue. O'Dell said the plan is to rebuild on the existing foot print of the old structure. A motion to send the letter was made by Rajsz, seconded by Roeder and carried.

Draft Letter to PA DEP: Holbert Quarry, Lackawaxen Township: O'Dell said the letter is to acknowledge our invitation to participate in the on-site meeting on June 20th. The letter also states that "Under the conditions, requirements, and enforcement procedures outlined by the Pennsylvania Department of Environmental Protection and reported to our Project Review Committee, we consider this matter resolved." A motion to send the letter was made by Roeder, seconded by Rajsz and carried.

Draft Letter: Proposed Communication Towers, Damascus Township: O'Dell commented that this letter concerns the two proposed communications towers which are located within the river corridor in Damascus Township. Peckham said that it is his opinion that comment #5, which states "We request that consideration be given to making the tree pole towers look like an eastern white pine tree to blend in with the surrounding mountain tops. Native eastern white pine trees often rise above the native tree species found along the river corridor" is a moot point as he does not feel the towers should be in the corridor. He added we should let them know it is an incompatible use and therefore not in conformance with the River Management Plan. McGuinness suggested editing comment #4 to add "and therefore not in conformance with the River Management Plan for the Scenic and Recreational River". After much discussion, a motion to send an amended letter with comment 4 amended as per McGuinness' suggestion, comment 5 omitted, and comment 6 renumbered to comment 5 was made by Rajsz, seconded by Fluhr and carried.

Other: McGuinness said that he recently met with a representative from Congressman Sean Patrick Maloney's office to introduce himself and talk about the Upper Delaware.

Rajsz reported that the Town of Lumberland has had a case of rabies confirmed.

Richardson questioned if the order of the Operations and Project Review Committee meetings could be switched.

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:

Adjournment: A motion by Roeder, seconded by Rajsz to adjourn the meeting at 9:40 p.m. was carried unanimously.