

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
March 25, 2014

Committee Members Present: Larry Richardson, George Fluhr, Fred Peckham, Nadia Rajs, Debra Conway, David Dean, Harold Roeder, Jr.
Committee Members Absent: Jeff Dexter
NPS Partner: Malcolm Wilbur, Carla Hahn
Staff: Laurie Ramie, Cindy Odell, Travis O'Dell
Guests: None

The UDC's Project Review Committee held its monthly meeting on Tuesday, March 25, 2014 at the Council office in Narrowsburg, NY. Chairperson Larry Richardson called the meeting to order at 6:30 p.m.

Presentation by Travis O'Dell: UDC's Project Review Procedure: O'Dell previewed his Power Point presentation on the UDC's Project Review procedure to the committee. The intent is that O'Dell will eventually give this presentation to the participating town and township zoning and planning boards. O'Dell noted that the presentation can be customized for each town or township. Members asked questions and shared recommendations including that an overview of the Council would be helpful. The definition of substantial conformance was discussed. Richardson said he feels it is "very, very, very important that the representative makes himself available" the evening of O'Dell's presentation to assist in the answering of some questions. He added that O'Dell's presentation is an effort to raise the awareness of the planning boards and if we can get them to consider us when they are reviewing a project, we have made progress. Wilbur suggested that offering continuing education credits for attendance at O'Dell's presentation may be an incentive to increase attendance. Rajs said issuing credits is up to the town boards. Conway asked if there is a schedule in place for this presentation. O'Dell said not at this time. It was hoped that some towns will cooperate with joint meetings, such as the Lumberland and Highland boards have offered to do. Discussion took place about updating the River Management Plan. Members said they do not feel the Plan needs to be updated before O'Dell offers his presentation. O'Dell shared his concerns of the Plan not being updated. Richardson said that the presentation is an overview of the project review process and to educate the towns and townships about the Council. Hahn suggested that O'Dell talk about the Project Review process first and if there are questions concerning the Council, address them second. Roeder said that explaining a bit of the history and then informing them of their responsibilities may be the way to go. Richardson stated the presentation was good and he feels they should start soon. O'Dell said he will be sure to advise UDC representatives before he goes to their town or township.

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

Discussion Items Report

Project Review Update

Sullivan County: T. O'Dell reported a letter dated March 6, 2014 from The Chazen Companies regarding the proposed emergency communication tower in the Town of Tusten was received. The original proposed height at this site was 180 ft., but because of interoperability issues, the tower is now proposed at 199 ft. The theoretical visibility simulations only show minor changes from the original simulations with little to no visual impact to the corridor.

Town of Hancock: O'Dell said that according to an article in the March 12, 2014 *Hancock Herald*, at the March 4 Town Board meeting the Compressor Station on Hungry Hill Road was discussed and is scheduled to come online in April.

Damascus Township: T. O'Dell noted that on February 3 at the direction of the Project Review Committee, UDC staff sent a letter to Damascus Township requesting further negotiations with Verizon

Wireless in an effort to propose alternative sites that are not located within the federally designated corridor. The response letter from the Board of Supervisors was included in members' packets. An article in the March 20 edition of the *River Reporter* states that at a March 17th Township meeting the board rejected the February 3 request to seek alternative sites for the communication towers. Township Solicitor Jeff Treat argues that suggesting the towers are major commercial uses, as defined in the River Management Plan (RMP), is inaccurate. A handout providing definitions for both Major and Minor Commercial Development was also included in members' packets. O'Dell asked the committee for direction. Hahn stated that the Project Review procedure states that the committee members are supposed to be helping to negotiate through these situations; if they can't, then the Council members are supposed to help negotiate through these situations. She asked if this has happened. O'Dell said meetings have taken place and that he and Sean McGuinness both gave testimony at the conditional use hearing. Ramie said a mitigation meeting took place on January 17. Members spoke about how perceptions have changed since the Plan was written, noting communication towers as an example. Hahn said that the Plan makes provisions for interpreting the Guidelines by saying one takes into consideration the intent of the Plan and reviewing the Guidelines, noting that the Principles don't change. Peckham spoke of major and minor amendments to the Plan. Wilbur agreed that back when the Plan was written, people were not thinking about towers, but now they are popping up everywhere and he questions what the cumulative effect will be if not addressed. O'Dell referenced page 133 of the RMP and read the paragraph which states, "There may be a number of unforeseen future uses that cannot be specifically provided for in the schedule. When those situations arise, the affected town, the Council and the National Park Service will compare those uses to similar uses that are defined in the Guidelines and make their judgments accordingly." O'Dell stated that the proposed towers are the result of federal grant money from the 2009 stimulus package for communication in rural areas. Wilbur noted that the proposed towers are for broadband service. O'Dell said that the Township did put a condition in their approval that the towers have to provide voice, but that technology is not available yet. You can text off these proposed towers, but not talk. Members spoke about the first sentence of the Damascus Township response letter which read, "The suggested concept of asking Verizon to reconsider, has legal liability for the township, I sent your letter to the Twp Solicitor, Jeff Treat his response included the following." Wilbur said the Governor of Pennsylvania issued an Executive Order saying that all state agencies will conform with the River Management Plan. He questioned if the Council could bring that fact to someone's attention. Ramie said the Pennsylvania Department of Conservation and Natural Resources is the agency that the Pennsylvania Code assigns to implement the River Management Plan. Discussion took place about how much of the service from these Pennsylvania towers will be in New York. Richardson said it is his opinion that if there is any chance of having the towers moved, it has to come from the state. He noted that by raising awareness of the permitting agency, it may accomplish something. Peckham suggested having a letter ready for the April full Council meeting. Hahn questioned the order of events with this issue. The order was explained to her and discussed. Richardson stated the Council has decided the towers are not a compatible use, but he feels that does not mean we still can't try to resolve this. After some more brief discussion, Peckham made a motion to send a letter to the appropriate Pennsylvania agency explaining their compliance with the River Management Plan and the conflict that has arisen due to the proposed incompatible cell towers. The motion was seconded by Rajs. Richardson suggested copying our local government officials. Fluhr said it should be made known that these towers have nothing to do with cell phone service. After some more brief discussion, a vote was taken and the motion carried unanimously.

Mapping Update: O'Dell reported that on Friday, March 14, UDC and NPS staff met to discuss the mapping needs for the Upper Delaware. Information layers were identified, prioritized, and are in the process of being compiled and cleansed for accuracy. A response to the Project Review Committee's February 25 letter to NPS requesting technical assistance with digital maps was received on March 18th. Copies of the letter are enclosed in members' packets.

Communication Tower Workshop: O'Dell said the UDC's Communication Tower Workshop will be held on Saturday, March 29th from 9 a.m. until 12 p.m. at the Tusten Town Hall. He said there are good speakers scheduled and encouraged all to attend. He noted one of the speakers will provide towns and townships with negotiating tools to use when dealing with the industry. Richardson suggested having the workshop videotaped. O'Dell said he is working on that. Many suggestions were offered. A motion to spend up to \$300 to have the event recorded was made by Fluhr, seconded by Peckham and carried.

TAG Update: No new updates.

New Business: None

Old Business

Proposed Uses for Narrowsburg C. S. Building Discussion: Richardson asked if the committee has given any more thought to the presentation made by Rick Lander. Peckham suggested tabling the issue until more concrete figures regarding costs are provided. Richardson said it is hard for him to see where the Council would benefit by leaving our current facility. Dean questioned if the Council owns the building and it's paid for. He was told yes and he stated, "That should be the end of the conversation." He questioned why the Council would buy the school when we have a building that is paid for. Richardson asked if it is the committee's opinion that it is not in the Council's best interest to entertain owning the school building. After a brief discussion, a motion to reject spending any money on the Narrowsburg School building and not pursue the idea any further was made by Dean, seconded by Peckham and carried unanimously.

NPS Reply on GIS Corridor Map Request: A copy of the letter was provided in members' packets. Ramie noted that the meeting that was held on March 14th to discuss the mapping project was very helpful. She said that Wilbur is really advancing the project and for that we are grateful.

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

Other:

Public Comment: None

Adjournment: A motion by Rajs, seconded by Roeder to adjourn the meeting at 8:03 p.m. was carried unanimously.

Minutes prepared by Cindy Odell, 4/2/14