



## **MINUTES OF THE REGULATORY PROGRAMS COMMITTEE MEETING January 11, 2018**

The Committee meeting convened at approximately 10:00 a.m.

### **Regulatory Programs Committee Members Present**

Arthur Lussi, John Ernst, Daniel Wilt, Lynn Mahoney, and Barbara Rice.

### **Other Members and Designees Present**

Robert Stegemann, Bradley Austin, Chad Dawson, Karen Feldman, William Thomas, Sherman Craig and Fred Monroe, LGRB.

### **Agency Staff Present**

Terry Martino, Sarah Reynolds, Shaun LaLonde, Colleen Parker, Richard Weber, Ariel Lynch, and Mark Rooks.

### **Approval of Draft Committee Minutes for November 2017**

A motion to approve the draft committee minutes was made by Lynn Mahoney and was seconded by Arthur Lussi. All were in favor.

### **Deputy Director Report**

Mr. Weber reviewed the Director's report.

### **Project**      P2017-0216    NYSDEC - North Hudson/Essex County

Ms. Lynch reviewed the jurisdictional components of the project.

The project is a new universally-designed accessible campground to be known as the Frontier Town Campground, Equestrian and Day Use Area, involving a 91-acre project site. Proposed development includes 12,300 linear feet of new paved roads, a total of 91 camping sites (13 RV, 33 equestrian, and 45 tent), on-site water supply, on-site wastewater treatment, and stormwater facilities. The proposed operating season for the Frontier Town Campground, Equestrian and Day Use Area is from mid-May through mid-October, with year-round operation of a Trailhead Day Use Area that includes parking for 24 vehicles.

Ms. Feldman asked if there was a separation distance from the river to the camping area. Ms. Lynch responded affirmatively.

Mr. Dawson asked about trail work and access to the river by campers. Mr. Ernst also asked about river access. Ms. Lynch responded that currently there is not a designated access point but an existing trail can easily be accessed. Mr. Dawson encouraged staff to develop a plan for a designated access site for people to reach the river area.

In response to Mr. Dawson's concern regarding the re-planting of native species, Ms. Lynch responded that additional information will be added to the conditions of the permit.

Ms. Lynch noted that one public comment letter was received.

Mr. Lussi stated concern for tent sites being within the buffer zones and noted that a water access plan should be required. Mr. Craig said he believed there are existing tent sites within 150 feet of the river area and asked whether a trail conceptual plan might come back before staff if the Board moves ahead with their decision. Ms. Reynolds stated that Agency jurisdiction focuses on the current proposal. Staff have identified trails within the draft permit already but a comeback provision has been included in case the proposal changes in any way.

Mr. Dawson noted that conditions 7 and 14 of the draft permit require prior authorization and suggested that perhaps this part of the permitting process could come before the Board prior to staff signing off as required by the conditions. Mr. Craig responded that as Ms. Reynolds noted, our jurisdiction is limited however this could be a good compromise to involve the Board and would not require an additional vote of the Board. Ms. Martino stated that perhaps an informational meeting could be held in the future while the Board concludes the approval process for the order in the session.

Ms. Feldman encouraged the Board to keep the no undue adverse impacts finding in mind. Ms. Reynolds added that conditions are included in the permits to cover any potential issues. Mr. Wilt stated it all seems to be covered. He then called for a motion.

Mr. Craig moved the item and was seconded by Ms. Rice. All were in favor.

### **Review of Variance Applications**

Mr. Weber reported on updates to the variance application process which he stated is part of an on-going effort to improve Agency applications and documents. He noted that one of the goals of this effort is to streamline the application to focus on the information needed for a complete review of a proposed variance.

Mr. Lussi asked whether other variance procedures used by municipalities around the State were considered by staff. Ms. Reynolds responded that staff looked at other laws.

Ms. Feldman stated the goal of the streamlined application is to make it easier for applicants to provide the necessary information while keeping the process cost-efficient. She added that she believed that this effort will also change the mindset for staff and encourages a more positive working relationship with applicants.

Mr. Craig concurred and noted that Board members were actively involved in the effort.

Ms. Martino said the improved process will change how variances are reviewed and will set a different tone.

Mr. Austin asked when the anticipated date would be for introducing the new application. Mr. Weber responded that a date has not been determined yet. Mr. Austin asked if staff was going to seek feedback from applicants regarding the change in process. Mr. Weber responded that will be considered.

**Old Business**

None

**New Business**

None

The Committee meeting adjourned at approximately 12:00 p.m.