

Newport Township OHV Recreational Park Feasibility Study**Public Meeting #2 Meeting Notes****When: Wednesday, August 4, 2021, from 5:00-7:00****Location: Luzerne County Community College, and Virtual via ZOOM and YouTube**

ATTENDEES (Team Members):

Jim Laird, RLA, LAIRD LA

Jessica Hepner, Env. (via ZOOM)

Jason Tarnowski, EC

Elizabeth Hughes, EC

Geoff Shaw, EC

Terence Ostrowski, EC

Angelika Laird, CPRP, LAIRD

Karen Warho, Earth Conservancy

Bill Ritting, RLA WAR Landscape Architecture

Terry opened the meeting with a brief review of the reasons for the feasibility study and discussed the importance of continued feedback from the community and potential users. He reviewed prior information on the study for those who were not in attendance at the first meeting, and then discussed a few changes that had been made to the focus of the study area. The original ten thousand acres included in the study would no longer include a 600-acre piece by Keilar Lake. There is also a specific focus on the 2,500 acres owned by EC as part of the original acreage that was addressed in the first feasibility study done in 2005. An additional 1,400 acres has now been added to the study area from Alden Mountain Road to Solomon Gap following the old switch back rail lines.

Terry reiterated the four goals of the study as:

1. Investigate wants, needs, desires of the various outdoor recreational enthusiasts;
2. Challenges and benefits of motorized recreation;
3. Develop conceptual plans;
4. Investigate ownership models.

Jim referred to a few recent studies the Department of Conservation and Natural Resources (DCNR) has done to ensure the sensitive areas of the land are preserved while also highlighting excellent areas of the state for outdoor recreation land locations. The EC's 10,000 study area acres have previously been identified by DCNR in the 'PA Statewide ATV Suitability Areas Study', which highlights the bright red areas in Luzerne County as highly suitable for ATV use compatibility.

The presentation reiterated the importance of balancing economic development with conservation of the environment while considering integration of the various recreation programs that the study is addressing. Jim reminded the attendees that the study is about much more than just motorized recreation. The study is inclusive of other modes of recreation already known to exist on the site such as rock climbing, mountain biking, and tubing, as well as investigating other desired activities such as zip lining, a firing range and paint ball which were identified and tallied through the solicitation of citizen surveys. In addition to the activities identified, Jim also discussed amenities that other motorized recreation areas have phased in over the years such as camping, full-service restrooms and visitor center/ registration and maintenance/ storage buildings.

Jim noted that while there is a compelling amount of local public support for the 'Adventure Park (including an OHV trail system)', The Institute's findings indicated that there are substantial numbers of users that travel in from outside the area (other counties and states) that are in support of a motorized recreation trail system as well as adventure area inclusive of multiple types of recreation.

Jim mentioned a few key items for attendees to keep in mind:

The concerns for overcrowding and safety of users can be addressed through a diverse trail system that integrates varied challenge levels with appropriate signage similar to mountain biking and ski resort

trails (International Trail Designation Standards) with many miles of trails which would disperse riders across the study area as opposed to concentrated in a few areas.

Adequate trail mileage not only provides a 'continuously interesting' trail system, but it would also serve to increase safety for the riders and other recreation users by dispersing concentrations of users and respective dust and noise levels. Provision of a robust trail system encourages legal compliant family friendly and group riding, reduces temptation of trespassing and further protects the land from overuse or activity in environmentally sensitive areas.

Specific areas would be identified as suitable for specific recreation activities to further protect the privilege and safety of all user types. The keys to success are planning, organization and management.

Economic development will be furthered by the need for lodging, food, and fuel as users travel in from further distances and need access to those amenities for multiple days at a time. Community connectors increase the potential economic development of the small towns that surround the 10,000 acres and could be phased in for future planning.

Jim reviewed study survey results which reflected an overwhelming amount of support and desire for an OHV park in this area of Luzerne County both by the local communities and those traveling from outside the area to visit. (Please see Power Point presentation or corresponding report section for details of survey results).

Jim discussed the concept maps LAIRD has put together displaying prior information and inventory along with new concepts researched and discussed since meeting number one. He stated that the map is not an exhaustive list nor are concepts and locations set in stone. This is to serve as a guideline to show what is feasible on the site according to topography, previously disturbed areas, users' wants, needs, and desires. He explained what is possible in the short term for immediate opening and use as well as potential spin off concepts for future phasing. He reiterated that the map does not represent all of the current trails that are located within the state lands and overall, 10,000-acre study area. Identifying, ranking, and signing trails would be a part of a future Master Plan phase of the project.

A brief discussion was held on the potential ownership/ management of the OHV park. Neither Luzerne County nor Earth Conservancy are in a position to own and operate such a facility. Several precedent programs (successful existing OHV park) ownership and management strategies have been identified but are being considered in order to determine the optimum recommendation that will emerge in the overall study.

Bill Ritting gave a summary of his personal experience with motorized recreation from a disability standpoint and the empowerment it provides for those who (with the assistance of personal mobility devices/ OHVs) would be able to access and "play" on level playing ground through use of these machines. The machines serve to create an equaling of the ability level, accessibility, and stamina regardless of individual physical strengths and weaknesses.

Q&A:

Q: The adventure park model will teach the different types of users to coexist. Will provisions be made to keep current uses of the land intact such as climbing, mountain biking, hiking etc., and will it be free?

A: Many activity modes are being considered and the current uses are envisioned to remain intact. The goal is to provide something for everyone within reason. Motorized use will incur a usage fee, other activities may simply be a non-fee land use registration in order to try to attain data as to visitors and user types so that future facilities can best accommodate the majority of users. Whether activities would or would not incur a land use fee other than motorized is a consideration, but in all cases donations and/or club-based membership pass are certainly are viable possibilities.

Q: Will Ken Pollock permit his land to be used as part of the system?

A: This is a possibility. Discussions have taken place with Mr. Pollock as to potential use of his land. Mr. Pollock is amenable to the idea as he understands the value to the community and to demonstrate to other property owners that the development of a system is a positive thing. Organizing a riding system that is patrolled and managed makes the benefits supersede the liability. Jim discussed the RULWA Act and how the

state indemnification system currently works as well as how it may begin to work in the future for landowners who provide trail easements. Jim also noted that recent Amendments to RULWA now apply to motorized recreation (snowmobile/ ATV) and that very specific provisions are allowed in terms of gratuity/ stipends for property owners as long as they do not create known hazards or charge a fee to ride.

Q: Will machines need to be trailered to access the OHV trail system?

A: Most likely yes. Machines will need to be trailered and transported to the trail heads. The only exceptions (which could be considered by special permit in the future) may be possible dependent upon direct privately maintained connection leading from the user's private residence to the public trail system. Access controls, signage and use of this connection would be the responsibility of the adjoining landowner.

Q: What has been decided regarding a buffer system for property owners living along the trail system.

A: The buffer system being discussed is being defined as a physical separation distance between public trails and residential property. Although a specific distance has not been decided on, 300-600 feet is an envisioned average buffer distance for trail use that would separate trail activity from residential property. The relocation of some existing trails has also been discussed after appropriately located trails are identified in a future Master Plan phase. However, during the current feasibility phase, those details are not decided upon - just discussed as part of the feasibility in the overall plan. Discussion reiterated the benefit of a larger magnitude of CREAGE (10,000 acres rather than merely 2,500 acres) that would allow riders to explore a more diverse system of trails that would allow planned buffers to mitigate noise and dust levels. Conversely, less magnitude of overall acreage places pressure for smaller buffers in order to provide adequate miles and diversity of trails.

Q: The townships have noise ordinances in place. Will this be utilized as part of the noise level allowances in the trail system.

A: Yes, local municipal noise level/ nuisance ordinances can supersede DCNR's standard ATV/UTV (and Dirt Bike) noise allowances, which is currently 99dbA (decibels measured at a distance of 20 inches). Refer to: [Guide to the ATV and UTV laws in Pennsylvania – ATV MAN](#)

Other trail courtesy and rules will include designated speed limits within residential areas, community connectors and "SLOW - First Gear Only" limitations through certain stretches of trail will help alleviate noise levels as has been implemented on PA snowmobile trails and in other OHV facilities.

Q: Will there be designated riding hours each day?

A: Yes, hours will be established and managed.

Q: What is the plan for keeping trash levels from increasing?

A: The Adventure Park (for all user types) will be a Carry In – Carry Out program, while eventually providing trash receptacles if and when the facility ever provides food and sales services. Volunteer user groups can sign up for planned clean up days to initially remove large appliances, discarded tires, etc. that have been dumped on the site prior to opening. Trail users can also do their part to "leave no trace" as well as pick up trash they see laying around while recreating at the facility. Generally, even before staff is recruited for management roles, trail users will self-patrol and volunteer to keep the facility clean in the interest of preserving the privileges that the facility provides. When the facility is patrolled by staff and in full operation, like the majority of other facilities, it is anticipated that further illicit dumping and trash will not only become obvious, but highly culturally unacceptable and potentially prosecutable due to the mass of eyewitnesses, camera surveillance, etc.

Q: Do we know how many users are currently utilizing the 10,000 acres? There is concern for increase in traffic through the area as the area becomes more popular to use.

A: We do not have site user counts at this time, nor is there a way to quantify since unauthorized use of the land is currently not legal. If and when the land is designated for use as a recreation facility, use of the property can begin to be monitored and quantified. Enhancements to the properties in the future will be considered based upon user counts and the available mass of land (acreage) involved in the overall facility.

Q: Has there been any interest in development of amenities on or near the facility?

A: Yes, there have been unsolicited interest and offers of individuals interested in the concept to fill positions as rangers, start private or onsite campground facilities as well as an ATV rental/gear shop. Jim also explained that beyond those listed, the potential for other lodging, restaurants, fuel and service stations, and attraction of a major outdoor recreation manufacturer is certainly possible. Hence, the larger the magnitude of acreage and trail miles, the larger the user draw in terms of distance, use and economic development generation potential.

Q: How does this benefit me and why do I want this in my backyard?

A: An organized, well managed motorized trail system will address a currently underserved local and regional trail user group. A formal trail system will provide designated areas for legal, structured trail use that is currently missing and causing free for all riding with no structure or reasonable buffering from private and residential properties (backyards). This program could benefit you in the event that you live between the many residents that do enjoy riding within the region – by providing motorized recreation folks with the expectation as to where, when and under what terms and circumstances they can ride.

If you are a non-motorized recreation enthusiast, this program may benefit you by providing a place for you to walk, mountain bike, access nature, kayak, canoe, etc.

If you do not enjoy outdoor recreation, you may indirectly benefit from the potential economic benefits as a business owner or tax paying citizen. The program will increase localized business sales, create new jobs and potentially entice young families to remain or relocate here – and contribute to local taxes. Similar programs have experienced decades of economic growth in communities surrounding those systems in WV, KY, VA, TN, etc.

Economic Development engines such as this are crucial to future generations seeking employment to support their young families, preserving the heritage of the small towns, increasing tax base and preventing towns from dying out or drying up. Jim discussed that with the development of a management system with policies and rules enforced, use of the land will be better monitored, managed, and monetized.

Q: Will the parking areas be in the exact locations as shown on the concept maps? With the increase in vehicular and trailer traffic in and out of the trailheads, noise is a concern.

A: Not necessarily. The (very preliminary) concepts that respond to the current lay of the land, available access to water/sewer/roadways (infrastructure), etc. These areas will need to be investigated deeper in a Master Plan/ Site Design Phase but can certainly evolve over time as more information becomes available. The idea is to locate the trailheads between towns, where reasonable infrastructure exists, but not directly within the towns. After an Owner/ Site Operator has been designated, site design, parking configuration, maintenance buildings, staff accommodations, restrooms, etc. would all be developed at a higher level of design. Jim also mentioned that the main spine of the trail system can also provide alternate access for authorized access such as police patrol, emergency (fire and ambulance) and maintenance vehicles in the event that a local road were closed in emergency status.

Q: What happens if the project does not come to fruition? What happens to the land?

A: Terry responded that he is not sure what future land uses may be proposed, (other than the land may change ownership or remain underutilized and unpatrolled, then continue in current status) but he does not think that will be the final outcome. The desire for an Adventure Park (including OHV trails) has been demonstrated many times beginning with the 2005 study of the potential use of the Earth Conservancy land. Terry fully believes that the project could happen as proposed with the current feasibility study based upon public input.

Joe Forte, from Eastern Pennsylvania Alliance of Climbers, added that his experience is that when land is being illegally used, over time it is destroyed and shut down to all use. The best thing that could happen is for the land to be developed as a recreation facility which legally draws users. This is the absolute best way to preserve what the communities and outsiders are currently utilizing now and for the future.

Terry brought the question-and-answer time to a close, thanked everyone for investing time to attend and closed the meeting.

ACTION ITEMS:

1. Complete the Concept Plan, program events and summary of potential Ownership/ Management/ Maintenance Options.
2. Prepare the Phased Implementation Plan and probably cost of each phase.
3. DRAFT Sections of the Feas. Study for Review.