



Upper Delaware Council

LAND • WATER • PEOPLE

Annual Review of Enforcement Programs January 1 — December 31, 2022

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Introduction: The River Management Plan (RMP) is the guiding document for the Upper Delaware Scenic and Recreational River. As the majority of land within the river corridor is privately owned, and land use decisions are generally made at the local level, the premise of the land use management component of the RMP relies on the determination of substantial conformance. A town or township is considered to be in substantial conformance if, combined with applicable state and federal laws, the municipality's land use laws and ordinances meet each of the principles and objectives contained in the RMP.

Purpose: The Upper Delaware Council (UDC) operates under a long-term, renewable Cooperative Agreement with the National Park Service to oversee the implementation of the River Management Plan for the Upper Delaware Scenic and Recreational River. To successfully meet the objectives of the Cooperative Agreement, the UDC performs an annual review of enforcement in each participating town/township to ensure that the goals, principles, and objectives of the RMP are being met.

Communities in which the laws, plans and ordinances substantially conform to the guidelines will be subject to less project review criteria by the Upper Delaware Council. Consequently, enforcement of those ordinances is a key to the success of the land use management program. Therefore, the Council shall make an annual review of each town/township's enforcement program within the river corridor, by examining building permits issued, variances granted, and any patterns of ordinances amendments or project approvals which may have a bearing on the purpose for which the Upper Delaware was designated a Scenic and Recreational River.

Outlined below is a summary of the permits issued in each respective town or township from January 1, 2022 to December 31, 2022 in geographic descending order.

Enforcement Programs Overview: 2022, 2021, 2020, and 2019

State	County	Town/Township	Permits, Variances, Etc. (2022)	Ordinances, Zoning Changes, Etc. (2022)	2022 Total	2021 Total	2020 Total	2019 Total
NY	Delaware	Hancock	0	0	0	0	0	0
	Sullivan	Fremont	0	0	0	1	0	5
		Delaware	0	0	0	1	6	6
		Cochecton	1	0	1	2	3	0
		Tusten	38	1	39	25	6	30
		Highland	44	0	44	19	15	16
		Lumberland	0	0	0	0	2	7
	Orange	Deerpark	0	0	0	0	0	5
PA	Wayne	Damascus	12	0	12	13	8	10
		Berlin	0	0	0	0	0	0
	Pike	Lackawaxen	87	0	87	87	43	4
		Shohola	0	0	0	0	1	0
		Westfall	5	1	6	1	0	2
Total			187	2	189	149	84	85

Fig. 1. Chart showing comparison of permits issued and laws passed within the river corridor boundaries in 2022, 2021, 2020, and 2019.

New York Towns, Upper Delaware Scenic & Recreational River

Town of Hancock — There were no permits issued in the Town of Hancock's river corridor during the 2022 calendar year.

Summary —The Town of Hancock issued no permits that would challenge the Land and Water Use Guidelines in 2022.

Town of Fremont — There were no permits issued in the Town of Fremont in the river corridor during the 2022 calendar year.

Summary —The Town of Fremont issued no permits that would challenge the Land and Water Use Guidelines in 2022.

Town of Delaware — There were no permits issued in the Town of Delaware in the river corridor in the 2022 calendar year.

Summary — The Town of Delaware issued no permits that would challenge the Land and Water Use Guidelines in 2022.

Town of Cochection — There was 1 building permit issued in the Town of Cochection's river corridor during the 2022 calendar year, for construction of a single family home on Skinners Fall Road.

Summary — The Town of Cochection issued no permits that would challenge the Land and Water Use Guidelines in 2022.

Town of Tusten — The Town of Tusten issued thirty-eight (38) building permits in the river corridor during the 2022 calendar year:

<i>Number</i>	<i>Permit Type</i>
4	Accessory Building
1	Addition
15	Renovation/Alteration
9	Decks
6	New Single Family Dwellings
2	Pools
1	Solar

There were three special use permits and one zoning ordinance change within the calendar year 2022, which were reviewed for Substantial Conformance.

<i>Name</i>	<i>UDC Project No.</i>	<i>Location</i>	<i>Project</i>
<i>Big Eddy Brewing</i>	UDC2022-04	90 Main Street, Narrowsburg (Hamlet) SBL 9.-10-11.2&12	Proposed brewery and restaurant
<i>Rasmussen Building (Shops at Narrowsburg)</i>	UDC2022-05	90 Main Street, Narrowsburg (Hamlet) SBL 9.-10-11.2&12	Proposed shops in former furniture building
<i>Tusten Zoning Law</i>	UDC2022-06	Entire Town	Zoning changes
<i>Weiden Day Care</i>	UDC2022-07	7 Erie Avenue, Narrowsburg (Hamlet) SBL 10.-3-1	Day care facility in Narrowsburg Union

All of the Special Use permits that were reviewed and approved in the Town of Tusten were located in Narrowsburg, in the Downtown Business district of Tusten, and therefore in a Hamlet segment of the river corridor. All three applications were approved by the Planning Board and received a recommendation of Substantial Conformance by the UDC and thereafter by the NPS.

Tusten also revised some of their zoning laws (UDC2022-06), which affected some definitions and allowable uses within the river corridor. After discussion and revisions, these changes were reviewed and found to be in Substantial Conformance with the River Management Plan by the UDC and thereafter by the NPS.

Summary — The Town of Tusten issued no permits that would challenge the Land and Water Use Guidelines in 2022.

Town of Highland — The Town of Highland issued forty-four (44) building permits within the river corridor in 2022.

<i>Number</i>	<i>Permit Type</i>
3	Accessory Building
3	Additions
4	Renovation/Alteration
2	Decks
2	New Single Family Dwellings
1	Well
2	Septics
19	Roofs (includes 18 at Camp Telyhudah)
7	Electrical/Generators
1	Fuel pump reconfigure (Barryville Oasis)

Summary – The Town of Highland issued no permits that would challenge the Land and Water Use Guidelines in 2022.

Town of Lumberland — There were no permits issued in the Town of Lumberland’s river corridor during the 2022 calendar year.

Summary —The Town of Lumberland issued no permits that would challenge the Land and Water Use Guidelines in 2022.

Town of Deepark — There were no building permits issued in the river corridor during the 2022 calendar year.

Summary — The Town of Deepark issued no permits that would challenge the Land and Water Use Guidelines in 2022.

Pennsylvania Townships, Upper Delaware Scenic & Recreational River

Damascus Township — Damascus Township issued 12 building permits in the river corridor during the 2022 calendar year.

<i>Number</i>	<i>Permit Type</i>
1	Accessory Building (detached garage)
3	Additions
5	Decks
3	New Single Family Dwellings

Summary — Damascus Township issued no permits that would challenge the Land and Water Use Guidelines in 2022.

Berlin Township — There were no permits issued in the river corridor during the 2022 calendar year.

Summary — Berlin Township issued no permits that would challenge the Land and Water Use Guidelines in 2022.

Lackawaxen Township — Lackawaxen Township issued 87 building permits in the river corridor during the 2022 calendar year, as shown in the table below.

<i>Number</i>	<i>Permit Type</i>
13	Construction of new single-family dwelling
7	Accessory Structure
6	Addition
7	Alterations/Conversions
9	Commercial
21	Deck: New, replacement, extension, or entry deck

5	Detached garage
2	Driveway
2	Finished basement
1	Hot tub
1	Landing/stairs
3	New septic system
1	Sewer line replacement
1	Septic tank replacement
1	Port-A-John
2	New ramp
1	Storage area
2	Screened porch (new or extension)
2	Rooftop Solar Array

The also proposed an ordinance revision to allow boat, RV, and golf cart storage in zoning districts within the river corridor (UDC2022-11), however these revisions were not passed until 2023.

Summary —Lackawaxen Township issued no permits that would challenge the Land and Water Use Guidelines in 2022.

Shohola Township — There were no permits issued in Shohola Township in the river corridor during the 2022 calendar year.

Summary — Shohola Township issued no permits that would challenge the Land and Water Use Guidelines in 2022.

Westfall Township — There were four (4) permits issued in the river corridor in Westfall Township during the 2022 calendar year for new home construction, and one of those properties included a home demolition as well. One (1) permit was issued for a rooftop solar. The township passed an ordinance regarding Short Term Rentals.

Summary – Westfall Township issued no permits that would challenge the Land and Water Use Guidelines in 2022.