

**Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
April 25, 2023**

Committee Members Present: Larry Richardson, Fred Peckham (Zoom), Harold Roeder, Jim Greier, Ginny Dudko, Al Henry, Jeff Dexter, Aaron Robinson
 Committee Members Absent: Andy Boyar
 Staff: Laurie Ramie, Kerry Engelhardt, Ashley Hall-Bagdonas (Zoom)
 NPS Partners: Lindsey Kurnath-Superintendent (Zoom); Don Hamilton- Chief of Natural and Cultural Resources (Zoom)
 Guests: Bill Dudko- Deerpark Alternate

The UDC’s Project Review Committee held its monthly meeting on Tuesday, April 25, 2023 at the UDC office in Narrowsburg, NY. Chairperson Richardson called the meeting to order at 6:33 p.m. There was no public comment on the agenda.

March 28, 2023 Meeting: A motion by Ginny Dudko seconded by Greier to approve the March 28, 2023 meeting minutes carried.

Resources and Land Use Specialist Update:

New York State Projects

Town of Highland– Highland Access: Heather Jacksy sent the following update on the Highland Access in an email dated 3/31: “I wanted to give you the heads up our contractor will be going out on site to finish up the majority of our work on the Highland Access. DEC is working to schedule [the] paving of the drive lane and DOT is waiting on a couple parts before going out to install the guide rail. NPS has made all of the signs, and the Town of Highland removed the fill. The access should be open for business this year!”

Town of Tusten– Narrowsburg Veterinary: Engelhardt sent an email to Amy Lohman, the Planning Clerk in Tusten, to inquire about the new Veterinary Hospital that will be operating from the old Jeff Bank location, and is potentially opening on 5/1. Unfortunately, she hasn’t heard back from her yet.

Commonwealth of Pennsylvania Projects

Buckingham Township: From the DRBC’s Notification of Applications Received: Camp Morasha, D-2018-005 -2. An application to renew the approval of the existing 0.045 mgd Camp Morasha WWTP and its discharge. The approval will include an upgrade of the WWTP’s disinfection system from a liquid chlorine tank to an ultra-violet disinfection system. The WWTP will continue to discharge treated effluent to an unnamed tributary (UNT) of Equinunk Creek at River Mile 321.9 - 7.6 - 1.9 (Delaware River - Equinunk Creek - UNT Equinunk Creek) which is located within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which the Commission has designated as Special Protection Waters, in Buckingham and Preston Townships, Wayne County, Pennsylvania. Peckham expressed that Buckingham isn’t part of the UDC and to consider our precious time and resources. Engelhardt said she looks this information up on any DRBC dockets in the Upper Delaware drainage every month and it takes her no time to copy and past the information.

Damascus Township: Last month Engelhardt mentioned two permit applications in Damascus that Ed Lagarenne had sent along. She looked at both, and Lagarenne is correct that neither require a formal Project Review from the UDC or NPS.

Open Substantial Conformance Reviews

Project Id	Project Name	Municipality	Action	Status

2022-03	Camp Fimfo	Town of Highland	Special Use Permit	Additional information from applicant submitted 4/12, under review by NPS
2022-11	Lackawaxen Zoning Ordinance Amendment	Lackawaxen Township	Zoning Ordinance Amendment	Meeting on 4/18 between Lackawaxen Township, NPS and UDC
2023-01	Kevin Rozza-SFH	Lackawaxen Township	Conditional Use Permit	Letter from NPS dated 4/13/23 agreeing with Substantial Conformance. This application is now closed
2023-02	Big Eddy Brewing	Town of Tusten	Special Use Permit	Sent letter to NPS 4/7 recommending Substantial Conformance...
2023-03	Lackawaxen Ridgeline Zoning	Lackawaxen Township	Zoning Ordinance Amendment	Reached out to Lackawaxen Township with our comments; they sent revised language and we will review tonight.

Camp FIMFO: The Applicant sent information on 4/14 to address Superintendent Kurnath’s letter of 2/17. The NPS is still reviewing the submission. We will be meeting virtually with the applicant tomorrow (4/26) to discuss the current state of the NPS review. Engelhardt reviewed the minutes from the 3/22 Planning Board meeting that had been interrupted. They went over the SEQR Part 2, however the board is still waiting for a response from the NPS before officially voting on it. The agenda for tomorrow night’s meeting has not been posted yet. Chairman Sutherland has indicated that Camp FIMFO may not be on the agenda if there is no new correspondence from the NPS, or they may do a review of SEQR Part III.

2022-11 Lackawaxen Zoning Ordinance Amendment: Superintendent Kurnath and Engelhardt met with representatives from Lackawaxen Township on 4/18, including Rich Tussel, the Building Code Official who sits on the Planning Board, and the Township Solicitor Thomas Farley. They discussed the proposed zoning amendments and Superintendent Kurnath’s view that the proposed use most closely matches Commercial Development rather than Recreational Use. After discussion, they all agreed with her reasoning. She will issue a letter, and the Township will revise the proposed zoning amendment to exclude the new use from Scenic Segments of the river, to address concerns over substantial conformance.

2023-01 Kevin Rozza Single Family Home: NPS issued a letter dated 4/13 indicating that they agree with our finding of Substantial Conformance. This application is now closed.

2023-02 Big Eddy Brewing Special Use Permit: Awaiting NPS response.

Landowner Complaints: A resident of Narrowsburg has made a complaint about another resident tossing boxes over their fence towards/into the river. Engelhardt contacted the latter resident who said they would clean up the mess. She will work with NPS on follow-up to make sure that that’s occurred by providing the address and particulars to Don Hamilton at NPS UPDE and/or NYS DEC for follow-up.

FY 2023 Technical Assistance Grant: The most recent update is that the Town of Tusten submitted their mid-term report, which we reviewed at the February meeting. The final deadline for the project is August 18, 2023.

GIS on UDC Website: No update on this matter. Engelhardt reached out to Google Maps to see if she could help them to get the boundaries of the Upper Delaware Scenic and Recreational River back on their maps, but she hasn’t received a response yet. Kurnath said she heard from former NPS Land Use Planner Jennifer Cluster who said there may be restrictions on it preventing it to be shared. She will follow-up with more information.

New Business

2022-11: Lackawaxen Township Zoning Ordinance Amendment (follow-up): Engelhardt this was an ordinance amendment regarding the golf cart, boat and RV storage, Kurnath and Engelhardt met with Rich Tussel, the Building Code Official of Lackawaxen who also sits on the planning board, and Township Solicitor Thomas Farley. They discussed the proposed zoning amendments and Superintendent Kurnath's view that the proposed use most closely matched commercial development rather than a recreational use which would mean that it was compatible, as a special condition use, in recreational segments and hamlets, but not scenic segments. They agreed with Kurnath's reasoning and Farley asked Kurnath to put that in a letter so he could bring that back to the town to revise the ordinance to allow it in the recreational segments and the hamlets, but not scenic. Engelhardt said there are two home occupation businesses involved. Richardson said he likes how that was handled. Kurnath said she hopes once NPS has a Land Use Planner they would have caught that disparity of how UDC and NPS was looking at the project. She hopes we can tackle things like this internally and get answers to the Town/ships faster by getting on the same page. Kurnath said running through her process, she has to write a letter that gives an initial substantial conformance opinion on the recommendation and she doesn't think she needs the Regional Director to sign off but she's not entirely clear on that. She asked if the Project Review Committee could revisit the substantial conformance recommendation without taking it back to the whole Council for a vote? Is there any precedent for UDC revisiting a substantial conformance recommendation or is it resting on Kurnath to write a letter? Members said they couldn't remember ever going back once a recommendation was made and submitted to NPS. Roeder said it is good to have this communication between UDC and NPS. Kurnath said that's helpful and she'll make sure her regional leadership understands we're refining the process now that she's the Superintendent and we're working together.

2023-03: Lackawaxen Township Ridgelines and Buffers Ordinance (revised): Engelhardt prepared a revised report, which is in the meeting packets. As we discussed last time they want to revise their zoning ordinance to no longer require a conditional use permit for single-family homes that are constructed to be visible from the river, and they also removed the requirement if they were being built within 100 feet of the ridge line, but we said we needed that to stay in. It was a pretty simple fix. They sent Engelhardt back revised language which is on page two and the bolded words are what has been added to differentiate between homes that are built within a hundred feet of the ridgeline and homes that are built to be visible from the river. With this new wording the proposed amendments do, in her view, substantially conform to the RMP. A Motion by Roeder seconded by Dudko to accept the Resources and Land Use Specialist's recommendation and forward draft UDC 2023- 03: Lackawaxen Township Ridgelines and Buffers Ordinance (revised) to the 5/4 full Council carried.

Other: None.

Old Business

Camp FIMFO, Town of Highland, Special Use Permit – NPS Review Status: Engelhardt will continue offering updates and collaborating with NPS to review the additional information that was submitted on 4/14 for the Camp FIMFO special use permit project in the Town of Highland in response to a 2/17 NPS letter.

4/6 UDC-NPS Telecommunications Subcommittee Report: The Subcommittee will next meet on 5/4 at 6:15 p.m. to further review the draft UDC/NPS position paper. Ramie will prepare and circulate draft notes from the 4/6 work session in advance of that meeting.

Status of 2022 Annual Code Enforcement Report: Engelhardt will contact the 13 member towns and townships to request their development and ordinance activity within the river corridor during calendar year 2022 for compilation of the annual code enforcement report to submit to NPS.

River Corridor Maps Distribution: Engelhardt will follow up with the request for printing of river corridor maps for the Pike County townships and the presentation of the Town of Lumberland framed map.

Other: Ramie noted that the "Imagine Pike 2035 Community Survey" is available at www.PikePA.org to comment on Pike County's comprehensive plan update.

Public Comment: None.

Adjournment: A Motion by Roeder, seconded by Henry, to adjourn the meeting at 7:08 p.m. carried.

Minutes prepared by Ashley Hall-Bagdonas, 5/2/2023