

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
May 23, 2023

Committee Members Present: Larry Richardson, Harold Roeder, Andy Boyar, Jim Greier, Bill Dudko, Al Henry, Jeff Dexter (6:42 p.m.), Aaron Robinson
Committee Members Absent: Fred Peckham, Ginny Dudko
Staff: Laurie Ramie, Kerry Engelhardt, Ashley Hall-Bagdonas
NPS Partners: Lindsey Kurnath-Superintendent (Zoom)
Guests:

The UDC's Project Review Committee held its monthly meeting on Tuesday, May 23, 2023 at the UDC office in Narrowsburg, NY. Chairperson Richardson called the meeting to order at 6:32 p.m. There was no public comment on the agenda.

April 25, 2023 Meeting: A motion by Greier seconded by Dudko to approve the April 25, 2023 meeting minutes carried.

Resources and Land Use Specialist Update:

New York State Projects

Town of Highland– Highland Access: Much of the work on the Highland Access is complete. Ryan Coulter of the NYS DEC was at the site on May 16 and met with the DEC's contractor. He says that it sounds like they will be able to get a quote out within the next couple of weeks and then based on the availability of equipment/supplies will be able to get the paving done for the drive aisle and the ADA parking spaces. The signs have been made and will need to be installed, as well as the boat rack. There are currently signs and construction cones restricting access to the site (as of Thursday May 18).

Short-Term Rental Permitting: Monica McGill sent over seven (7) short term rental applications, one of which was located within the river corridor. It does not require a Project Review.

Fred Reber Minor Subdivision: On 4/28 we received an application for a Minor Subdivision at Route 97 & County Road 21A in Barryville. The applicant, Fred Reber, proposes to subdivide a 3.64 acres parcel into three separate lots. Engelhardt used the checklists in the Project Review Workbook to determine that this is a Class I project. Since Highland is in Substantial Conformance, no Project Review from the UDC or the NPS is required.

Town of Tusten- UDC2020-01 Bar Veloce: The Town of Tusten Zoning Board of Appeals is holding a public hearing on Monday, June 12 regarding an Appeal of a Building Permit issued for 174 Bridge Street, Narrowsburg. An article from the River Reporter is included in this report.

Commonwealth of Pennsylvania Projects

Wayne County: The Wayne County Planning Department is holding three public information sessions regarding the Wayne County Comprehensive Plan Update: May 30 from 3-7pm in Honesdale; June 6 from 5-7pm in Lakewood; and June 8 from 5-7pm in Lake Ariel. The public is urged to attend and offer feedback on the Plan update. For more information, please visit <https://waynecountypa.gov/919/Wayne-County-Comprehensive-Plan-Update-2>

Damascus Township: From the DRBC's Notification of Applications Received: Tyler Hill Camp, Inc, D-2017-001 -2. An application to approve the applicant's existing 0.030 mgd WWTP and its discharge. The WWTP will continue to discharge to Laurel Lake, which flows to an unnamed tributary (UNT) of North Branch Calkins Creek at River Mile 295.8 - 0.7 - 4.0 - 1.2 - 0.3 (Delaware River - Calkins Creek - North Branch Calkins Creek - UNT North Branch Calkins Creek - Laurel Lake) located in Damascus Township, Wayne County, Pennsylvania, within the

drainage area of the section of the non-tidal Delaware River known as the Upper Delaware, which is classified as Special Protection Waters.

Road Vacation: Damascus Township is in the process of vacating a Township roadway currently known as Manor Drive, previously known as Methodist Home Road. This roadway is directly south of the Hotel Darby, and connects Beach Lake Highway (Route 652) to Plank Road. The Board of Supervisors met on May 15, 2023 and approved an ordinance to vacate the road, the next step is to have a court approve the vacation. (The Hotel Darby was an application for Substantial Conformance as the Damascus Hotel and deemed an appropriate re-use by the National Park Service in a letter dated February 13, 2020.)

Open Substantial Conformance Reviews

Project Id	Project Name	Municipality	Action	Status
2022-03	Camp Fimfo	Town of Highland	Class II - Special Use Permit	Additional information from applicant submitted 4/12, under review by NPS. 45- day window ends 5/26
2022-11	Lackawaxen Zoning Ordinance Amendment	Lackawaxen Township	Zoning Ordinance Amendment	Letter from NPS dated 5/4 requesting changes before SC determination
2023-02	Big Eddy Brewing	Town of Tusten	Class II- Special Use Permit	NPS agrees with our recommendation of Conformance in letter dated 5/15. Closed
2023-03	Lackawaxen Ridgeline Zoning	Lackawaxen Township	Zoning Ordinance Amendment	UDC recommended SC finding in letter to NPS 5/5
2-23-04	Narrowsburg Veterinary	Town of Tusten	Class II - Special Use Permit	To be reviewed tonight
2023-05	Fred Reber	Town of Highland, NY	Class I - Minor Subdivision	Since Highland Substantially Conforms, no review required. Closed
2023-06	Advanced Recycling (Zacari/Dirlam)	Shohola Township, PA	Class II - Conditional Use Permit	Received a partial application, to be reviewed at June meeting
2023-07	Eve Fisher	Town of Highland, NY	Class II - Site Plan Review	Received application 5/21, to be reviewed at June meeting

Camp FIMFO: Superintendent Kurnath has been diligently working on the response to FIMFO. We have had a meeting to go over the plans and Engelhardt’s initial report. Along with Don Hamilton, we visited the site on May 8 to see the existing park model RVs along the river, as well as the proposed locations for more park model RV units deeper in the campground on the north side of Route 97. On May 15 we viewed the park model RV area from the river. Engelhardt showed committee members some photographs of what they observed.

2022-11 Lackawaxen Zoning Ordinance Amendment: To be discussed under Old Business.

2023-02 Big Eddy Brewing: Gay Vietzke, Regional Director of Region 1 at the National Park Service issued a letter dated May 15, 2023, concurring with our recommendation that the project substantially conforms. The letter will be shared at the June 1 council meeting.

2023-05 Fred Reber Minor Subdivision: As discussed above, this is a Class I Project and does not require formal review.

2023-06 Advanced Recycling: This is a new application in Shohola; they first appeared before the Shohola Planning Committee in January and had their public hearing in front of the Committee last week on Thursday, May

18. The Committee recommended them to the Board of Supervisors at that meeting with certain changes. Engelhardt will begin her review when she receives the full application.

2023-07 Eve Fisher: This is a new application in Highland for a Site Plan Review. They will be appearing before the Town of Highland Planning Board this week, and she will attend (though it is not a public hearing).

Landowner Complaints:

23-01 TUS: This is regarding the complaint from last month by a resident of Narrowsburg about another resident tossing boxes over their fence towards/into the river. The trash was visible from the Narrowsburg-Damascus Bridge until the trees leafed out; she's not sure if most of it was cleaned up or if it's just hidden. Keith Winslow confirmed that it's not in NPS jurisdiction since it's private property, and not close to the high-water mark.

23-02 DAM: Someone noticed that a resident in Damascus was doing some grading that appeared to be within 100' of the river's edge. Neal Kokatay from PA Fish and Boat Commission is going to be looking into it, and Keith Winslow will pass along further information to me when he gets it. Ed Lagarenne said he hasn't seen any permit applications for that property (although he wouldn't issue a permit just for grading, usually).

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. The announcement for the FY 2024 round of applications will go out at the end of next week.

GIS on UDC Website: To be discussed under Old Business.

New Business

2023-04: Substantial Conformance Review: Narrowsburg Veterinary, Town of Tusten: Engelhardt said the property in question is located at 155 Kirks Road in Narrowsburg, New York; Section 4, Block 1, Lot 2 on the Town of Tusten tax map. It is located in the RB Roadside Business zoning district and on the west side of State Route 97. It is bordered to the north by the Fort Delaware Museum, and to the south by a single-family dwelling (which may be a commercial use?) and Bev and Jerry's ice cream stand. To the rear/west of the property are railroad tracks, with parking for Lander's River Trips beyond that. Across the street is a professional office used as a field office for an Engineer-in-Charge of the NYDOT. The subject property contains a building that was formerly a Jeff Bank, with associated drive through and parking lot. The applicant (Neil Hess, DVM) has proposed to renovate and use the existing building as a veterinary clinic. In fact, the applicant applied for a special use permit back on July 13, 2022, however the UDC was not notified and the application was never forwarded to the UDC. The clinic opened up for business at the beginning of May of this year. The applicant required a special use permit for this project, as the only principal permitted uses in the RB zoning district are: 1 and 2 family dwelling units on less than 15% slope and forest management. "Veterinary clinic" is listed as a Special Use in this zoning district. The Applicants must obtain a special use permit to allow their proposed development. The application was presented to the Town of Tusten Planning Board on August 22, 2022. A public hearing was held at the Town of Tusten Planning Board on September 27, 2022, at which meeting the Board approved the special use permit. In the Land and Water Use Guidelines of the River Management Plan, Business and Professional Offices are defined as "as office in which an occupation or vocation requiring training or advanced study in a specialized field is practiced, including but not limited, medical, legal, and real estate offices" and are classified as "Appropriate Special Uses/Conditional Uses" in Recreational Segments. No additional parking is proposed beyond what is already existing. The Zoning Board, as well as Sullivan County Planning, found the existing parking to be adequate for the use. The proposed use is for a veterinary clinic, and not a kennel.

The proposed use required a special use permit from the Tusten Planning Board. Additionally, the proposed use is not listed as a Compatible Use in a Recreation segment. For both of these reasons it is reviewable as a Class II project. The Project Review Forms from the Project Review Workbook are attached to this report. This project mostly conforms to the objectives of Criterion 1. The original proposal indicated that renovations would be interior only, however at a site visit on May 23, 2023, it appears that a retaining wall is being constructed. Additionally, landscaping has been removed along the perimeter of the driveway and parking area. It's not clear whether the landscaping will be replaced. The existing signage consists of one sign along the road, and large lettering on the side of the building. The River Management Plan limits the total number of signs to one (1) per property line along a

street or the river. In terms of use, the proposed use of a veterinary clinic seems appropriate in this setting. It is a similar use and will generate a similar amount of traffic to its former use as a bank. Although the lot is not considered to be in a hamlet area, it is located within a business zoning district, we do not find the proposed uses to be objectionable in the proposed location.

The proposed use is an appropriate special use in this area, and consistent with the prior use as well as the existing uses of surrounding properties. The existing signage, while it is technically more than the River Management Plan allows, is in keeping with the character of the area, and the sign on the side of the building is partially obscured by street trees. However, the ongoing construction is a concern, as it's not clear whether additional impervious coverage will be added to the site, and the existing amount of impervious coverage appears to be more than the River Management Plan allows. Engelhardt recommends that we hold off on a final determination until a site plan showing the proposed improvements has been provided. She will seek access to review the original site plan and request information on the objectives of the current exterior construction work at Narrowsburg Veterinary (Town of Tusten) to complete Substantial Conformance Review 2023-04, as a follow-up for the 6/27 PR meeting.

Penn State World Campus GIS Summer Course Report: Engelhardt started the GIS Summer course a few weeks ago and it's harder than she thought it was going to be. It's a different environment than she's used to but it's very interesting. The online course is very well thought out and easy to follow and navigate. It is very self-directed with research assignments and there are a lot of class discussions. It's a ten-week course and she is finishing up with week two.

Other: None.

Old Business

5/4 NPS Letter re: Substantial Conformance Review: Proposed Lackawaxen Township Zoning Ordinance Amendment (UDC 2022-11): Engelhardt said we are awaiting the agree-upon action from Lackawaxen Township to revise its Zoning Ordinance Amendment to allow boat, golf and RV storage facilities only within the hamlet and recreational corridor segments so that the UDC and NPS can finalize their substantial conformance reviews.

5/4 UDC-NPS Telecommunications Subcommittee Report: Ramie emailed out the 5/4 minutes to the UDC-NPS Telecommunications Subcommittee in advance of the Project Review meeting. The 6/1 work session will be canceled to allow time for the UDC and NPS staff to develop the proposed procedure to adopt and implement the conclusions of a wireless telecommunications facilities position paper to guide future project and ordinance reviews.

Status of 2022 Annual Code Enforcement Report: Engelhardt will seek assistance from UDC representatives as needed for the towns and townships that haven't responded to providing their river corridor code enforcement and permitting activities during 2022 for her development of an annual report.

Update on River Corridor GIS Tool: UDC staff will research the public use intent of the River Corridor GIS tool from past meeting discussions and presentations to share a briefing with NPS.

Other: None.

Public Comment: None.

Adjournment: A Motion by Henry, seconded by Dudko to adjourn the meeting at 7:37 p.m. carried.

Minutes prepared by Ashley Hall-Bagdonas, 5/31/2023