

**Upper Delaware Council**  
**PROJECT REVIEW COMMITTEE MEETING MINUTES**  
**December 14, 2021**

Committee Members Present: Larry Richardson, Fred Peckham (Zoom), David Dean (Zoom), Jim Greier (Zoom), Jeff Dexter, Al Henry, Aaron Robinson, Susan Sullivan

Committee Members Absent:

Staff: Laurie Ramie, Kerry Engelhardt, Ashley Hall-Bagdonas

NPS Partners: Cody Hendrix- Community & Land Use Planner

Guests: Ginny Dudko- Town of Deerpark Alternate, Andy Boyar- Town of Highland Alternate, Pat Jeffer- Shohola Township Alternate (6:50 p.m.), Evan Padua- Town of Tusten Alternate (7:01 p.m.)

The UDC's Project Review Committee held its monthly meeting on Tuesday, December 14, 2021 at the Council office in Narrowsburg, NY. Chairperson Richardson called the meeting to order at 6:32 p.m. There was no public comment on the agenda.

**Approval of the November 23, 2021 Meeting Minutes:** A motion by Henry seconded by Dexter to approve the November 23, 2021 Meeting Minutes carried.

**Resources and Land Use Specialist Update:**

**New York State Projects**

**Town of Hancock:** Junction Pool—Engelhardt reported that this project that has been brought up before at Project Review. It was presented at the 11/8 Hancock Village board meeting. Mayor McGrath doesn't think the DEC will approve of the ramp or the picnic table. McGrath said that the DEC has indicated they'd prefer to have the Town take back ownership, and continue the mowing and road maintenance. No official submission has been made as of yet to the UDC, although UDC has received conceptual site plan designs, and met with Hancock Partners' Economic Development Director Valerie Senese and National Park Service River, Trails and Conservation Assistance staff to discuss the project.

**Town of Highland:** Gov. Kathy Hochul's office announced that \$81 million has been awarded to 97 projects across New York, as part of a Regional Economic Development Council initiative to help the state recover from economic distress caused by the pandemic. This includes \$1.5 million to Sun NG Kittatinny RV, which plans to transform the Kittatinny Campground and Canoes in Barryville into Camp Fimfo, which stands for "fun is more fun outside." Upgrades would include infrastructure to support improved RV and cabin sites and new amenities. Ramie said as we know, Northgate Resorts took over Kittatinny holdings and had mentioned property upgrade plans to us.

**DRBC Notification of Applications Received on 11/10/2021:** Engelhardt said the DRBC makes a list of applications received and one of them was an application to approve a withdrawal of up to 14.73 million gallons per month (mgm) of groundwater from new well Fallsburg F-8 and up to 3.67 mgm of groundwater from a new well designated as Hurleyville 2R for use in the applicant's existing public water supply system and to increase the total groundwater allocation from 143.94 mgm to 158.93 mgm from the new wells and 15 other existing wells. With the exception of two wells which are bedrock wells completed in the Walton Formation, the new and existing project wells are screened in unconsolidated sand and gravel deposits in the Sheldrake Stream, Neversink River and Mongaup River watersheds, within the drainage areas of the section of the main stem Delaware River known as the Middle and Upper Delaware, which the Commission has classified as Special Protection Waters, in the Town of Fallsburg, Sullivan County, New York.

**Commonwealth of Pennsylvania Projects**

**DRBC Notification of Applications Received on 11/10/2021:** An application to renew the approval of the 0.09 mgd Beach Lake WWTP and its discharge. No modifications are proposed to the WWTP. Treated effluent will continue to discharge to Beach Lake Creek, a tributary of Masthope Creek, at River Mile 282.5 - 6.98 - 3.1

(Delaware River - Masthope Creek – Beach Lake Creek) via Outfall No. 001, located within the drainage area of the section of the nontidal Delaware River known as the Upper Delaware, which is classified as Special Protection Waters, in Berlin Township, Wayne County, Pennsylvania.

**Open Substantial Conformance Reviews:**

Project ID	Project Name	Municipality	Action	Status
2020-005	Feagles Lake Subdivision	Tusten	Class II – Site Plan Review	Awaiting final plan submission from Town
2021-009	Cochecton Cottages	Cochecton	Class I – reviewed by Tom Shepstone	Awaiting NPS Determination (Sent by UDC on 12/3/21)
2021-010	Heron Hill Hunt Club	Damascus	Variance review	To be reviewed by PR Committee at this meeting

**FY 2022 Technical Assistance Grant Applications:** The Town of Tusten was awarded \$4,700 for the implementation of zoning updates and open space planning activities, including the establishment of a Conservation Advisory Council (TAG 2022-01). The NPS approved the proposed use of federal funding on 10/21. A Mid-term Progress Report for the grant will be due by 2/18/2022. The project completion deadline is 8/19/2022.

**Landowner Complaints: Complaint 2021-13: Cackletown Road Wetlands Disturbance – Tusten NY:** On 10/20/2021 a landowner brought a complaint about activities occurring in the vicinity of 328 Cackletown Road in Tusten, NY. He did not join the Committee in person at the 11/23 meeting, however after discussion, the Committee decided to send a letter to Bill Rudge at the DEC, asking for a report of the DEC's activities, and requesting to be kept informed about any actions moving forward. Engelhardt prepared a letter and emailed it to Rudge on 12/6 and received a reply from Rudge (included in meeting packet). He indicated that permits have been issued to the landowner to make alterations to the existing beaver dam, and that the property is inspected regularly, and no violations have been noted. Engelhardt said she feels UDC has done their due diligence. She noted that the wetlands themselves are not in the River Corridor because the lot is so large. Part of the lot is within the corridor and part is on the other side of the ridge. The wetlands are located on the far side of the ridge.

**Old Business**

**Production of River Corridor Maps:** Following up from last month Engelhardt emailed Hendrix who gave her contacts to reach out to in county planning departments. She asked for clarification on the production of River Corridor Maps which was brought up last months saying she would like to know UDC's role and the Planning Department's roles in the project. Discussion continued. Engelhardt will contact the five county planning/GIS departments to inquire about their ability to prepare maps depicting the Upper Delaware Scenic and Recreational River corridor boundaries within each of the 13 member towns and townships. She will find out what level of detail is available and whether the UDC can request digital files to have them professionally printed or if their staff can print them at the suggested 24 x 36" size. She will also determine the fees for these services.

**Other:** None.

**New Business**

**Damascus Township Zoning Variance: Heron Hill Hunt Club:** Engelhardt said UDC received an application from Damascus Township for Heron Hill Hunt Club from the Code Enforcement Officer. The property is located directly on the Delaware River. It's .56 acres and the lot is bisected by River Road. It will be constructed in the footprint of a previously existing building which was destroyed by a propane explosion and fire in 2014. The proposed dwelling will be two stories and will have an associated deck, the same as the previously existing home. An existing carport remains on the west side of River Road. Beyond the carport the land slopes up significantly and is wooded. The applicant is looking to put a new two-story single-family dwelling in the exact footprint as the old home and because of that there are numerous setback variances that are required. The last page of Engelhardt's report provides photos. This comes to the UDC because it is within 100-feet of the mean high-water line of the river

but it is just an area variance, so it is reviewed as a Class I Project. Engelhardt said the project conforms with most objectives, however a few required explanations. The project is going to be constructed on steep slopes technically. However, any place else on the lot would be even steeper slopes or have to remove woodland which would be detrimental to soil erosion. There is just grass at the site and no significant vegetation that's holding the slope back. The proposed development is not new construction; it is a replacement of a previously existing building. Therefore watercourse setbacks of Damascus Township do not apply. Again, this is an existing lot, with a previously existing septic system. A new system will be constructed in a similar location to the original. The sewage treatment facility will be required to obtain approval from the PA DEP. There are minimum setbacks from the road, however, this home will be located in the footprint of a previously existing dwelling. Engelhardt said the Zoning Board is meeting tonight at the same time as this meeting. She said the project substantially conforms to the River Management Plan and Damascus Township's Zoning Ordinance, and she recommends a finding of substantial conformance from the NPS. Members discussed the existing septic system. A Motion by Robinson seconded by Henry to forward Damascus Township Zoning Variance: Heron Hill Hunt Club to the 1/6 full Council carried with two opposed, Richardson and Sullivan.

**Other:** Hendrix received an email about an ambitious zoning reform package being proposed in New York State Legislature. He said single-family zoning, parking requirements, and minimum lot sizes are on the chopping block in Senate Bill S7574. The legislation would prohibit cities and villages from setting minimum lot sizes larger than 1,200 square feet. It would also bar them from requiring off-street parking. In cities, landowners could build four-family dwellings on any residential lot or up to six-family buildings within a quarter mile of a train station. In village, builders could construct duplexes on any residential lot or six-family dwellings near transit stations. Hall-Bagdonas asked Hendrix if he could forward the information and he agreed.

Boyar expressed his frustration about not being able to hear clearly when participating via Zoom. This has been an ongoing issue. Hall-Bagdonas and Robinson will explore options to improve the audio quality for the UDC's in-person and Zoom hybrid meetings.

**Public Comment:** None.

**Adjournment:** A Motion by Robinson, seconded by Boyar, to adjourn the meeting at 7:04 p.m. was carried.

*Minutes prepared by Ashley Hall-Bagdonas, 12/21/2021*