

**Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
March 23, 2021**

Committee Members Present: Larry Richardson, David Dean (phone), Fred Peckham (phone), Jim Greier, Al Henry, Aaron Robinson, Susan Sullivan, Jeff Dexter
Committee Members Absent: None
Staff: Laurie Ramie, Shannon Cilento, Ashley Hall-Bagdonas
NPS Partners: Cody Hendrix
Guests: None

The UDC's Project Review Committee held its monthly meeting on Tuesday, March 23, 2021 at the Council office in Narrowsburg, NY. Chairperson Richardson called the meeting to order at 6:34 p.m. There was no public comment on the agenda.

Approval of February 23, 2021 Meeting Minutes: A motion by Henry seconded by Robinson to approve the February 23rd minutes carried. There was no public comment on the agenda.

Resources and Land Use Specialist Update:

New York State Town Projects

Town of Hancock: Cilento shared that the 2/10 *Hancock Herald* reported, "The Hancock Town Board will begin drawing up local laws for regulation of solar projects within the town," said Town Attorney Leonard Sienko Jr. during the monthly Board meeting held Thursday, 2/4. Sienko said that it would be best to have local law in place for town oversight of solar array installations as more local individuals and businesses consider solar energy ventures. The town can only regulate projects under 25-megawatt capacity. Larger arrays are subject to state oversight and regulation according to new state policies enacted January 1, 2021." The article also reported the Town Board is considering a possible solar project on town-owned property adjacent to the Hancock Golf Course which is also owned by the municipality. A solar installation located on this property would have the capability to connect to the nearby NYSEG substation. A 3/15 article from *the Hancock Herald* mentioned the Town continued their discussions on solar regulations, and plans to enlist the help of Delaware County Planning and to utilize the NYSERDA Solar Guidebook. Cilento will look into new state policies to see what else may have changed and also request the draft ordinance when it is ready for coordinated review with NPS.

Hancock Partners is working with the Hancock Chamber of Commerce and the Town and Village of Hancock to update the 2004 Hancock Community Profile which was created by the Hancock Industrial Development Corporation. The updated profile will discuss the four major economies of the greater Hancock region which would be of interest to both potential business owners, investors, and residents. The update is scheduled to be completed by 5/1, at which time it will be distributed to real estate agencies, banks, and potential investors. Cilento will request a copy of the updated profile.

Town of Delaware: The Callicoon Business Association has finally signed a long-awaited lease agreement with the Central New York Railroad Corporation to occupy the historic 1896 railroad depot building in the center of downtown Callicoon. Once rehabilitated, the depot will be home to the Upper Delaware Scenic Byway Visitor Center. A 3/10 *River Reporter* article describes the project and also mentions the completion of a hamlet-wide parking study which will inform future plans for the depot's site design. Cilento will request a copy of the parking study once results are released.

Town of Tusten: On 2/17, Cilento received a draft of the recently completed Tusten Comprehensive Plan from Town Planning Consultant Peter Manning for substantial conformance review. According to a 2/18 *River Reporter* article, "Before the 100-plus-page is adopted, it will undergo a period of public review, followed by two Zoom public comment meetings: the first on Monday, 3/22, and another to be scheduled during the first week in April. The public will be able to read the plan its entirety during the public review period. It will be posted to the town's

website (www.townoftusten.org) and the town's Facebook page (www.facebook.com/TownofTusten) The draft substantial conformance review is under New Business.

Pennsylvania Township Projects

Lackawaxen Township: The Pike County Planning Department is coordinating a Lackawaxen River corridor trail feasibility study with the intention of creating a 14-mile walking trail between Hawley and Lackawaxen. A public survey is being conducted www.pikepa.org/PO/PikeOutdoors and Jessica Yoder, Assistant Director of Planning, will be presenting about the project at the 4/1 UDC Full Council meeting.

Project Review Workbook Rollout: Since the Project Review Workbook 2.0 has been completed and posted on the UDC website, Cilento continues to attend municipal meetings to announce its release and implementation.

Town/ship meetings attended as of 2/23: Town of Tusten Planning Board; Town of Delaware Town Board; Damascus Township Board of Supervisors; Town of Hancock Town Board; Town of Lumberland Planning Board; Westfall Township Planning Commission, Shohola Twp. Planning Commission. Upcoming scheduled meetings: Lackawaxen Twp. Planning Commission 4/19 at 6:30 PM.

2020 Annual Code Enforcement Review: Submitted as of 3/22: Berlin, Cochection, Damascus, Deerpark, Hancock, Highland, Tusten, Westfall. Cilento said she will be preparing requests for code enforcement activities within the corridor and sending to member municipalities, goal of completion by April Project Review Committee meeting.

FY 2021 Technical Assistance Grants: Cilento said the Town of Tusten is almost done with the Comprehensive Plan Update, Part II. The Town of Delaware is studying to assess potential for riverside trails. They are forming a committee for that and have asked Cilento to participate. The Town of Hancock is still working on the Joint masterplan with the Village of Hancock. The FY 2021 (10/1/2020-9/30/2021) round will observe the following schedule: Friday, 8/20/2021, Grantees must complete their projects to the satisfaction of the Contract Criteria and submit a payment request to the UDC for reimbursement of allowable expenses.

Old Business

April 12 Training for Shippensburg GIS Mapping Tool: Cilento said after Dr. Claire Jantz presented to us at the 2/23 Project Review meeting on the Shippensburg GIS Mapping Tool. Hendrix communicated with Dr. Jantz to confirm a date for a Zoom training. The training will be 4/12 at 6:30 p.m. Dr. Jantz will be going more in-depth into the GIS Mapping Tool with Planning and Zoning board members. As of now we have 15 people registered not including staff. Cilento encouraged committee members to attend and said the presentation would be recorded so it may be uploaded to UDC YouTube and Vimeo accounts. A copy of the press release was provided in the meeting packet. Ramie said it also qualifies for planning credits and you can receive one hour for NYS. She thanked Hendrix for arranging the date with Dr. Jantz. Henry asked if the tool seems to be working properly. Cilento said she uses it every day and it's been really great. Henry asked what about Town/ships like Berlin and Hancock that don't have zoning? Cilento said there are layers on it besides zoning. There are floodplain and flood zone layers, tributaries and waterways, elevations.

River Corridor Boundary Delineation Report: Ramie said the origin of this is when UDC met with the Lackawaxen Supervisors about the Holbert Quarry a question had come up about how was this corridor mapped out and how the number of acres was decided so it shape that it is? It was explained that it was in the River Management Plan (RMP) but they were looking for a more in depth answer as to the rationales of how it started as one amount of acreage and ended up something other ultimately in the RMP. The group agreed it would good for everyone to know collectively the history and that means going back into the old records. Fortunately, we have Robinson who has kept 40+ years of records and he brought UDC the 3/26/1987 Final Environmental Impact Statement for the Upper Delaware Scenic and Recreational River for New York and Pennsylvania along with Upper Delaware River Studies from various years. Ramie said staff will be looking over the Bureau of Outdoor Recreation Reports to compile a report. Ramie said we appreciate borrowing Robinson's copies. We looked back in UDC archives and didn't have those reports that predate the UDC's history.

Robinson said he used those studies in college as part of an independent study. He said it was interesting they studied the corridor and made proposals in terms of four different options for this area. The acreage went from

14,000 to 80,000 in different renditions of the proposal. Then they produced an Environmental Impact Statement in 1987 and that has economic and demographic data. He said it really was a negotiation with the Town/ships. They offered up condemnation, eminent domain with 14,000 acres, or with a cooperative scenario with expanded acreage. He said it's memorialized in these documents.

Other: None.

New Business

Lead Agency Letters: Callicoon Riverside Park and Tusten Comprehensive Plan: Cilento said these are standard Lead Agency Letters saying UDC has no objection. The first is for the Callicoon Riverside Park Project from Sullivan County because they are getting that property. Also provided in the meeting packet is the Tusten Comprehensive Plan Lead Agency draft letter. A Motion by Henry seconded by Sullivan to approve both draft Lead Agency Letters carried.

Substantial Conformance Review – UDC 2021-004: Tusten Comprehensive Plan: Cilento said this is her first time reviewing a full Comprehensive Plan. She said there haven't been many Comprehensive Plan reviews done in recent years. Her approach was some of the objectives in the River Management Plan (RMP) are very specific to zoning, slopes, and heights, etc. that aren't necessarily something you would find in a Comprehensive Plan. She reviewed this as the general framework in how it relates to the RMP and how it would support zoning that would conform to the RMP. In addition to going over all the principles and objectives Cilento also added a section at the end from using the UDC Project Review Workbook 2.0. There were questions in the Project Review Workbook that were kind of open-ended for use when reviewing Comprehensive Plans. There are questions for land management, water resources, cultural resources, fish and wildlife resources, threatened and endangered species, and recreation resources. Cilento did this before she went through the Principles and Objectives to layout a general feel for how it communicates with the RMP. Cilento found that the Tusten Comprehensive Plan does substantially conform because there are a lot of things that are pulled either directly from references in the RMP or directly support objectives. An example is in Cultural Resources there's a question "What will the cumulative impact of this project on cultural resources in the River Corridor be?" She consulted the Cultural Resources section of the Comprehensive Plan and the goals and objectives. That was her approach with those open-ended questions. With the Principles and Objectives certain things like limiting buildings over 35' is not something you usually see in a Comprehensive Plan because that's more zoning so she talks more about things in the Comprehensive Plan that would support limiting buildings under 35', protecting the scenic and aesthetic qualities and ridgelines, etc. When Cilento does get the full zoning, she will be able to compare it against the Comprehensive Plan to make sure they agree and also the RMP. She feels the Comprehensive Plan is a lot more subjective where the zoning is very objective because there are metrics to meet. The Executive Summary on page 4 explains that it achieves 11 of the 14 applicable objectives and of the additional questions it meets 6 of the 6 objectives as far as protecting the Outstandingly Remarkable Values. Cilento opened discussion up for questions and comments.

Ramie asked the timetable for action by the Town? Cilento said yesterday, 3/22 they had their first Public Hearing on it. She believes there will be one more on 4/2. They are going through comments from the county, other agencies, and public input. Sullivan said she was sorry she was working during the 3/22 meeting because she would have been interested in what the public had to say. She said the Executive Summary was very helpful and she expressed her concern about the ridgelines because a lot of Tusten is ridgeline and is in the Scenic Area. She noted page 22 of the Substantial Conformance Review. Sullivan said the intent and everything the Comprehensive Plan said through Cilento's analysis was very consistent with what the Town got back from the surveys they sent to residents. Sullivan thought Cilento did a great job. Ramie noted that the Town's process is guided by consultant Peter Manning. She asked how this is related to the Technical Assistance Grant project. We funded them for Part II of the Comprehensive Plan. Cilento said this is parts I and II. Part I was the public input, data collection and background and Part II is actually putting the document together. Cilento said pending the approval of this it would meet the Technical Assistance Grant requirement. She said she likes the timeline of being able to review their Comprehensive Plan and knowing their zoning is coming as well. Cilento asked for comments by 3/30 after the committee has a chance to review it. A Motion by Henry seconded by Robinson to get final comments in by 3/30 and to forward draft UDC 2021-004: Tusten Comprehensive Plan to the 4/1 full Council carried.

Hall-Bagdonas said Dean emailed saying he left the meeting because he could not hear via teleconference due to poor audio quality.

Delaware County Draft Hazard Mitigation Plan Comments: Cilento said this is similar to the Sullivan County Mitigation Plan comments the committee reviewed on 11/24/2020. They are working with the same group out of the University of Albany as Sullivan County did: Albany Visualization and Informatics Labs (AVAIL). It's in the exact same format Sullivan County which is a digital. She said the digital format is really accessible and easy to use. Cilento said she followed the same format as the Sullivan County Draft Hazard Mitigation Plan Comments with a few additional comments. Comment #1 was in the Context section. It states, "The major bodies of water and waterways within the County include the East and West Branches of the Delaware River, Little Delaware River, Ouleout Creek, Charlotte Creek, Susquehanna River, Cannonsville Reservoir, Pepacton Reservoir, Schoharie Creek, Schoharie Reservoir, and Beaver Kill." Though this section mentions the presence of the East and West Branches, the Main Stem of the Delaware River is also a major body of water forming the border of southwestern Delaware County with Pennsylvania, and should not be omitted from this context statement. Comment #2, In the Capabilities Table, the Upper Delaware Scenic & Recreational River Management Plan (RMP) is not listed with the various other regional water management plans. The RMP is formally administered by the UDC and the NPS, both of which should be included in the responsible parties. Finally, the jurisdiction listed for the RMP should be in the Town of Hancock, as they are a member municipality of the UDC and included in the Upper Delaware Scenic & Recreational River Corridor in which the Plan applies. Cilento included the same comment for the Sullivan County Hazard Mitigation Plan regarding the Emergency Response Guide and the derailment that happened in Delaware County. They also mentioned failure of water control structures briefly but didn't mention any specific hazards such as the Cannonsville Dam's potential to break. Cilento was able to comment that DEP has created inundation maps. Henry recommended explaining what AVAIL means in the letter. A Motion by Henry seconded by Dexter to forward the Delaware County Draft Hazard Mitigation Plan comment letter to 4/1 full Council carried.

Sullivan said she was wondering if now would be the time to update the UDC by asking Sullivan County Emergency Services how things are changing in terms of coverage on both sides of the river. Ramie said she is writing that down as a possible presentation topic since there's a lot going on in Sullivan and Wayne County. Sullivan said that she, Ben Johnson (Tusten Town Supervisor), Jane Luchsinger (Deputy Town Supervisor) met with Superintendent Salvatore. Johnson couldn't make it, but Sullivan said she and Luchsinger had a good discussion with Salvatore. She said one of the things Salvatore was interested in was the towers and emergency services. Sullivan said UDC focuses on both sides of the river and NPS created a map with all the Town/ships. Robinson said the cell signal coverage seems to omit the section of Pond Eddy to Mongaup. He said the county does have a functioning emergency tower that could probably cover half of that area. He noted that between the Mongaup and Barryville is one of the most concentrated areas of traffic.

Review of Draft Damascus Forest Ordinance: Cilento said this is not technically in the corridor however, we had given part of the PA DCED grant to the Park's outhouse renovations. Ed Lagarenne, the Zoning Officer, had sent the document along to see if UDC had any comments. Cilento said it's very straight forward. She put together a draft letter acknowledging UDC reviewed the Damascus Forest Park Ordinance and that we appreciate their efforts to put together some clear regulations for that property. A Motion by Robinson seconded by Dexter to approve the Draft Damascus Forest Ordinance letter carried.

Dexter asked if the trail at the top of the perimeter is near the ridgeline for the corridor boundary. Cilento said by GIS standards the entire Township owned parcel is not in the corridor.

Land Use Complaint 2021-003: Kittatinny Canoes Construction: Cilento said to give a quick rundown Hendrix had let UDC know there was a complaint about construction going on at Kittatinny Campground. Cilento checked with Jim Hanson of the Town of Highland and Hanson said it was permitted. Cilento thought that was the end of the issue. Dave Jones had called Ramie and Robinson to express some concern because a uniformed officer with a jurisdiction we are unsure of (possibly DEC) had gone there demanding to see permits. Hendrix confirmed it was not NPS rangers. She said there was kind of a miscommunication, saying Jones has been responsible and an integral part of the community for decades. Robinson said the crisis is over and the only thing he reflected on was the Land Use Complaint process. He did send Cilento some suggestions on modifying the form. For example, if a complaint

comes in, we can see if a party already complained to an agency (NPS, DEC, DEP, etc.). Cilento said she added that to the form. He discussed adding why is the person complaining? Is it a violation or is it a personal reason that is more emotional than tangible? Henry suggested having something on the complaint for that asks if they contacted the Town/ship.

Other: Dexter said a few weeks ago a resident in Milanville posted a sign expressing the fact that Milanville was a site of the National Historic District. It reminded Dexter a few years ago he prepared a proposal that would be used as a Technical Assistance Grant (TAG) because there's also a National Historic District in Damascus but was then told about the restricting with Historic TAGs. Dexter said these two districts date back to Mary Curtis. Richardson said they have a Historic District in Cochection. Dexter said the person applying for the Milanville National Historic District would like to see the paperwork that says UDC has restrictions with TAGs. Sullivan said it sounds like eventually there could be a history trail. Dexter said there are an additional three sites between Damascus and Milanville; the Land House, the Milanville Cemetery he believes some of the gravesites are from some of the founding families and possibly a revolutionary war veteran, and the Cushetunk site. He said the National Historic District is a creation of the NPS. Richardson said years ago at Cochection Preservation Society he reached out to downriver historical societies for a Historical Society Weekend showcasing groups like Basket Historical, etc. He didn't hear back from any of them. Robinson said he thinks that Shohola Historical Society would be open to something like that. Cilento said one of the objectives in the Five-Year Plan was creating a Historic Driving Tour and maybe we could have a brochure of that. Ramie said she will compile a briefing for Superintendent Salvatore of the NPS discontinuation of allowing the UDC to award TAGs for historical and cultural projects so we can explore that issue again, ahead of this year's round of grants.

Public Comment: None.

Adjournment: A motion by Henry, seconded by Greier, to adjourn the meeting at 6:58 p.m. was carried.

Minutes prepared by Ashley Hall-Bagdonas, 3/30/2021