

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
September 27, 2022

Committee Members Present: Larry Richardson, Andy Boyar, Fred Peckham (Zoom), Harold Roeder, Sue Sullivan, Al Henry, Jeff Dexter, Aaron Robinson
Committee Members Absent: Jim Greier, Ginny Dudko
Staff: Laurie Ramie, Kerry Engelhardt, Ashley Hall-Bagdonas
NPS Partners: Cody Hendrix- Community & Land Use Planner
Guests:

The UDC's Project Review Committee held its monthly meeting on Tuesday, September 27, 2022 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.

August 23, 2022 Meeting & September 13, 2022 Special Meeting: A motion by Boyar seconded by Roeder to approve the August 23, 2022 meeting minutes & September 13, 2022 Special Meeting minutes carried.

Resources and Land Use Specialist Update:

New York State Projects

There have been no posted Notices of Applications Received by the DRBC in the corridor in New York this month.

Town of Highland -Highland Access: Heather Jacksy sent the following email on Monday, September 19: "Good morning, Highland Access partners, We have a contractor for this project and hope to get moving as soon as possible. The scope of the project has been modified and a number of you, our partners, have stepped up to help fill in some of the gaps so we still have a great project. As soon as we have our contractor officially on board (contract signed) I will schedule a kickoff meeting for all of us. Looking forward to getting this project done!" That meeting has now been scheduled for 10/21 at 11 a.m. on-site with the NYS DEC and project partners.

Town of Cochection: Engelhardt reached out to the secretary and chair of the Cochection Planning Board, Joy and Earl Bertsch, with regards to the home occupation located in the river corridor that was approved in July. They didn't agree that the lot was located within the corridor, she sent them a link to the GIS tool. She also asked them to send the application information for the Dollar General if that turns out to be in the corridor. Bertsch is interested in getting a paper map of the corridor, so we will try to get that to him as soon as possible. Richardson remarked that the proposed Dollar General would be in Fosterdale, outside the river corridor, if it proceeds. That will be addressed further at Cochection's October meeting.

Town of Hancock: Engelhardt was still in conversation with the Hancock Town Clerk to obtain the Minor Subdivision Plat for proposed subdivision within the corridor. She subsequently contacted the surveyor who provided the plat.

Town of Delaware: Engelhardt saw in the paper that there was a proposed area variance in Callicoon for an apartment building near the Callicoon Brewery, however that variance request has since been withdrawn and requires no action. Jim McElroy (Code Enforcement) indicated that the applicant had some issues that needed to be addressed, and they would notify her if the application was resubmitted.

Towns of Delaware and Fremont: NYSDOT issued a letter regarding an upcoming slope stabilization project: Project Identification Number 938949 will address three areas with deteriorating slopes along Route 97 within the towns of Delaware and Fremont, Sullivan County. The three areas are located between the intersection of Route 97 with Viaduct Road and the intersection of Route 97 with Baer Road. The slope stabilization work will also include installation of new guide rails on the southbound side of Route 97. The letter (which includes more details about the work, as well as a map of the locations in question) is included at the end of the Discussion Items report.

Town of Tusten: Back in December of 2021 we received a landowner complaint from Nico Juarez, a resident of Tusten, regarding a beaver dam on Cackletown Road. At the time we made some inquiries with the NYDEC. However, we did not pursue the matter further, since the area in question was not actually in the corridor (just one portion of the overall property). It’s a contentious situation between Mr. Juarez and his neighbors, and the owners of the property in question, Mr. and Mrs. Olman. The Olmans sued Juarez and two of his neighbors, and Mr. Juarez reached out to let her know that a jury trial was happening at Sullivan County Supreme Courthouse September 19th. Engelhardt has not heard the outcome of that trial.

Commonwealth of Pennsylvania Projects

From the DRBC Notification of Applications Received in August: Aqua Pennsylvania, Inc., D-1975-078 CP-6. An application to renew the approval of an existing groundwater withdrawal with an increase in allocation from 22.28 mgm to 25.048 mgm to supply the applicant's public water supply distribution system from four (4) existing wells, an existing Spring and new Well 7. The project also includes an existing importation of up to 0.494 mgd of groundwater from the Susquehanna River Basin from Wells SCI 1 and 2 in the Aqua PA Waymart SCI System. The project wells are completed in the Duncannon, Polar Gap and Packerton members of the Catskill Formation. The project is located in the Van Auken Creek Watershed in Waymart Borough and Canaan Township, Wayne County, Pennsylvania within the drainage area of the section of the main stem Delaware River known as the Upper Delaware, which is classified as Special Protection Waters.

Interstate Bridge Project Town of Delaware, NY and Damascus Township, PA: The NYSDOT issued a letter regarding Interstate Bridge #7 that carries Bridge Street/Delaware Avenue over the Delaware River, connecting the Town of Delaware with Damascus Township. It states, “We are working towards final design approval this fall. The project currently has a scheduled letting for Spring 2023, with construction starting in Fall 2023 and anticipated to be complete during the 2025 construction season. Work zone traffic control is expected to be alternating one-way traffic with a temporary traffic signal.” A copy of the letter is included at the end of the report.

Open Substantial Conformance Reviews

Project Id	Project Name	Municipality	Action	Status
2022-003	Camp Fimfo	Highland	Special Use Permit	UDC recommended Substantial Conformance 9/1/22, NPS stated their review would not begin until certain items addressed
2022-006	Tusten Zoning Changes	Tusten	Local Law	NPS returned with a finding of Substantial Conformance 8/31/22 [closed]

Camp FIMFO was approved at our last Project Review meeting 8/23, then recommended to full council which voted to recommend Substantial Conformance at the 9/1 meeting. At that meeting, Jessica Weinman made it clear that they would not begin their review until the applicant has provided the following: a. Soil investigations should be completed at Outfall #21. b. The site plans need to show proposed limits of disturbance and any clearing limits. c. The intention with regard to the Delaware & Hudson Canal bed. d. The plans need to be signed and sealed by a Professional Engineer. These issues were reiterated via an email from Hendrix dated 9/6. The applicant revised the plans and made soil investigations to address the comments. (The comment about the D&H canal bed was addressed as well with regard to stormwater, but not with regard to any preservation or interpretive intentions.) NPS accepted the submission yesterday, 9/26, and the 45-day review period will end 11/10. Today Liam Mayo let us know that the public hearing at the Town of Highland Planning Board scheduled for tomorrow at 7:00pm will be held at the Eldred High School, rather than at the Town Hall. The venue change is presumably to accommodate the large crowd they are expecting. Engelhardt will be attending that meeting.

Ramie attended the public meeting that the Sullivan County Partnership for Economic Development held at Cedar Rapids on 9/15. There was a presentation given by the corporate officers and general managers of the Camp Fimfo project from Northgate Resorts. They started with a PowerPoint presentation to describe the project and some of the policies involved in the project. Ramie said some people are sending out images on the internet and through social

media of big waterparks that are not representative of what is planned for that site. They took questions and had 18 speakers who addressed different topics such as septic systems, development plans, facilities, environmental impacts, taxes, operating hours, and traffic.

New Business

9/14 KNOW FIMFO and Delaware Riverkeeper Network Supplemental Comment Letter: Engelhardt provided the 9/14 KNOW FIMFO and Delaware Riverkeeper Network Comment Letter UDC was cc'd on. Robinson provided a flyer by KNOW FIMFO he had received in the mail for members to look at which references the UDC.

9/21 Penn State Extension Land Use Webinar Report: Engelhardt attended the 9/21 webinar based on the "Missing Middle", which are housing options which are a transition between high-rise apartment buildings in urban situations and detached single-family homes; a smaller apartment complexes, duplexes, or homes that are divided into apartments. There were two planners from Cranberry, Pennsylvania who talked about the different options they had and how they made overlay districts. In 1950 nuclear families (2 parents and kids) were 43% of households and 20% today. Things are different now; not everyone lives in nuclear families, some people have roommates for longer, etc. The planners talked about looking at providing housing for people in different ways. The next Penn State Extension Land Use Webinar is on 10/19 and Engelhardt will report on that at the next meeting.

River Corridor Maps: Eleven of the 13 frames have been delivered. Engelhardt will prioritize getting the river corridor map to the Cochection Planning Board based on their request as the map prints and frame orders continue to be received.

Other: None.

Old Business

Draft Resolution 2022-07: Approving Technical Assistance Grant for Fiscal Year 2023: A Motion by Henry seconded by Sullivan to recommend approval of the award carried unanimously. Ramie said the resolution will be presented at the 10/6 UDC meeting so there will be another chance to discuss this committee's recommendation to full Council.

10/6 UDC-NPS Telecommunications Subcommittee Meeting Preparation: Robinson said the next work session is scheduled for 6 p.m. on 10/6, for which Engelhardt is preparing notes from the last 9/1 session to share. Robinson would like to focus on what elements of the River Management Plan apply and look at local ordinances.

Other: Engelhardt said that the National Parks Conservation Association has completed the 3-D Buildout Visualization Project and she will request a presentation on it at the 11/3 UDC Meeting if possible. She asks to reschedule a meeting with Sharon Davis on it. Richardson asked if this is the same project that Shippensburg University and NPS worked on and was told no.

Engelhardt and Hendrix will offer a demonstration on the use of the GIS mapping tool at the 10/25 Project Review committee.

Adjournment: A Motion by Roeder, seconded by Sullivan, to adjourn the meeting at 7:28 p.m. carried.

Minutes prepared by Ashley Hall-Bagdonas, 10/3/2022