

**Upper Delaware Council**  
**PROJECT REVIEW COMMITTEE MEETING MINUTES**  
**January 23, 2024**

*Meeting Zoom only due to weather.*

Committee Members Present: Aaron Robinson, Harold Roeder Jr., Al Henry, Fred Peckham, Ginny Dudko, Larry Richardson, Jeff Dexter, Christine Martin

Committee Members Absent: None

Staff: Laurie Ramie, Kerry Engelhardt, Stephanie Driscoll

NPS Partners: Lindsey Kurnath, Carly Marshall

Guests: Bill Dudko, WJFF Radio- Rosie Starr, River Reporter- Ruby Rayner-Haselkorn

The UDC's Project Review Committee held its monthly meeting on Tuesday, January 23, 2024 virtually. Chairperson Richardson called the meeting to order at 6:32 p.m. There was no public comment on the agenda.

**Election of Committee Chair and Vice-Chair:** A motion to keep Richardson as Chair and Dexter as Vice-Chair moved by Robinson, seconded by Henry, carried.

**Approval of December 12, 2023:** A motion by G. Dudko seconded by Roeder to approve the 12/12 meeting minutes carried.

**Resources and Land Use Specialist Update:**

**New York State Projects**

There were no posted Notices of Applications Received by the DRBC yet for January in the river corridor in NYS.

**Town of Fremont**

Long Eddy River Access – Coulter had reported to Ramie that the project has been mostly completed and sent photos that will be shown at the 2/1 UDC Meeting. Coulter will give a further update during that meeting. Signage still needs to be installed and seed needs to be planted.

**Town of Delaware**

Callicoon Water Project – The Town of Delaware is updating the water system located in the Hamlet of Callicoon that includes the drilling of new wells. Engelhardt reached out to Delaware Town Clerk Tess McBeath for more information on the project and McBeath connected her with an engineer at Delaware Engineering. She plans to learn more about the project and discuss the UDC process with him.

**Town of Highland**

Route 97 as a "Shared Highway" – The UDC and the Upper Delaware Scenic Byway (UDSB) both issued letters of support for the Town of Highland to pursue funding for this project. Engelhardt asked if Ramie or anyone else had heard anything else about this. B. Dudko said at the UDSB meeting Town of Highland Supervisor John Pizzolato said the town was not interested in the project going forward. Later, after the meeting, (since Ramie had technical difficulties and wasn't able to speak at the time) Ramie said the grant application was already submitted by an apparent 12/27 deadline and the new town administration will assess whether they would accept funding if it is approved due to the \$1 million match the project would require. They may opt to decline or scale it back.

Highland Access – Coulter confirmed that the DEC is responsible for maintaining this access, which includes removing debris washed up by high river levels. Since the DEC doesn't have any offices nearby, they often contract with local municipalities to take care of issues as they arise. The Town of Highland highway maintenance crew had helped in the past.

**Commonwealth of Pennsylvania Projects**

The Notice of Applications Received in Pennsylvania has not been posted yet by the DRBC for January.

**Lackawaxen Township**

Holbert Quarry – On January 3<sup>rd</sup> Engelhardt and Marshall went to the offices at Lackawaxen Township to look over the files from the previous special use permit applications for Holbert Quarry. Files were pulled from as far back as 2002. NPS had received a letter directly from Wayne Holbert and they are looking for supporting information before replying to him. The UDC still has not received a formal application for the project. Peckham asked if Holbert had filed an application with PA DEP and if the UDC received anything yet from the DEP? Engelhardt said no but she believes Holbert filed an application with DEP to expand the project. Peckham said in 2012 the DEP deferred the decision to the UDC and NPS before they made their decision. Marshall said there were negotiations between the township, UDC, NPS, and DEP to come to the agreement after the Conditional Use approval. She said that what Holbert is asking for now is greater than what the previous Conditional Use Permit granted. Peckham said he believes it's more than what is in the River Management Plan (RMP); they can only go 2 acres at a time. Kurnath and Marshall said they are still researching this matter.

**Shohola Township**

George Billeci – Shohola Township received an application for a conditional use variance at 117 Richardson Avenue within the General Commercial zoning district. Engelhardt attended the meeting of the Planning Commission on 12/21. The applicant submitted an application with no sketch plan. The Commission heard the applicant's plans for the property which includes a deli/restaurant on site. The property is currently a residential home. The Commission explained to him the steps he needed to take, which was more than he anticipated. Since he did not submit enough information, Billeci's check for the application fee was returned and the meeting was retroactively considered an informal discussion rather than a public hearing. Robinson will keep Engelhardt updated with that process through the Planning Commission.

During this meeting there was discussion on updating the Comprehensive Plan. Engelhardt reminded the Commission of the UDC's Technical Assistance Grant program. If they are still working on the Comprehensive Plan when the next round comes up, hopefully they will apply.

Robinson said at the last Planning Commission meeting they established how they will review the Comprehensive Plan. They will go through 5 or 6 sections a meeting, as time allows, and pick out information that is not relevant, outdated, and inconsistent with zoning.

Robinson also mentioned that he's been able to get access to the GIS mapping system to check on whether a property is located within the corridor. Richardson asked if that link can be shared. Robinson will send that link. Marshall thinks the reason the link is working is because NPS transferred files from one network to another. She recently received a request to review those files by January 29<sup>th</sup>, otherwise they get removed. She plans to review them for consistency, but the link may stop working by that date. Engelhardt mentioned that the Wayne County GIS site has an interactive GIS map that has the corridor and parcel boundary.

**Open Substantial Conformance Reviews**

Project ID	Project Name	Municipality	Action	Status
2022-03	Camp FIMFO	Town of Highland, NY	Class II – Special Use Permit	NPS issued a letter dated July 17, 2023 indicating that the project does not substantially conform to the RMP. A supporting report was also issued. <b>Closed.</b>
2024-01	Pavilion at the Flats	Town of Tusten, NY	Class II – facility to be constructed or operated by a governmental agency	To be discussed tonight.

2022-03 Camp FIMFO – Engelhardt attended the Town of Highland Planning Board meeting on December 20<sup>th</sup>. The Applicant has submitted a Final Scoping Document for a Draft Environmental Impact Statement (DEIS) that was revised to include comments from the UDC, NPS, Delaware Riverkeeper and private citizens. The board voted to accept the scoping document and the next step is for the Applicant to draft a DEIS. Camp FIMFO is not on the agenda for tomorrow night's (1/24) Town of Highland Planning Board meeting.

2024-01 Pavilion at the Flats – Engelhardt received an application for the Pavilion at the Flats in the Town of Tusten but didn't receive the sketch-plan on the pavilion's location until early this morning. She wasn't able to properly review it before tonight's meeting and it will be on February's agenda. Currently, the architectural plans are just for a pavilion with no public restrooms. If this is approved and they add restrooms in the future, it may need to go through review again.

FY2024 Technical Assistance Grants – Mid-term progress reports are due by Friday, February 23<sup>rd</sup> and Engelhardt will send a reminder to both Tusten and Damascus before she leaves for vacation.

Corridor Mapping Project – Engelhardt called the Wayne County GIS Mapping Department and spoke with Jason Zarnowski. He thinks he can have some files to her this week. He will also send PDF's and Engelhardt hopes NPS can print the maps for Damascus and Berlin Townships.

She also reached out to Jess Yoder of Pike County Planning this week. Yoder asked follow up questions about what we're looking for. Hopefully that information will be available this week as well for Shohola, Lackawaxen and Westfall Townships.

**New Business:**

**1/2 Berlin Township Public Hearing re: Solar Electric Facility Ordinance:** Engelhardt believes there was a workshop held for municipal officials about drafting these kinds of ordinances for large scale solar facility, that prompted Berlin to draft an ordinance. She attended the Supervisors meeting on 1/2. Berlin does not have zoning; therefore, it is not in Substantial Conformance. She believes the UDC doesn't have standing to review this ordinance since it's not based on zoning. She included the ordinance in the packet. She thought they would have put in place holder values for the minimum acreage and fee. This ordinance was passed. She asked Berlin Secretary and Supervisor Cathy Hunt what would happen if they got an application within the river corridor. She said they would immediately send it to the UDC. As Engelhardt read the RMP, she doesn't think this would be reviewed through Project Review. Kurnath said she'd like to more know about this; she asked if anyone has background on it, let Marshall and herself know. Peckham said Berlin is still a member, so it should be looked into and the information deemed necessary should be passed on to the NPS. Robinson said, if he remembers correctly, if a township lacks its own zoning it relies on county zoning. Henry recommended that the UDC reviews this. Engelhardt said she read through it and that it has good

language in regards to decommissioning and setting up an escrow account so there's money available and a company can't walk away. She thought, since we wouldn't allow this in the corridor anyway, it wouldn't end up in the UDC's jurisdiction. Richardson said he didn't get to look at it in detail but superficially, he thought it looked like a good ordinance. Henry said they need to get numbers finalized on acreage and cost. Engelhardt said she will follow up and find out if they have that information ready. Henry said he would follow up as well.

**1/10 New York State Training Webinar: Planning Board Overview:** Engelhardt attended this 2-hour webinar. They hold these trainings in January since all Planning Board members need 4 hours of related education annually. This training gave her a better idea on what exactly the processes are like to go through this board, how it relates to the Zoning Board of Appeals, and what each board needs to take into account when making their decisions.

**1/17 New York State Training Webinar: Zoning Board of Appeals Overview:** Engelhardt attended this 2-hour webinar as well. She was happy she attended as the information will be useful for her in the future. Both of those webinars are free to attend.

**Other:** None.

Old Business:

**Wayne County Comprehensive Plan Released for Public Review; 2/1 Commissioner's Vote:** Engelhardt said she looked through sections 1-12 carefully, with the last sections being future plans. Most of what concerns the UDC is earlier in the plan and she included some comments she'd like to make in the packet for review. They won't be submitted as a letter since they have a form to fill out on their website. The comments are for the committee to talk about. She was surprised at how much the Upper Delaware wasn't mentioned in the first few chapters; there's a section on Federal Facilities and Programs and the NPS was not mentioned at all. There was a Transportation Analysis talking about bridges PENNDOT deals with and they didn't mention the interstate bridges over the Upper Delaware River, so she'd like to mention those. This plan seems to want to be able to mine natural gas (fracking), and while she knows this board has been split and doesn't want to relitigate that, the plan referred to the DRBC's "arbitrary" regulations regarding fracking. She thinks that is an inappropriate word to use. Trying to balance a potential economic gain against possible environmental impacts is a reasonable thing, and she doesn't think it's fair to say one or the other. Richardson thinks the comments are appropriate. He asked if everyone has had a chance to look it over? Is there a deadline to submit comments? Engelhardt said the deadline for comments is end of this week and the Public Hearing is on February 1<sup>st</sup>. G. Dudko said she's happy with the comments. Henry asked who's doing this for the county. Engelhardt said Shepstone Management Company and Woodland Design Associates. Martin said she would like some extra time to go over it. Richardson asked if the UDC staff would send out an e-vote on Thursday (1/25) on whether or not they want to submit the comments on the Wayne County Comprehensive Plan. Driscoll said yes.

**Planning for "UDC 101" Orientation Session and Project Review Roadshow:** Driscoll said that she thought Ramie had wanted to start setting these up, as Engelhardt said at their last staff meeting: it's better to offer these in the Winter when the towns and townships have less on their meeting agendas. Engelhardt said if there's anything that any of the committees wanted to be added to the presentation, this is a reminder to let staff know. She had emailed with G. Dudko that she's been noticing in the local newspapers that if the project isn't going through the Planning Board process, it still needs to come through the UDC if it's within the river corridor. She would also like to be included in the earlier stages in the application processes that the planning boards have. G. Dudko commented that she gets a lot of questions on what the UDC is and what we do. It's a good opportunity for newcomers to the planning boards to educate them about the UDC. Peckham said that Travis O'Dell would go to the town planning boards and give a presentation on the UDC. Richardson said that the previous Resources and Land Use Specialist Shannon Cilento had done it too in the past and we should start doing it again on an annual basis. He would like to send an invitation to the planning board chairperson and copy the Town Supervisor. G. Dudko said that Project Review is one of the

biggest services that the UDC gives to the town. Richardson said we should incorporate how the towns and townships benefit from the TAGs the UDC offers into the presentation. Kurnath asked if they planned to do a “roadshow” or an in-office meeting where all towns and township members are invited. Richardson said he liked the idea of going around to the towns and townships, since it could be more of a personalized, one-on-one experience. Kurnath agreed. After the meeting adjourned (due to technical difficulties) Ramie said these are proposed as two different events. The “UDC 101” Orientation Session is a refresher for current members and an introduction to new members, possibly scheduled during spring. Staff from the UDC and NPS would travel to town/township planning board meetings for the Project Review Roadshow to give a presentation and overview of the processes of the Project Review Committee. Hopefully that would help some newer Planning Board members gain a better understanding of what’s expected and learn about what the UDC offers its towns and townships. This could be done in the winter, when towns and townships have less on their agendas.

**Other: (1)** Henry asked if the committee ever reviewed the plans for the Long Eddy Access. Richardson said he thinks so; that project has been going on for years. Henry said we should double check.

**(2)** Henry asked if anyone had checked if the debris had actually been removed at the Highland Access. Robinson said he hadn’t seen any tracks in the snow going down to the Access, but he’ll double check this week and let the committee know via email. Henry said as of Sunday, it was not cleaned up.

**Public Comment:** None.

Adjournment: A Motion moved by Robinson, seconded by Henry to adjourn at 7:20 p.m. carried.

*Minutes prepared by Stephanie Driscoll, 1/24/2024*