Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
October 27, 2026

Committee Members Present:	Larry Richardson, Cathleen Breen, Ginny Dudko, Christine Martin (Zoom), Harold Roeder, Alan Henry, Aaron Robinson
Committee Members Absent:	Jeff Dexter
Staff:	Laurie Ramie, Julie Pais, Sara-Jo Fegley
NPS Partner:	Carly Marshall (Zoom)
Guests	Bill Dudko

Call to Order: Committee Chairperson Richardson called the Project Review Committee meeting to order on Tuesday, October 27, 2026 at 6:33 p.m.

Approval of Minutes: A motion called by Henry and seconded by Robinson to approve the September 22 meeting minutes carried. There was no public comment on the agenda.

Resources and Land Use Specialist's Discussion Items Report:
The committee reviewed the October 27, 2026 Discussion Items Report. Pais provided these summaries:

2027 Technical Assistance Grant Revisions: Additional information had been requested from the three town applicants. Responses were received from Highland and Cochecton; no response had yet been received from Tusten as they gather more information.

Land Use Complaints Town of Delaware - Pais reported a retaining wall adjacent to the railroad along River Road in Callicoon had failed in places. Letters were sent to the railroad and town. Town of Highland - There was a report of a septic-system failure or discharge at a property identified as 211 Mail Road in Barryville. Town code enforcement, the Department of Health, and NYS DEC are involved; emergency work and well testing are underway. The discharge reportedly reached a wetland near a tributary to the Delaware River. A handout from the Town of Highland is included in the packets.

Substantial Conformance Determination: The National Park Service has approved the UDC's substantial conformance recommendation for the Town of Highland Comprehensive Plan. The letter will be distributed at the November 5 UDC meeting.

2025 Code Enforcement Report: The National Park Service requested additional information for the 2025 code enforcement activity report to be forwarded to the Department of the Interior. Pais is working on the response.

Project Update: Pais reported that the 128 Hallock Road project in the Town of Lumberland had been placed on hold pending additional engineering.

2026 TAGs: Zoning Ordinance revisions are still outstanding from Tusten. TAG applications and funding will be discussed later under Old Business.

Open Substantial Conformance Reviews:

Project ID	Project Name	Municipality	Action	Status
2026-10	Large-Scale Solar Electric Energy Facilities	Berlin Township, PA	Local Law Review	Recommendations report sent to Township on 7/29. Pending presentation to the UDC.

2026-11	Data Center Facilities Ordinance	Berlin Township, PA	Local Law Review	Recommendations report sent to Township on 7/29. Pending presentation to the UDC.
2026-12	Comprehensive Plan	Town of Highland, NY	Local Law Review	NPS approved Substantial Conformance report
2026-13	Shohola Data Center Zoning Amendments	Shohola Township, PA	Local Law Review	SC report needs committee approval
2026-14	Shohola Zoning Amendments	Shohola Township, PA	Local Law Review	SC report needs committee approval
2026-15	Damascus Data Centers	Damascus Township	Local Law Review	SC report needs committee approval
2026-16	128 Hallock Road	Town of Lumberland, NY	Subdivision	Project on hold

2026 Technical Assistance Grants:

Applicant	Project Description	Award	Project Status
2026-01 Town of Tusten	Zoning Revisions	$3,000	Project completed on 8/19. Undergoing Substantial Conformance review.

2027 Technical Assistance Grants:

Applicant	Project Description	Award Requested	Project Status
2027-01 Town of Highland	Code Revisions associated with the recent Comprehensive Plan changes	$12,000	Application Received 8/21; Application revised 10/23
2027-02 Town of Cochecton	Upgrade Zoning	$10,000	Application Received 8/21; Application revised 10/27
2027-03 Town of Tusten	Tusten Zoning Codification associated with the Zoning Revisions in progress	$10,000	Application Received 8/18

New Business:

a) Substantial Conformance Review 2026-15: Data Centers, Damascus Township
b) Substantial Conformance Review 2026-13: Data Centers, Shohola Township

Pais summarized data center ordinances for Damascus and Shohola. They both restrict data centers from the River Corridor. Damascus limits the use to an approximately 200-acre industrial zone roughly four miles from the river. Members discussed the Committee's jurisdictional authority and whether it should provide broader

advisory comments beyond the corridor and under its funding limits. Others noted that four miles is relatively close to the corridor.

The Committee agreed to document its review by sending a letter to the National Park Service and the relevant townships noting that the proposed locations for data centers were outside the River Corridor, rather than providing a full substantial conformance report.

A motion called by Henry and seconded by G. Dudko to handle the Damascus and Shohola data center ordinances by letter/correspondence rather than a full substantial conformance report carried.

c) Substantial Conformance Review 2026-14: Zoning Code Amendments, Shohola Township:

Pais explained that the proposed amendment creates a definition for "seasonal camps," described as recreational, educational, vocational, or similar camps operating during a regular season of up to 90 days per calendar year, with up to 30 additional days for special events. Her concern is that the definition and related language is too broad, unclear and/or vague, particularly regarding permanent structures, individual campsites, temporary shelters, and the distinction between an organized camp and a campground. While the rest of the proposed changes conform to the Land and Water Use Guidelines, she finds that this section on seasonal camps would not conform currently.

Members discussed the River Management Plan's restrictions on permanent or long-term occupancy of individual campsites and permanent campsite structures (with stated exceptions such as tent platforms), as well as the distinction between organized camps with structured programs and campgrounds used for transient camping. Members noted that seasonal camps may involve permanent communal structures such as dormitories and dining facilities, while individual camping sites or temporary shelters raise different compliance questions. A flow chart that Fegley had prepared in consultation with Pais was distributed to demonstrate the various issues regarding the seasonal camps aspect of the amendments.

The discussion did not result in a final Substantial Conformance recommendation. The Committee's direction was to clarify the definition and related provisions, potentially by distinguishing organized seasonal camps from campgrounds and by more clearly describing allowable structures and excluding individual campsites where appropriate. Pais and Shohola Planning Commission member Robinson would work on proposed wording and send comments to the relevant township. Robinson noted that a public hearing on these Zoning Code Amendments is expected on November 12. After providing suggested language to the township, staff will present a recommendation on Substantial Conformance Review 2026-14 to the full council on November 5 to forward to NPS for a final determination.

d) Town of Highland Alert: Septic Failure Precautionary Well-Water Testing, Barryville, NY:

Members discussed the reported septic discharge into a wetland near a tributary to the Delaware River at 211 Mail Road in Barryville, the former Catskill Mountains Resort property. Local and state agencies are already investigating, and well testing for nearby properties is being organized, as noted in the handout. Town Supervisor John Pizzolato has been providing Pais with regular updates. Martin said there is some uncertainty about the duration and extent of the discharge. Members discussed the limits of the Committee's jurisdiction since this property is not located in the River Corridor, and whether additional testing of overland flow or the receiving wetland/waterway would be useful as Pais suggested doing.

The Committee's approach was to communicate its concern to DEC and the town, and request information/findings and consideration of testing related to the wetlands, based on the Stony Brook tributary's connection to the Delaware River.

A motion called by Breen and seconded by Robinson to request information/findings from DEC on overland flow testing and communicate the Committee's concern about potential impacts on wetlands and tributaries of the Delaware River, including whether additional testing is appropriate, carried.

Old Business:

a) 2027 Technical Assistance Grant (TAG) Application Revision:

The Committee revisited TAG applications for the upcoming grant cycle. The three town applicants had been asked to clarify or revise their requests to address whether projects could be split across years and whether the work could be completed in 2027, as well as their costs. The Towns of Highland and Cochecton each indicated that their projects could be done in the original time allotted. Tusten's application/cost justification is still pending their request to the subconsultant to provide information.

Ramie reported that the UDC's New York State funding contract will cover October 1, 2026 through September 30, 2027, with a possible extension to the end date possible to request. The funding is reimbursement-based, meaning the UDC would need to pay eligible costs before seeking reimbursement. She also reported that state procurement requirements relating to Minority- and Women-Owned Businesses (MWBE) and Service-Disabled Veteran-Owned Businesses (SDVOB) might apply to these sub-grants. Further review of the rules, potential waivers, and work plan approval will be needed following Ramie's analysis of her notes from her October 26 meeting with the UDC's contract manager from the NYS DEC Division of Water.

Members discussed whether to use state funds for UDC operating expenses and free up federal funds for TAG grants due to the timing risks and project end-date for reimbursement, as well as the need to potentially adhere to the sub-contracting requirements which set percentage goals for the solicitation of MWBE and SDVOB vendors. She had explained to the contract manager that UDC applicants have generally identified who they will use as their consultant when they seek the grant in order to develop their budgets. Ramie was advised that it typically takes 2-3 months to receive approval for the work plan and budget from the state, which would delay the implementation of TAG projects. There may also be an adjustment of costs for the Tusten TAG application; that request needs to be resolved. Ramie emphasized the importance of demonstrating responsible stewardship of NYS funds. Richardson said he would like to get this issue of 2027 TAGs resolved by the November 5 UDC meeting. A motion by Richardson seconded by G. Dudko for Ramie to do further research and provide a recommendation on the awarding of 2027 Technical Assistance Grants at the next full Council meeting carried.

b) 2025 Code Enforcement Report Update:

The revised draft report will be presented to the Project Review Committee when the additional information requested by the National Park Service is collected and prepared.

c) Town of Delaware Land Use Complaint: River Road, Callicoon:

A Central New York Railroad spokesperson had acknowledged the UDC's original letter sent August 27 regarding "Deterioration of Train Support Retaining Wall in Callicoon, NY" and stated on August 28 that they are investigating the concerns of the rock wall at the intersection of Tower and River Roads. They will contact the UDC with additional information when that investigation is complete. The UDC's latest letter sent on October 5 notified the railroad of an extended area of concern after Pais observed several breaches in the soil embankment retaining wall further along River Road during a routine field visit on October 2, with a map and photographs attached.

There was no Other Old Business or public comment.

Adjourn (Recess):

A motion by Robinson seconded by G. Dudko to adjourn the meeting at 7:41 p.m. carried.

Minutes prepared by Sara-Jo Fegley, 10/30/2026