

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
March 26, 2024

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

Committee Members Absent: None

Staff: Laurie Ramie, Kerry Engelhardt, Stephanie Driscoll

NPS Partners: Lindsey Kurnath, Carly Marshall

Guests: Bill Dudko

The UDC's Project Review Committee held its monthly meeting on Tuesday, March 26, 2024. Chairperson Richardson called the meeting to order at 6:36 p.m. There was no public comment on the agenda.

Approval of February 27, 2024: A motion by Henry seconded by Dexter to approve the 2/27 meeting minutes carried.

Resources and Land Use Specialist Update:

New York State Projects

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

Town of Highland

Camp FIMFO- There has been no movement on the project and it is not on the agenda for March's meeting of the Town of Highland Planning Board. The applicant is currently drafting a Draft Environmental Impact Statement (DEIS).

Town of Delaware

There was an update to the Callicoon Water Project in the *Sullivan County Democrat*; they have begun drilling and testing the wells. The article was included in the packet.

Commonwealth of Pennsylvania Projects

There were two projects posted Notices of Applications Received by the DRBC for January in the river corridor in Pennsylvania. Neither one of the projects is located within the Upper Delaware corridor but they do drain into the river. Engelhardt included them in the Discussion Items for information.

Roamingwood Sewer and Water Association, D-1988-014 CP-5. An application to renew the approval of the existing 1.755 mgd Roamingwood WWTP and its discharge. The WWTP will continue to discharge treated effluent to Ariel Creek, which is a tributary of Wallenpaupack Creek upstream of Lake Wallenpaupack, which is a tributary of the Lackawaxen River, at River Mile 277.7 - 15.8 - 14.2 - 3.5 (Delaware River - Lackawaxen River - Wallenpaupack Creek - Ariel Creek). The WWTP is located 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, in Salem Township, Wayne County, Pennsylvania.

Aqua Pennsylvania, Inc., D-2014-007 CP-2. An application to renew the approval of an existing groundwater withdrawal of up to 6.0 mgm to supply the applicant's public water supply system from existing Wells Cawley, Fern St. and Red Shale. The project wells are completed in the Catskill Formation. The requested allocation is not an increase from the previous allocation. The project wells are located in the Wallenpaupack Creek Watershed in Hawley Borough, Paupack and Palmyra Townships, Wayne and Pike Counties, Pennsylvania within the drainage area to section of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters.

Damascus Township

Zoning Ordinance Amendment, Alternative Energy Systems - Damascus Township is proposing to amend their ordinance regarding “alternative energy systems.” The existing zoning ordinance does not allow ground-mounted systems exceeding 35 kW output in the River District (which is the same as the boundaries of the Upper Delaware river corridor). The proposed amendments do not change in what zoning district the installations can be located, therefore Engelhardt does not believe the zoning ordinance amendment is subject to UDC or NPS review.

Variance Application – Engelhardt received a call from Ed Lagarenne that there is an application for a variance in Damascus for a home located in the River District. The applicant wishes to construct building additions to an existing single-family home that is located in the flood plain. Since the property borders the river; the variance is subject to UDC and NPS review. The public hearing for the application is April 23, 2024 (the same date as next month’s Project Review Committee meeting.) She took a quick look at the application and plans to look at it in more detail to make comments before the meeting.

Berlin Township

Utility-Scale Solar Facilities Ordinance – Engelhardt spoke with Cathy Hunt regarding the ordinance for utility scale solar facilities. They have not yet amended the ordinance to “fill in the blanks” (for minimum lot size, and fee) because they have not heard back from their solicitor. She asked if Hunt thought the supervisors would object to including language in the ordinance that prohibited those types of projects from being located in the river corridor, and she said that would probably be fine with the supervisors if it was fine with their solicitor, and she would make that request of him as well, to get his opinion and add it to the final document.

Lackawaxen Township

Recreational Vehicle Ordinance Amendment – An amendment to the Township’s Ordinance 115 Establishing Regulations for Recreational Vehicles has been approved by the Board of Supervisors. Section 5 Standards C reads as follows (the italicized section indicates the new language from the amendment): *“Recreational vehicles that are in sound working conditions, can easily be moved, and have a current registration, shall not be considered an Accessory Use when located on a property with a Principal Permitted Use. Recreational Vehicles not considered an Accessory Use shall be allowed on private property without Principal Permitted Use for a maximum of thirty (30) days. Said RV in this situation shall have a maximum continuous occupancy of fifteen (15) days. After thirty (30) days on a property without a Principal Permitted Use, the Recreational Vehicle must be removed and not returned to the property within (30) days. The Township must be notified, by the owner, of the date the recreational vehicle is departing, and again upon its return.”*

The Supervisors added this language because they felt that without it, the ordinance was too vague as to how Recreational Vehicles could be located on a vacant lot. As this amendment is adding specificity to the original zoning ordinance and does not make the ordinance less restrictive, Engelhardt does not feel it is subject to UDC or NPS review.

Wayne County

The Wayne County Commissioners approved the update to the Wayne County Comprehensive Plan. An article from the *Tri-County Independent* is included in the packet. Engelhardt said it does not appear that they changed the language regarding the DRBC, or that they made adjustments to the draft plan after soliciting public comment.

Open Substantial Conformance Reviews

Project ID	Project Name	Municipality	Action	Status
2024-01	Pavilion at the Flats	Town of Tusten, NY	Class II – facility to be constructed or operated by a governmental agency	Recommendation for Substantial Conformance determination sent to NPS 3/8.

FY 2024 Technical Assistance Grants

Engelhardt reported on the Mid-term Progress Reports from both the grant applicants at the February Project Review meeting. The project completion is due August 16, 2024.

Landowner Complaints

Though the UDC has not received a formal complaint, we have received a few comments about a single-family home which is being constructed in Damascus Township and is visible from the river. Engelhardt spoke with Ed Lagarenne, the Code Enforcement Officer in Damascus, and he confirmed that the construction required very little clearing and is occurring on a level part of the property. It is also clearly more than one hundred feet (100') from the river. While it can be jarring to see new construction overlooking the river where there was none before, this home is not in violation of any of the requirements of the Land and Water Use Guidelines.

Henry asked if the UDC had responded to the complaints. Engelhardt said it was made to NPS at the last Damascus Township Board meeting and that it was more of a comment than a complaint. Marshall commented that some projects are visible from the river, but there was already a clearing there. Henry asked where the construction is located? Engelhardt said off of Reers Rd. and Plank Rd. in Damascus. She commented that the owner seems to be doing the work himself, which is why it's taking so long.

Dudko said there has been some construction happening on the border of Highland and Lumberland at Camp Tel Yehuda. Engelhardt said Town of Highland Supervisor John Pizzolato had reached out to her about it and she plans to look into it.

Martin asked if there was a place she could find the checklist or if the checklist is different for each town and township. Engelhardt said each town and township has its own rules and regulations but the UDC Project Review Workbook is available on the UDC website under publications. She can also give Martin a hard copy. Marshall said the UDC Design Handbook is also helpful. Richardson reminded everyone that if you see something questionable, to go to your town or townships zoning departments first.

New Business:

Other: None.

Old Business:

UDC/NPS Project Review "Road Show": Kurnath said mostly everything is prepared for the Road Show. Invitations have to be sent out. She thanked everyone for their feedback. Henry said 15 minutes is a lot to ask for at the meetings. Kurnath said she is aware that Damascus Township only allows 3-minutes per person. Dexter said if you reach out beforehand, they will allow you more time. B. Dudko said the same about the Town of Deerpark; if they let them know ahead of time that you need more time, they will allow it. Richardson suggested that someone should reach out to one member of the Planning Board and schedule a time to give them a demonstration of the mapping tool, to save everyone time. Marshall plans on giving a handout on how to schedule a meeting with her. Robinson said it's important they convey how valuable the UDC and NPS are to the towns and townships, they don't know the resources that are offered. Dudko agreed; maybe it would be good to let the boards know that the UDC can guide them through certain processes.

Distribution of PA River Corridor Maps: Richardson asked if all the maps have been distributed? Engelhardt said yes, she just gave Henry the Berlin Township map with corrections tonight as well as having Shohola's map ready. She will arrange to get Westfall and Lackawaxen maps to those representatives. She asked everyone to please get a photo of the map presentations at the township meetings.

Other: Henry asked if there had been any updates on the Big Eddy Brewing Co on Main St. in Narrowsburg? Engelhardt said there have been no updates on that or the Shops at Narrowsburg on Main St.

Public Comment: None.

Adjournment: A Motion moved by Henry, seconded by Robinson to adjourn at 7:03 p.m. carried.