

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
August 27, 2024

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

Committee Members Absent: None

Staff: Laurie Ramie, Kerry Engelhardt, Stephanie Driscoll

NPS Partners: Carly Marshall

Guests: Bill Dudko

The UDC's Project Review Committee held its monthly meeting on Tuesday, August 27, 2024. Chairperson Richardson called the meeting to order at 6:36 p.m. There was no public comment on the agenda.

Approval of July 23, 2024: A motion by Henry seconded by Robinson to approve the 7/23 meeting minutes with the previously distributed amendments made on 8/27 and G. Dudko abstaining, carried.

Martin thanked everyone for being a part of the UDC. She thanked Driscoll for her efforts amending the 7/23 Project Review minutes. She said it's complicated to make any kind of correlation between action and result regarding climate change. A lot of members of the council are not going to agree on climate change. There are facts about the earth warming. To mention climate change as a topic of concern for this large-scale project (Camp FIMFO) in our corridor would be a chance to reduce the impact of climate change in our river area. Climate change will continue to be an issue she will raise concern on. She just wanted to make her final comments on the discussion.

Resources and Land Use Specialist Update:

New York State Projects

There was no Notice of Applications Received in the State of New York for August in the Upper Delaware region.

Town of Highland

Camp FIMFO – The Planning Board of the Town of Highland presented the applicants with their comments on the Draft Environmental Impact Statement at the July 24th meeting. A workshop meeting is scheduled for September 12th to discuss the applicant's response, which the town expects to receive this week. It is not a public hearing (that is, the public is welcome to attend, but comments will not be heard). Engelhardt plans to attend.

Commonwealth of Pennsylvania Projects

There was no Notice of Applications Received in the Commonwealth of Pennsylvania for August in the Upper Delaware region.

Damascus Township

2020 Beach Lake Highway – This is the home located on Beach Lake Highway with river frontage, near Peggy Runway Road, that has visible renovations going on. Engelhardt contacted Ed Lagarenne who indicated that he is indeed aware of the building improvements that are ongoing. It was his understanding that the grading improvements/retaining wall were outside of the flood plain. Marshall has made inquiries with the Wayne County Conservation District regarding any permitting or plans that they may be aware of.

Willow Wisp Farm – Engelhardt has reached out to Ed Lagarenne and asked for an application for the barn at Willow Wisp Farm to be reviewed for Substantial Conformance. She received some documentation but is still awaiting plans of some sort.

Open Substantial Conformance Reviews

Project ID	Project Name	Municipality	Action	Status
2024-03	Nectar Juice Bar	Town of Tusten, NY	Class II – Special Use Permit	NPS concurs with the UDC's recommendation of Substantial Conformance, letter received 8/13/24. Closed.
2024-04	Robinson Convenience Store	Lackawaxen Township, PA	Class II – Conditional Use Permit	NPS concurs with the UDC's recommendation of Substantial Conformance, letter received 8/13/24. Closed.
2024-05	Kate Project	Town of Highland, NY	Class II – Constructed by a government agency	To be reviewed tonight.
2024-06	Freeman Garage	Town of Lumberland, NY	Class II – Special Use Permit	To be reviewed tonight.

FY 2024 Technical Assistance Grants

We have received Project Completion documents for both TAG 2024-01 (Tusten Update to Open Space and Recreation Plan) and TAG 2024-02 (Damascus Emergency Brochure). Both will be discussed under New Business.

FY 2025 Technical Assistance Grants

We have received four applications for Technical Assistance Grants for the upcoming year:

Town of Tusten – Open Space and Recreation Plan Completion

Berlin Township – Tax Maps

Town of Tusten – Sage Sessions

Town of Deerpark – Town Brochures

The TAG program for Fiscal Year 2025 will be discussed further under New Business.

New Business:

Town of Tusten FY 2024-01 Technical Assistance Grant Project Completion Approval: The completion form is included in the packet with the original application to see the initial proposal at the time of their application. They did expend more than the \$10,000 they requested from the TAG. The applicant was clear that this would be a two-year project. This year they have assembled a Conservation Advisory Council, created a website, and plan to mail a survey to Tusten taxpayers, proving they are making progress on the project. Engelhardt feels they have fulfilled what they intended to do. Ramie reminded the committee that the FY24 TAG project completions need to be approved at this meeting before payment can be approved at the Operations Committee meeting later tonight. A motion by Martin to approve the project completion for the Town of Tusten's Technical Assistance Grant 2024-01, seconded by G. Dudko, carried.

Damascus Township FY 2024-02 Technical Assistance Grant Project Completion Approval: The completion form and original application are included in the packet. Engelhardt said Damascus Township applied for a Technical Assistance Grant to prepare an updated emergency preparedness brochure. The

brochure has been completed, printed, and mailed to residents. They also dropped off brochures at the UDC office to give out and for NPS to pick up. Engelhardt said the brochure looks good and has all the correct information. Ramie said Damascus had sent the brochure for proofreading before they sent it to be printed and she appreciated that opportunity. Copies were passed around the table. All the money requested for the TAG was used. A motion by Robinson to approve the project completion for Damascus Township's Technical Assistance Grant 2024-02, seconded by Roeder, carried.

Applications for FY 2025 TAG Program, Criteria Review; 9/10 Special Meeting: Engelhardt reported that we have received four applications for Fiscal Year 2025 Technical Assistance Grants. The Town of Tusten applied for two, one for their 2nd phase of the Open Space and Recreation Plan Completion and one for Sage Sessions; Berlin Township for updated tax maps; and the Town of Deerpark to create and distribute a new town brochures. The applications are not included in tonight's packet since she did not have enough time before tonight's meeting to thoroughly review them. They will be included in September's Special Project Review Committee meeting. TAG criteria are in the packet as a refresher. Ramie asked how much funding is being requested? Engelhardt will calculate that for the September meeting. Richardson asked how much we have budgeted for FY2025? Ramie said we will have that information with the applications at next month's meeting. This year, we spent a little over \$12,000 on TAGs. Richardson said the Project Review Committee will meet on Tuesday, September 10th at 6:30pm for a special meeting on Technical Assistance Grants.

Substantial Conformance Review 2024-05: Kate Project, Town of Highland: Engelhardt said this project consists of three components, all part of the original waterfront revitalization project that has been ongoing for many years. Two portions already completed as part of the project were the painting of the cul-de-sac in Barryville, and the reconstruction of the Highland River Access that was completed earlier this year. The next three components currently under consideration are the riverside area, removal of the Barbara Yeaman eagle blind, and the construction of a paved footpath that connects the eagle observation area to the existing hiking trail along the towpath.

The removal of the eagle blind was approved by the Eagle Committee of the Delaware Highlands Conservancy, who had constructed it. That blind was in disrepair, and lately not a good spot for observing eagles. The site will be evenly graded, and the parking area will be revitalized with stone. A paved area will be added so that wheelchair users can easily exit their vehicles to see the river. The existing pollinator garden will be retained and enhanced.

The proposed paved walkway will be five feet wide and extend from the parking area at the eagle observation area. A split rail fence will be installed in areas where the drop off to the river is steep. The walkway will be constructed of asphaltic and concrete millings. Interpretive signs will be installed regarding the history of the D&H Canal.

The third component is an area between River Road and the river that was donated to the town by Aaron Robinson and has historically been a place for people to sit in quiet reflection. Improvements include clearing out invasive vegetation and providing a ramp from River Road to access the area along the river on foot. Boaters will not be permitted to access the river here and vehicles will not be allowed. The area is located in the flood zone but not in the floodway.

Engelhardt said Jules Robinson is a neighbor and has been upset about the grading happening. Henry asked to clarify if river access will be restricted? Engelhardt said yes, for boaters. They will encourage vegetation growth along the bank to discourage boaters from launching there. Henry said the towns are always looking for river accesses. Engelhardt said the new Highland Access is a short distance away; there is no parking at this location to make an access. Richardson asked what will happen in 10 years when you can't see the river at all from vegetation? Engelhardt agreed that that is a concern. Robinson asked who will be maintaining it? Engelhardt said the Town of Highland will maintain the Kate Project pathway, as well as the Riverside Park. Henry asked if Engelhardt has seen any plans for the project? Engelhardt said there are engineering plans for the pathway and a sketch plan of the ramp going down to "Riverside Park". Henry asked what will keep wheelchairs from rolling into the river off the paved part of the parking lot of the eagle observation area? Engelhardt said she can ask. Marshall said NPS asked for a demonstration on the flood plain and how it

coordinates. It shouldn't go into the floodway, but the NPS is concerned with documentation in case something changes later. Robinson said the area extends upriver almost 100 feet where there is a pre-existing road to get the property. He doesn't think the town realizes there is an existing road that goes down to the flat; the neighboring property only cut the tip of the road off. Martin asked if there were maybe complications with the neighboring property? Engelhardt said the neighbor has been unhappy with the project in the past, so the town is purposely staying more than far enough away from the property line. Robinson said the town owns it and there is a road that already goes down to the river. They should take advantage of it. When he gave that property to the town around 21 years ago, his intent was to make it an area where people could swim and enjoy the river. Marshall said they show the road on the survey, but they aren't sure where they are planning to put the ramp. Engelhardt said in theory, this is a fine idea. It is a passive recreation of the river. We just need to make sure everything is done right. Richardson asked Engelhardt if we should put off taking any action on this tonight so she can have time to gather more details? Henry asked if they are taking care of the encroachment concern listed on the survey? Engelhardt said the encroachment is from Jules Robinson property, where they plan to stay more than far enough away to avoid issues. Engelhardt and the committee agreed they will wait until the September 5th full council meeting to take any action on the Kate Project substantial conformance.

Substantial Conformance Review 2024-06: Freeman Garage, Town of Lumberland: Engelhardt said the applicant is proposing to construct a garage for their residential home in the Town of Lumberland. They needed a variance since it is in the front yard, along Route 97. After the variance was obtained from the zoning board of appeals, they were then sent to the planning board to obtain a special use permit, though it's not clear why, since no special use is proposed. The garage will not be used for commercial use, the height will not exceed 35', and it is located more than 100' from the river in the front yard setback. It is an accessory use to the existing residential dwelling. Engelhardt recommends that this project substantially conforms to the River Management Plan. A motion by G. Dudko to recommend to the full Council on 9/5 that the Freeman Garage substantially conforms to the River Management Plan, seconded by Henry, carried.

Other: None.

Old Business:

UDC/NPS Project Review "Road Show" Update: Marshall and Engelhardt said so far, every UDC member town and township is either complete or scheduled for a visit. Marshall is still trying to schedule Buckingham and Manchester. They are planning to send out invitations to planners and legislators soon in all of the river counties. B. Dudko said in Orange County she should contact Legislator Tom Faggione.

NPS Comments on Camp FIMFO DEIS: A copy of unofficial meeting notes from Marshall to the Town of Highland Planning Board and Camp FIMFO on the Draft Environmental Impact Study for Camp FIMFO are included in the packet. These comments are not approved by Regional and therefore are not official NPS comments, since there was not enough time to get the comments approved and to the Town of Highland for their deadline. The comments are only on the completeness of the study itself. Once the comments were provided to the Town of Highland and the applicant, Marshall sent them to Ramie and Engelhardt.

Other: None.

Public Comment: None.

Adjournment: A Motion moved by Robinson, seconded by G. Dudko to adjourn at 7:21 p.m. carried.