Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
September 22, 2026

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

The UDC's Project Review Committee held its monthly meeting on Tuesday September 22, 2026. Chairperson Richardson called the meeting to order at 6:31 p.m. There was no public comment on the agenda.

Approval of August 25, 2026 Meeting Minutes: A motion by Robinson seconded by Roeder to approve the 8/25 meeting minutes carried.

Resources and Land Use Specialist Discussion Items:

New York State Projects

DRBC Dockets – The DRBC has not posted a Notice of Applications Received in the Upper Delaware River corridor for September.

Commonwealth of Pennsylvania Projects

DRBC Dockets – The DRBC has not posted a Notice of Applications Received in the Upper Delaware River corridor for September.

Discussion Items:

Town of Highland DRAFT Substantial Conformance Review of Comprehensive Plan 2026

A DRAFT Substantial Conformance Review of the Comprehensive Plan is complete and included in tonight's packet for review and comment.

2026 TAG Tusten

Pais and Marshall met with Tusten town officials, Cathleen Breen, and Tusten's Consultant Peter Manning, on September 4 to discuss how to bring the 2026 TAG Zoning Revisions into substantial conformance. A letter was sent to the town with the recommendations that were discussed that day. When the changes are made and the updated document is submitted to us, we can begin our Substantial Conformance review.

Town of Lumberland 128 Hallock Road

An applicant is proposing a five lot subdivision in the river corridor. Pais learned about this from a local newspaper. She visited the town and obtained the plans. Once all information is received, a Substantial Conformance review will be prepared.

Town of Lumberland Suco Hot

On July 28, 2026, a Denial and Referral for Zoning/Planning Board was issued the by the town to Suco Hot regarding their alleged site violations from December 23, 2025 on their High Road property in Glen Spey, NY. The notice alleges that a considerable number of trees were clearcut without approval. It appears they did not remedy their past violations, and they are being pursued by Charles Nystrom, the Code Enforcer and Building Inspector, to rectify this situation. Once all information is verified, a Substantial Conformance review will be prepared if necessary.

Damascus Township

Damascus is updating their zoning ordinance regarding data centers. Pais spoke with Code Enforcement Officer Ed Lagarenne on the phone and he will send her the draft ordinance after their legal representative reviews the document. Lagarenne encouraged her to attend the next public hearing (not yet scheduled) and will send that date when it becomes available. He stated that the update will not allow data centers in the corridor and that data centers would be allowed in the 200-acre area Industrial Zone which is not close to the corridor.

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	Draft Substantial Conformance report complete
2026-13	Shohola Zoning Amendments	Shohola Township, PA	Local Law Review	Zoning Amendments received 9/22
2026-14	128 Hallock Road	Town of Lumberland, NY	Subdivision	Substantial Conformance review ongoing
2026-15	Tusten Zoning Revisions	Town of Tusten, NY	Local Law Review	Substantial Conformance review ongoing- several items out of conformance

FY 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.

FY 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
2027-02 Town of Cochecton	Upgrade Zoning	$10,000	Application Received 8/21
2027-03 Town of Tusten	Tusten Zoning Codification associated with the Zoning Revisions in progress	$10,000	Application Received 8/18

Land Use Complaints

Town of Delaware – Pais visited the site and sent a letter to NYSW/Central New York Railroad supporting the Delaware Town Board's concern over the deteriorating retaining wall below the railroad tracks on River Road in Callicoon.

2025 Code Enforcement Report

The report is in progress and will be completed promptly upon receipt of the remaining responses. The Town of Highland data is missing.

New Business:

2027 Technical Assistance Grant Awards: Ramie explained that the main unresolved issue remains whether the UDC's newly secured $100,000 in New York State funding could be used to support the three 2027 TAG applications. The Committee had

postponed making award recommendations at its September 9 special meeting in hopes of receiving clarification from the State, but we still do not have a definitive answer. Ramie approached New York State Budget Director Blake Washington at the 9/13 River Valley Awards ceremony and asked how the State funding process worked and when the UDC could expect to be contacted. She had prepared an envelope with her card, the State budget page showing the UDC funding, and Assembly Member Kay's press release, explaining that the UDC had a grant program with deadlines and needed to understand the process. Washington told her he would have his staff follow up immediately and subsequently emailed Ramie to confirm that he had asked his team to ensure the appropriate agency contacted the UDC. No agency representative has contacted her yet. Ramie has also reached out to Cody Vegliante, Legislative Director for Assemblymember Kay, seeking a specific contact or additional guidance, but has not yet received an answer. In the meantime, Ramie consulted Molly Oliver of Friends of the Upper Delaware River (FUDR), which has experience administering New York State funding. Oliver explained that the State typically does not begin contract negotiations until late fall or early winter and that funds may not actually become available until March or April. Usually, the state must first approve a detailed budget and work plan accounting for the entire award. That can create a "chicken-and-egg" situation for subgrants because an organization may want to select its recipients before its own State contract has been finalized. FUDR handles this by informing applicants that they have been conditionally selected pending final state approval. The state then reviews the proposed projects, and subgrant agreements cannot be finalized until the underlying state contract is in place. State requirements may also have to flow down into the municipal contracts, including procurement provisions involving Minority- and Women-Owned Businesses and Service-Disabled Veteran-Owned Businesses. Oliver suggested that the UDC might need to make its TAG awards contingent upon state approval and confirmation that the projects are eligible. Ramie said there was presently nothing suggesting that the three TAG projects would not qualify, particularly since all three applicants are New York municipalities and the projects appear consistent with the UDC's mission. Oliver also offered to share examples of FUDR's State budget and work plan documents.

Ramie said that if all three TAG applications were funded at their full requested amounts, the total would be $32,000. After she and the UDC bookkeeper developed the preliminary 2027 budget, only $7,865 remained available for TAGs from the UDC's existing federal funding. The federal allocation remains at $300,000, with roughly half going towards personnel and much of the remainder committed to fixed operating expenses. She feels the new State funding offers an opportunity to maintain the TAG program at a meaningful level despite the limited federal funds. Because TAGs are reimbursement grants and the 2027 completion deadline has been extended into October 2027, Ramie initially recommended proceeding with the program with the expectation that state funding could ultimately support the grants. Even if state funds do not become accessible until spring, the actual TAG reimbursements would not occur until much later. Another option would be to postpone the award decision until more information is received from the State, although she cautioned against delaying so long that the municipalities would not have sufficient time to complete their projects. Members questioned whether the Council really needs to make its decision by October 1. Since the project completion deadline had already been extended, some felt there was now additional time to wait for clarification from New York State. Ramie explained that an early award decision was intended partly to help the municipalities with their own calendar-year budgeting. Knowing their TAG award in the fall would allow them to budget municipal funds for any portion of the project not covered by the UDC. She and members agreed that October 1 was not an absolute deadline.

The discussion then centered on whether the UDC could advance money from its own resources and later reimburse itself from the State award. Members cautioned that some grants prohibit anticipated reimbursement or commitments made before the underlying contract is executed. Without knowing the terms of the state agreement, they do not want to assume that the UDC could commit money now and replace it later with state funds. Others suggested that the issue might not require direct reimbursement at all. The UDC could potentially use federal or unrestricted funds for the TAGs and later use state money for other allowable operating expenses. However, Ramie emphasized that they do not yet know what expenses New York State would permit or whether expenditures or commitments made before the state contract became effective would qualify. The distinction between the UDC's federal operating funds, unrestricted reserves and the new state funding therefore needed to be clarified before the Council relies on any particular approach.

There was also discussion about whether the $100,000 should be considered general operating support, an Aid to Localities grant, or some other type of State appropriation. Members said that the UDC had originally sought operational funding, rather than applying for a specific project grant, but the mechanism through which the state would distribute the money remains unclear. G. Dudko said that if the funding could be incorporated into the UDC's operating budget in a manner similar to its federal funding, most of the concerns would disappear. If it came with grant-specific restrictions and prior approval requirements, however, the UDC would have considerably less flexibility.

Marshall raised several concerns about the TAG applications themselves. She observed that the Cochecton and Highland zoning amendment projects appear to be substantial projects that might be difficult to complete within one year. She suggests asking the municipalities whether the projects could be divided into phases so that the UDC would fund only the work realistically achievable during 2027. Highland's application already appeared to contain several phases that might lend themselves to that

approach. Annual federal funding generally cannot be carried into another year, and she suspects the state funding could have a similar limitation. She also questions the Tusten codification application, noting that the amount requested for codification appeared higher than the amount previously requested for the zoning revisions being codified. She suggested clarification about the exact scope of the codification and whether there was a supporting quote for the requested amount. Members responded that their understanding had been that the municipalities believed the projects described in their applications could be completed within the established timeframe, although they acknowledge that the UDC has previously divided larger TAG projects into phases when necessary.

The Committee ultimately agreed that experience from FUDR and other state grant recipients is useful, but what the UDC really needs is information specific to its own $100,000 award. Members want clarification regarding allowable uses, the funding period, whether commitments could be made before the state contract was executed, whether the UDC could reimburse itself for earlier expenditures, and how quickly the money would have to be spent. Ramie said the ideal solution would be to have the state assign the UDC a contract manager who could answer those questions directly but she has no idea when that will happen. Members encouraged additional follow-up with Blake Washington's office and Assembly Member Kay's staff because the TAG decision is becoming time sensitive. A motion by Roeder, seconded by Henry, to table the Technical Assistance Grant awards amount until their October meeting, carried.

Members agreed that the three TAG applicants should be contacted because they have been expecting an award announcement under the original schedule. Ramie reviewed the revised 2027 timetable, which called for award determinations in October, contracts by mid-October, reimbursement requests beginning after January 1, 2027, midterm reports in April, and a final project deadline of October 22, 2027. Since the award decision is now being postponed, the municipalities should be advised of the delay pending further information on funding.

Substantial Conformance Review 2026-12: Town of Highland Comprehensive Plan: Pais said her review found the Town of Highland's Comprehensive Plan to be substantially conforming with the River Management Plan and Land and Water Use Guidelines. In summarizing the review, it was noted that Highland's commitment to protecting its natural resources was evident throughout the Comprehensive Plan. The document repeatedly recognizes the importance of the Upper Delaware River corridor, the Land and Water Use Guidelines, the Upper Delaware Council and the National Park Service. Considerable research had gone into the document, which took nearly three years to prepare. That lengthy process was also cited as an example of why major municipal planning and zoning projects can take substantially longer than initially anticipated. Attention was drawn to the goals identified toward the end of the Comprehensive Plan. The first three goals relate closely to environmental conditions, protection of the river corridor, conservation of existing resources and preservation of the Town's general land-use character. Under Goal 1, Quality of Life: the Plan specifically addresses the river corridor and calls for use of the Land and Water Use Guidelines when development is proposed within the corridor. Several subsections also specifically reference the Upper Delaware Council and Delaware River, while others address maintaining larger lots and reducing development density, which was considered consistent with the objectives of the Guidelines. Goal 2 addresses freshwater resources and includes planning and engineering approaches intended to reduce erosion and its impacts on the river. Goal 3 again specifically references the Delaware River and River Management Plan, including the Town's river overlay district. Pais feels these provisions demonstrated a clear commitment to the River Management Plan rather than simply making passing references to it.
That commitment was also connected to Highland's proposed 2027 Technical Assistance Grant project, through which the Town intends to incorporate the Comprehensive Plan's goals into its zoning regulations. The TAG application identifies what the Town wants to accomplish and how it intends to proceed, providing additional evidence that Highland plans to translate the Comprehensive Plan's recommendations into future zoning provisions. While some items on the UDC's substantial conformance checklist are difficult to apply directly to a comprehensive plan because the checklist contains more specific regulatory criteria, the overall document was considered clearly consistent with the River Management Plan. Pais's review also considered the Plan's mapping. The Comprehensive Plan includes a hydrology map showing wetlands and the Delaware River, an NPS map depicting the river corridor boundary, and a terrain map illustrating tributaries and topographic conditions. The terrain mapping demonstrates the significant steep slopes found throughout portions of Highland. These conditions will need to be addressed as the town proceeds with its zoning revisions, something the Comprehensive Plan indicates Highland intends to do. Based on the Plan's goals, resource protections, mapping and repeated recognition of the River Management Plan and river corridor, the recommendation remains that the Comprehensive Plan be found substantially conforming.

G. Dudko said she had read through the material and agreed that Highland has done an extensive job addressing protection of the river and natural resources. Her one concern was that, from her perspective, the Plan appears less focused on the other side of the land-use equation—private property rights. She feels some provisions appear restrictive concerning activities such as camping and canoe liveries, as well as traditional land uses including bluestone mining and farming. She said this is simply her reaction to the document, feeling that it seemed more heavily weighted toward resource protection than private property considerations. Ramie said a Comprehensive Plan is primarily a visionary and guidance document. Robinson agreed that zoning

and other municipal laws are what impose enforceable requirements on private property. Because the Comprehensive Plan is several hundred pages long, Ramie suggested that Pais could forward the full document of link before the full Council votes on the substantial conformance recommendation. A motion by Robinson, seconded by Henry, to recommend a finding of substantial conformance to the full council on 10/1 for the Town of Highland Comprehensive Plan, carried.

Other: Ramie reported receiving copies of two letters from the Delaware Riverkeeper Network to the Town of Highland Planning Board concerning Camp FIMFO. The Delaware Riverkeeper requested that the correspondence be included in the September 23 Planning Board meeting record and raised concerns about items related to the project not being identified in advance on Planning Board agendas. Ramie quoted from the email*: "Through this letter, Delaware Riverkeeper Network respectfully requests that the Town of Highland Planning Board require Northgate Resorts to prepare a Supplemental Environmental Impact Statement (Supplemental EIS) for the proposed Sun NG Kittatinny RV Camp FIMFO Modernization and Improvement Project ("Project") per New York State Environmental Quality Review Act regulations. The Supplemental EIS should consist of additional environmental assessment of the various subjects which are inadequately addressed in the Draft Environmental Impact Statement, including the new information gathered through the Planning Board's expert consultations and the changes made to proposed Project over the last two years, as well as create an opportunity for public participation through a second comment period that lasts at least 90 days and has at least three public hearings, each at different times and one being virtual, to foster as much public participation as possible."*
Ramie said the Planning Board chairman indicated that the project would not be on the agenda for the upcoming meeting, despite the Delaware Riverkeeper Network's request that its correspondence be addressed at that meeting.

Old Business:
Town of Tusten Zoning Amendments Comments: The UDC's 9/14 letter on this subject is included in the packets.

Train Retaining Wall Update – Callicoon, NY: Pais had sent a formal letter to New York Susquehanna & Western Railway/Central New York Railroad on August 27 documenting the condition of the wall, including photographic evidence. On August 28, the UDC received a response from Melanie Boyer, representing public affairs for the New York, Susquehanna & Western Railway/Central New York Railroad, confirming that the railroad had received the correspondence, investigating the concerns, and would provide additional information once its investigation was complete. That response is important because it formally establishes that the railroad has been put on notice about the condition of the retaining wall. In addition to the photographs provided by Pais, the issue had received local newspaper coverage, making the deteriorating condition well documented.

Status of 2025 Annual Code Enforcement Activity Report: Pais said the 2025 Code Enforcement Report is nearly complete; she is still waiting for information from the Town of Highland and has been working with the Town Clerk to obtain it. Once that information is received, the report can be finalized, then the annual reporting process for 2026 will begin again in January. A new component of the report will document whether each town and township's zoning regulations are in substantial conformance. Much of that research was originally completed in the early 1990s, so staff is reviewing historical records and checking for subsequent zoning changes or updated information. Municipalities with zoning were originally required to be substantially conforming, and later zoning amendments were also supposed to undergo substantial conformance review. Most municipalities therefore already have a substantial conformance determination, except for the two municipalities that do not have zoning. However, it appears that some municipalities may have amended their zoning codes over the years without submitting those changes for review. Pais is working through the individual municipal codes to identify any such changes and update the records. The process has also been helpful for her to become more familiar with each town and township's zoning regulations.

Other: None.

Public Comment: None.

Adjournment: A motion moved by Roeder, seconded by Henry to adjourn at 7:44 p.m. carried.

Minutes prepared by Stephanie Driscoll, 9/28/2026