

**Upper Delaware Council**  
**PROJECT REVIEW COMMITTEE SPECIAL MEETING MINUTES**  
**September 10, 2019**

Committee Members Present: Larry Richardson, Harold Roeder, Jr., Fred Peckham, Al Henry, Jeff Dexter, Aaron Robinson, Susan Sullivan

Committee Members Absent: Jim Greier, Debra Conway

Staff : Laurie Ramie, Pete Golod, Ashley Hall-Bagdonas

NPS Partner: Absent

Guests: Roger Saumure – Shohola alternate, Nadia Rajsz- Lumberland UDC Representative, Molly Oliver- Friends of the Upper Delaware River, Pat O'Brien- Town of Hancock Councilman, Jane Luchsinger- Town of Tusten Councilwoman (7:03 p.m.), Deanna Rajsz, Cheryl Korotky.

The UDC's Project Review Committee held a special meeting on Tuesday, September 10, 2019 at the Council office in Narrowsburg, NY to review Technical Assistance Grant applications for Fiscal Year 2020. Chairperson Richardson called the meeting to order at 6:35 p.m. There was no public comment on the agenda.

**Review 2020 Technical Assistance Grant (TAG) Applications:**

**Town of Lumberland:** Town of Lumberland UDC Representative Nadia Rajsz introduced the application to create "The Glen Spey Cemetery FAQ Brochure". She said she was here on Frank Schwarz's behalf as he could not attend. The purpose of the brochure is to clarify the frequently asked questions of the primary cemetery of the Town of Lumberland in a concise manner. The goal of the project is to produce a tangible document by establishing criteria, rules, guidelines and procedures of the cemetery for residents and non-residents, plot owners and future plot owners. The creation of this document will eliminate confusion, specifically answer questions, and avoid time and confusion for the Cemetery Committee, town clerk and other town officials. This project addresses the goals and objectives of the River Management Plan (RMP) by "developing procedures to determine the conformance of local plans, laws and ordinances with the land as implemented in the RMP." The expected results of the Glen Spey Cemetery Guide FAQ Brochure include a detailed and concise presentation of the frequently asked questions specifically pertaining to the Glen Spey Cemetery, the primary cemetery in the Town of Lumberland. The work will be to identify who is eligible to purchase a plot, where can a plot be purchased, and the cost and size of a plot. In addition, contact information will be provided for burial and funeral services, who maintains the cemetery and what kind of plantings are allowed. The Town included Addendum A, a Time Table and Addendum B, Project Budget. The total cost of the project is \$1,017 and the Town of Lumberland is requesting \$833.50 for the project. If the UDC is able to fund only a portion, the project will still be undertaken and carried to completion by the Town of Lumberland. Sullivan asked about the history of the Glen Spey Cemetery. Rajsz said it started with the MacKenzie family. George Ross Mackenzie was the president of the Singer sewing machine company. The MacKenzie mansions are in Glen Spey. The schools are also named after MacKenzie. Henry asked if there was a particular reason the Town didn't request the full amount for funding? Rajsz said that Schwarz did not disclose that to her. Richardson said on page one, #2 it says: This project addresses the goals and objectives of the RMP by "developing procedures to determine the conformance of local plans, laws and ordinances with the land as implemented in the RMP." Richardson said it's pretty vague. Rajsz said that is where Schwarz is associating that with the RMP. She would have to ask him about that. Rajsz said again, this will help clarify the frequently asked questions the Town receives. Rajsz said thank you and departed the meeting.

**Town of Hancock:** Molly Oliver of the Friends of the Upper Delaware River (FUDR) introduced herself as well as Pat O'Brien, Town of Hancock Deputy Supervisor. Oliver said the Town is interested in hiring a consultant to conduct a recreational access study along the Main Stem of the Delaware River within the jurisdiction of the Upper Delaware Scenic and Recreational River boundaries from the Village of Hancock to Long Eddy, NY on the Delaware/Sullivan County border. The purpose of the study is to generate a report detailing the necessary steps the Town will need to go through to develop a walking trail along the Bard Parker facility (formerly Becton Dickinson facility) near the Delaware River starting in Hancock. More specifically, the planning document will study land ownership, route options for the trail, cost projections, permitting, and all other aspects necessary for the Town to

move forward with trail implementation. The goal of the project is to provide public access along the river through the development of a walking trail and to improve direct access to the river for fishing and boating. In their application they referenced the RMP, Planning Goal #8, page 14: "Provide for the continued public use and enjoyment of a full range of recreational activities, as is compatible with the other goals." Additionally, this section of the river is one of three sections that has been classified as recreational on the Upper Delaware. It extends from the upper terminus downstream to the northern boundary of the uppermost scenic river segment. At the Bard Parker Access there is a place you can park cars, fish, and launch a kayak but there is no recreational fishing boat access. Peckham asked if it was owned by the DEC? Oliver said it has a DEC easement. The goal of the project will be a report detailing the steps necessary to implement a walking trail from the UPDE upper terminus in Hancock to Long Eddy, with additional information regarding the potential to upgrade the boat launch facility located near Bard Parker. Henry asked does the issue of a walking trail along the edge of the river with the railroad tracks and private property create any concerns? O'Brien said yes, it has been discussed and that is part of the reason this plan was generated. He said there's access at Lordville, Kellam's Bridge, and Long Eddy. Jensen's Ledges trail is publically owned. He said they are looking for someone to do the leg work and do the proper survey to show them where is private property, where is railroad property that is out of the question, then they can zero in on that. Peckham said he has the deeds and maps for the railroad going through Hancock. Richardson said UDC is looking for a finished project. Oliver said this will result in a planning document that gives the Town a path forward. Roeder said the UDC had Dan Paparella speak about his nonprofit "The Upper Delaware Recreation Project" and suggested Oliver make a connection with him. Ramie said Paparella may be potentially interested in serving on their committee. The total cost of the project is \$5,750. The Town of Hancock is seeking \$5,000. If the UDC funds only a portion of the project, the project will not move forward at this time as \$5,000 is necessary to hire the planning consultant to complete this report. Other funds available currently are in the form of in-kind services from the advisory committee. Richardson said someone must have had a general idea that \$5,000 might cover a project? Oliver said they are going to work with the consultants on the scoping to make sure they get something they can finish. She said if the railroad isn't interested, they want to look at the maps and automatically eliminate that section to help focus. Oliver stressed that the study report will be the finished project. Oliver and O'Brien said thank you and departed the meeting.

**Town of Delaware:** Town of Delaware UDC Representative Harold Roeder introduced the Town of Delaware application to print a brochure similar to the Towns of Lumberland and Highland. A Guide to Permits would be a helpful brochure to have available at Town Hall. The Land and Water Use Guidelines assure that government actions are consistent with the RMP and the US Wild and Scenic Rivers Act. The Town of Delaware is in substantial conformance with the RMP; it's important to the Town that they continue to monitor and control building within the river corridor in order to stay compliant. Providing information on building requirements before a project is started should answer basic questions and avoid confusion regarding building permits- what's allowed, when a building permit is needed, etc. A brochure with frequently asked questions (FAQ's) would field questions that the office staff aren't able to answer when the Building Inspector is out of the office. A tri-fold Guide to Permits brochure will be available at Town Hall. The Town's Building Permit application is available on their website; this Guide would also be included online. Total cost of the project is \$1,127. Town of Delaware is seeking \$1,127 from the UDC for the project. If the UDC funds only a portion of the project the Town does not have fund available for this project. They don't have the ability in-house to design and print a full-color glossy brochure.

**Berlin Township:** Berlin Township UDC Representative Al Henry introduced the Berlin Township application to update and improve the existing Township website which was originally created with funding from the UDC TAG #2016-09. Many citizens frequently use the "Contact Form" on the website to obtain road work information, community center scheduling, etc., thereby allowing for better communication with their community. An update/improvement to this site would be beneficial by providing additional information. The total cost of the website update/improvement would be \$500. Total funding Berlin Township is seeking from the UDC is \$500 for the project. If the UDC funds only a portion of the project the website project would not be undertaken at this time.

The second request for funding would be for the printing of additional copies of Berlin Township Sign Ordinance. The printing of a small quantity of the manuals was made possible through the UDC TAG #2015-10. The Sign Ordinance was adopted in March of 2015 and has been a great benefit in preserving Berlin Township's rural character by prohibiting unsightly billboards and flashing lights. Only a small quantity of this ordinance booklet was printed in 2015. The Township is in need of additional copies for distribution. Total cost of the project is \$210. Berlin Township is seeking \$210 from the UDC for the project. When answering the question, "If the UDC funds

only a portion of the amount requested, would the full project still be undertaken?” Berlin Township answered: “The website project would not be undertaken at this time. Many roads need repair and Berlin Township is no exception. Using funding for a website project would not be looked at favorably when potholes still exist. The additional copies of the Sign Ordinance would most likely be printed only as needed.” Richardson said if the full amount wasn’t funded and UDC chose to fund the website for \$500, would that go far? Henry said he think Berlin Township would take anything. He believes if either was funded they would be more than happy and it can be discussed further. Henry said TAGS 2015-10 and 2016-09 were funded by the UDC and Berlin Township is trying to add on to that. Henry didn’t get a chance to ask Cathy Hunt why they are only requesting 30 copies. Robinson asked if the Berlin Township Sign Ordinance is available on the website and Henry said it should be.

**Town of Tusten:** Tusten Councilwoman Jane Luchsinger presented the application for the Town of Tusten requesting UDC TAG 2020 grant funding for the purpose of updating their 2007 Comprehensive Plan. They believe this process will take between 12-18 months and therefore for the purpose of the grant will divide the process into two parts. The 2020 request is for Part I. Quoting page 29 of the RMP under the section of Management Responsibilities of Towns, the “implementation and enforcement of local Comprehensive Plans” is stressed. As a rule, Comprehensive Plans reflecting the views of residents should be updated every 10 years. Tusten is overdo and needs to create an updated plan. Specifically, this financial request, if approved will provide partial funding for Peter Manning, Planning Consultant. Manning has worked with members of the Tusten Zoning Re-write Committee to update zoning laws and reduce ambiguities. As a result of his work with this committee he has knowledge of the Town principals and many of their views which will serve as an asset to the development of a Comprehensive Plan. The total cost of the project is \$20,000. Saumure said out of the \$20,000 how much is out-of-pocket? Luchsinger said \$18,000. Sullivan County GIS Mapping is in-kind estimating that at about \$2,000. Sullivan said the initial Comprehensive Plan she was involved with in 2007 involved meetings and opportunities for the public to come in. She thought it was very well done and very well attended. Luchsinger said there will be a survey that goes out, meetings and workshops. Ramie said the grant period is 10 months. Luchsinger said this is actually part I. The Town of Tusten is seeking \$10,000 from the UDC for the project. Henry referenced page two, #6. In the event the UDC funds only a portion of the amount requested, would the full project still be undertaken? Town of Tusten answered yes. Luchsinger said they would have to scrape for it, but yes. When Luchsinger heard \$36,000 for a Comprehensive Plan total she was a little shocked but she was told it was between \$30,000-\$40,000. Luchsinger said we all know that Comprehensive Plans are so important for planning in the future, giving guidance to the future legislators and applying for grants, etc. Henry said Comprehensive Plans are good for ten years supposedly. Do Towns go in and occasionally update them? Luchsinger said she doesn’t think you can do that. Richardson said you don’t address Comprehensive Plans piece-by-piece. Luchsinger said for instance, if the Town wants to develop a Senior Center, it costs a lot of money and the Town puts in for a grant. If it’s stated in the Comprehensive Plan that the Town wants a Senior Center, it gives validity to the request. So it is a very important document. Sullivan said in NYS the Comprehensive Plan and the Town’s Zoning are supposed to be complementary and tract together.

Luchsinger presented a second grant request to fund the remaining work to complete the Town of Tusten Zoning Update project which will require six to eight months. Town zoning is an important issue as noted in the RMP. Towns are encouraged to maintain clear, current zoning ordinances. The Town of Tusten has been working on updating their current Zoning Ordinances for over two years. Peter, Manning, Planning Consultant, and Victoria Polidoro, Land Use and Municipal Law Attorney, have served as the professional consultants working with the Town. The Town seeks funding to support the consultants so they may conclude the work. The total cost of the project is \$7,250. The Town of Tusten is seeking \$7,250 from the UDC for the project. Golod said this is related to the Zoning rewrite draft he presented in May for the Town of Tusten. The committee reviewed the Substantial Conformance Review, however, the Town did not adopt because they ran out of money to make the changes to substantially conform to the Land and Water Use Guidelines. Golod said this is to continue the project so the consultant can finish the work and the Town can adopt their Zoning Ordinance Amendment. Henry said even though it’s noted in the RMP, there have been issues in the past and stressed the project has to be in compliance with the RMP. Golod said UDC’s memorandum as well as the standard contract rider for 2020 has been amended that Substantial Conformance will need to be met prior to reimbursement for the TAG. Luchsinger said that’s fair. Luchsinger said thank you and departed the meeting.

**Committee Discussion:** Henry asked what did UDC spend for TAGs in 2019? Ramie said we only had four applications and they were \$11,387. Golod said these lower numbers have been since our Federal Partners narrowed the scope of what can be allowed for TAGs. Ramie said the NPS preliminary recommendations for FY2020 were

sent around and she hopes everybody had a chance to read those comments in advance. Henry said he was frustrated that there isn't a NPS representative present to ask questions to. Ramie explained the NPS has the National Wild and Scenic Rivers Steering Committee here this week. Richardson recognized Superintendent Kris Heister provided a comment for each grant and recommendation.

Regarding the Town of Lumberland Golod said he could not find anything in the RMP about cemeteries. There could be a concerted effort to link it to historical or cultural but we have been advised against that already. Discussion ensued. Roeder said his concern is that it is their primary cemetery, it is in Glen Spey and he's not sure that is in the River Corridor. Robinson said it's right on a tributary of the Corridor and the water runs down to the Delaware. Saumure referenced the RMP saying promoting the health, safety and welfare of the residents through the corridor. He said any money that can go to the Townships meets that objective and it's up to the Township where that goes. Saumure said cemeteries are part of zoning and zoning is part of the Land and Water Use Guidelines. Robinson supports the application and knows for a fact that there are people that lived in the corridor that are buried there. It's a facility that people living within the corridor need to use. It's a public cemetery so the Town offers it as a service for a repository for those who need a burial plot. Robinson said it's not so farfetched that it has a global value to a Town, so that this amount of money is well spent. Richardson sits on the board of the Fosterdale Cemetery Association and when somebody wants to know the rules and regulations they hand them a printed piece of paper. Dexter said he supported the application. Discussion ensued. Members indicated by majority consensus that they did not approve of the application as an appropriate use of federal funds.

Regarding the Town of Hancock's application Golod said they did a good job at linking in support of the RMP utilizing page 14 goal #8 as Molly Oliver read: "Provide for the continued public use and enjoyment of a full range of recreational activities, as is compatible with the other goals."

Regarding Berlin Township Golod asked the committee to reference the document with preliminary recommendations by NPS. Golod said when Henry was asked if the sign ordinance is on the website, he went online to check and it is not. He understands that Cathy Hunt does everything but he believes the website really does need an update. The website can strengthen the information, he referenced the planning goals of the RMP on page 13 and 14 #7: "Foster a public recognition of the Upper Delaware River Valley as a place with its own identity, continuing history, and a destiny to be shaped by its residents" also #10: "Develop and implement an interim plan for the protection of public health and safety due to the presence of a toxic landfill located adjacent to the river in the Town of Tusten. . .". He said they specify Tusten but he thinks with the website it would be a lot easier to access these FAQ brochures online and also see the sign ordinance, etc. This is essential information that is necessary to the health, safety and welfare of the residents. Henry noted the NPS preliminary recommendation for Berlin Township and how it states "The 3k provided in 2016 for the website (and town base map) resulted in a product that makes no mention of the river, river corridor, RMP, LWUG and the 2019 permits brochure does not mention any special considerations within the corridor either." Henry said Superintendent Heister worked with Berlin Township to finalize that project so he doesn't understand why it would be lacking. Discussion continued. Golod said he feels the issue NPS has with the sign ordinance is that in 2015, the UDC never received it for review for Substantial Conformance. The group recommends Berlin Township apply the \$710 to the website and to add the sign ordinance and other Subdivision and Land Development Ordinance information they may have, the RMP and the Land and Water Use Guidelines to their online postings. Golod said that may satisfy the TAG in the eyes of the NPS relating back to the RMP and the Land and Water Use Guidelines.

Ramie said the committee's recommendations would be a Resolution to the full Council on 10/3. She will send this information to Patrick Reidy at the NPS via Superintendent Heister requesting to have an answer by 10/3. A motion was made by Robinson seconded by Henry to recommend approval of the 2020 Technical Assistance Grant applications by the Town of Hancock, Town of Delaware, Berlin Township, and two by the Town of Tusten, after any necessary revisions of the applications.

- Town of Hancock – Recreational Access Study, \$5,000.00
- Town of Delaware – Guide to Permits FAQ Brochure, \$1,127.00
- Berlin Township – Update and Improve Township's Website, \$710.00
- Town of Tusten – Town Comprehensive Plan Update, \$10,000.00
- Town of Tusten – Town Zoning Ordinance Update, \$7,250.00

**Other:** Golod and Jennifer Claster have completed the Project Review Guide. It was sent out for review to Ramie and Superintendent Heister and final edits were made. Golod and Claster feel it would not be productive to review during a regular Project Review meeting and would like to hold another special meeting similar to tonight with the timeframe of October. Ramie proposed meeting ahead of the full Council meeting on 10/3 at 6:00 p.m. Golod will be sending the document out in advance for review. Forty-five minutes will be dedicated to the Project Review Guide before the full Council meeting at 7:00 p.m. on 10/3. Peckham suggested any questions people have should be submitted in advance. Robinson asked if the definition of Substantial Conformance was included in the Project Review Guide? Golod said that's a conversation that needs to be had as the Project Review Committee. He said he doesn't believe it is in its entirety. Golod said this is a great topic to bring to the 10/3 Project Review special meeting. Henry said UDC should get the legal definition of Substantial Conformance and circulate it around. He suggested asking UDC's attorney how it's defined. Ramie said it's defined in the RMP itself, in the definitions of the Land and Water Use Guidelines.

Roeder asked if anybody has an idea of why the NPS is hiring a Hydrologist? Ramie said that is on our Action Items for Superintendent Heister to answer at our next UDC meeting because Henry had brought it up.

**Adjournment:** A motion by Robinson, seconded by Henry, to adjourn the meeting at 8:05 p.m. was carried.