

Upper Delaware Council
PROJECT REVIEW COMMITTEE MEETING MINUTES
August 25, 2020

Committee Members Present: David Dean, Larry Richardson, Jim Greier, Fred Peckham (via phone), Al Henry, Aaron Robinson, Jeff Dexter, Susan Sullivan, Roger Saumure- Shohola Township Alternate

Committee Members Absent: None.

Staff : Laurie Ramie, Shannon Cilento, Ashley Hall-Bagdonas

NPS Partner: Acting Superintendent Darren Boch (via phone)

Guests: None.

The UDC's Project Review Committee held its monthly meeting on Tuesday, August 25, 2020. Chairperson Dean authorized Richardson to lead the meeting. Richardson called the meeting to order at 6:32 p.m. There was no public comment on the agenda.

Approval of July 28, 2020 Meeting Minutes: A motion by Robinson seconded by Dexter to approve the July 28, 2020 Meeting Minutes was carried. There was no public comment on the agenda.

Resources and Land Use Specialist Update:

New York State Town Projects

Town of Tusten: On 7/20, UDC received by mail a notice of intent to serve as lead agency under SEQRA from Delaware Engineering on behalf of the Town of Tusten for their proposed Narrowsburg Water System Improvement Project. The project is planned at widespread locations throughout the hamlet of Narrowsburg and will include upgrades to fire hydrants, water main lines, and other antiquated water facilities. On 7/29, Cilento drafted a response letter (included in the meeting packet) and sent to the Town and project engineer.

Additionally, on 7/14, the Tusten Town Board passed a new local law banning parking on Bridge Street from the Delaware River Bridge to the railroad bridge. This will allow for better traffic circulation and less vehicular congestion on Bridge Street. Due to UDC's location on Bridge Street and potential undesired public use of our parking lot, Ramie sent a letter to the River Reporter (included in the meeting packet) on 8/12 to clarify and correct Supervisor Ben Johnson's alleged comment that the UDC lot was available for public use.

On 7/21, UDC also received 2 special use permit applications from the Town. One application was submitted by Narrowsburg Motor Sales, Inc. to add a café into their existing automobile showroom at 174 Bridge Street. The other is an application from Roseanne McKeegan to change the use of the storefront at 25 Main Street (former Tusten Cup) from restaurant to retail. Cilento submitted substantial conformance review recommendations for both projects to NPS following approval at the 8/6 UDC Full Board meeting.

Town of Highland: On 7/16, the Town of Highland Zoning Board of Appeals (ZBA) held a public hearing for a side setback variance at 19 Whalen Rd. (SBL 26.-1-16.5). The applicant requested an area variance to construct a 30' x 36' garage and reduce the side setback from the required 30' to 10'. The variance was granted before any material was submitted to the UDC. Cilento followed up with the Town after the 7/28 Project Review Committee meeting to obtain the application for more information than was in the legal notice.

Additionally, a legal notice was published in the Sullivan County Democrat that a public hearing of the ZBA was to be held on 8/20 to address an appeal of a violation. The violation was issued to the owners of the Stickett Inn at 3380 NYS Route 97 in Barryville by Town Code Enforcement Officer Dave Preston; it stated the eating and drinking establishment/hotel had been operating without site plan approval or a special use permit. The property is in the Hamlet-Commercial Zoning District. Cilento will follow up with the Town for more information if the project will need Substantial Conformance Review.

Town of Lumberland: The Lumberland Town Board cancelled a scheduled Zoom meeting on 7/22 at 7 p.m. with a public hearing for the demolition/removal of an unsafe structure owned by Rasmus Holdings LLC at 1148 State Route 97, SBL 25.-2-14. The legal notice said, “The structure is unsafe, dangerous and unfit for use as a dwelling because the structure has not been lived in and is uninhabitable. The whole structure is in danger of a full collapse...Clear and apparent rot and decay of the structural members is present from the outside of the structure. The building has not been maintained properly in years.” (Source: *Sullivan County Democrat*). At the 8/5 meeting of the Town Board, the hearing was not rescheduled and the issue has been tabled.

Additionally, the *River Reporter* reported on the 8/12 Town Board meeting. The article read, “The second [item] was a resolution to set a public hearing for Wednesday, 9/9 at 7:05 p.m. with respect to a proposed local law which would establish a six-month moratorium on the processing of applications for, and the issuance of any approvals or permits for, solar farms and solar power plants in the town. Supervisor Jenny Mellan said that although there hasn’t been a big push to develop solar projects, they want the code to address the issue because the potential is there.” Cilento will follow up with the Town for more information following the public hearing.

Project Review Workbook Rollout: Since the Project Review Workbook 2.0 has been completed and posted on the UDC website, Cilento has begun attending Town meetings to announce its release and implementation. She is scheduled to film a segment with Quiet Light Films for the Project Review Workbook video on 8/26. As boards begin to resume meeting in person, Cilento will attend meetings in various town/ships to share copies. She attended the Town of Tusten Planning Board via Zoom on 8/17 at 7:30pm and delivered copies of the Workbook to Town Hall on 8/18.

Land Use Complaints: In a 5/28 memorandum from NPS to the UDC, NPS called upon UDC to create a policy or procedure for addressing land use complaints within the corridor. While that process is being determined and the policy is being drafted, the UDC received a complaint from a landowner in Lumberland. Cilento provided a copy of the Land Use Complaint Log for full narrative regarding unpermitted clearing of a parcel on Route 97 in Pond Eddy.

Annual Code Enforcement Report: Cilento submitted the full 2019 Code Enforcement Programs Report with a cover letter (provided in meeting packet) to the NPS via email on 7/29/2020.

Substantial Conformance Review Database: Cilento created a master spreadsheet (provided in meeting packet) for logging substantial conformance reviews to better track and monitor projects in the river corridor and the UDC’s responses.

TAG Master Database: In order to better track Technical Assistance Grants, Cilento created a master TAG database (provided in meeting packet) so all awards are in one place. This is intended to be a living document that can be updated annually as more awards are made and projects completed.

2020 Technical Assistance: The deadline for project completion is 8/28, by which date sponsors must submit supporting documentation and seek the determination of substantial conformance (where necessary) in order to request reimbursement payment. We have two to review under New Business after receiving Completion Forms from the Town of Delaware and the Town of Hancock.

2021 Technical Assistance Grants: The FY 2021 (Oct. 1, 2020-Sept. 30, 2021) round will observe the following schedule: Friday, 8/28/2020 completed applications must be postmarked, delivered, or emailed to the UDC by 4:30 p.m. To date, the Town of Delaware submitted a project description for a study to assess potential for riverside trails in Delaware and Fremont with an amount request of \$8,000. The Town of Tusten submitted a project description for Comprehensive Plan Update Part II with an amount request of \$15,000. On Tuesday, 9/8/2020 a special meeting of the UDC’s Project Review Committee will be convened at 6:30 p.m. at the Council’s office in Narrowsburg to meet with applicants and review their proposals. Thursday, 10/1/2020 a vote on the awarding of Technical Assistance Grants is expected at the UDC’s monthly meeting to be held at 7:00 p.m. at the Council’s office. By Friday, 2/26/2021, grantees must submit a Mid-Term Progress Report to the UDC to outline the project’s status. By Friday, 8/20/2021, grantees must complete their projects to the satisfaction of the Contract Criteria and submit a payment request to the UDC for reimbursement of allowable expenses.

Other: Ramie said on the Town of Tusten her directive last month was to write a “Letter to the Editor” and also to reach out to the Town Supervisor about this remark. She discovered that he said he didn’t recall saying that but couldn’t deny that the UDC parking lot is available often to the public. Ramie said this is why we used the word “alleged” as we were not at the meeting but still got the tone across to the public that this is a privately owned parking lot and to please be respectful of that if we need it.

Old Business

Project Review Workbook Version 2.0 and Virtual Presentation Update: Richardson said it was a challenge getting his video segment done. He hopes it came out well. He was scheduled at 7:30 a.m. at the Zane Grey access site. He said the traffic echoes off of Rt. 97 and a lot of people were going to work at that time but once Quiet Light Films set up it did quiet down. At that time somebody decided they wanted to go fishing and launched his boat. The echoes from that were crazy and they waited until the gentlemen was done launching his boat. Next up came two zero-turn mowers to mow the property. Richardson thought that Ingrid Peterec from NPS would be there as the liaison but never showed up. He said a Ranger did come down and Jordan from Quiet Light Films asked him if he could intercede and ask them if they could stop mowing for 15-minutes until they were done with filming. Then came a Koberlein truck which backed up to Zane Grey House and started pumping the septic. Richardson said he was there a couple of hours but Jordan was really patient. Ramie said Richardson was doing the introductory remarks for the instructional video and Tom Shepstone’s role at 11:30 that day was the history of the Land and Water Use Guidelines. He reported back that it was a positive experience and he appreciated being able to go through it three times. Cilento has her filming tomorrow. Ramie said for the \$2,000 that Eric and Jordan at Quiet Light Films are charging us it’s a bargain because they’re professional film makers and are putting much dedication and passion into a training video. Ramie said originally we had the end of August in mind but then we had some difficulties setting up the schedule. We’re considering this a FY2020 project. We’ve said that we would like it to be done by the end of September and we’ll certainly pay for it by then. She said everything’s on track and they are filming a lot of what they call B roll footage to have to intersperse through it to make this interesting for people and scenic. They met with Andy Boyer and got footage of him fishing on the Upper Delaware. They also came to our Raft Trip on 8/3 and got footage of people launching their rafts. They have spoken with and filmed Rangers at the Cowen Farm. She said we are expecting something great.

Proposed Minor Amendment to Add Utility-Scale Solar Guidance: Ramie said she was hoping to receive additional responses from our member Town/ships to the summary we had originally put out on 8/6, but she didn’t receive any. She read in the paper that there were a couple of Towns that passed resolutions or took some sort of action. She said if so, it didn’t make it to us yet. Ramie said we are no further than we were on 8/6. Sullivan said Tusten did pass a resolution and Ramie said she is waiting for that from the Town.

Other: None.

New Business

Support Letter to Town of Tusten re: Narrowsburg Water System: Cilento provided in the meeting packets a draft letter dated 8/11; she printed out a new copy for the Chairman to sign that has today’s date on it. In the SEQR letter that she sent to the Town, Cilento had offered if they needed a letter of support for any funding UDC would be happy to provide that. Jane Lunchsinger requested we do so. The state CFA funding rounds haven’t been opened because of COVID; those usually happen in the summer and those were typically where the Infrastructure Improvement Program Grants are offered. She said this is not for any immediate grant applications right now, but more for once funding pots reopen. A Motion by Sullivan seconded by Greier to approve the draft Support Letter to Town of Tusten re: Narrowsburg Water System carried.

TAG 2020-01: Town of Delaware Project Completion Approval: Cilento said the Town of Delaware was awarded a 2020 Technical Assistance Grant (TAG) award for just over \$1,127 to make this Guide to Permits. Cilento passed it around to the committee. She said it meets the objectives. They worked with Dorene Warner of W Design; who did UDC’s website and the Project Review Workbook and created a really nice, easy brochure for residents and homeowners to have when they come in and ask about building and respond to the frequently asked

questions they get. They expended about \$20 less than we had awarded for a project total of \$1,104. The payment is coming up in our next committee. Cilento said this project was modeled from the Town of Highland and the Town of Lumberland's brochures. It is a popular project, relatively easy to accomplish, and very useful. A Motion by Robinson seconded by Henry to approve the completion of the 2020-01 Town of Delaware TAG carried.

TAG 2020-02: Town of Hancock Project Completion Approval: Cilento said The Town of Hancock submitted their documents a few days ago. Their grant was a Recreational Access Study that Tom Stepstone prepared along the Main stem of the Delaware. She said it's a big study and provided copies. The objectives in their application were to have a park and trail planning document that would include land ownership, documentation, route options for new trails, cost projections, permitting and other aspects necessary to create some trails from Hancock to Long Eddy. There are some maps and options provided in the study. Cilento said it meets the objectives of what they applied for and what they were awarded. She believes that it will be a 2021 TAG application by the Towns of Delaware and Fremont to continue the study further downriver in their Towns. A Motion by Henry seconded by Greier to approve the completion of 2020-02 Town of Hancock TAG carried. Cilento will circulate the study electronically. Ramie said a Press Release is issued about each completed TAG to explain the project as well.

Draft UDC Land Use Complaint Policy and Log Form: Cilento included a copy of the memo in the meeting packet to refresh memories. The NPS had written a memo on 5/28 asking for a process or procedure to be created for when we get Land Use Complaints. This is a working document. She said this was just getting a start on a policy so that the committee could work from something. She said the highlighted part on page three is something we need to have a discussion about. UDC received a complaint about clearing on a property in Lumberland so she was able to have an example in real-time in how she interacted with the Town. She said the Assistant Town Code Enforcement Officer was wonderful to work with as she didn't know it was happening and issued a Stop Work Order. They are now going to comply with getting permits, etc. and going through UDC's process. Cilento said that was really positive. She said she came up with this procedure through that perspective. In the last part, she put a discretion clause in there because sometimes with the nature of complaints, we have no way to predict that it'll fall neatly into this pattern. She made a fillable PDF that in theory would be used to log the details and the narrative of the complaint so that we have a record of it. She also created a spreadsheet very similar to the Substantial Conformance Review log that's in the packets to track open Land Use Complaints, where we are in the project or the process, and what the next steps are for follow-up. Richardson asked if everybody understands parcel number? He wondered if Cilento could also include Section Block and Lot Number (SBL). She said she would add that to the document. Richardson said we can all review this and table it until next month. He said please provide Cilento with suggestions before the next Project Review meeting so she can incorporate those into her document. Henry said once the Policy has been adopted, he would like it to go out to Town/ships, supervisors, etc. Cilento said she would send an electronic copy out to all UDC members for comment.

1988-2020 UDC Technical Assistance Grants Master Spread Sheet: Richardson said he understands that it's quite a lot to go back to the beginning of UDC's time and create a Technical Assistance Grant Master (TAG) spreadsheet. He requested Hall-Bagdonas compile information on just the TAG applications and past approvals for websites and he felt that was very important to have a discussion with the next NPS Superintendent. He said we have funded website developments and upgrades forever. He doesn't know a time when one was rejected until Superintendent Kris Heister said it wasn't a fundable project. Now the issue has come up in his Town of making the website ADA compliant and that can be costly. He feels that some Towns would be interested in applying for a TAG to help with that expense. He said he would like to get a feel for Boch's position on this if it is the same as Heister's or they have some wiggle room. Henry said Boch is leaving in October but he will be here for the Special TAG meeting in September so he will try to speak with him on the issue soon. Richardson said these projects were approved under numerous Superintendents. He understands that things have changed higher up in the Interior Department, financially; nevertheless they were worthy projects and they were approved. Robinson said that they conformed to the River Management Plan (RMP). He said Heister's denial of these projects is counter to the RMP. Richardson thanked Cilento for the Master Spread Sheet.

Substantial Conformance Reviews Database: Cilento said this is a printout of the beginning of the working document that she's been using for the three projects that we've looked at so far since she started. Going forward it will be a way to log and track what projects have been reviewed by UDC. She can give them an ID, store them by whether they're still open, pending, or closed. She can track what NPS's response was, our recommendation, the

dates of the meetings, parcel, action, etc. The spreadsheet is also drop down. She said it's pretty user friendly. She said at some point she would like to include all Substantial Conformance Reviews ever done but they are not as organized. Henry suggested having on the first column an UDC numbering system.

Other: Greier asked if he could get paper copies of the Hancock TAG for his Town as it shows the Fremont Access. Cilento provided him with an extra copy. Cilento said she would email Town of Hancock and Town of Delaware's TAG projects out to the committee.

Greier said on Rt. 97 they are working on guardrails rails in two places; one by the hospital in Callicoon and the other by Chicken House Hill.

Greier said speaking with masks on makes everything sound muffled and asked if we need to keep them on if we socially distance from one another? Richardson confirmed that we do have to wear masks.

Richardson said last night at the Upper Delaware Scenic Byway (UDSB) meeting there was a presentation on Japanese Knotweed. He thought it was a really good presentation. The Friends of the Upper Delaware River (FUDR) received a grant to study controlling knotweed. They're doing three test locations at Skinner's Falls, Hancock and Deposit. At each site they're going to do six test plots testing various procedures that might work in controlling or eradicating. A few methods were cutting regularly; cutting then covering it with a geotextile style fabric to try to smother it; they're going to spray it; they're going to use inoculation; and they will try burning it. Discussion continued. Robinson said salt and vinegar works. Greier said maybe this would be a good project for us to put in our newsletter. Richardson said it's a study right now. We may want to see what they find out. Robinson mentioned that Red-winged blackbirds love it as well as other animals. Pollinator insects love it because of the flowers. One of the UDSB members said that she uses it for cooking and that it is similar to rhubarb.

Ramie said you might remember we had this presentation scheduled for our 8/6 UDC meeting. We would have heard it first, except that that's when we discovered that PA has a 25-person indoor meeting limit. In NY there's a 50-person indoor limit, so it would've been fine here but we were booked at the Beach Lake Firehouse. Ramie has asked FUDR to come back for our October meeting because we have a presentation in September by the DEC on the Mongaup Habitat Plan. She is hoping that they're available. Ramie also has a copy of the Knotweed Powerpoint.

Public Comment: None.

Adjournment: A motion by Robinson, seconded by Dexter, to adjourn the meeting at 7:25 p.m. was carried.

Minutes prepared by Ashley Hall-Bagdonas, 9/1/2020