

Town of Shandaken

S.A.F.A.R.I. Meeting NOTES

Shandaken Area Flood Assessment and Remediation Initiative

September 15, 2022, 12:00 – 2:00 PM

In-Person at AWSMP Office, Shokan, NY

Or attended Remotely: <https://meet.goto.com/186340189>

In Attendance:

In person

Peter DiSclafani, Shandaken Town Supervisor
Adam Doan, Stream Project Mngr, UCSWD
Heidi Emrich, UC Dept of Environment
Aaron Bennett, Deputy Chief, NYCDEP
Watershed Lands & Community Planning
Mark Loete, Shandaken Zoning Board; Trout
Unlimited

Virtual

Eric Hofmeister, Shandaken Hwy Superint.
Leslie Zucker, Program Leader, AWSMP
Mark Carabetta, Principal Environmental
Scientist, SLR
Matt Trueheart, Project Water Resources
Engineer, SLR
Kevin VanBlarcum, Shandaken Deputy
Supervisor
Michael Madison, Emergency Manger, UC
Emergency Services
Andrew Emrich, Sr. Engineer, UC DPW
Beth Reichheld, Director, NYCDEP Stream
Management Program

Implementation Project Updates

- Bridge Street Bridge
 - Mark from SLR reports that he, Andrew from DPW and Leslie and Adam from AWSMP met on site 9/7/22 for the kick-off meeting for design and engineering
 - Survey is mostly done (one more day; wrapping up soon)
 - Post-processing drone flight
 - Matt, SLR to start hydraulic model
 - Tentative date(s) for first public meeting: Late November
 - Shared dates to set up a discussion with town for handling of watermain during and following construction
 - Leslie adds: the meeting didn't address the question of timing of Bridge Street bridge design & coordination with possible floodplain enhancement design project (if Town is interested in moving that forward); still time to sort that out.
 - Mark Loete asks: has the relocation of homes/businesses been negotiated?
 - Leslie responds: That's a question that Andrew, DPW and SLR will address with the town
 - Heidi asks about order of operations with regards to any land acquisition.
 - Leslie responds: There is a need for sensitivity and respectful owner-outreach at the right time; let the process play out, let Andrew speak with the town as a first step
 - AWSMP will be involved in whatever moves forward in all aspect
- Phoenicia Floodplain Enhancement
 - Once the in-depth modelling is performed for Bridge Street Bridge, at that time, evaluating what a floodplain enhancement could look like, will be addressed (what the combined benefits will be, etc)
 - Leslie asks if this will happen within the next 3-6 months? (Early Spring)
 - Mark: Yes; Andrew will have some follow up on behalf of county but seems definitely reasonable.
- Letter of Map Revision (LOMR)

- Matt from SLR presents model to-date (still missing some data from NYSDOT)
- Matt shows flood depths in a 2-year return interval event
 - 10-year demonstrates 4-5 feet of water up on the floodplain (“Rock Cut”)
- Matt shows 25-, 50- and 100-year depths. Bridge does pass these flows.
- Waiting for more info from DOT to see how they calibrated this model with TS Irene...
- Aaron asks: did they prepare the model with the Mt. Pleasant bridge removed?
 - Matt: Yes
- Aaron: do pending acquisitions affect model? There are still two that are pending in the area; where demo has not taken place
 - After some discussion, it is decided that Matt’s model would benefit from additional information about structures that have since been removed
 - Aaron to provide this information
- Heidi: Is the model showing a difference in Base Flood Elevation (BFE)
 - Matt shows the stream profile: demonstrates that upstream of the crossing, the water elevations are lower; downstream, they are the same, or even a bit higher – this is due to water now remaining in the channel
- Heidi asks about timeline.
 - Matt/Mark: Once SLR gets final details from DOT, the model will go to FEMA. Their review may take 1-2 months. Overall, it could take approx. 6 months for adoption. (Entire process is usually about 9 months -year)

Town of Shandaken Updates

- No new floodplain development permits
- “Rock Cut” – the lands downstream of new Rte 28 bridge in Mt. Tremper which are being used for “unauthorized” recreation including swimming, camping, grilling, fishing, ATV-ing
 - Peter reports he is attending a DOT meeting Monday with DEP & DEC
 - Town will likely take out a permit out for access to the lands; lands to remain under DOT ownership
 - Kevin Reports on conversations with Dave Corrigan (DOT) re: Park. DOT wants to see a plan of action from Town. DOT was going to hydroseed, but current level of vehicular access may alter this plan
 - Peter
 - Mark Loete asks for elaboration on park plans
 - Peter reports that a committee will be formed. After some discussion, Mark would like to join committee; Heidi offers that Shandaken CAC members would like to be included as well
 - Leslie points out that on UC Parcel Viewer, there is no SBL designation?
 - Heidi confirms this is correct – it is now a DOT property by appropriation. Heidi has FOILED for the maps and has acquired the deeds; Ulster County will not be issuing a parcel ID for the lot
 - Leslie seeks confirmation: will the Town be seeking a use & occupancy permit?
 - Peter: Yes. That’s the plan
 - Heidi: Is anything being done to limit the current “open” access to the parcel?
 - Peter: DOT was planning to seed and put fences up.
 - Conversation continues about access on DOT parcel vs. DEP & what DEP will patrol on their (southerly) parcel. Aaron says DEP will be looking to limit the swimming on the DEP property; but fishing access has always been a goal for use at these parcels
 - Aaron adds that 6 acres of land owned by Sage & Shurter (Northwest of the Creek, West of Rte 28) will also become a town property
 - Heidi asks Leslie: can SMIP funding be used for stream-access projects?
 - Leslie confirms there are different uses for capital SMIP funds
 - Design & engineering
 - Cost-share on construction
 - Stream Access for the portion of a project which does improve access for recreation, vegetation establishment and potential for educational access & activities.
 - Other SMP have done things like improved ADA access / angler

access

- Some discussion on parcel ownership East of Rte 28
- Adam suggests that when the “Rock Cut” Recreation/ Park Committee does meet, SLR might provide information on depth grids – this parcel floods at even lower frequency floods – and at high velocities
 - Heidi poses the question about materials, if the town were to consider installing a pavilion, and would a No Rise certificate be required?
 - Some discussion on the “permeance” of a pavilion

AWSMP Updates

- Panther Kill Stream Project
 - Adam reports:
 - cross vein rock has been installed
 - still on schedule for in-stream work to be done by Sept 30
 - instream bed restoration is happening now
 - May pro-actively seek an extension from DEC; incase instream work isn’t 100% completed by Sept 30
- Elk Bushkill
 - Adam: This project has been accepted by DEP as a FAD Deliverable
 - Eric Hoffmeister has some plans for the downstream town culvert going into the Alpine Inn and the embankment just below it.
 - Extend the extents of the survey to capture the downstream culvert to the upstream private culvert
 - Progressing towards design agreement
 - Possible construction in 2023
- Catskill Stream Buffer Initiative
 - Adam reports that Bobby Taylor will be busy doing buffer installations this fall
 - Brief conversation about restoration project off Stony Clove – over the line in Greene County
- Flood Hazard Mitigation Working Group
 - Leslie announces the FHM working group is meeting Thursday 9/15 at 10am
 - Focus on getting town feedback on the current land acquisition programs available to towns; how towns are utilizing; what’s working, what are the issues
- SMIP Funding
 - Currently in an open round; closing October 12
- Land Use Leadership Alliance (LULA) Training (September 22, October 6 & October 20)
 - Hosted by Hudson River Watershed Alliance & Pace University
 - Still openings available to attend 3-4 day training.
 - Leslie shares the value in learning what land use decisions are within the purview of a town and their various boards; focused on environmental management
 - This training: watershed focus with climate change adaptation strategies
- Streamside Acquisition Program
 - Leslie explains that AWSMP may have an important roll to play, in providing data, in identifying stretches of river with landowners that may benefit from this program
 - This SAFARI committee is a great place to hold these discussions and inform how this program my develop
 - Heidi adds she attended the Coalition of Watershed Towns (CWT) August Meeting and their board members and stakeholders are beginning these conversations as well.
 - Meeting in October with smaller “committee” - AWSMP will attend
 - Current thoughts are that this program might move towards a license agreement model (rather than fee simple), lasting approx. 10 years, with funds paid to landowner annually, to keep streamside lands unimproved
 - Aaron adds that the program is waiting on the DEC, whether it should be expanded; and

if so, where, in what format?

NYCFFBO

- 27 Station Road
 - Heidi shows the committee an area map and explains the roadbed of Station Road is actually owned by the county (for railroad) and has not been turned over to the town officially, by deed or easement
 - Question of access has arisen during contract process between DEP and County
 - DEP and County are both confident the question will be resolved
 - The resolution of the matter will affect / help other parcels along Station Road that might also elect to participate in NYCFFBO program in the future.
 - County has accepted the purchase offer

- E. Fudge, Station Rd
 - Contacted Town of Shandaken Water Department re: converting house to two-family apartments, needed waterline to the house
 - Peter asked if he was familiar with NYCFFBO; Mr. Fudge wasn't opposed to the idea; would want to know more information
 - When Peter speaks to Mr. Fudge again, he'll place him in contact with Heidi who can provide more education; both on FBO & substantial improvement

- *SIDE CONVERSATION:*
 - Adam has noticed a lot of rock going in along the creek bed behind one of the Main Street residences (Area map being displayed; parcel is west, off map). Adam asks if its stream work or landscaping? Was it permitted?
 - Peter hadn't asked Flood Plain Administrator Rob Stanley about it yet, but thinks it's just landscaping

- Damiana / VanBaren
 - Resolutions to be revised as per DEP: Properties qualify under Category 5: Inundation Risk, NOT LFA (Category 1)
 - Revised resolutions were approved at Town Board meeting Monday 9/14

- Gray Way at Fox Hollow Rd.
 - Parcel could be potentially eligible for NYCFFBO program, depending on parcel history and more information*
 - Heidi reports that as per previous SAFARI discussions, an attempt to contact the homeowner and realtor has been made with no response.
 - *(*Post-Meeting Clarification: If a property has experienced repetitive losses, and owner demolishes structure(s) themselves, there may still be an argument for FBO eligibility under Category 5, Inundation. This would have to be explored further with DEP/ Town/ Outreach Lead. As per Aaron Bennett – these structures were not demolished by the current landowner).*

- 7311 Rte 28 Parcel w/ Structure for Sale
 - Realtor reached out to Heidi. Heidi provided some initial education to be shared with the homeowner; it is likely this parcel could be eligible for the program

- Hansen, Fox Hollow
 - Aaron reports that CWC awarded demolition to Tweedie Construction at their September Meeting. Home should be demolished before winter.
 - This parcel is owned by New York City

- Reese, Plank Road
 - Aaron reports that now that the property is City-owned, if Eric, Shandaken Highway, wants the 70+ jersey barriers on site, he needs to commit and make arrangements to collect them during the demolition process
 - CWC to bid the demolition soon- and hopefully award the bid in early November

- Sage & Shurter and Kirkpatrick, Mt. Tremper
 - Getting close closing. Contracts are executed. Moving towards closing in Early 2023
 - Heidi asks if Kirkpatrick has completed their lot line revision?
 - Aaron – still moving through that process

CWC Updates

- No one is present from CWC; Heidi reports on behalf of John Mathiesen that CWC, with their contractor, is doing 1 tank anchoring project in Phoenicia and pushing to do more.

Partner Updates

- Mike Madison – no real update; looking to get the Table Top Exercise on the agenda, including other towns
 - Heidi responds that she will bring it up at the FHM Working Group Meeting

LFA and Other Planning Updates

- Pine Hill LFA
 - SLR will be presenting next month. They'll be submitting a draft by end of September
 - Tentative Schedule:
 - Draft LFA: Sept 30
 - SAFARI: October 11
 - SLR final edits: October 17-24
 - PUBLIC MEETING #3: November 9
- Big Indian / Oliverea
 - LFA funding is still available.
 - Chichester and Big Indian are the last hamlets eligible for LFA (Oliverea was not listed as an eligible hamlet in the 1997 MOA designation)
 - Heidi shares that she and Leslie have shared a narrative previously prepared by Aaron, when he was UC Environmental Planner, along with maps, to Peter for review
 - Peter thinks we should move forward with these two hamlets, but only after Pine Hill is complete
 - Is there a deadline for completion?
 - Adam – unless they're repurposed, if they're not used for LFA funding by the end of the contract, they may be lost funds
 - David Burns, DEP confirms: Contract ends in 2024 but LFA funding is seamless
- Road failure on Creekside Drive, Big Indian
 - Mark asks about the status.
 - Adam reports that DPW received Emergency Watershed Protection (EWP) funding from NRCS funding, but the project isn't slated for construction until 2023
- Aaron asks about "mountain of fill" on Oliverea Road
 - Some discussion around its location in the floodplain and residents taking material
 - Heidi reports that DPW does have plans to use the material; perhaps Andrew can elaborate next meeting?
 - Adam mentions Eric may be applying for SMIP funding for improvements on McKenley Hollow and he may be interested in making arrangements to utilize some material
 - David Burns: permit expires this November

August Notes: *Approved*

Next Meeting: **Tuesday 10/11/22 @ 10AM**