

UPPER DELAWARE SCENIC AND RECREATIONAL RIVER

Design Handbook





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Credits

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INTRODUCTION

Purpose of this handbook

The Upper Delaware Scenic and Recreational River is truly a national treasure. Designated into the National Wild and Scenics River System by the U.S. Congress in 1978, the river is now being managed for the benefit and enjoyment of present and future generations.

The purpose of this design handbook is to provide guidance for those involved in building and development along the Upper Delaware River. If you are a local official reviewing development plans, or a builder, developer, landowner, or businessman planning to undertake construction, then this handbook is for you. It will show you how to undertake construction on your property in ways that ensure harmony with the existing river landscape and help to keep the river flowing free, clean, and beautiful.

This handbook is based on a set of federal guidelines, the Upper Delaware *Land and Water Use Guidelines* (often referred to as only Guidelines), that apply within the *river corridor*. It explains these technical guidelines using plain English and lots of illustrations. But the Land and Water Use Guidelines remain the definitive source and we recommend that you obtain a copy of them. They can be found on pages 114-134 of the *Final River Management Plan: Upper Delaware Scenic and Recreational River*. Copies of the Plan may be obtained from the Upper Delaware Council.

This handbook does not suggest nor endorse development on any site. Yet, it does recognize that construction along the Upper Delaware River will continue and seeks to provide practical ways to perpetuate the scenic, natural and historical heritage of the river. Each site has its own qualities. Anyone planning construction activity is urged to seek advice from your local town or township, the Upper Delaware Council, or a competent engineer, landscape architect, or similar consultant, on the appropriate planning and development choices for a specific site.



How to use this handbook

The Upper Delaware Council hopes this handbook will be both a source of information and an inspiration. A brief background of the legislative and planning events is followed by a description of the river setting and settlement history.

The design concepts section is the heart of this handbook. It discusses and illustrates six land use principles taken from the Land and Water Use Guidelines.

A glossary of technical terms is included on pages 32 and 33. Terms that are in the glossary are marked with italics when first used in the narrative. The last section directs users to county, town, and township contacts who will provide advice, and information on permits and approvals that may be required.

Before continuing, please refer to the map on page 12 to answer the following two questions about the property to be developed.

- Is the property inside the designated river corridor? The answer to this question is important because the Land and Water Use Guidelines only apply to lands and waters within the corridor. Even if the property is outside the corridor you may wish to use this design handbook. This handbook illustrates sound planning principles that can and should be used universally.
- Is the property located within a *scenic*, *recreational*, or *hamlet* area? These three different types of areas are defined by the legislation and the Guidelines. The Guidelines treat each of these river areas somewhat differently. On the page 12 map, scenic areas are denoted by a large letter “S” and recreational areas by an “R”. Hamlet areas are certain designated developed areas. See the glossary on page 32 for a list of hamlet areas.

This handbook shows you ways to develop property that meet the principles and objectives of the Land and Water Use Guidelines. This handbook does not discuss the many state, county, and local laws, plans, and ordinances that regulate development. For further information, contact the sources of assistance listed on page 34.

Following the Land and Water Use Guidelines by applying the design concepts in this handbook will help preserve and enhance the precious resources of the Upper Delaware for present and future generations.

BACKGROUND

The Upper Delaware River provides clear water, blue ribbon fisheries, and stunning scenery only three hours from the congested cities of New York and Philadelphia. Fishermen pull prize winning trout, bass, and shad from its pools and riffles. New York City drinks from its headwaters. Boaters glide over eel grass and rapids, gazing through twenty feet of clear water to the rocky river bottom below. Eagles pluck fish from its frigid winter waters.

In 1978, Congress recognized the need to protect this unique place from the threats of encroaching urbanization and recreational over-use. It designated 73.4 miles of the Upper Delaware River between Hancock, New York and Mill Rift, Pennsylvania, as a Scenic and Recreational River (P.L. 95625, 16 U.S.C. 1274). The Secretary of the Interior, through the National Park Service, was assigned responsibility for administering the river.

Wild and Scenic Rivers Act

Through this Act the Upper Delaware joined a system of protected rivers initiated in 1968 with passage of the National Wild and Scenic Rivers Act. The Act states its purpose eloquently:



It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations.

As of April 2012, the National Wild and Scenic Rivers System contained 120 river segments totalling some 12,598 miles. Rivers in the system are protected from water development projects such as dams and channelization. Most rivers also have a designated river corridor that extends landward from either bank. Lands and waters within the corridor must be managed in a way that protects the river's values.

Special Provisions

Usually the river corridor is publicly owned. This is because most wild and scenic rivers flow through national parks, forests, or other public lands. But along the Upper Delaware, over 90 percent of the land is privately owned.

When the federal government began studying the river for inclusion in the Wild and Scenic Rivers System, local landowners became concerned. They wanted to retain local control and limit federal land acquisition. In response to these concerns, *special* provisions were included in the Upper Delaware legislation. These special provisions provide for maximum local control while still ensuring protection of the river.

The special provisions call on the towns and townships, states, and federal government to cooperate to protect the river using the authorities that each has traditionally held. The federal role on the Upper Delaware is primarily that of recreation manager, minor landowner, and assistant to local governments for resource protection. Towns and townships use their usual zoning powers to regulate land use within the river corridor.

The special provisions also required that a River Management Plan be developed to guide river management and coordinate actions to protect the river.

While land use decisions remain in the hands of local government, Congress wanted to encourage local governments to address river protection goals in their laws, plans and ordinances. Therefore, the Land and Water Use Guidelines have been developed. The Guidelines serve as the basis for determining whether local laws, plans, and ordinances adequately address the goals of Congress in designating the Upper Delaware as a Scenic and Recreational River. These Guidelines are what this handbook is all about. They are described in detail in the section on design concepts.

Towns and townships with laws, plans, and ordinances that address protection goals are said to be in *substantial conformance* with the Guidelines. In these towns and townships, the use of eminent domain is curtailed and the level of scrutiny of local land use decisions reduced.

In summary, the special provisions authorized the following key actions:

- The National Park Service regulates commercial recreational use of the river.
- The River Management Plan coordinates the actions of local, state, and federal agencies.
- Land and Water Use Guidelines are used as the basis for determining whether local laws, plans, and ordinances meet river protection goals.
- There is a 55,000 acre river corridor within which the Land and Water Use Guidelines and River Management Plan apply.

The initial draft River Management Plan and Land and Water Use Guidelines were written in 1981 and 1982. Again there was controversy over the issues of local control and federal land acquisition. An association of the fifteen affected towns and townships known as the Conference of Upper Delaware Townships reached agreement with the National Park Service to redraft the Plan and Guidelines. A three-year planning process involving many committees and massive citizen participation resulted in a Plan and Guidelines, completed in November 1986, that fully addressed the concerns of most residents.

The Upper Delaware Council

Under the River Management Plan the Conference of Upper Delaware Townships was reborn as the Upper Delaware Council. The Council is the vehicle through which cooperative river protection is accomplished, as originally envisioned by Congress. Members of the Council include the State of New York through the Department of Environmental Conservation, the Commonwealth of Pennsylvania through the Department of Conservation and Natural Resources, the Delaware River Basin Commission as an advisory member without a vote, and up to fifteen river towns and townships. Participation is voluntary, and thirteen towns and townships were participating by September 2014. They are the New York towns of Hancock, Fremont, Delaware, Cochection, Tusten, Highland, Lumberland and Deerpark, and the Pennsylvania townships of Damascus, Berlin, Lackawaxen, Shohola and Westfall. The National Park Service is a cooperating agency.

The Upper Delaware Council oversees implementation of the River Management Plan. It is the driving force behind the Plan, and is the primary mechanism through which local, state, and federal agencies agree upon joint actions affecting the river corridor.

Town and township membership in the Council is optional. Still, towns and townships that participate in the Council are treated differently by the River Management Plan than those that do not. Specifically:

- Towns and townships that join the Council have a voice in decisions made concerning National Park Service activities in the river corridor. Non-participating towns and townships may not, even when the decisions affect them.
- In participating towns and townships, the Council reviews local laws, plans, and ordinances for substantial conformance with the Land and Water Use Guidelines. In non-participating towns the National Park Service conducts the reviews.
- Towns and townships that join the Council are eligible for planning and technical assistance grants. From 1988 to 2014 the Council distributed over \$745,000 in grants to participating towns, townships and their counties to help in such matters as zoning revisions, historical resource assessment, and master plan revision.
- The River Management Plan requires the review of large development projects that may threaten the river. In participating towns and townships the Council reviews significant projects. In non-participating towns and townships, the National Park Service conducts the reviews.

For these reasons, it is important to know whether your town or township is participating in the Upper Delaware Council and whether it has been found to be in substantial conformance with the Guidelines. Call the Council or your town or township official for further information.



RIVER SETTING



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The Delaware River originates in the Catskill Mountains. Its east and west branches run clean and cold with water drawn from the bottom of the Cannonsville and Pepacton reservoirs. They join at a startling promontory called Point Mountain to form the main stem of the Upper Delaware at Hancock, New York. The designated river corridor begins at this confluence and continues 73.4 miles downstream to a railroad bridge near Sparrowbush, New York. On the way, it cuts through rolling hills that vary in elevation from eight hundred to two thousand feet.

The Upper Delaware was one of only five river segments in the northeastern U.S. originally to be designated as a component of the National Wild and Scenic Rivers System.

The Delaware is the only major river along the North Atlantic coast that flows free and undammed along its main stem, from the confluence of the branches to its mouth at the Delaware Bay 100 miles south of Philadelphia.

The Upper Delaware is known for its excellent water quality, historic resources, high quality fisheries, and scenic beauty. Eagles winter in the area near the mouth of the Mongaup River. Boaters know it for its exciting though navigable whitewater rapids that begin in earnest south of Callicoon, New York. During the summer months the river sustains heavy recreational use by boaters and fishermen.

Natural Qualities

Unique landforms appear throughout the river corridor. The river and its tributaries have carved deep narrow valleys across plateaus. Delaware River Gorge is an outstanding scenic and geologic feature. It ranges between two and three thousand feet wide and runs throughout most of the river segment. Hawks Nest, a dramatic rock outcrop, contrasts with the gently rolling hills of the regional landscape.

Hemlocks mixed with oaks and sugar maple trees make the fall season particularly beautiful in the heavily forested river corridor. Rhododendron and mountain laurel grow along the moist slopes of ravines, and ferns thrive along the riverbanks. Pastures, croplands, and farmsteads provide open spaces where sassafras, grasses, wildflowers and shrubs grow.

Abundant wildlife favors the Upper Delaware corridor with its diversity of landforms and vegetation. White tail deer winter in the river valley. Black bear and many small mammals also inhabit the region. Over two hundred species of birds have been sighted. The endangered bald eagle and American peregrine falcon visit the area.

Consistently good to excellent water quality support some of the finest fisheries in the Northeast. Fishermen are attracted to the sport fishing opportunities, particularly for trout, bass, sunfish, walleye, and shad.

Settlement History

The settlement history of the Upper Delaware is long and varied and marked by changing climactic and economic conditions. American Indian populations may have lived along the banks of the Upper Delaware as early as 15,000 B.C., although it is likely that continued habitation may not have occurred until 6,000 B.C. or later. The Woodland Indian culture, dating from 1,000 B.C., was the first to practice agriculture. They gave way to the Minsi Indian culture, the group first encountered by Dutch traders as early as 1614 A.D.

Swedish settlers made their way as far north as Cochection by 1630, but more substantial settlements did not spring up until the 1730's. That group of people known as Connecticut Yankees and a few Dutch settlers were the main arrivals to the area during the late 18th and 19th centuries, followed by the Irish, who helped build the Delaware and Hudson Canal, and the Germans, who came to farm the land. The typical new arrival during the twentieth century has been the urban resident looking for green space and a better quality of life.

Economically, the area has ridden the waves of transportation development and the extraction of natural resources. Timber rafting began in the 1760's, developing into a focal point of the local economy after the American Revolution. Timber was typically lashed into rafts and steered to downstream mills and shipyards. A major boost to the economy came in 1828 when the Delaware and Hudson Canal opened. Several towns, including Pond Eddy and Mongaup, sprang up to serve the canal. Many buildings from the canal era are still in use. The canal operated until 1898 when it went out of business and was drained, unable to compete with the ever-expanding railroads. Remnants of it may still be seen along New York Route 97 in Lumberland and Highland, and in fact, some portions of that road are built on the old canal.





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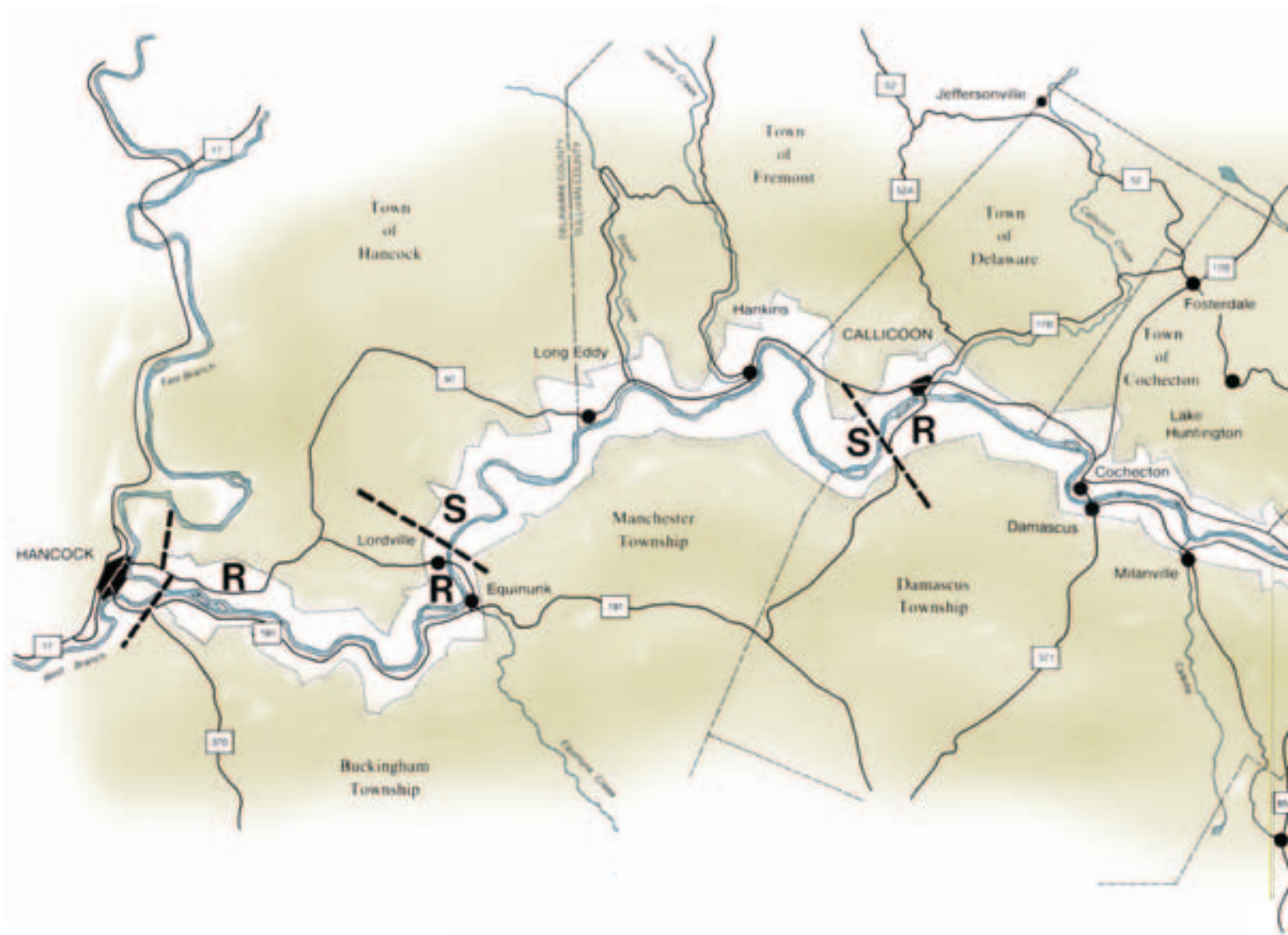
Historic Features

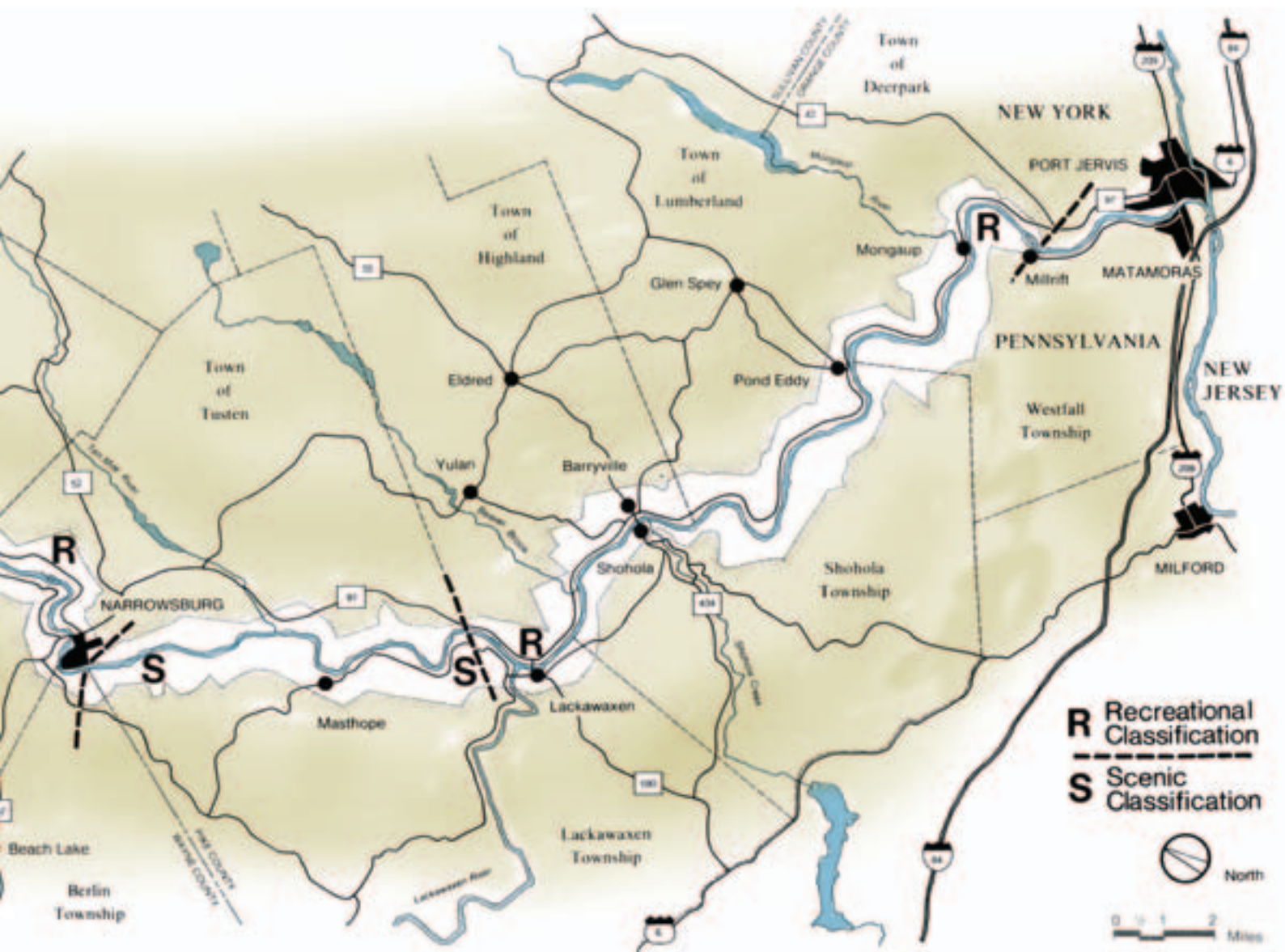
The Upper Delaware valley is rich in historic resources. The Minisink Battlefield, located in the Town of Highland, was the site of a bloody Tory and Indian victory over the patriots during the American Revolution. Zane Grey's house in Lackawaxen Township is currently being operated by the National Park Service as a museum of the author's memorabilia. The Arlington Hotel in Narrowsburg, now operated as the Delaware Arts Center, is a nineteenth century Italianate hotel.

The Roebling Delaware Aqueduct was built by John Roebling, the engineer, before he built the Brooklyn Bridge. The Aqueduct is Roebling's oldest surviving work and may be the oldest steel wire suspension bridge in the nation. It has been carefully restored by the National Park Service and now serves as a vehicle and pedestrian bridge. The Arlington Hotel, Zane Grey House, and Roebling Aqueduct Bridge are listed on the National Register of Historic Places.



Upper Delaware Scenic and Recreational River





DESIGN CONCEPTS

Development is a challenging undertaking regardless of location. Technical and aesthetic considerations are many and vary from site to site. Creators of the Upper Delaware Land and Water Use Guidelines sought to ensure that future development within the river corridor preserved the existing character of the area.

The river corridor is divided into three types of river areas: scenic, recreational, and hamlet. These categories are based upon the amount of development on the shoreline. Scenic river areas may have scattered houses and a few roads going to the river. Recreational river areas have more development and roads that may parallel the river. Hamlet areas are developed areas such as villages. New development is permitted in all areas, but it must be managed in a way that preserves the existing river classification. Therefore, scenic areas of the river are the most restrictive in terms of prohibited land uses, whereas hamlet areas are the least restrictive.

There are some types of development that are simply inappropriate and should be prohibited by local zoning. These are called incompatible uses. There are other uses that are compatible uses, as well as conditional uses that may be considered for approval by the local planning board or commission on a case by case basis. The types of uses allowed at a given location depend on the river classification at that location. Refer to page 15 for a chart showing compatible, conditional, and incompatible uses by river classification.

In a town or township that is in substantial conformance with the Guidelines, incompatible uses are prohibited by local zoning ordinances.

Proposed development of an incompatible use could trigger a process of negotiation and mediation as specified in the River Management Plan. As a last resort, land acquisition could be used to alleviate the threat to the river. Any land so acquired will be resold with deed restrictions attached to ensure that future uses are compatible with the Plan and Guidelines.

The next section presents and illustrates the design concepts embodied in the Land and Water Use Guidelines. It lists practical ways to follow the spirit of the Guidelines. The design concepts, and the Guidelines on which they are based, enhance public health and safety, while also ensuring that the river corridor retains its beautiful character.

The next section is organized using the same scheme that is used in the Guidelines. There are six land use principles labeled “Principle A” through “Principle F.” For each principle there is one or more objective. As each objective is introduced an explanation for that objective is given. The explanation is followed by one or more suggested methods to meet the objective.

RIVER CLASSIFICATION LAND USES

	Compatible Uses	Conditional Uses	Incompatible Uses
Scenic Segments	Agricultural Use Forest Management Fish & Wildlife Management Single-Family Dwelling Unit Hunting/Fishing Cabins & Seasonal Residencies Nurseries & Wholesale Greenhouses Home Occupations Customary Accessory Use Places of Worship Bed & Breakfast Places	Sawmills Other Recreational Uses Cluster Development Small Craft Shops substantially set back from the river Boarding Homes Small Motels & Hotels Bait & Tackle Shops Gas/Oil Fields & Lines (See section III-E-2) Minor Surface Mining Operations Garden Apartments & Townhouses (At density of 1 unit per 2 acres)	Intensive Use Recreational Facilities Other Commercial Development Institutional Uses Other Uses listed below as Incompatible
Recreational Segments	All Principle Uses appropriate in Scenic Segments Other Recreational Uses Two-Family Dwelling Units Bait & Tackle Shops Small Hotels & Motels	All Conditional Uses appropriate in Scenic Segments Other Minor Commercial Development Institutional Uses Intensive Use Recreational Facilities Business & Professional Offices Eating & Drinking Establishments	Major Commercial Development Industrial Use Other Uses listed below as Incompatible Other Motels & Hotels
Hamlets	All Principle Uses appropriate in Scenic & Recreational Segments Eating & Drinking Establishments Other Motels & Hotels Retail Establishments Business & Professional Offices Intensive Use Recreational Facilities Institutional Uses Commercial Development	All Conditional/Special Uses appropriate in Scenic & Recreational Segments Light Industrial Use Garden Apartments Townhouses	Heavy Industry Uses Junkyards Subsurface Mining Operations Major Surface Mining Operations Impoundments Channel Modifications Landfills Major Airports Paved 4-Lane Roads & Bridges Marinas Power Generation Stations Major Electrical Lines Ice Breaking Structures Major Commercial Recreational Development Major Oil & Gas Transmission Lines

Principle A

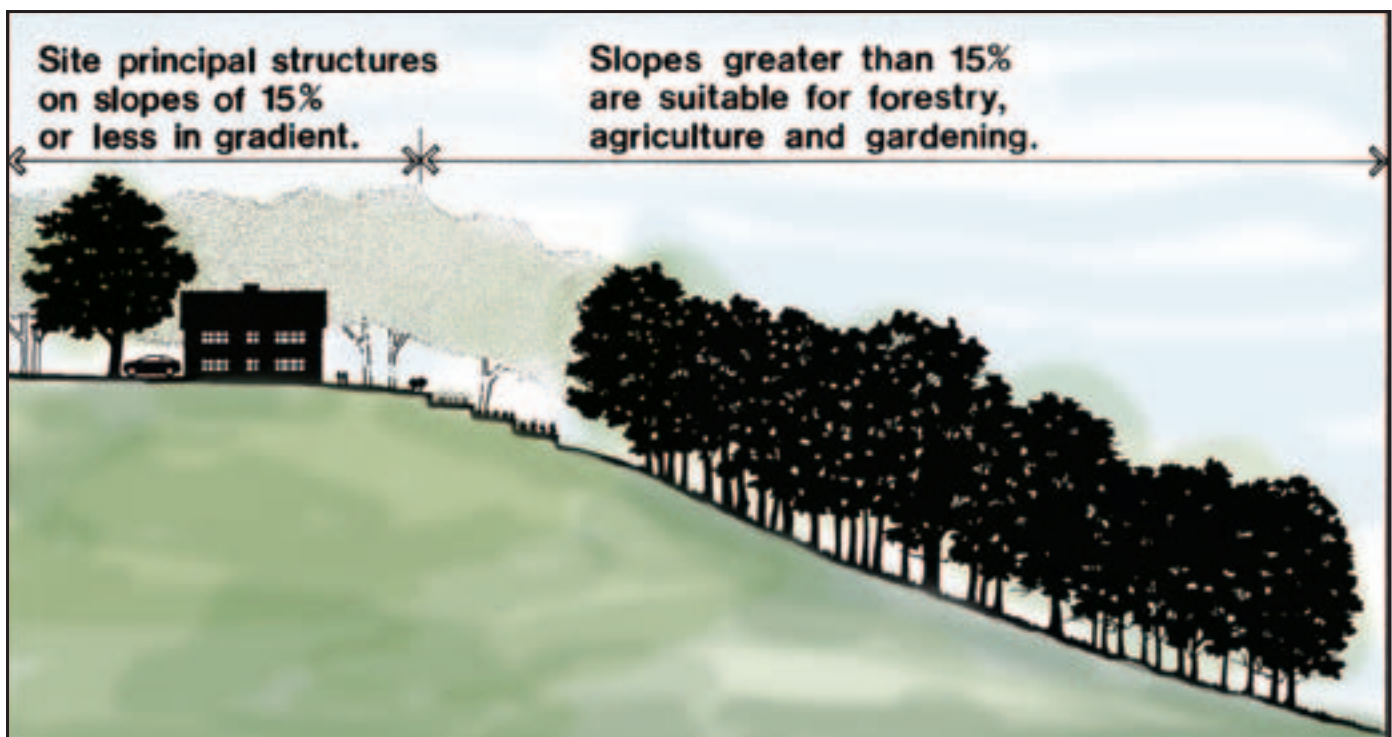
Maintain the high water quality found in the Upper Delaware River.

Objective One

Limit erosion and sedimentation from construction on steep slopes.

Land cleared for construction on steep slopes is prone to excessive soil erosion and sediment runoff.

- To avoid these problems, locate principle structures on slopes of 15 percent or less, see below.
- Alternately, a professional engineer's plan will help to minimize problems associated with erosion and sedimentation on steep slopes.



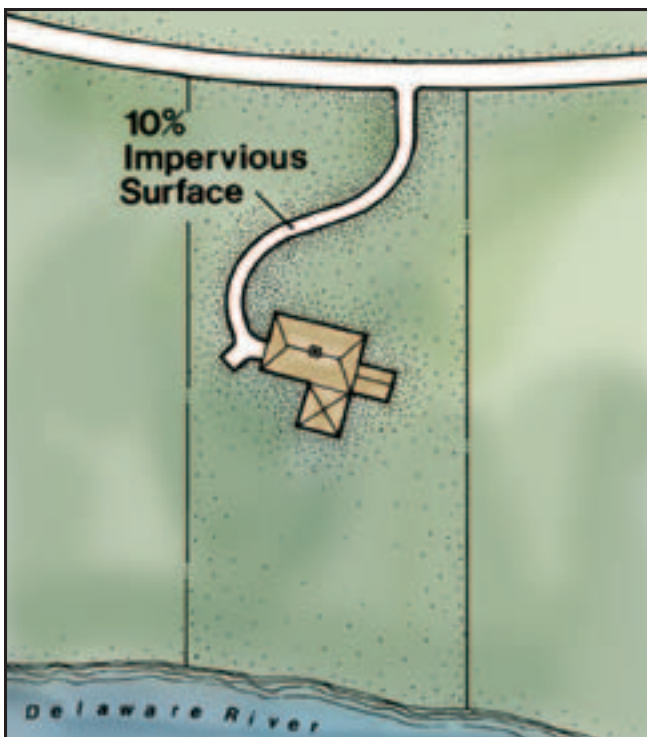
Location of principle structures

Objective Two

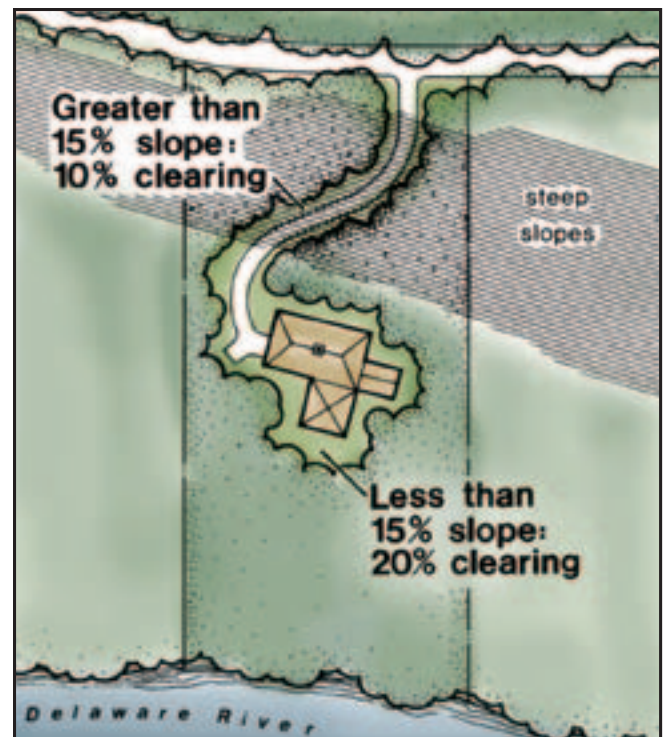
Maintain natural cover to control stormwater runoff, limit flooding, protect groundwater supplies and provide erosion control.

Natural cover slows rain runoff and gives water time to be absorbed into the ground. This limits flooding and recharges groundwater supplies. Natural cover also limits erosion and greatly reduces the amount of sediment washed into streams and rivers.

- No more than 10 percent of a small lot should be covered with surfaces impervious to water, including buildings and pavement, see bottom left. For larger lots, impervious surface coverage should be less than 10 percent.
- Clearing of vegetation for building purposes should be limited to 20 percent of lot area, with a reduction to 10 percent for slopes over 15 percent in grade, see bottom right.



Maximum impervious surface



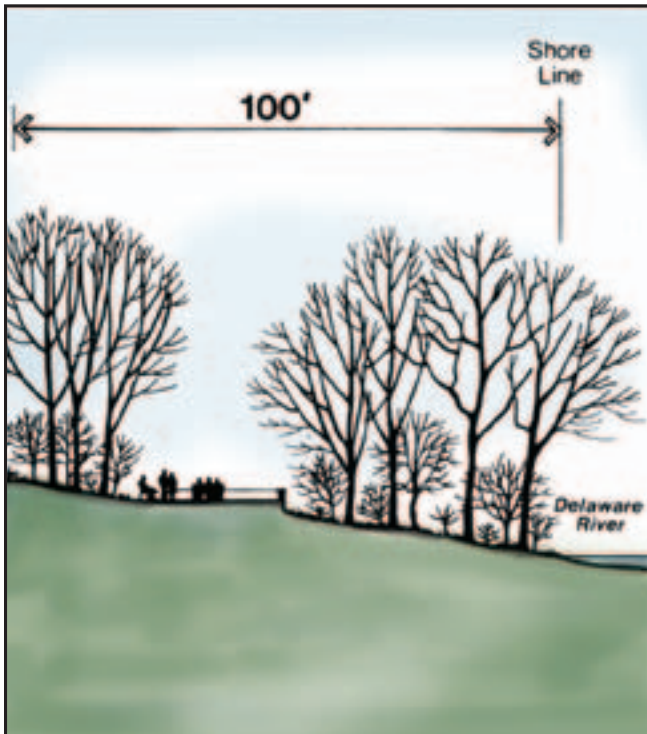
Lot clearing relative to slope

Objective Three

Protect special erosion hazard areas along river banks.

River banks are susceptible to erosion by the river. Erosion worsens when trees, shrubs and other plants that help hold the bank in place are removed. Also, structures too near a river bank run the risk of being undermined or flooded.

- Construction within 100 feet of the river should be avoided. Plant cover should be maintained to help prevent erosion, see bottom left.



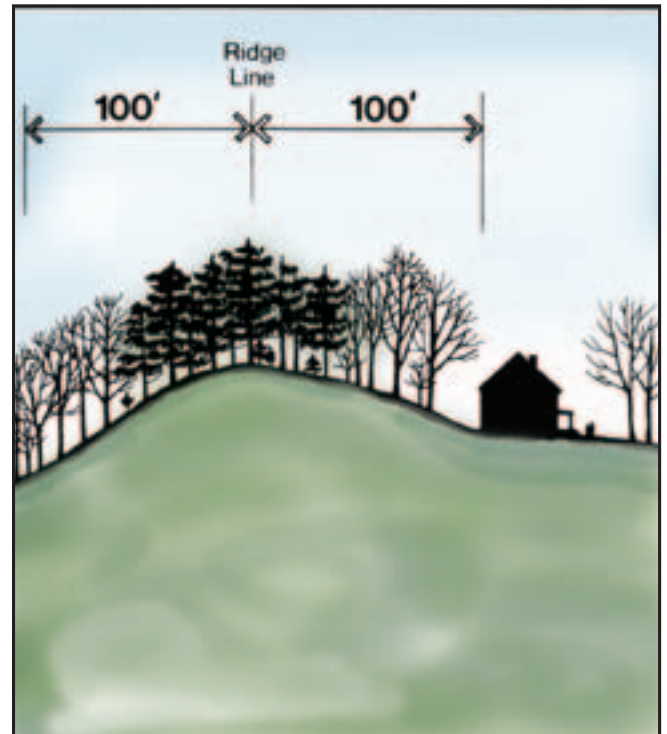
River erosion protection measures

Objective Four

Protect special erosion hazard areas along the ridge lines.

Ridge lines are susceptible to erosion. Steep ridge lines cleared of vegetation are susceptible to landslides.

- Construction should be avoided within 100 feet of the ridge line or within an area identified by the town or township as an erosion hazard area, see bottom right.



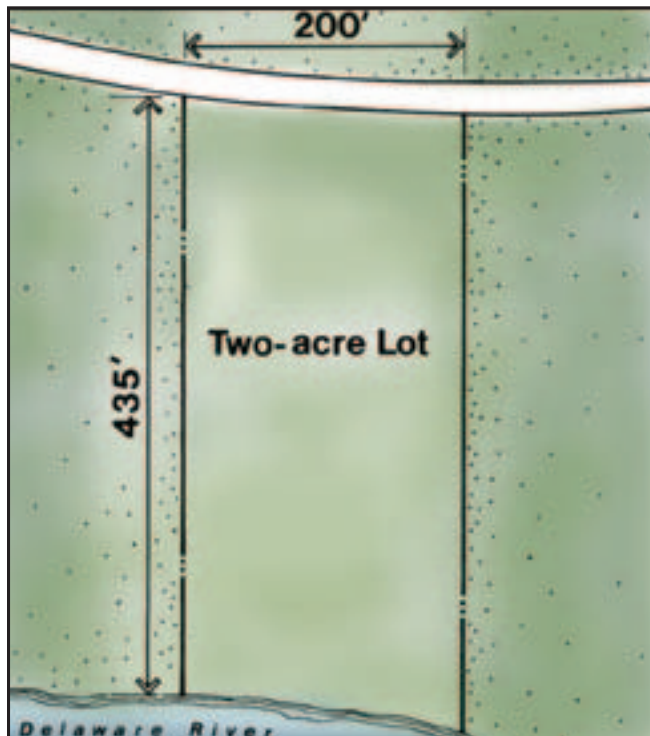
Ridgeline erosion hazard

Objective Five

Limit pollution problems from septic systems located on poor soils.

Sewer systems are available only in some hamlet areas along the river. Most scenic and recreational areas rely upon individual septic systems for waste disposal. However, soil suitability for septic effluent is severely limited throughout most of the river corridor.

- To minimize pollution problems from septic systems on poor soils, minimum lot size for new river corridor lots outside hamlet areas should be two acres or larger, see below.



Minimum Town lot size

Objective Six

Reduce pollution threats from solid and toxic waste disposal by requiring new solid waste disposal sites to be located outside of the river corridor.

- Toxic and solid waste disposal sites do not belong within a National Wild and Scenic River corridor. Such uses are prohibited.

Principle B

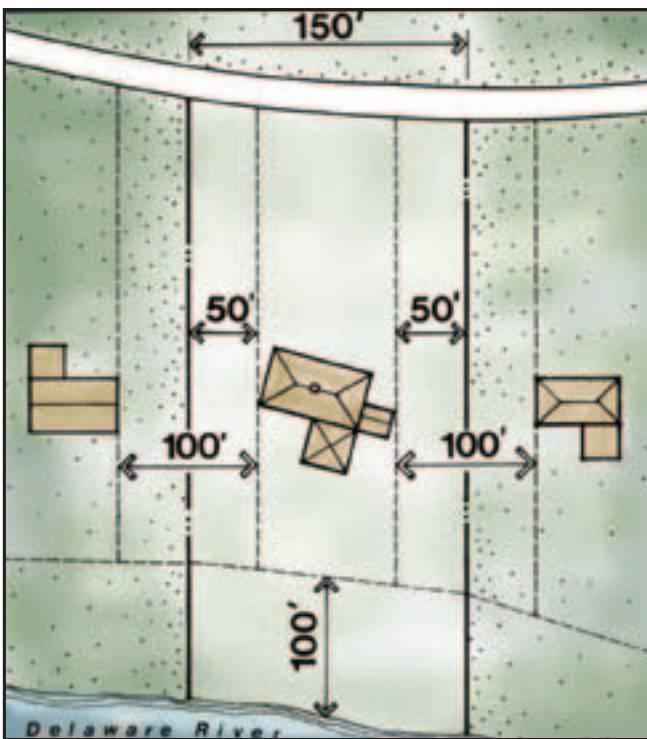
Provide for the protection of the health, safety, and welfare of residents and visitors while also providing for the protection and preservation of natural resources.

Objective One

Provide for light and air and maintain an uncluttered landscape through adequate separation of principle structures.

Besides providing adequate light and air, the separation of principle structures helps to preserve the scenic qualities of the river corridor. Any of the following measures will help ensure adequate separation of principle structures for uniform two acre lots.

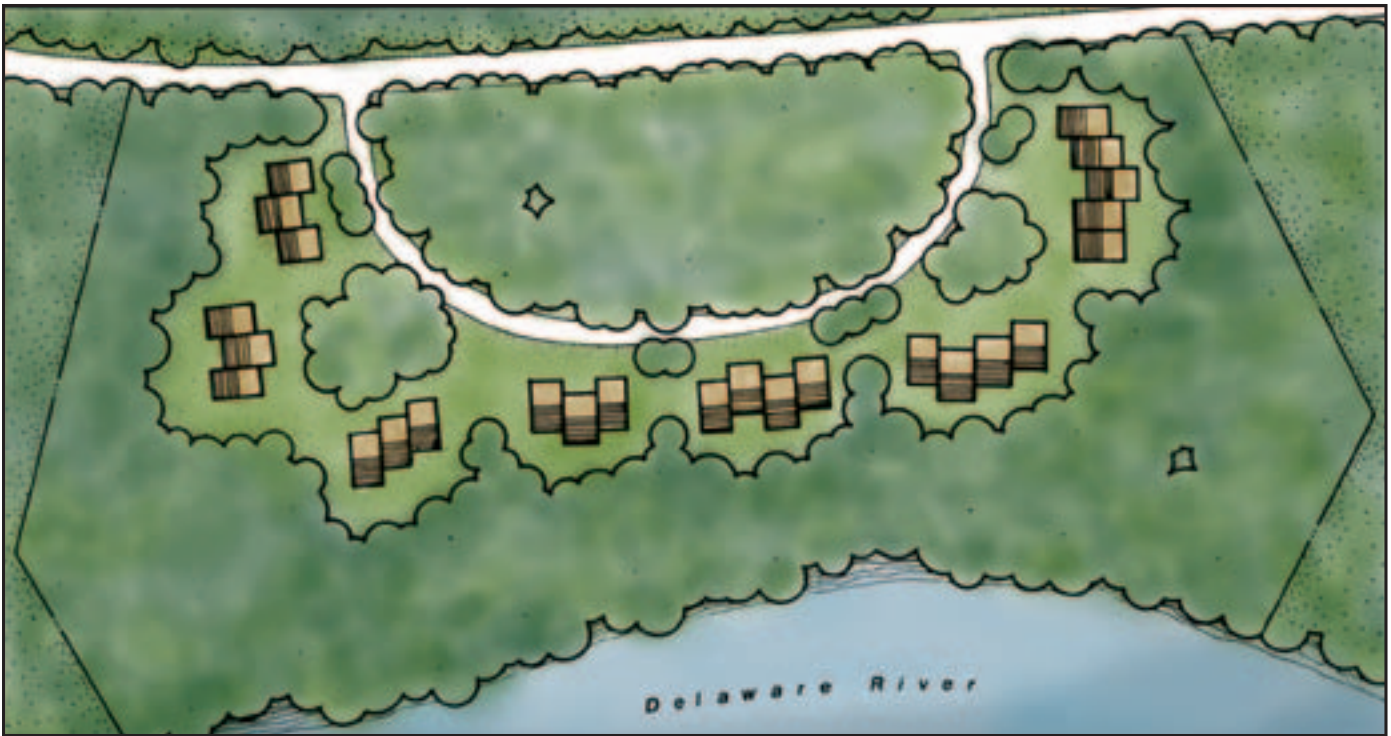
- A 150 foot river frontage requirement for river front lots.
- A 150 foot minimum lot width, road frontage, or width at the building line requirement.
- A 50 feet minimum side yard requirement.
- A 100 feet minimum separation requirement for all principle structures, see left.
- Cluster development may be used as an alternative to these minimum lot requirements. Cluster development is a design technique that concentrates buildings on specific areas of a site to allow the remaining land to be used for recreation, open space, and preservation of environmentally sensitive features. Using this technique, development density remains at a minimum of two acres per structure, but structures are closer together, allowing for large areas of open space, see opposite.



Minimum setback and separation of principle structures. Cluster development may be used as an alternative.



Conventional Sub-Division



Cluster development meeting single unit density guidelines

Objective Two

Provide for light and air and maintain an uncluttered landscape by limiting the height of principle structures.

High structures can dominate the landscape, degrade the scenery, obstruct views, and cast shadows on neighboring properties. Towns and townships often limit building heights because fire and rescue companies are not equipped to access high structures.

- The maximum height of principle structures should be 35 feet or less, see bottom left. Exceptions include structures necessary for farming such as barns, water and grain towers, windmills, and bridges.
- Other uses may be considered on a case by case basis, depending on local zoning ordinances.

Objective Three

Provide for light and air and maintain an uncluttered landscape by requiring adequate setbacks of principle structures from highways.

Building away from a major road reduces highway noise and pollution while providing for a more scenic landscape.

- A minimum setback of 35 feet or front yard of 35 feet is recommended, see right bottom.



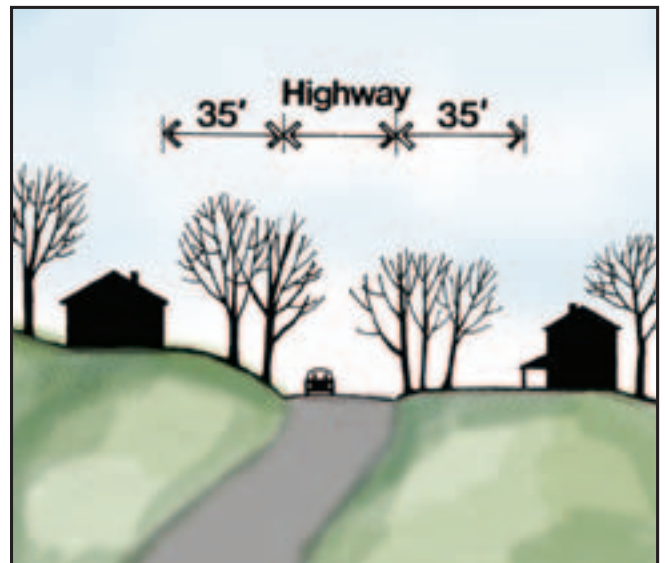
Maximum building heights

Objective Four

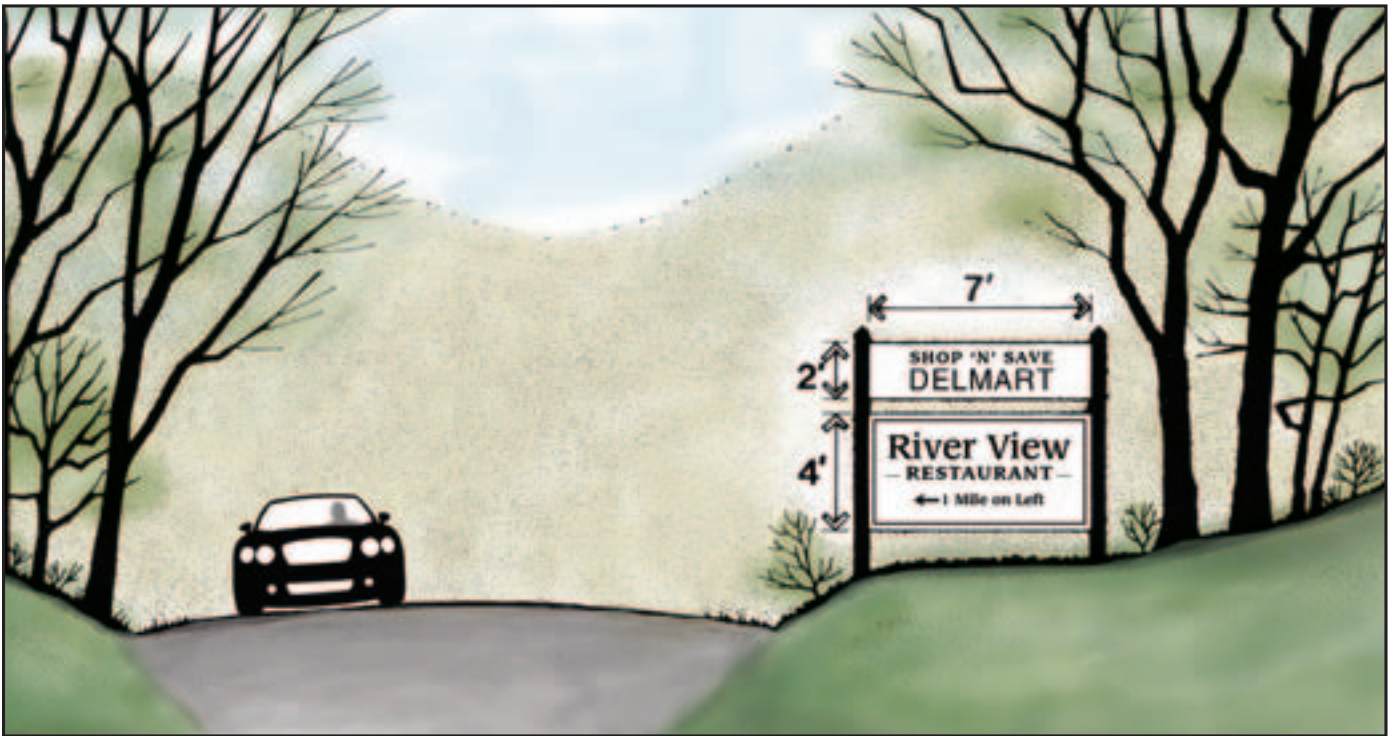
Prevent unnecessary sign proliferation, particularly on the riverfront.

An excessive number of signs can clutter the landscape, degrade the scenery, and give an area a “honky-tonk” appearance.

- The use of off-premises advertising signs should be avoided. If used, they should be limited to 32 square feet in size, and one sign per 1000 feet of road frontage or two per advertiser. River frontage signs should be restricted to one per riverfront facility, and then only to provide directions or safety messages, see top right Signs should harmonize with the surrounding landscape and should not flash or oscillate.
- On-premises advertising or business identification signs may be illuminated outside of developed areas, but should not flash or oscillate. On-premises signs larger than 10 square feet should be limited to one per property line along a street or the river. Alternately, the total square footage of signage, rather than the number of signs, may be limited, see opposite page.
- Non-advertising signs should be limited to less than 10 square feet in size and two signs per property. This guideline clearly does not apply to temporary, institutional, or trespassing signs.



Minimum setbacks



Off premise sign use



On premise sign use

Principle C

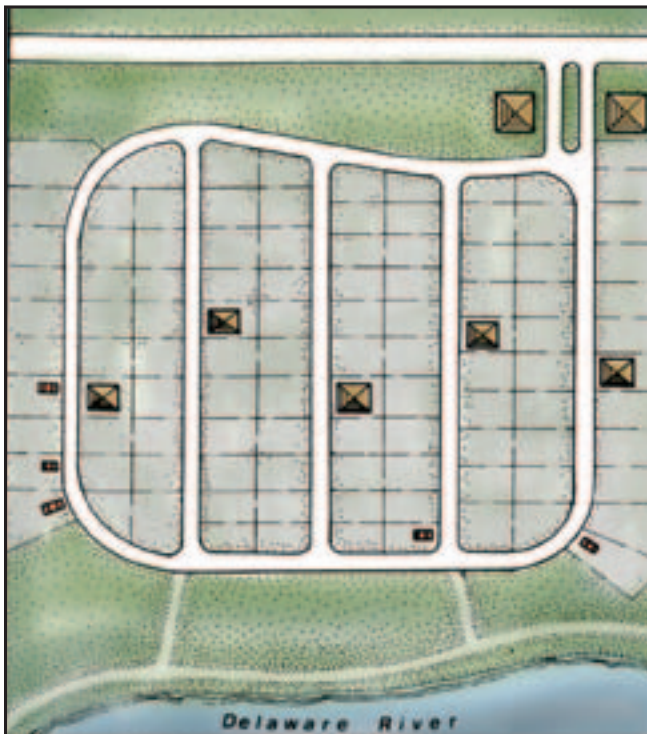
Provide for recreational and other public uses while protecting the Upper Delaware as a natural resource.

Objective One

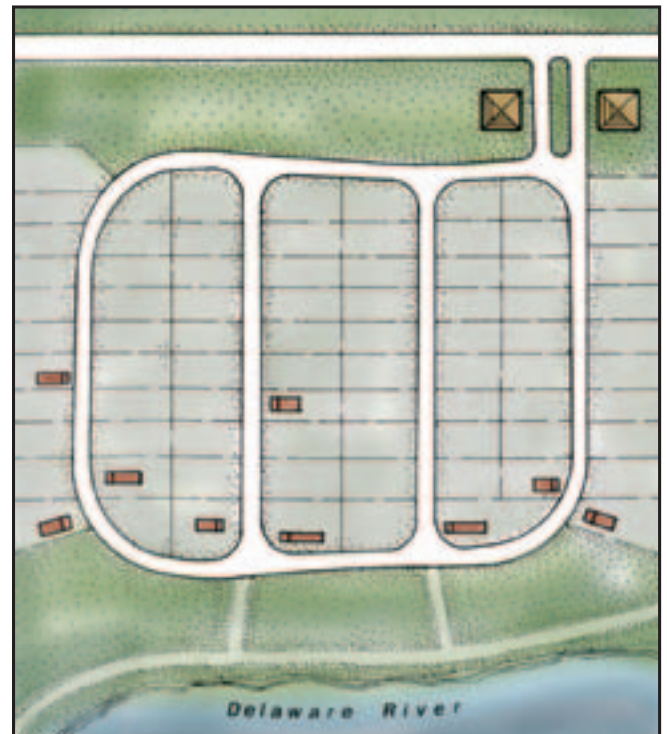
Encourage both private and public agencies that provide recreational opportunities to locate intensive use recreational facilities outside of designated scenic river areas.

Intensive use recreational facilities are defined as any recreational facility likely to require significant amounts of parking, restaurant facilities, rest room facilities, and other accessory services.

- Scenic areas are the most undeveloped portions of the river corridor. Intensive use recreational facilities in these segments should be prohibited by local zoning ordinances.
- In some cases, intensive use recreational facilities may be permitted in recreational areas providing there is direct access by a two-lane highway, see below.



Tent camping densities



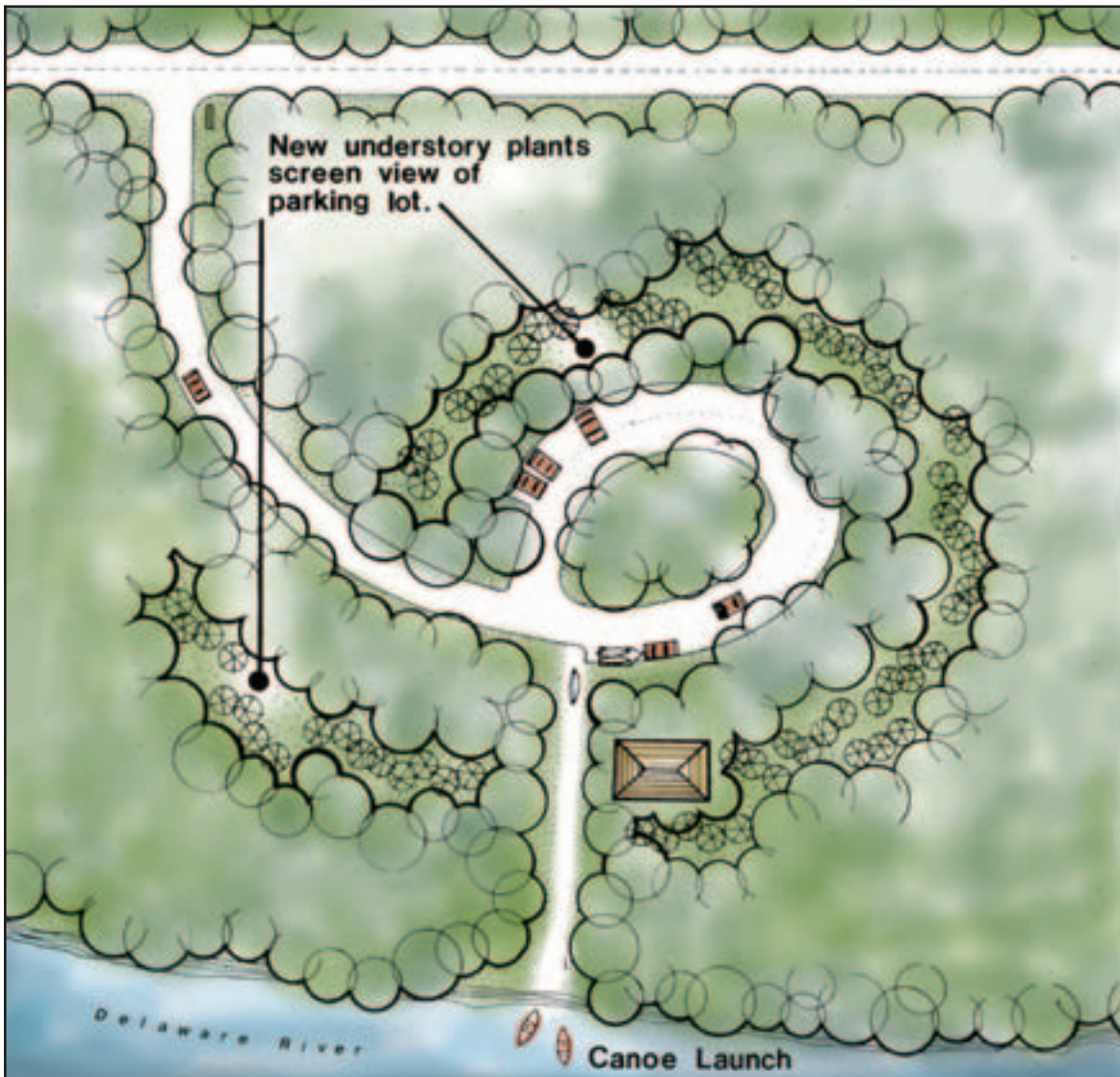
Recreational vehicle densities

Objective Two

Recreational facilities should be developed, operated and maintained in such a way as to limit adverse impacts on adjacent landowners and the surrounding environment.

All proposed recreational facilities should have good site planning. Good site planning can minimize any adverse effects of development and provide a more enjoyable recreational experience.

- Site disturbance during construction should be limited. Trees and shrubs should be retained to keep the facility hidden from view. River bank access should be controlled to limit erosion. Road access must be adequate and safe. The proposed facility also must comply with state health regulations, see opposite right.
- Campgrounds and recreational vehicle parks should not exceed 8 sites per acre for recreational vehicle camping or 10 sites per acre for tent camping, see opposite top left. A minimum of 10 acres of land is required to establish any recreational vehicle campground, with a 5 acre minimum for tent campgrounds, see opposite bottom left.



River recreation areas showing vegetation and screening guidelines

Principle D

Provide for the continuation of agriculture and forestry uses.

Objective One

Encourage and support agricultural uses within the Upper Delaware River corridor.

Agriculture is an activity which enhances the values of the Upper Delaware River. It is an activity strongly supported by the Land and Water Use Guidelines and the River Management Plan.



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River Flat Cornfield in Cochecton, New York

Objective Two

Encourage the appropriate location and mitigate the effects of certain intensive livestock operations

Intensive livestock operations can be a major source of rural pollution.

- Intensive livestock operations are discouraged in the river corridor, except for dairy operations, the growing of crops, or personal use operations.



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Livestock in a managed area

Objective Three

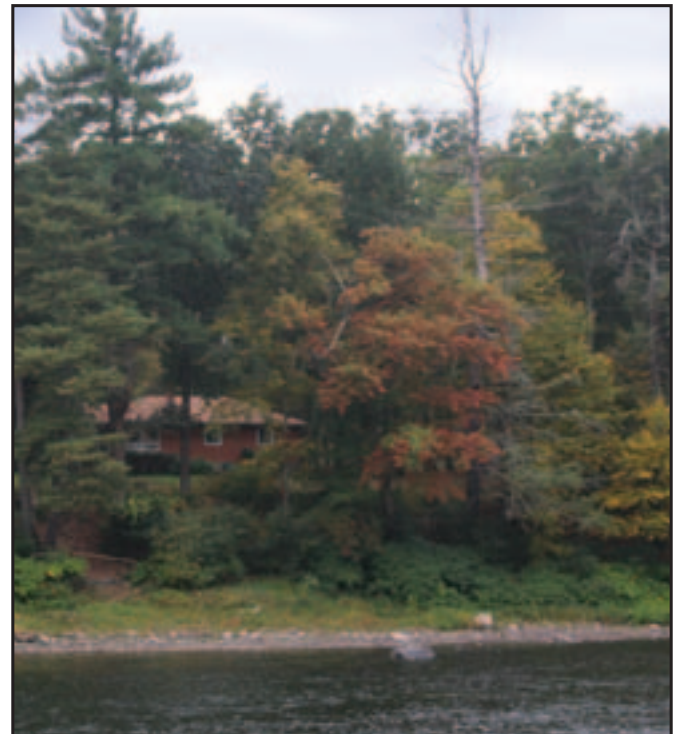
Provide for the use of sound timber practices within the corridor.

Private forest lands contribute to the values of the Upper Delaware River. The continuation of private forestry is encouraged by the Land and Water Use Guidelines and the River Management Plan.

- Timber management involving large clear-cuts is not generally practiced in the river corridor, and should not be. Steep slopes and poor soils characteristic of the corridor limit the size of clear-cuts. Generally, clear-cuts over two acres in size should be avoided except for purposes of agriculture and wildlife management as practiced by the states.
- Alternately, clear-cuts over two acres should be reviewed by a professional forester. Soil stabilization and other performance standards should be met.



Timber: Clear-cut



Timber: Managed

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Principle E

Conserve river resources.

Objective One

Ensure that traditional resource extraction operations (not including subsurface mining and major surface mining) are permitted, but consistent with the protection of public health, safety, and welfare.

Small bluestone and sand and gravel mining operations have traditionally existed within the river corridor.

- Such uses may continue provided they are consistent with local regulations and state and federal mining laws.

Objective Two

Ensure that town and township, county, state, and federal activities will promote the conservation of river corridor resources.

Large public projects that would be harmful to river resources are not permitted in the river corridor.

- Such projects include stream channelization projects, dams and impoundments, four lane highways, large scale groundwater withdrawal, uranium mining or the disposal of radioactive or toxic wastes, and other activities listed on the schedule of incompatible uses, see page 15. For further information, refer to the Land and Water Use Guidelines.



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Natural screening for mining activities



© Travis O'Dell

Log lot



© David B. Soete.

An example of good natural screening



© David B. Soete.

The free-flowing Delaware River

Principle F

Maintain existing patterns of land use and ownership.

Objective One

Limit housing density and intensity of uses with consideration to the existing character of the river corridor.

This objective suggests technical means by which local governments can meet the minimum lot size requirements of the Land and Water Use Guidelines.

- Such means include the use of overlay districts, special zoning districts, and the use of multiple zoning districts.

Objective Two

Reinforce existing patterns of land use and private ownership by providing for similar allowed uses.

This objective applies to local governments which should refer to the list of compatible, conditional and incompatible uses shown on page 15.



A river front home in Damascus, Pennsylvania



© Dorene Warner, W Design.

An inn near the Roebling bridge in Pennsylvania



© Dorene Warner, W Design.

A church in Pond Eddy, New York



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A residence in Barryville, New York

GLOSSARY

Below is a short glossary of technical terms used in this handbook.

Compatible Uses – Land uses that are permitted under the Land and Water Use Guidelines. See the chart on page 15 for a list of compatible, conditional, and incompatible uses.

Conditional Uses – Land uses that are generally appropriate for a zoning district, but permitted only after review and approval by local officials. The Guidelines recommend that towns and township zoning ordinances name a number of uses as conditional. See the chart on page 15 for a list.

Hamlet Area – The following villages and adjacent developed areas: in the State of New York, Hancock, Lordville, Long Eddy, Hankins, Callicoon, Cochection, Narrowsburg, Minisink Ford, Barryville, Hillside, Pond Eddy, Mongaup, and Sparrowbush; in Pennsylvania, Equinunk, Damascus, Milanville, Masthope, Lackawaxen, Shohola, and Mill Rift.

Incompatible Uses – Land uses that are not appropriate in the river corridor. See the chart on page 15 for a list of incompatible uses.

Land and Water Use Guidelines – Land and Water Use Guidelines are used as the basis for determining whether local laws, plans, and ordinances adequately address river protection goals. Towns and townships that meet the Guidelines are said to be in substantial conformance with them. A copy of the Guidelines can be found on pages 114-134 of the *Final River Management Plan: Upper Delaware Scenic and Recreational River, November, 1986*.

Overlay Districts – A zoning district which overlays other zoning districts that imposes additional requirements on the designated district.

Recreational Area – A river classification area. Recreational river areas may contain development along the shoreline and numerous parallel roads and railroads. See the map on page 12 for recreational areas in the river corridor.

River Classification – The river is divided into several different areas according to the amount of development in each area. The river classifications along the Upper Delaware were established by the designating legislation and the Land and Water Use Guidelines. There are three types of river areas: scenic, recreational, and hamlet. See the map on page 12.

River Corridor – The area within the river corridor boundary established by Congress and modified by the River Management Plan. Within the river corridor, the River Management Plan and Land and Water Use Guidelines apply. See the map on page 12.

River Management Plan – A document that sets out the framework for managing the Upper Delaware Scenic and Recreational River. Copies of the *Final River Management Plan: Upper Delaware Scenic and Recreational River, November, 1986, may be obtained from the Upper Delaware Council.*

Scenic Area – A river classification area. Scenic river areas have largely primitive shorelines that are accessible in places by roads. See the map on page 12 for scenic areas in the river corridor.

Special Provisions – The Upper Delaware amendments to the National Wild and Scenic Rivers Act.

Substantial Conformance – Conformance of local laws, plans, and ordinances to the Land and Water Use Guidelines.

SOURCES OF ASSISTANCE



It is important to remember that the Land and Water Use Guidelines do not establish minimum standards enforceable by federal agencies or representatives against private property within the river area. Rather, these standards provide the basis for determining whether local plans, laws, and ordinances, and the enforcement of these, adequately address the goals of Congress in designating the Upper Delaware as a Scenic and Recreational River.

However, anyone who intends to subdivide, develop, or build upon land within the Upper Delaware river corridor must comply with all existing federal, state, and local laws and regulations that may apply to the proposed activity. Each local government has its own standards and requirements. The states of Pennsylvania and New York also have laws and regulations that govern certain development activities. In some cases, federal laws and regulations may come into play. Although all of these regulations and laws may seem overwhelming, fortunately there is help.

As a rule, it is best to start by contacting the local government in whose jurisdiction the property lies. The Town Clerk (in New York) or the Township Secretary (in Pennsylvania) is generally a good first contact. They will be able to answer most questions and will direct you to other sources of information you need to contact. In many instances, the County's planning commission or department will be able to give you the necessary information as to who you would need to contact for required permits and/or approvals.

You may choose to hire a qualified person or firm to help you through this process.

New York and Pennsylvania Counties

Delaware County, NY	Board of Supervisors	(607) 832-5110
Orange County, NY	Government Center.....	(845) 291-4800
Pike County, PA	County Offices	(570) 296-7613
Sullivan County, NY	Government Center.....	(845) 807-0435
Wayne County, PA	County Offices	(570) 253-5970

New York Towns and Pennsylvania Townships

Berlin, PA	Township Secretary.....	(570) 729-8073
Buckingham, PA	Township Secretary.....	(570) 798-2309
Cochecton, NY	Town Clerk	(845) 932-8360
Damascus, PA	Township Secretary.....	(570) 224-4410
Deerpark, NY	Town Clerk	(845) 856-2210
Delaware, NY	Town Clerk	(845) 887-5250
Fremont, NY	Town Clerk	(845) 887-6605
Hancock, NY	Town Clerk	(607) 637-3651
Highland, NY	Town Clerk	(845) 557-6085
Lackawaxen, PA	Township Secretary.....	(570) 685-7288
Lumberland, NY	Town Clerk	(845) 856-8600
Manchester, PA	Township Secretary.....	(570) 224-4070
Shohola, PA	Township Secretary.....	(570) 559-7394
Tusten, NY	Town Clerk	(845) 252-7140
Westfall, PA	Township Secretary.....	(570) 491-4065





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