

TOWN OF FORESTBURGH

PLANNING BOARD

NOV 1, 2016

Meeting called to order at 7:08 p.m. by Chairman Richard Robbins at the Town Hall.

Members Present: Richard Robbins, Chair
Karen Ellsweig
David Groskin
Susan Hawvermale
Robert Sipos

Absent: None

Attorney Present: None

Recording Secretary: Nicole Lawrence

Approval of Minutes:

- Motion: Approve minutes from 27 September 2016 made by Karen Ellsweig
Seconded by: Susan Hawvermale
- Vote: All in favor (4-0) David Groskin unable to vote, as he was not present at Sept 27 meeting
- Resolved: Minutes from the 27 September 2016 meeting approved without modification

Correspondence Received:

A letter from Andrew Unterberg to the members of the Planning Board outlining his intentions for “Tent Days”, introducing the concept layout and describing the measures he has taken to comply with state and local laws.

Business:

Susan Hawvermale renewed her motion to have Board Member Comments on items not on the agenda be included on every planning board meeting agenda and should any motion arise out of such non-agenda comments, a vote on that motion be deferred to the next meeting. The vote was seconded by Karen Ellsweig and unanimously passed.

Sketch Site Plan Presentation:

Andrew Unterberg and landscape architect Nicholas Schwartz from RLA presented a sketch site plan for “Tent Days”, illustrating potential plans for the 300+ acre property on Tannery Road. The initial phase of the program would consist of 110 tent-only campsites and Mr. Unterberg would like the option of future

expansion, which would allow him to add another 44 campsites. Jim Steinberg from the fire department has been a constant source for Mr. Unterberg.

A general store and café, housing the registration desk, would be in a 6000 sq ft footprint, most likely placed in the area where the current club house resides. Karen Ellsweig asked Mr. Unterberg if he planned to raise the current club house and Andrew answered that he is considering this option because the building is structurally sound on the outside but after recently consulting an architect, demolition to the interior may need to be done.

Nick Schwartz listed plans for a pavilion to house farm-to-table style dinners, a pool and play area, approximately 150 parking spaces, and an appropriate amount of showers and bathroom facilities. Richard Robbins asked if “appropriate” is defined by both statute as well as custom and practice. Mr. Schwartz said the concept is based on New York State Department of Health standards and the Town of Forestburgh town code. Richard reiterated that the plans were just concept at this point.

A map of the parcel on Tannery Road was projected onto a screen to illustrate the location of plans in the making. The plan included access points. Special attention was made to keep facilities a considerate distance from property borders for sanitary purposes and respect for the neighbors.

Cars will not be parked on sites; rather, cars will be in a parking lot and guests will be ushered to their sites. This forces guests to use the bear-proof canisters and poles instead of leaving food in vehicles.

Richard Robbins asked Andrew Unterberg if he still had intentions of serving alcohol to guests. Mr. Unterberg replied that he does want to offer alcohol but does not want a bar scene. He would implement a policy prohibiting guests from bringing outside alcohol and discourage glass. He imagines a beer and wine environment and would apply for a liquor license. Richard Robbins informed Mr. Unterberg that in order to serve alcohol it must be accessory use. Mr. Unterberg said his understanding is that in order for alcohol to be considered accessory use, it must be limited to members of the campground. While he would like to welcome members of the town, he would defer to the town code.

David asked for “accessory use” to be defined. Richard explained that alcohol can only be used for commercial patrons. The town prohibits serving of beverages, alcohol, and food in the residential district. Permits strictly pertain to the primary use, which in the case of “Tent Days” would be camping. Therefore, alcohol – if permitted at all – could only be served to guests who are camping.

Nicholas Schwartz noted they would like to have everything in order and be prepared when they apply for a special use permit, which is why they are seeking feedback in order to put together an acceptable package for review by the board. Richard Robbins responded that the Planning Board has received some feedback from consultants, including their engineer and lawyer, and that the Sullivan County Planning Board will conduct its own review. Richard also recommended they look over the history of the property and previous applications for special permit use on the property so they would be more informed to get through the SEQR form. Mr. Schwartz expressed their awareness of these procedures and said they would supply supporting information in their report. He assumes they will need to file as an unlisted action and that The Town of Forestburgh would be the lead agency. Richard said that is how he anticipates it would proceed. Richard verified their application likely would require a long form, as it is a significant project.

Karen Ellsweig suggested that in the future, Mr. Unterberg include the contiguous land owners in his site plan, which he conceded to do.

Richard Robbins asked if there would be one tent per site. Andrew Unterberg responded that he planned to allow up to three tents per site, 2 people per tent, max of 6 people per site, because it is designed for families. Each site is approximately 2500 sq ft. and there will be one fire per site. Richard and Karen informed Mr. Unterberg that he would have to comply with town code in regards to this matter and it may only allow one unit per site. Richard Robbins referred to NY State Sanitary Code subpart 7-3 under campgrounds, subdivisions D and E. Mr. Unterberg said he will make adjustments if need be.

Susan Hawvermale inquired as to the ability of access roads to accommodate emergency vehicles and snow plows. Mr. Unterberg said he had consulted with the fire department and an engineer and was considering adding a third access point. Susan asked about the location for staff to stay. Mr. Unterberg pointed out the areas on his map that he may use but had not finalized the decision. He envisions 20-30 staff members, including lifeguards (2 dedicated and 2 generalists, all certified to lifeguard). He also intends to have a health care professional on site. The season he is considering is May – October. Robert Sipos asked when Mr. Unterberg would build and he replied sometime in the summer. He is aware of the regulations for transporting construction materials, such as weight and vehicle dimensions.

Comments by Public:

Jillian asked if the concept for “Tent Days” is similar to “glamping”. Andrew Unterberg said he aims to provide a true camping experience, where guests cook their own meals and sleep in real tents. Although it is not primitive camping, because the sites will provide some comfort and convenience, it does not fall under his understanding of high end “glamping”. He wants to keep the prices reasonable and make the experience accessible.

Proposed Subdivision Laws:

148-3

Subparagraph A

Karen Ellsweig asked to confirm that the Town of Forestburgh has a code enforcement officer and that he has the ability to go out and do everything that depends on him. Richard Robbins confirmed that Glenn Gabbard, the current code enforcer, has the credentials required. Katherine Barnhart from the Town Board confirmed his credentials. When Karen asked if Mr. Gabbard had read through the laws, Katherine answered he has not. Karen Ellsweig asked that Mr. Gabbard review the laws being that much of it depends on him and Richard Robbins said they would make that recommendation to the town board. David Groskin asked if Mr. Gabbard’s job was to produce revenue for the town and Katherine Barnhart replied no, his job is to enforce the codes. Susan Hawvermale asked how many hours he works, which is (part time) approximately two days per week.

Subparagraph F

Richard Robbins recommends that it should be specified who is able to “take action”. Karen Ellsweig and Susan Hawvermale agree.

Richard Robbins made note that attorney Jacy Ricciani had suggested eliminating language that suggests the town enforces private provisions; however, Richard feels it should only be reworded for accuracy.

145-8 Terms defined.

Applicant: Richard Robbins suggests replacing the words “himself or itself” with “themselves”.

David Groskin asked what is considered a subdivision. Richard read definition on page 11 and definition of Re-subdivision on page 9. David Groskin asked if that meant that a divided land could be further subdivided one hundred years later, to which Richard and Karen said yes. David expressed that it was his overall impression, based on observations, that the town showed resistance to more people coming into the Town of Forestburgh and questioned why the town allows any subdivisions at all. The other board members did not agree there was any resistance to newcomers.

Buildable Area: Richard pointed out that the wording in the definition of “area” opaque needs to be reworded. He referred to other town’s definitions, citing law in the town of Plattsburg, and board members all agreed there was more clarity.

Robert Sipos asked if Forestburgh’s definition refers to non-conforming areas, being that it mentions the Zoning Board of Appeals. Richard said it applies to both conforming and non-conforming areas.

Susan Hawvermale verified that the Town of Forestburgh does have a building department. On her suggestion, the definition of **Building Area** was flagged for rewording. Also flagged for discussion – at the advice of Jacy Ricciani – is the definition of **Constrained Land**, especially regarding “wetlands”. Karen Ellsweig reminded board they can always be stricter than a state law but never more lenient. Robert Sipos asked if the Town of Forestburgh mapped wetlands, which would have an effect on definition.

Further discussion regarding Jacy Ricciani’s comments will occur when she is present.

Page 12

Karen Ellsweig notes there are two sections labeled **148-8** and all sections need to be renumbered.

148-9 (2)

Susan Hawvermale says there are times when more than 8 copies of an application will be needed. After discussion on the Planning Board, the consensus is that the law should not state a specific number but should say “specified by the town clerk or on application”.

Stopped on page 14, to start on page 15 next meeting.

Motion to adjourn at 9:00 p.m. made by Richard Robbins and approved by all.

Respectfully submitted by Nicole Lawrence, Planning Board Secretary