

FORESTBURGH PLANNING BOARD MEETING

Minutes

June 23, 2015

Susan Hawvermale, Chair

Karen Elsweig, Steven Budofsky, David Groskin, Robert Sipos

Sandi Burke, Secretary

PUBLIC HEARING FOR GNOME LIMITED PROPERTY: Susan opened up the floor for any comment solely on the Gnome Ltd properties. George Fulton represented Gnome Ltd and presented new maps to the Planning Board. His client has 15.52 acres of land with an existing house. and frontage on Route 42. The parcel will be subdivided creating a 4 acre parcel with the house, which has its own well and sewer system, and leaving the remaining 11.52 acres as vacant land. George opened the floor to any questions. There were no questions and the public hearing was closed at 7:04 pm.

Planning Board meeting began at 7:04 pm.

Pledge of allegiance.

Motion made by Susan to approve the minutes from the previous meeting. David seconded. No discussion. All in favor. None opposed.

COMMUNICATIONS

An email to Susan from Richard Robbins, the attorney representing Merriewold regarding ASTI, was read by the secretary. Sandi stated for the record that there is a new extension and voicemail for the Planning Board, 794-0611 x23. This information will be provided in the July Newsletter.

At this point, Susan advised the public that if they wanted the Planning Board to consider any kind of paperwork or correspondence, it must be submitted and received 10 days before the next Planning Board meeting or it will be held over until the following month.

CURRENT PLANNING BOARD APPLICATIONS

GNOME ENTERPRISES

Susan moved to approve the Gnome application with the caveat that it not go through until we receive the 239 form from the county. We do not as of yet have the 239. Seconded by Steve. All in favor. None opposed. Application approved based on receipt of the 239.

ASTI

Javid Afzali commented on the paperwork ASTI sent, received via FedEx June 23, 2015. ASTI did a supplemental noise analysis based on some of the comments they had received at the last Planning Board meeting. These related specifically to the cumulative effect of both gun range and motocross occurring at the same time. A report was submitted.

There are no new wildlife, fauna or flora concerns on the property, but a formal report will follow.

Concerns about site access included ingress/egress specifically related to emergency service vehicle access to the property. ASTI will have both the Highway Superintendent, Fire Commissioners, and Fire Chief do site visits. Afzali stated that the fire company had submitted some slight modifications which will not be a problem for them to incorporate.

ASTI has identified owners of properties within the 500 foot buffer of the project site including properties across the street and they have will contact all of these residents once the public hearing is set.

ASTI received a letter from the NY State Department of Conservation relinquishing their option to be lead agency.

Afzali stated he received a letter from the Merriewold attorneys, containing two points. The first was that an interpretation was needed from the Zoning Board of Appeals for the proposed use as an "outdoor recreational facility." Afzali pointed out that the property was already used as an outdoor facility. Merriewold's attorneys claim that determination should be made by the Zoning Board of Appeals, not the Planning Board. Afzali pointed out that the ZBA's jurisdiction only occurs in an appellate review for appeal.

The second point in the letter was that the Planning Board should require preparation of an environmental impact statement by ASTI. Afzali said that has been provided in the application with both the noise and the environmental studies.

At this point, ASTI again requested the Planning Board declare itself as lead agency for SEQRA.

Steve Budofsky voiced a few concerns about the project.

Tim Gottlieb stated CT Male would be the best to do the secondary noise evaluation for the Planning Board on the ASTI project. David made a motion and Karen seconded making CT Male the company to do the study. An escrow account in the amount of \$10,000 has been established with funds provided by ASTI. Money from this account will pay for the CT Male noise evaluation.

When the evaluation is completed, Sandi will send the report from CT Male to Stephen Szulecki who is the noise consultant for ASTI.

James Sherman from ASTI commented that the old barn on the property seems solid and they would like to preserve it. Eric Ortense from ASTI said that the foundation seems to be good and the roof also looks dry. Susan stated that it should be secured. Any improvements to the barn will occur only ASTI actually owns the property and the application before the PB goes through.

Susan asked if Shalom Lamm would have any interest in the property if it is sold to ASTI and their response was "no."

There being no other business, the meeting was adjourned at 9:45 pm.

Respectfully submitted.

Sandi Burke
Planning Board Secretary