

******DRAFT******

The Town of Forestburgh Town Board held a **Special Joint Meeting** with the **Planning Board** on **Tuesday, October 25, 2011** in the Town Hall.

Supervisor Galligan called the meeting to order at 6:00 p.m.

Roll Call: Present – James P. Galligan, Supervisor
John W. Galligan, Councilman
Eugene D. Raponi, Councilman
William B. Sipos, Councilman
Susan Hawvermale, Planning Board Chair
John W. Galligan, Jr., Planning Board Member

Absent – Michael Creegan – Councilman
Ivan Orisek – Planning Board Member
Ed Kaufmann – Planning Board Member
Art Eggleton – Planning Board Member

Recording
Secretary – Joanne K. Nagoda, Town Clerk

Others
Present – William D. Bavoso, Attorney for the Town
David Bavoso, Attorney for the Town

Supervisor Galligan stated that this is basically to review the work of the original zoning review committee and asked if the boards wanted to go through it line by line or if there were specific things they wanted to address. Councilman Galligan stated there are a lot of things in there that the committee didn't agree with. Mr. Voss added a lot of things that the committee wasn't happy with and that is where we got lost. Mr. Voss suggested on small subdivisions that they be handled internally with the building inspector and the town engineer and not before the planning board. Joanne located the exact paragraph in the draft and read the "minor subdivision criteria" – being one that is not more than four lots on an existing street, that does not require the construction of any new streets or roads and does not adversely affect the remaining lands of the subdivision. Discussion was held on things were not placed in the draft documents because there was no agreement and the need for things to be documented going through the planning board. Discussion then turned to defining a "simple" procedure for small subdivisions and the need for variances and triggers to the ZBA. Attorney Bavoso reminded the board that the adoption of Local Law # 1 of 2011 permitted the planning board to grant waivers and an easier process for lot line changes. Attorney Bavoso directed everyone to a section of the zoning review (Section 75-20) that deals specifically with subdivisions and non appearance before the planning board, review and approval by the building inspector and the criteria outlined. Discussion was held on adding the engineer in addition to the building inspector and having subdivisions engineered before requesting a subdivision. Discussion then was held with regard to costs associated with hiring engineers and the length of time required to get through the planning board process and the requirement of public hearings especially on one lot subdivisions, creating criteria that must be met to waive the public hearings. Councilman Raponi stated his preference is for things to go before the planning board where there are more eyes to review it than just the one set of eyes from the building inspector. Supervisor Galligan asked for opinions on his suggestion to be able to "fast track" a minor subdivision as long as certain criteria are established. Councilman Galligan stated that certain things are passed in one meeting in Thompson by them being allowed to grant "conditional" approvals – so if something is missing, it must be submitted to the proper authority prior to being signed off on. All members present liked this suggestion for small one and two lot subdivisions. Ms. Hawvermale stated that this document refers to a "scoping meeting" where the applicant must bring a sketch plan, but that would still take two meetings after that. It was agreed that this idea had merit so property owners could find out what was needed and how much they would have to spend to accomplish what they want to do and what their options are. Discussion then was held on several applicants before the planning board who were anywhere from seven months to a year and a half trying to accomplish simple subdivisions and trying to address what is slowing up the process. Attorney Bavoso stated that there are several towns that have in the subdivision regulations wording that says the road or even some cases,

railroad beds are natural subdivisions. We don't have that or anything like it anywhere, even in the proposed documents. It was unanimously decided that a set of criteria must be established to waive public hearings for small subdivisions and speed up the process for them, yet keeping them before the planning board.

The new proposed zoning map was then produced and it was requested that a larger commercial zone be added to what is already proposed for an increase to the commercial zone.

Supervisor Galligan requested Attorney Bavoso to come up with language/criteria to get smaller subdivisions through the planning board quicker. He further requested those in attendance to compare the two zoning maps and see about the possibility of increasing the commercial areas.

It was then determined that the committee would meet again at 6:00 p.m. before the next regular town board meeting on November 3, 2011.

ADJOURNMENT – MOTION by Councilman Sipos to adjourn at 6:50 p.m.

Respectfully submitted,

Joanne K. Nagoda,
Town Clerk