

# TOWN OF FORESTBURGH

## PLANNING BOARD

Oct 24, 2017

Meeting called to order at 7:00 p.m. by Chairman Richard Robbins at the Town Hall.

Members Present: Richard Robbins, Chair  
Karen Ellsweig  
Robert Sipos  
Vincent Galligan  
Eugene Raponi  
Anthony Cardoso  
Susan Hawvermale

Attorney Present: Jacqueline Ricciani

Recording Secretary: Nicole Lawrence

### Approval of Minutes

Karen Ellsweig makes the motion to approve minutes. Eugene Raponi seconds the motion. No amendments are suggested.

Vote: all in favor

### Correspondence

All correspondence is in regards to the application submitted by *Another Sky*. Richard Robbins reads a letter from DEC. Nicole Lawrence reads a letter from DOT. Richard reads an email exchange between town attorney, Jacqueline Ricciani, and DOH.

### Public Comment on Agenda Items

There are no comments from the public.

### Another Sky Campground – application for Special Use Permit and Site Plan Review

Nicholas Schwartz, from CHA Consulting, informs the board that a waiver request for the number of units per site is still under review and describes his discussion with DOH regarding the request. Nick and Andrew Unterberg have changed the shape of the sites from circular to rectangular in order to accommodate the number of squared feet required per site as per DOH. Nick provides an updated footprint and assures Richard he will send a copy of the waiver request by email. They are awaiting further response from DOH. Their request to the NYS Historical Preservation Office is also still under review.

Jacy confirms that the board is able to schedule a public hearing for *Another Sky*. Richard requests that all updated documentation be submitted electronically. Nick agrees to do so and will provide everything that will be at public hearing digitally.

A motion to schedule the hearing for November 28th is made by Susan Hawvermale, seconded by Karen Ellsweig.

Vote: All in favor.

Richard Robbins confirms that the applicant is responsible for notification and Nick says he will send everything for the 239 form to the town engineer. Susan requests that Nick gets an updated map with names of new owners of the land within 500 feet of 80 Tannery Rd. Nick says he will attempt to do so and will certainly provide a sketch if surveyors cannot provide him with an official map.

### **Continued Review of Proposed Local Law amending the Zoning code – Indoor recreational uses, shooting ranges**

Richard Robbins reviews the report he sent to the Town Board regarding the concerns expressed by Planning Board members; he relays that the Town Board has not moved forward with the proposed law, as they are waiting further comments from the Planning Board. He proposes the Planning Board go through proposed law and shares itemized concerns for an additional report:

Susan Hawvermale points out that the proposed law only discusses “indoor recreation” in one paragraph (section 3), the rest is about the shooting range. She suggests that if the town wants to establish a law for a shooting range, one should be established. She also suggests eliminating the part that allows for overnight staff quarters. The board agrees, as they do not see a reason for staff to sleep overnight.

Susan reiterates that multiple members have asked why the law is being considered at all. Richard reminds the Planning Board that their duty is to review the local law as how it is structured. Karen Ellsweig asks if the Town Board could respond to the overarching concern that a shooting range is not in compliance with the town’s Comprehensive Plan. With the exception of Eugene Raponi – who states that he is unsure – all remaining members feel this is the case.

After much discussion, members decide to inform the Town Board of the following:

There is a strong feeling on the Planning Board, with some exceptions, that any indoor shooting range is fundamentally inconsistent with the comprehensive plan. If they choose to nonetheless proceed, the board finds definitional requirements are inadequate in preserving the character and nature of the town in regard to acreage, setbacks, distances and other typical zoning requirements concerning a residential community. In this case, the Planning Board would recommend the Town Board provide standard zoning specifications and bulk requirements in regards to each of the newly permitted indoor recreational uses before even considering shooting ranges. This will give the Planning Board criteria to evaluate the appropriateness of any applications that come before them regarding the mentioned recreation types.

### **Continuing review of the draft proposed Subdivision Code - scheduling of special meeting to complete this review.**

The board sets two possible dates for a special meeting at the Town Hall to complete the review of the draft proposed Subdivision Code. The date will be decided after schedules are confirmed by email. The board will pick up at section 148. The Subdivision Code will be the only matter on the agenda.

### **Planning Board Member Comments on items not on the agenda**

Anthony Cardoso mentions that he and Karen visited 80 Tannery Rd., the site of the intended campground, and suggests that all board members visit the property. Richard Robbins reminds all members that they are required to visit the property in person.

Motion to adjourn at 8:42 made by Karen Ellsweig, seconded by Susan Hawvermale.

Vote: all in favor