

TOWN OF FORESTBURGH

PLANNING BOARD

Sept 26, 2017

Meeting called to order at 7:02 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. Anthony Cardoso seconds the motion. Amendments are discussed and approved by the board.

Vote: all in favor as amended

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 he will provide the following to the Planning Board on behalf of *Another Sky*: the revised EAF form, proof of sending lead agency notice, and a copy of the formal waiver request that has been submitted to D.O.H. regarding the number of camping units. The request was to be permitted up to three tents per site with a maximum of six people per site.

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

Jacqueline Ricciani suggests a provision in the permitting section so that parts of the review for an operating permit be under the Planning Board's consideration when reviewing an application for a special use permit. Richard Robbins clarifies that her suggestion is a structural shift, as parts of the review process are related to the town's zoning codes. Operating permits are granted by the code enforcement officer and Jacy states that operational procedures should remain before the code enforcement officer, as

well as annual reviews. Planning Board members concur to include her suggestion in the recommendations to the Town Board.

In the report to the Town Board, Richard Robbins will address the specific topics Jacqueline Ricciani has helped identify for the Planning Board.

Karen Ellsweig expresses major concerns about the proposed local law. She feels strongly that a shooting range is not in line with the town's comprehensive plan; she does not understand how the part-time code enforcement officer can handle a business such as an indoor shooting range; there is no noise ordinance in the town of Forestburgh. Richard Robbins acknowledges her concerns as valid but states that whether or not the town considers itself equipped is a Town Board issue. He agrees with Karen that her concerns should be expressed in the report to the Town Board.

The Planning Board does not see the proposed law as fit in its current state. Members have several concerns with the proposed law and decide to discuss only the most significant concerns at this meeting. They compose a list of major concerns, suggestions and conceptual changes to present to the Town Board.

The board agrees to report to the Town Board that the proposed amendment is not consistent with the aims and principles embodied in the zoning code as to the particular districts concerned, which could include the residential district; the areas and establishments in the town will be directly affected by such change; there may be significant indirect implications. In the report they will include the following issues: definitions in the law, acreage required, noise, accessories sold, fee schedules, background checks, disposal of waste, violations and the ability of town to regulate with a part-time code enforcement officer.

The majority of members having said that an itemized review of the proposed law would be futile at this point – but also expressing concern that the Town Board may move forward with a vote after having received a report on the Planning Board's more general concerns – Richard Robbins proposes they include a note in the report that says they will be providing a more detailed report, section by section.

Steve Budofsky, from the Town Board, assures the Planning Board that the Town Board is not on any sort of time frame and that they are more than willing to consider any changes the Planning Board deems necessary, as it is a team project.

The board agrees to indicate responses to section 85-37, as required; additionally identify big ticket items; and indicate that they will continue a review and analysis and provide a further report in regards to the proposed local law.

Continuing review of the draft proposed Subdivision Code

Richard Robbins tables the agenda item.

Planning Board Member Comments on items not on the agenda

There are no comments on items not on the agenda.

Motion to adjourn at 8:50 made by Robert Sipos, seconded by Anthony Cardoso.

Vote: all in favor