

TOWN OF FORESTBURGH

PLANNING BOARD

Dec 19, 2017

Meeting called to order at 7:03 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. Susan Hawvermale seconds the motion. Amendments are discussed and approved by the board.

Vote: all in favor as amended, Vincent Galligan and Eugene Raponi abstain

Public Comment on Agenda Items

There are no comments from the public.

Review of Local Law #2 of 2018: Extension of Solar Moratorium

Richard Robbins provides board members with a report from their last review of the solar moratorium and explains they must review factors again to determine direct and indirect implications. The pertinent factors are reviewed in regard to the new proposed solar moratorium.

Karen Ellsweig makes the motion to determine the moratorium has no direct or indirect implications on the town. Susan Hawvermale seconds the motion.

Vote: all in favor

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

A resolution, drafted by town attorney Jacqueline Ricciani, is reviewed by Planning Board members. The WHEREAS clauses are examined one by one and amended as needed. They add explanatory justifications for each finding.

While reviewing the resolution, the board discusses what constitutes “seasonal”, as the applicant plans to be closed for 3 months of the year but does not wish to be limited by definition. The board feels it is absolutely necessary to set dates. Andrew Unterberg asks board for maximum allowance on time to be open under “seasonal”. May 15 – Feb 15 is the operational time he anticipates. Concern is expressed that the site plans presented for *Another Sky Campground* did not display provisions or infrastructure to demonstrate their preparedness for winter operation. Richard Robbins points out that “seasonal” is not defined in the code and questions whether or not the board has the authority to permit the dates Mr. Unterberg requests. Jacy Ricciani suggests the dates that Mr. Unterberg requests be permitted with conditions. The board agrees to permit the operational dates of May 15 – Feb 15 with provisions.

The board continues to amend WHEREAS clauses.

Richard Robbins offers a proposed condition regarding Planning Board follow-up after Another Sky has been in operation for a year. After discussion between the Planning Board, counsel and the applicant, the proposed language is modified and then included in the final resolution.

The Planning Board establishes conditions regarding signage, parking on Tannery Rd., and notifying the town of any violation notices that state conditions that would adversely affect the operation of the campground.

Board members and applicant agree on a minimum of a one million dollar insurance policy.

Susan Hawvermale makes the motion to approve the resolution with additional language and corrections. Karen Ellsweig seconds the motion. No further discussion.

Vote by roll call: 7 AYES: Anthony Cardoso, Karen Ellsweig, Vinny Galligan, Susan Hawvermale, Richard Robbins, Robert Sipos, Eugene Raponi

Motion Carried

Establish Dates for Planning Board Meetings and Application Deadlines in 2018

The board members decide on 2018 dates for Planning Board meetings.

Continuing review of the draft proposed Subdivision Code

Susan Hawvermale suggests that members look up conservation subdivisions, directing them to information online. Richard Robbins asks Anthony Cardoso, who has had litigation experiences involving abuse of conservation subdivisions, if he can point members to any information or summaries of those experiences. The board defers further conversation on the subdivision code to the next meeting.

Planning Board Member Comments on items not on the agenda

Susan Hawvermale and Richard Robbins discuss the possibility of a different seating arrangement for the January meeting, pending agenda items and audience turnout. Robert Sipos and the rest of the board members thank Karen Ellsweig for her time on the Planning Board and wish her the best on the Town Board.

Motion to adjourn at 9:02 made by Karen Ellsweig, seconded by Anthony Cardoso.

Vote: all in favor