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August 5, 2020

Forestburgh Town Planning Board
332 King Road
Forestburgh, NY 12777

Re: Forest Pond Subdivision

Members of the Planning Board:

I tried to listen to the Public Hearing on July 28, 2020 in reference to the above captioned matter. Between the loud squealing noise and the low voices it was hard to hear, I downloaded the minutes after the meeting so I was able to understand what was being said. With that said, I have some comments. In reference to the Public Hearing Minutes paragraph #6 "Common Road Maintenance." This is going to be a major problem. Mr. Lord did not say how this agreement was going to be written. What if one or more of the Lot owners refuses to pay their fair share? What remedies will be in the agreement? This type of requirement is a problem waiting to happen and should be avoided at all costs. The better way to handle this is to have the Home Owner's Association own and maintain the road. The three lot owners should have should bear the cost as part of their maintenance fee each year. The roadway to each lot shall be maintained at all times by hiring a competent person to plow and do general maintenance in order to keep the roadway clear and in peak performance.

Paragraph #7: The issue of the Hunting Club. My Wife, Sarah and I live at 56 Hartwood Road and this is a nightmare. The Hunting Camp allows members to bring their friends and families to hunt, trap and target shoot on the property. The Town of Forestburgh passed into law a "Noise Ordinance" this is a short excerpt of the law:

Chapter 110. Noise

[HISTORY: Adopted by the Town Board of the Town of Forestburgh 1-3-2019 by L.L. No. 1-2019.

Amendments noted where applicable.]

§ 110-1. Prohibitions.

A. General prohibition. It shall be unlawful for any person to make, continue, aid, countenance, cause to be made or assist in making any unreasonably loud, disturbing and unnecessary noise between the hours of 8:00 p.m. and 7:00 a.m. during any weekday and between the hours of 8:00 p.m. and 9:00 a.m. on any Sunday or holiday, except as otherwise hereinafter provided, within the limits of the Town of Forestburgh. Any noise which unreasonably interferes with the sleep, comfort, repose,

health or safety of others is prohibited during the hours mentioned.....

There is shooting at all hours of the day and night even though the law was passed and made part of the Forestburgh Code. I sent Mike Phillips, President of Whitetail Hunting Club, the hunting club located on the property in question, a copy of the new Noise Ordinance.

There are 4 wheelers going up and down the Hartwood Road all hours of the night and day. Most are driven on Hartwood Road and a very few are driven in the drainage ditch on the North side of Hartwood Road. In addition to this "noise" many of these 4 wheelers are driven by children! Some wear helmets and most of the time the drivers of the motor vehicles don't wear helmets at all. We feel that this noise and having the hunters traveling up and down Hartwood Road has and continues to devalue our property. It has violated our right to peaceful enjoyment of our property which is in every deed filed on record. Still it persists.

I want to make our position very clear. There is no reason to include a hunting club in a Residential development. This will defer buyers from purchasing the land to build residential homes on because of the noise and the clear and present danger that having a hunting club that closed to homes will cause. Allowing this to happen is violation of protecting homeowners that presently live here and pay taxes to this town. Why would anyone take the chance of allowing a dangerous and cataclysmic event like this to take place? I hope that the planning board will see fit to deny the sale of such a dangerous use of a residential area. Surely the developers can make better use of the land by selling it as a small estate. Secondly, no one has fully addressed the lead content of the ground from using the area as a target shooting range. The lead content on the ground should be a clear and present danger of lead poisoning to the area that sits adjacent to wetlands. The wetlands can spill into the lake and/or downstream water ways and eventually makes their way into the Delaware River. The lead poisoning can also contaminate the aquifers that we draw our well water from. Another clear and present danger is when we have serious rain fall or in the Spring time thaw which causes the lead contaminated by the hunting camp target range to run downhill to waterways and on.

I beseech the members of the planning board to use due diligence and to give very careful consideration to the points I have made here. Please use your power to protect our neighborhood and all of Forestburgh residents.

Sincerely yours,



Richard I. Katzman
Retired Town Justice and Planning Board Member