

TOWN OF FORESTBURGH PLANNING BOARD
MINUTES
December 15, 2020

The meeting was called to order at 7:00pm by Chairman Richard Robbins virtually, via Zoom.

Members Present: Katherine Barnhart
 Anthony Cardoso
 Alan Devlin
 Vincent Galligan
 Susan Hawvermale
 Richard Robbins, Chairman
 Robert Sipos

Town Attorney: Jacqueline Ricciani

Recording Secretary: Billie Jean McGinnis

The Forestburgh Planning Board is conducting this meeting virtually pursuant to the terms of Governor Cuomo’s 2020 executive orders 202.1 and 202.15. Notice has been provided to the public, including Zoom log in information, and has been posted at the Forestburgh Town Hall, Forestburgh Firehouse, Forestburgh General Store, Forestburgh newsletter and published in the Sullivan County Democrat.

Approval of Minutes

Minutes from the October meeting were reviewed. S. Hawvermale and V. Galligan proposed changes.

S. Hawvermale proposed a change to clarify a comment made by Jennifer Langusch. The language should be amended to read: “She feels that it makes the most sense for the applicant to be responsible for the portion of the road that they own.”

V. Galligan proposed a change to identify that the application for Antlers Hunting and Fishing has been granted. He also wanted to add language for Forestburgh Pond. “Mr. Lord advised the current residents and the Board that he will work with the existing owners regarding road maintenance.”

Motion made by S. Hawvermale to approve the minutes as amended. Seconded by A. Cardoso.
Vote: All in favor.

Public Comment on Agenda Items

There are no comments.

Lorino – VanOrden Lot Improvement

Allan Frishman of Regional Planning and Permits presented on behalf of the applicant, Joe Lorino. Mr. Lorino purchased a section of property across the street from his house. He wishes to purchase a piece of property from Ms. VanOrden to improve the piece he currently owns.

Ms. VanOrden wants to sell Mr. Lorino two pieces of property to enlarge his current property. They are maintaining a 60 foot width for the driveway. He plans to keep the property vacant. This will not become a non-conforming lot. He just wants to enlarge his parcel.

Chairman Robbins asked if there are accessory buildings on the property. Mr. Frishman and Mr. Lorino explained that there is a truck body and shelter for cows. These will remain on Ms. VanOrden's property. J. Ricciani suggested that the applicant should submit a revised site plan to show the location of these accessory buildings. The new property line may be too close to the accessory buildings. It is difficult to evaluate the application without knowing where they are on a map. The applicant needs to submit more detail.

Mr. Frishman wanted feedback from the board and conceptual or sketch approval before they get a surveyor. They want the Board to agree that this is a lot line adjustment and will not need a variance before they hire a surveyor. If there's a concern with the property line and accessory structures, the applicant is okay with changing the property line and/or removing the accessory structures. Mr. Frishman acknowledged that they need to get a surveyor to make a determination.

A. Cardoso reiterated that the map isn't clear enough because the structures are not shown on the map. It's unclear as to what the Board is looking at. We're imagining where structures are, but they're not shown on the map.

Mr. Frishman stated that they are asking for a sketch plan or conceptual review and approval before they hire a surveyor. Chairman Robbins stated that if there are no aspects in which they are in non-conformance with the code, a lot line adjustment can be accomplished. The Board does not see any issues other than possible setbacks. Mr. Lorino stated that there is no issue with the setbacks. They can meet all the setbacks.

J. Ricciani added that the surveyor should also note the amount of acreage before and after the lot improvement as well as the correct owner names. They should also include a signature block for the chairman.

Mr. Frishman again stated that this is just for conceptual approval. Chairman Robbins explained that there is no concept for a conceptual approval of a lot line change. The Board will not provide any kind of approval until there is a completed application with full current survey. Mr. Frishman confirmed with the Board that he'll hire a surveyor and submit a map showing structures and accessory buildings.

S. Hawvermale asked that the map also include the names of surrounding property owners including those across the road.

Setting Dates for 2021 Planning Board Meetings

Chairman Robbins reviewed the meeting dates for the 2021 meetings. There are no issues for meeting on the fourth Tuesday of each month.

The clerk will update the Planning Board application to include the 2021 meeting dates. The application and meeting dates will also be provided to the Board members.

Recommendation to Town Board for Reappointment/Filling of expiring term of Ms. Hawvermale's Planning Board Seat

Chairman Robbins explained that the Town Board appoints the Planning Board members to their positions. The Planning Board members may either request reappointment or make a decision not to. This year, Susan Hawvermale's seat is becoming vacant. S. Hawvermale has indicated that she would like to be reappointed.

Motion made by K. Barnhart to convey to the Town Board that the Planning Board recommends reappointing Susan Hawvermale. Seconded by R. Sipos.

Vote: All in Favor

Lost Lake Update

Chairman Robbins provided an update on the Lost Lake project. The Town Board has decided to hire the firm B&L as consultants and the law firm Harris Beach to help with any Lost Lake matters.

At the request of the new owner, the DEC has transferred the permits from Double Diamond to the new owners. They are proceeding with work under those permits. They have said there are various infrastructure improvements and upgrades they intend to make such as upgrading the sewer system, possibly re-designing the sewer system to go from a package plant to an activated sewage treatment plant, changing the specification on the pipes that were previously approved to be more robust, doing some changes to the water system, potentially requesting approval for an underground propane distribution system. They've spoken of these things. They don't want to make any changes to the approvals that were given. Nothing has been presented so there is no action to take.

A. Cardoso confirmed that they will have to install the utilities underground. Chairman Robbins explained that their request to overturn that decision by the Public Service Commission was denied and all utilities will need to be underground.

Planning Board Member Comments on Items Not on the Agenda

R. Sipos remembered that there was discussion about the dam on Forestburgh Pond at the last meeting. He questioned why this discussion was not noted in the minutes. The clerk explained that there were comments made but there was nothing substantial. This discussion may be added, with Board approval. Many of the comments made by Dan Hogue were about when work could and couldn't be performed on the dam based on DEC regulations. The clerk mentioned that the minutes included the conditions that were approved. Many conditions were left to be discussed at a later date as a condition for final approval.

Public Comment on Items Discussed During this Meeting

There are no comments.

Adjournment

Motion to adjourn at 7:40pm made by K. Barnhart. Seconded by R. Sipos.

Vote: All in favor.