

TOWN OF FORESTBURGH PLANNING BOARD
MINUTES
April 27, 2021

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 March meeting were reviewed. S. Hawvermale pointed out grammatical errors to be corrected.

Motion made by A. Devlin to approve the minutes as amended. Seconded by R. Sipos.
Vote: All in favor.

Public Comment on Agenda Items

With regard to Forestburgh Pond, David Licht is concerned that more trees will be cut down. He is also concerned that rainwater drainage from the road is properly diverted. He understands that they are digging a ditch and not planning on putting in any culvert pipes. He’s wondering if that will cause the road to be undercut and cave in on the side where the ditch is being dug.

Forestburgh Pond

Alan Lord, presenting on behalf of New York Land & Lakes, provided an update. They closed on the property and incorporated the property owners association. Woodland Drive and Stag Forest Road have been shaped and are ready for gravel.

Mr. Lord addressed Mr. Licht's concerns. They have installed a culvert already, shaped and ditched the road. The road is much better than it was. They're going to put in a base and a layer of gravel. No more trees will be cut. The clearing is done at this point.

Mr. Lord submitted the Final Plat plans which are virtually identical to the Approved Final Plat but which contain an additional page including the covenants.

Mr. Lord reported that the excavating company has moved material in for the proposed dam repair to be ready to start work when DEC approval is given.

He also reported that the rifle range has been dismantled and removed.

Chairman Robbins stated while there has been substantial compliance to the conditions of the preliminary approval, it is not completed nor inspected. He proposes that the Board proceed and treat the submissions made as a continuation of their pending application for approval of a major subdivision.

Motion made by S. Hawvermale to move on to the final approval process as there has been preliminary approval granted and substantial compliance with the conditions of that approval. Seconded by A. Cardoso.

A. Cardoso asked what the process is moving forward. Chairman Robbins stated that Glenn Smith will conduct an inspection of the road. The Board will need to determine if any further environmental review needs to be conducted. There is also an option to schedule a public hearing. Parkland fees must be set, and a determination of whether any other conditions will be imposed upon final approval.

K. Barnhart confirmed that this is a motion to move to the next step, but we will not be evaluating the requirements of the final approval. Chairman Robbins confirmed that this is just to begin the process.

Vote: All in favor.

Chairman Robbins stated that the code envisions the potential need for further environmental review under SEQRA. The maps are identical to those under which preliminary approval was given. There have been no changes from an environmental perspective. He suggests that the Board adopt a negative declaration under SEQRA and that if Glenn Smith's inspection raises any environmental concerns that the Board revisit the negative declaration under SEQRA.

Motion made by S. Hawvermale to issue a negative declaration under SEQRA. Seconded by

V. Galligan.

Roll call vote:

K. Barnhart	Aye	V. Galligan	Aye	R. Sipos	Aye
A. Cardoso	Aye	S. Hawvermale	Aye		
A. Devlin	Aye	R. Robbins	Aye		

The motion has been granted to issue a negative declaration under SEQRA.

The Board has the option to waive the third public hearing on the plat if they so choose. Chairman Robbins personally feels that as the application for final plat approval is identical to what was previously reviewed and commented upon extensively by the public, that there is little to gain with a third public hearing, but that on the other hand, there is also little reason not to have it, and invited others to comment on whether it should be held or waived.

K. Barnhart suggests that they hold another public hearing even if it's perfunctory. There are public in attendance here tonight. Maybe they have something to add. S. Hawvermale and R. Sipos are in agreement. A Cardoso suggested that it be held in person. There are people that have registered concerns with internet access etc. Give an opportunity for the public to attend. Chairman Robbins suggested that the meeting be held at the Town Hall under the pavilion.

Motion made by S. Hawvermale to schedule a public hearing on May 25th at 7:30pm after the Forestburgh Pond portion of the regular meeting to give the opportunity to have an update from the applicant and have further report from G. Smith so the public may have that information. The meeting and Public Hearing will be held in person at the pavilion at the Town Hall in Forestburgh. Seconded by K. Barnhart

Vote: All in favor.

V. Galligan noticed reference to "see note #6" on the plans but note #6 is not listed on the note section. After review of the map, G. Smith stated that it refers to wrong number. J. Ricciani suggested that the notes be renumbered. Mr. Lord agreed.

Planning Board Application Form

The Board discussed changes and modifications to the Planning Board Application form. The clerk will draft and circulate these changes to be adopted at the next meeting.

Planning Board Member Comment on Items Discussed During this Meeting

S. Hawvermale made a comment that the Sullivan County Planning Department is giving webinars for anyone needing continuing education credits. She recommends them to anyone on the board who would like to expand their knowledge of this topic.

Adjournment

Motion to adjourn at 7:28pm made by S. Hawvermale. Seconded by K. Barnhart.

Vote: All in favor.