

TOWN OF FORESTBURGH PLANNING BOARD
MINUTES
May 25, 2021

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

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

Absent: Anthony Cardoso

Town Attorney: Jacqueline Ricciani

Recording Secretary: Billie Jean McGinnis

Approval of Minutes

Minutes from the April meeting were reviewed. The clerk suggested to change the heading of one item.

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

Public Comment on Agenda Items

Public was in attendance, but no comments were made.

Forestburgh Pond

Alan Lord, presenting on behalf of New York Land & Lakes. Bob Lesperence was also in attendance.

Chairman Robbins reported that additional documents have been provided to the Board. Town Engineer, Glenn Smith provided an estimate for the cost of repairs to the dam. Before considering final approval, the Board will need to establish a means of securing financial security that the remaining work will be completed. Photographs were also provided of the work that was completed earlier that day. These were items identified by the engineer that need to be addressed.

Mr. Lord provided an update. Woodland Drive has been completed and Stag Forest Road has been improved. As a matter of good will, they provided crusher run for the mud hole for the neighbors. The driveways with shared entries have been completed. Homeowners will have to build the rest of the driveways themselves. Common area parking lots have also been completed. Signs were installed indicating the road names and that they are a private drive, owners & guests only. A large sign at the back of the parking lot lists rules and regulations for the common area. Notes #5 and #6 on sheet 12, identified at the last meeting have been corrected.

G. Smith summarized his inspection report. The plans called for a 20 foot wide gravel road with base material and crusher run. They completed the ditches along the side of the road. They went a step farther and installed check dams in the ditches to slow down the water flow. He noted two issues upon inspection that have since been corrected. Woodlawn Drive needed to be seeded and mulched. Also, he had concerns over water flow into the ditch on Hartwood drive. They've installed a culvert to remedy this. He further noted that instead of stopping at the cul-de-sacs, they went another 200 feet. This was not part of the plan, but it helps.

Mr. Lord reported that a cutoff ditch was installed on Woodlawn Drive. In heavy rain, it could provide a heavy water flow. This will cut down on the water flowing onto Hartwood Road and lessen the chances of the roadway eroding.

R. Sipos asked about heavy rain causing washouts on the incline of Stag Forest Road. G. Smith said this is a maintenance item to put the stone back after a washout. He further added that water will go through the check dams but it shouldn't cause a problem with Stag Forest Road. Mr. Lord stated that the water won't go up to the road. The check dams will slow the water down.

Planning Board Application Form

The Board discussed amendments and modifications to the current application form.

Chairman Robbins reviewed the fee schedule and suggested that a recommendation be made to the Town Board to raise the parkland fees. V. Galligan suggested that more research be done before a recommendation is made to the Town Board. This will allow a solid recommendation on how the money will be spent.

S. Hawermale suggested to research what the cost is to maintain the park. What is the town spending now and what would they like to spend?

R. Sipos asked if once money is into the fund, does it stay there or does it get transferred to a general fund. J. Ricciani stated that it should remain as park funds.

V. Galligan asked if the Board can research all of the fees to be sure they're in line with other local towns.

Chairman Robbins asked if the Board is in agreement to suggest raising the fees. The Board agrees after more research is done on what the cost is to run the park and compare to other towns.

Motion made by S. Hawvermale to adopt this application with the amendments discussed.
Seconded A. Devlin
Vote: All in favor.

Motion made by R. Sipos to adjourn the meeting at 7:28pm. Seconded by K. Barnhart.
Vote: All in favor.

Forestburgh Pond

After a public hearing, the meeting was reopened at 7:33pm.

Mr. Lord addressed concerns made by residents during the public hearing. The 100 foot greenbelt is so that you cannot cut down trees over 6 inches in diameter. Currently, there is full view down to the lake and he doesn't want that to happen on the other side of the lake. That's the purpose for the greenbelt on the property. It's okay to cut brush and limbs but not trees over 6 inches in diameter.

Mr. Lesperence added that docks are limited to 100 square feet. Not 100 feet long, but 100 square feet.

Chairman Robbins added that the Board may add conditions to impose upon the granting of this application.

Chairman Robbins explained that since this plan does not incorporate any park lands, the parkland fee is currently \$200 per lot, a sum of \$4,200.00. J. Ricciani reminded Chairman Robbins that parkland fees must be paid before the Chairman signs the plats.

Chairman Robbins also added that there is work to be completed on the dam. Financial security must be provided as an escrow, irrevocable letter of credit or performance bond. The Planning Board must get input from the Town Engineer on his estimate for the cost of the work to be completed. G. Smith has provided an estimate of \$25,000 to perform this repair. He added that this was a quick estimate. He reviewed the file. This is not a huge job. Material is already stockpiled on the site that was found elsewhere on the site which cuts down on the materials to be purchased. He estimated \$6,000 per day, 3 days and added materials with an added 15% contingency. Mr. Lord stated that his contractor's estimate is roughly \$20,000.

Chairman Robbins suggested a cash escrow as financial security. A bond would require approval from the Town Attorney. Mr. Lesperence confirmed that they will provide cash escrow for \$25,000.

J. Ricciani stated that building permits should not be issued for any homes on the lots until the dam is completed. This is a matter that was discussed at prior meetings.

Chairman Robbins stated that the current escrow is at \$1,083. He asked that additional escrow be paid.

K. Barnhart confirmed with G. Smith that all of the issues noted in his report have been completed.

Chairman Robbins stated that other conditions imposed as part of the preliminary plat approval have been satisfied. There were 7 conditions that were all met.

Motion made by K. Barnhart to approve the application subject to the conditions discussed.

Seconded by S. Hawvermale.

Roll Call Vote:

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

The application is approved.

Chairman Robbins expressed his appreciation and thanks for the professionalism and patience for the manner in which the applicant handled this process.

Planning Board Member Comments on Items Not on the Agenda

There are no comments.

Public Comment on Items Discussed During this Meeting

David Licht asked about the parkland fees being only \$200. Chairman Robbins explained that the fee was in place when the application was filed. Mr. Licht also asked if parkland fees will be enacted for Lost Lake. Chairman Robbins explained that Lost Lake, a PDD which is a zoning tool that is no longer available for new developments, has multiple phases, each with its own subdivision of lots and each of those subdivisions is subject to the requirement to pay parkland fees.

Adjournment

Motion to adjourn at 7:48pm made by K. Barnhart. Seconded by R. Sipos.
Vote: All in favor.