

TOWN OF FORESTBURGH PLANNING BOARD
Public Hearing for Birchwood Estates
February 22, 2022

The public hearing for Birchwood Estates was called to order at 7:03pm by Chairman Richard Robbins virtually, via Zoom.

Members Present: Anthony Cardoso
 Alan Devlin
 Susan Hawvermale
 Richard Robbins, Chairman
 Robert Sipos

Members Absent: Katherine Barnhart

Town Attorney: Jacqueline Ricciani

Recording Secretary: Billie Jean McGinnis

Chairman Robbins provided background about what the public hearing is about. "This is the Birchwood Estates public hearing. Birchwood Estates seeks to subdivide its' 245 acre parcel in Forestburgh into three parcels; a flag lot of approximately 3 acres, a lot with a ball field of approximately 3.25 acres and the remaining portion of the large lot from which the other two are subdivided out. All material with regards to this application are posted on the website including the recently received 239 from the county expressing that this is a matter of local determination. Notice of the public hearing has been published at Town Hall, firehouse, general store, the Forestburgh website, Sullivan County Democrat and the Forestburgh newsletter. In addition, specific notice has been sent by certified mail to all of the neighbors. The law establishes a procedure for public hearing on all applications such as this one. Members of the public are given the right to be heard on the application. It's not a question and answer period, it's just an opportunity to be heard by the decision makers.

"I ask that you indicate a desire to be heard, wait until I recognize you, unmute yourself if you are muted and indicate who you are and speak slowly. Once you've completed your comment, I'll recognize the next person seeking to offer public comment. I guess at this point, I'll ask for a motion to open the public hearing."

Motion made by S. Hawvermale to open the public hearing at 7:03pm. Seconded by R. Sipos.
Vote: All in Favor.

J. Ricciani asked if "before the public hearing begins, were you expecting another board member to join?" Chairman Robbins responded, "Yes Anthony, I expect to join, and Katharine,

although she is out of town, she anticipated joining as well. I am just about to admit Anthony. I haven't heard from Katherine recently so I'm gonna reflect at the moment that she is absent. But I believe we have a quorum." J. Ricciani confirmed that we have a quorum.

J. Ricciani confirmed with B. McGinnis that we have received proof of mailing and publication.

Chairman Robbins continued "Are there any members of the public, if you have video you can indicate by raising your hand. And if you lack video, you can unmute yourself and indicate out loud if you'd like to be heard on this application for this public hearing."

Arthur Leaney-Levenson commented. "Good evening, my name is Arthur Leaney-Levenson. I live right across the street from Birchwood Estates. We've had issues before, during and currently still. Back in 2015, when they originally posted that they wanted to put in the boys camp, me and my family voiced our concerns then. One of several of the issues were that they were supposed re-do a double layer of trees to help block the noise and the view of the estate. We were sent a letter afterwards, after they came in and put in the septic system, that's about the only thing they've done to that. Instead of going through, doing any other building process of it. They never went through and finished off, other than capping off the septic, they never went through and finished off the tree line, the double tree line that they said. Right now we've got, we get to see, all we get to see is worn down fence, worn down trailer, a whole bunch of decapitated trees that have been left around. Over towards their swimming pool, we get to see their garbage cans. They at one point would just have garbage out with just cardboard. We were told it was just temporary. It's only temporary every year when they're there. It always comes back. That's our previous issues. Going forward, we are looking at very large, a small house with many bedrooms and a huge driveway. We have a concern that with a huge driveway, are they going to put in lights to take away from our way of life? We still have no trees or privacy fence. And we keep on talking about the ball field. The ball field is just a field. What's going to stop them from putting in a house right there also. I think what needs to be looked at is the complete, what they plan on doing with the whole property not just the bits and pieces that they don't do from the last time. I think that's about my concerns and issues.

Chairman Robbins thanked him on behalf of the Board for speaking. "After the public hearing, our agenda reflects that we're going to be addressing this application and I anticipate that you'll hear some of your concerns expressed but either way, thank you for your public comment."

There were no other comments made by the public.

S. Hawvermale asked if any correspondence has been received. Chairman Robbins and B. McGinnis confirmed that we have not received any correspondence with regard to this application.

Motion made by S. Hawvermale at 7:09pm to close the public hearing. Seconded by A. Devlin. Vote All in favor.

The public hearing was closed.