

HEATHER BROWN
COMMISSIONER

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SULLIVAN COUNTY
DIVISION OF PLANNING, COMMUNITY DEVELOPMENT & ENVIRONMENTAL MANAGEMENT
SULLIVAN COUNTY GOVERNMENT CENTER
100 NORTH STREET, PO Box 5012
MONTICELLO, NY 12701

November 25, 2024

Chairman Richard Robbins
Town of Forestburgh Planning Board
332 King Road, Forestburgh, NY 12777

RE: **FOR24-02 – Trips to Win, LLC**
GML-239 County Review

Dear Chairman Robbins,

The following review has been conducted in accordance with GML §239-l, -m & -n.:

- I. **Project description:** The applicant received a permit to add a porch to the barn, for use as accessory storage structure.

The applicant is now seeking a special use permit and site plan review to convert a 25'x56' post-and-beam barn on a 3.3-acre parcel into a clubhouse event center for weddings, social events, and fundraisers. The project includes replacing the existing septic system and installing a gravel driveway leading to an overflow grass parking area. The property is adjacent to Black Brook and is located in the town's RR zoning district, which allows clubhouses on parcels of at least 5 acres.

Planning is aware multiple elements of the site plan have been constructed. This will not factor in to the County review.

- II. **Applicant:** Robert Sipos (Trips to Win LLC)
- III. **Geographic qualification:** County Road
- IV. **Agency referrals:** SC DPW (Received 11)
- V. **Anticipated Inter-Municipal and/or Countywide Impacts:** None
- VI. **Recommendation:** Modification

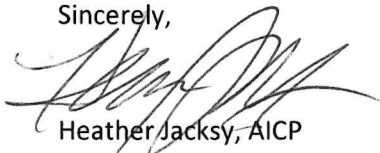
A permit is required for any driveway access along the County Road. Additionally, please review the attached comments from the Sullivan County Department of Public Works concerning updates to the proposed project, specifically with respect to Emergency Access and the alignment of parking spaces. As per DPW, the three parking spaces proposed near the entrance should be moved out of the County ROW.

VII. **Technical Comments:**

- The Planning Board is unable to act on the special use permit or site plan until the Zoning Board of Appeals has granted any necessary variances related to the application.
- The site plan shows the parking area extends beyond the property boundary. The Town should ensure that this has been addressed with the owner of that property. Fencing or a vegetative buffer could be used to provide privacy for the neighbor and prevent further encroachment.

- It is unclear how the emergency access drive will be used. The Board should consult with local emergency service providers to ensure the access is necessary and useful.
- The parking area referred to as "overflow" is deemed "required" based on the parking calculations provided. A significant portion of this area lies within the approximate limits of the flood zone, and the entire area is situated at the same elevation as the flood zone (1050'). While the potential impact of locating a parking area in a flood-prone area is somewhat mitigated by the fact that the spaces will likely only be used during events and the proposed surface is grass, the Board should collaborate with the applicant to ensure the soil type and drainage are adequate to support vehicles in damp conditions. Additionally, plans should be made to address potential flooding, including establishing a protocol for rain dates for events or identifying alternate parking options when the area is likely to be flooded.

Sincerely,



Heather Jacksy, AICP
Director of Planning
HJ/cc/sm

c. Nadia Rajs, Legislator, District 2
attachments:

1. Report of Final Local Action Form
2. SCDPW Comments

Please be advised that the Board is required by Sections 239-l, m and n of the General Municipal Law to provide a report of its final action within thirty days of such action to the Sullivan County Division of Planning, Community Development & Environmental Management with regard to this application. To facilitate this process, a form to report such action is enclosed.

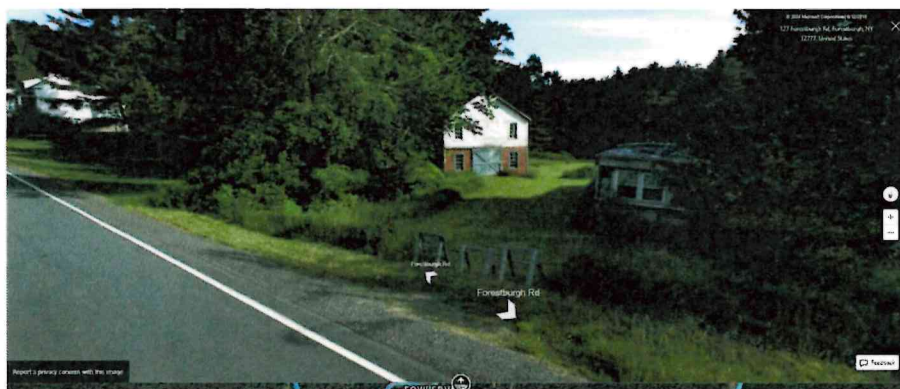
Sullivan County Department of Public Works Comments (Comments received by Department of Planning November 25, 2024)

This project is located on Forestburgh Road (County Road 43) in the Town of Forestburgh. The applicant is requesting a Special Use permit for the use of an Event Barn/Clubhouse for weddings, parties and social events. This parcel previously had a large barn and a mobile home with a well and septic system which are proposed to be upgraded.

Since this project appears to be substantially complete already there is little for us to comment on at this point.

A check of our permit files shows neither of these locations were ever permitted. They were pre-existing, but because of the change of use into a commercial entity with significantly more traffic and trips generated it should've been obvious that permits from the County Road would be required to construct and operate with the new use.

The main entrance has been significantly improved from a small grass drive to a large paved entrance and parking area. The emergency access drive was also a small grass access which has been improved with a small gravel apron (See Street View below).



Pre-improvement (Bing Street View, Taken May 2019)



Pre-improvement (Bing Street View, Taken May 2019)



Post Access Improvements (Google Street View, Taken Aug 2024)

Sight distances to AASHTO standards are required to be measured and have been shown on the plan. We believe this location to be in a 35 MPH speed zone so required S/D for a 35 MPH should be met and they do meet the minimums as shown. However, the prevailing speed at this location is much closer to 40 mph than the posted 35 mph. They do not meet the 40 mph requirements at 14 feet especially to the left.



Main Entrance Right



Main Entrance Left

Some improvements to maximize S/D left should be made by cutting the dead trees shown in the attached photo left behind the utility pole. This would provide a clearer line of sight past the intersecting town road (Plank Rd.).

The emergency access driveway should have posts and be gated (chained across) and clearly shown as such on the plan. S/D left from this access is limited but may improve with the above-mentioned clearing for the Main Ent. From inspection this access appears to be too steep for fire truck access and we would assume it will be graded further into the site.

We cannot tell if the sign is in our ROW or not since it is not shown on the site plan. We suspect it is close and should be back a few feet and higher to not block S/D right at 14 feet (see photo right). Additionally, it would appear that it may front on the adjoining property.

A portion of the asphalt driveway as well as (1) Handi-Cap parking space appear to be encroaching onto the adjoining lot (Tax Lot 30.-1-1.4). Revision #3 (10/18/24) in the title block states that the Proposed Lot Line Change with this parcel has been deleted. We assume these encroachments will be addressed and rectified with a future lot line change ?

There is no parking striping in place yet. The first parking space of the (3) that are nearest to the County Road should be moved out of our ROW. This may just require sliding the (3) spaces south and into the parcel by a couple of feet.

We do not want vehicles backing out onto the County Road. The area on the end of this parking should be striped in a hatched pattern so as to not permit parking closer to the County Road. This would be where the 20 ft. parking dimension is shown on the plan.

Any work in the highway bounds of CR 43 will require a permit from SCDPW before any work is to be done. Please call our permitting office at (845) 807-0283 for any information related to permitting needs or questions.

Regards,
Sullivan County Department of Public Works

SULLIVAN COUNTY
DIVISION OF PLANNING, COMMUNITY DEVELOPMENT & REAL PROPERTY
GENERAL MUNICIPAL LAW REFERRAL
REPORT OF FINAL LOCAL ACTION

Section 239 of the General Municipal Law of the State of New York requires that, within thirty days of final municipal action on a zoning matter which has been reviewed by the Sullivan County Division of Planning, Community Development & Environmental Management, the municipal body having jurisdiction must file a report of the final action it has taken with the Division. This form can serve as that report.

NAME OF MUNICIPALITY: _____

NAME OF MUNICIPAL AGENCY: _____

NAME OF APPLICANT: _____

TYPE OF REFERRAL:

- Amendment of Zoning Ordinance or Map
- Rezoning Special Use Permit Use Variance
- Site Plan Area Variance Subdivision

FINAL MUNICIPAL ACTION:

- Approved Denied
- Approved subject to the following conditions:

If the municipal body having jurisdiction has acted contrary to the recommendation of the Sullivan County Division of Planning, Community Development & Environmental Management, please attach a resolution setting forth the reasons for such contrary action. Please note that Section 239 of the General Municipal Law also requires that such contrary action must be adopted by a vote of a majority plus one of all the members of the municipal body.

Please email this form to the Sullivan County Division of Planning, Community Development & Environmental Management at planning@sullivanny.us. Thank you for your cooperation.