

TOWN OF FORESTBURGH PLANNING BOARD
Trips 2 Win, LLC Public Hearing Minutes
January 28, 2025

The public hearing was called to order at 7:02pm by Chairman Richard Robbins at the Town Hall in Forestburgh.

Members Present: Katherine Barnhart
Anthony Cardoso
Alan Devlin
Susan Hawvermale
Arthur Leaney-Levenson
Richard Robbins – Chairman

Town Attorney: Javid Afzali, Esq.

Town Engineer: Tim Gottlieb

Recording Secretary: Billie Jean McGinnis

**Robert Sipos attended the meeting as an applicant and not as a member of the Board.

Trips 2 Win, LLC

The public hearing that was previously opened and adjourned was re-opened at 7:02pm by Chairman Robbins.

Chairman Robbins: "We adjourned, without closing, the public hearing, I'm gonna reopen the public hearing. If there are members who want to speak on the issue, SEQRA issues that are before us. There being no.....Mr. Miller, do you have a comment??"

Yehuda Miller: "I have a procedural thing that I think the Board should address. There was a whole back and forth over here you know after the meeting, while everybody was still seated here about if, respectfully, if the Chairman is supposed to recuse himself of this application. I think the Board needs to consider that seriously..."

Chairman Robbins: "This is not a comment that is addressed to the SEQRA issues that are presented on the EAF Part 1. If you have comments in regard to..."

Mr. Miller: "That's the application..."

Chairman Robbins: "This is not the application that the public hearing has been reopened on.

Mr. Miller: "Well I believe..."

Chairman Robbins: "The public hearing has been reopened on the SEQRA aspect. Do you have any comments in regard to potential environmental..."

Mr. Miller: "Again, if you're not going to allow me to..."

Chairman Robbins: "...potential environmental impacts of this application?"

Mr. Miller: "So you're going to make the determination and I wanted to speak to that. Now if you're not going to allow me to speak to that, that's fine too. I don't think that's what happened in the past here but if you're saying that, I'll..."

Chairman Robbins: "This is a public hearing, a SEQRA public hearing. If you have comments to make in regard to the issues presented under SEQRA and the determination, our pending determination whether or not there is a potential for significant environmental impact. This is your opportunity to be heard on that issue."

Mr. Miller: "Right so, the pending determination will be by the board?"

Chairman Robbins: "Yes."

Mr. Miller: "and I believe there is an issue with that."

J. Afzali: "Richard, maybe can I perhaps make a suggestion, on the agenda, we do have an opportunity for public comments on applications. So I think once we finish up the hearing and SEQRA related questions, you can open it up to the public for comments on applications on the agenda. You can let him say what he wants to say."

Chairman Robbins: "Alright. On SEQRA, do you have any comments in regard to SEQRA?"

Mr. Miller: "I believe this relates to SEQRA too."

Chairman Robbins: "The environmental impact?"

Mr. Miller: "Yes. Because you're going to make a determination on SEQRA right? You anticipate making a determination right?"

Chairman Robbins: "yes"

Mr. Miller: "I believe it speaks to that issue."

J. Afzali: "Go for it."

Mr. Miller: "Thank you. So some of you on the board know about this. And, you know, the response was nonsense, it has nothing to do, never happened. Now Richard, you know your records. I don't have to tell you about the records. And what you speak and think about these applicants. Specifically what was, I don't know, but what I assume is referred in that letter was that this applicant had a piece of property in Merriewold Club and you specifically and Merriewold Club had a fear that they might sell the property to a Hasidic purchaser. And that was referred..."

Chairman Robbins: "This has nothing to do with this application. It's also false. I want to just be clear that you're misrepresenting the state of the record to this Board and you're misrepresenting facts as it relates to a complaint that was forwarded to another body in town. So if you have issues...it sounds like you don't have issues with regards to the SEQRA aspect of this proceeding. But if you do, indicate what those are..."

Mr. Miller: "Okay. I'm not going to finish up because it...I'm no going to finish what I have to say because it seems like you don't want to hear what I have to say. I do think..."

Chairman Robbins: "I want to follow proper procedures and you're not. I'm asking you to please. This is a public hearing on SEQRA, the State Environmental Quality Review Act, and if you have comments that are addressed to that issue. You haven't said so far. If you do, say it now.

Mr. Miller: " So my issue is I believe that one person at least on this board is compromised on making these decisions. But if you don't want to hear what it is about that's fine with me as well.

Chairman Robbins: "Are there any other comments in regard..."

Mr. Miller: "Thank you."

Chairman Robbins: "to SEQRA public hearing?"

Adjournment

Motion made by A. Devlin to close the public hearing at 7:06pm. Seconded by A. Leaney-Levenson.

Vote: All in favor.