

TOWN OF FORESTBURGH PLANNING BOARD
Trips 2 Win, LLC Public Hearing Minutes
March 25, 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's
Representative: 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

B. McGinnis: "Does anyone wish to speak that has not signed in? Mr. Miller would like to be called last."

Chairman Robbins: "Mr. Miller your name is first on the list. So um Mr. Miller, you're first on the list."

Yahuda Miller: "She said I could talk last. The list doesn't matter. It's just a name."

Chairman Robbins: "Is there anyone else who wishes to speak? Okay, you're up."

Yahuda Miller: "I actually have a procedural issue that I want to bring up to the Board. Last time I was here, I was told that it's not the place to discuss it. I can either discuss it now as the public hearing or public comment on items on the agenda. Whichever you prefer, whatever the Board prefers. I guess it's okay to discuss it now."

"So, there was, again, there was a letter that was sent in that... Respectfully, I was shut down by the chair. I don't think it's appropriate while we're discussing the appropriateness of the chair being on that application to shut me down. I don't think that's appropriate."

“So, the allegation was made that there’s impropriety of the chair presiding over that applicant. As I stated, and this is a matter of public record, there is public records where this applicant had a property in Merriewold which there was issues discussed on emails, and I can quote the emails, about this applicant selling it to Hasidic person and discussing it and the response from the chair is I think they would stoop to anything. And the, questioning if Hasidics are interested being among people including antisemites if they’d be part of the club. Essentially you know the history better than me, it seems the club actually went and purchased this property of this applicant for \$250,000. The public record indicates that it was sold for \$50,000 a couple months later. Ya know, it’s not only an appearance of impropriety, I would argue that it is improper.

“Now if you look at your Code of Ethics that the Town Board adopted, and I can quote from that too as a matter of public record, is and it seems like the Board, the Planning Board itself is responsible for this, is that there’s a problem with the appearance of impropriety. Now, again, this rhetoric, now as you know there was an official statement filed which was took issue with the planning Board chair quote “circulating an antisemitic email.” So not only do I question the impropriety of this application, where those comments were made, I question the propriety at all of him presiding on the Planning Board. Thank you. I appreciate it.”

Chairman Robbins: “Is there anyone else who wants to speak to the public hearing in regard to the application for Trips 2 Win? Yes?”

Dan Hogue: “I just want to say that I’m not opposed to the project at all. I think the property actually looks ten thousand times better than it did for the last 40 years. It looks really nice. I wish the applicant well should it go forward and such. But I also would like to comment on the procedure that got us to this point. The applicant claims, what I feel falsely, that the planning board and its chairman are delaying the project, dragging their feet, throwing obstacles up. There was a letter written accusing the chairman of the planning board of wrongdoing— unsubstantiated. A little history on this project; the applicant Trips 2 Win, which is comprised of two former supervisors and a current planning board person, initially filed a building permit to the town for storage facility. That was the first thing. The town received complaints from a neighbor stating that there was commercial activities going on; weddings and a couple other events. The DA held an event there, a political event. This prompted the town to have the planning, the building department look into these allegations which ended up being substantiated. The applicant then wanted to come before the planning board. I met with one of the applicants, Bobby, and we discussed it at the facility. I said listen Bob I don't think anybody's opposed to it but you just have to follow the plan, follow the rules. He then came to the planning board. I didn't attend the planning board meetings but hearing the reports. The planning board gave him a list, gave the applicant a list of things that needed to be done. The applicant then hired an attorney, Peter Ng, who came to the planning board and absolutely whiggled out, I guess from what I'm told. So much so that Bobby rightfully came and apologized for his attorneys behavior. I was not there to witness that so I don't know, just hearsay there. After that the applicant hired Glenn Smith who submitted the plans. The Planning Board could

not determine if this was a social club. That's a matter for the Zoning Board to do. So they properly referred it to the Zoning Board. The Zoning Board went through several meetings and did find that it met the definition of a social club I believe it was. Which you know therefore reverted it back to the Planning Board. Which is my understanding that the site plan drawings and stuff weren't complete or things were added or changed which require an additional review.

“So when somebody says that somebody's dragging their feet with this whole thing, it's the applicant. I don't believe it's the Planning Board. The Planning Board is following the rules set forth in front of it. You know 12/14/16 months whatever it is, but we have policies. We have procedures. We have laws in this town that have to be followed. I commend the Planning Board for following those rules. I, I just I'm kind of dumbfounded that planning board member and two former supervisors would submit a false application and then lay their blame on somebody else for the permit process to be drawn out when in fact it is the applicant that has drawn out this whole process.

“So that's all I have to say about that. I, I do not have a problem with this whole barn at Black Brook. I think it's a beautiful facility. Like I said I wish the applicant well should it come to fruition.”

Chairman Robbins: “Anyone else want to be heard at the public hearing on this application for special use permit and site plan approval?”

Richard Lorino: “I'd like to talk. I'm Rich Lorino of Forestburgh—lived here last 40 years. I'm glad to see the Town Board and the Planning Board and the applicants applying the due diligence of projects such as this in regards to what is needed to examine and make sure everything is done according to the laws. We would hope that, in the future, that it's equally done in the same manner to all other applicants so that there is no discretionary things left on the table that may hint towards some type of discrimination or dragging out of the process. I commend the applicant, the Town Board, the Zoning Board for doing their due diligence. Thank You.

Chairman Robbins: “Anyone else want to be heard on this application? I'll entertain a motion to close the public hearing.”

Motion made by K. Barnhart to close the public hearing. Seconded by S. Hawvermale.
Vote: All in favor.

The public hearing was closed.