

TOWN OF FORESTBURGH
PLANNING BOARD APPLICATION

**TOWN OF FORESTBURGH
PLANNING BOARD
332 King Road
Forestburgh, New York 12777
845-794-0611 x23**

APPLICATION

Original page to be submitted to the Planning Board, copy to applicant

Date of Application: 7/17/25 APPLICATION NO. _____

Applicant's Name: MMS Land, LLC -Richard Viola (Managing Member)

Applicant's Address: P.O. Box 156, St. James, NY 11780

Applicant's Telephone: (516) 319-6019 Email: RViola@grandluxuryretreat.com

Owner's Name: MMS Land, LLC -Richard Viola (Managing Member)

Owner's Address: P.O. Box 156, St. James, NY 11780

Owner's Telephone: (516) 319-6019 Email: RViola@grandluxuryretreat.com

Address of Project: 80 Tannery Road, Forestburgh, NY 12777

Section: 24 Block: 1 Lot: 3 Zone: RR-1 (Residential Recreational)

Existing Use: Vacant Golf Course and Clubhouse

Proposed Use: Luxury Cabins(Hotel and Motel)

Nature of Project (check one):

Lot improvements or Natural Subdivision (§148-10 - §148-12) _____

Subdivision:

Minor (§ 148-13, 14) _____

Site Plan Approval ☒
(new or amendment)

Major (§148-15, 16, 17) _____

Special Use Permit ☒

Conservation (§148-18) _____

Other (specify) _____

The following must be submitted to the Planning Board (c/o the Forestburgh Town Clerk) in 13 pre-packaged envelopes ready for delivery (SEE INSTRUCTIONS):

- 1) Letter of explanation
- 2) Completed Short-Form EAF (<https://www.dec.ny.gov/permits/6191.html>)
- 3) Proof of ownership or Owner's Proxy (form attached)
- 4) Site Plan
- 5) Estimated cost of project
- 6) Receipt of fees paid. (Fee must be paid at time application is filed. Fee schedule attached.)

FOR OFFICE USE ONLY

FEE PAID \$ _____ DATE PAID: _____ RECEIPT NO: _____

INSTRUCTIONS FOR APPLICANT TO THE PLANNING BOARD

PLEASE NOTE: Paragraphs 1-4 are to be filled in by the person distributing this application.

1. Name of applicant: MMS Land, LLC - Richard Viola (Managing Member)
2. Date applicant receives this form: 7/17/25
3. Date of next planning board meeting: 8/26/25
4. Applicants must submit all required materials to the Town Hall on or before 12:00 PM (noon) of 8/11/25 (date determined by computing Fifteen (15) calendar days before the next Planning Board meeting - see schedule of meetings). If the submission date falls on a holiday, the next business day after the holiday becomes the last day to submit, otherwise the Planning Board may determine to delay consideration or review of the application until the following meeting.

GENERAL INFORMATION

Applicant can expect a minimum of two (2) complete meetings conducted over a period of two (2) months to obtain a decision. All applications must be submitted both in paper and electronic forms. Lot Line improvement applications may omit the electronic copy if the applicant is self-represented or for other good cause shown.

- a. Appearances before the Planning Board must be preceded by notice to the Planning Board Chair 15 days in advance of all meetings.
- b. Planning Board meeting starts at 7:00 PM on the fourth Tuesday of the Month, unless otherwise noted. If necessary, work sessions may be held prior to the regular Board meeting.
- c. The application and escrow fees must be paid before being placed on any agenda. Separate checks must be provided for the fee and for the escrow.
- d. Discussion prior to the public hearing and some public hearings may extend beyond a single meeting.
- e. Decision may be rendered the night of the public hearing. However, the Board may adjourn action on application up to sixty-two (62) days after the date the public hearing is closed. The period of deliberation may be extended by the mutual consent of the Applicant and the Planning Board.
- f. Applications that have not received consideration by the Planning Board (i.e., that have not been discussed, reviewed, commented upon, revised, or approved) due to the Applicant's non-appearance before, failure to provide requested materials, and/or failure to request action by the Planning Board, may be deemed abandoned at the discretion of the Planning Board after six (6) months without further notice. If an application is deemed abandoned, applicant will be so advised, and any unused escrow funds will be returned to the applicant. Thereafter, the Applicant will have to file a new application with all fees and regulations as required without "credit" for application or other fees previously paid in order to pursue the requested approval.
- g. Applicants are encouraged to check subsequent Planning Board minutes while their application is pending. Minutes are available at the Town website, www.forestburgh.net and also at Town Hall.

INSTRUCTIONS FOR APPLICANT TO THE PLANNING BOARD (cont.)

PRE-MEETING SUBMISSIONS:

- 1) **Fifteen (15) days** prior to the first meeting, copies of the following must be submitted to the Planning Board (c/o the Forestburgh Town Clerk) electronically and in paper format in **13** pre-packaged envelopes ready for delivery to Board Members. Two additional packages are to be delivered to the Planning Board attorney and engineer:
 - a) Completed application
 - b) Letter briefly explaining the project
 - c) Completed Short Form EAF (Environmental Assessment Form (<https://www.dec.ny.gov/permits/6191.html>))
 - d) Proof applicant(s) own property involved, or written permission from owner (owner proxy, corporate or other)
 - e) Copies of site plan - each plan folded

THE APPLICATION FEE AND ESCROW FEES MUST ALSO BE PAID AT THIS TIME

The Applicant or a representative must appear at the first meeting, and each and every subsequent meeting when the matter is on the Planning Board's agenda. If the applicant is not present, the matter will be removed from the agenda and adjourned.

Revised site plans or supplemental materials may be requested. All requested information or revisions must be submitted to the Planning Board (c/o the Forestburgh Town Clerk) electronically and in pre-packaged envelopes **NO LATER THAN Fifteen (15) days** prior to the next scheduled meeting and/or public hearing. If not submitted on time, discussion on the project revisions and/or the public hearing will not be held and will be rescheduled to the next meeting.

PRIOR TO THE PUBLIC HEARING:

- 1) After the Planning Board schedules applicant's public hearing, go to the Assessor's Office (Town Hall) the next day for information on obtaining a list of property owners to whom applicant must forward applicant's mailings.
- 2) At least **Fifteen (15) days** before the date of the public hearing, each owner appearing on the Assessor's list with property within 500' of applicant's property (including property across a street, road or highway) must be forwarded a copy of the Public Hearing Notice by mail. Proof of mailing to each owner must be submitted and presented to the Secretary of the Board prior to the public hearing.
- 3) The applicant will place a public notice in the legal section of the official newspaper of the Town of Forestburgh and post the notice in Town Hall as notification to the general public.

NOTE:

If fifteen (15) days prior to the public hearing applicant has not submitted any and all additional information or revised plans requested to the Planning Board (c/o the Forestburgh Town Clerk), mailings to surrounding property owners should not be sent as no hearing will be conducted in the absence of such additional information.

IMPORTANT:

Per Zoning Law relative to Commercial Applications, "An approval of a site development plan by the Planning Board shall expire unless a building permit is secured within six (6) months of approval, and unless actual construction is begun within nine (9) months of approval."

NUMBER OF SUBMISSIONS REQUIRED FOR NEXT MAILING

ALL SUBMISSIONS MUST BE RECEIVED IN THE TOWN HALL NO LESS THAN 15 CALENDAR DAYS BEFORE THE PLANNING BOARD MEETING IN WHICH THE APPLICANT IS SCHEDULED TO APPEAR and ALL SUBMISSIONS MUST BE IN UNSEALED MAILABLE ENVELOPES

NAME OF APPLICANT: MMA Land LLC - Richard Viola (Managing Member) DATE: 7/17/25

Forestburgh Planning Board Members & Secretary (8)

Planning Board File Copy (1)

Town Supervisor (1)

Highway Superintendent (1)

Forestburgh Fire Department Chief (1)

Forestburgh Code Enforcement Officer (1)

NUMBER OF COPIES TO BE DELIVERED

TO THE TOWN HALL at the time of the initial submission: 13

IN ADDITION, 2 PACKETS MUST BE PROVIDED DIRECTLY BY THE APPLICANT TO:

Harris Beach PLLC
ATTN: Javid Afzali, Esq.
Attorney for the Town
677 Broadway, Suite 1101
Albany, NY 12207

Joseph Gottlieb, P.E., P.C.
Forestburgh Engineer
18 Anawana Lake Rd
Monticello, NY 12701

These submissions must be received at the addresses listed no less than 15 calendar days before the Planning Board meeting in which the applicant is scheduled to appear. Please allow ample time for mailing if not delivering by hand or via overnight courier service.

If applicant's packets are not submitted by the stated date, the Planning Board may determine to delay consideration or review of applicant's application until the following meeting.

Additional copies to other involved agencies or parties may be required depending upon the nature of the application. Applicant will be notified by the Planning Board if additional applications need be submitted, when, how many, and to whom.

Owner's Proxy before the Forestburgh Planning Board

INDIVIDUAL/PARTNERSHIP OWNER

(Owner/Partner/Manager)_____ deposes and says he/she resides at

_____ and that he/she/it is the owner of the premises described in the attached application located at

_____.
The owner has authorized _____ to make the attached application and to appear before the Planning Board.

Owner/Partner/Manager Signature

Sworn to before me this
_____ day of _____, 20_____.

Notary Public

Owner's Proxy before the Forestburgh Planning Board

CORPORATE OWNER

(Entity Name) MMS Land, LLC has a principal place of business located at
P.O. Box 156, St. James, NY 11780

and is the owner of the premises described in the attached application located at
80 Tannery Road, Forestburgh, NY 12777

The President/Managing Member of this entity is Richard Viola

Pursuant to the attached Resolution, this entity has authorized Fellenzer Engineering to
make the attached application and to appear before the Planning Board.



President/Secretary/Member signature

Sworn to before me this
23rd day of July, 2025.



Notary Public

ALBERT J TESTA
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02TE6050411
Qualified in Suffolk County
Commission Expires November 06, 2026

Town of Forestburgh Planning Board
Schedule of 2023 Monthly Meetings

MEETING DATES	APPLICATION DEADLINE
January 23, 2024	January 8, 2024
February 27, 2024	February 12, 2024
March 26, 2024	March 11, 2024
April 23, 2024	April 8, 2024
May 28, 2024	May 13, 2024
June 25, 2024	June 10, 2024
July 23, 2024	July 8, 2023
August 27, 2024	August 12, 2024
September 24, 2024	September 9, 2024
October 22, 2024	October 7, 2024
November 26, 2024	November 11, 2024
December 17, 2024	December 2, 2024

Applicant should call to confirm date of meeting.
Meetings begin at 7:00pm unless otherwise noted.

**APPLICATION AND ESCROW FEES MUST BE PAID BEFORE
BEING PLACED ON ANY AGENDA**

TOWN OF FORESTBURGH PLANNING BOARD FEES

SITE PLAN APPLICATION/SPECIAL USE PERMIT.....	\$325.00
MINOR SUBDIVISION.....	\$250.00
MAJOR & CONSERVATION SUBDIVISION UP TO 10 LOTS.....	\$1,000.00
EACH ADDITIONAL LOT.....	.\$100.00
PARKLAND FEE - PER LOT.....	\$2,000.00

TOWN OF FORESTBURGH ESCROW FEES

THE FOLLOWING ESCROW FEES WILL BE CHARGED TO THE APPLICANTS FOR THE TOWN'S ENGINEER AND ATTORNEY:

1. SITE PLAN REVIEWING ONLY	\$1,000.00
2. SITE PLAN REVIEW AND SPECIAL USE PERMIT	\$2,000.00
3. LOT LINE IMPROVEMENT	\$750.00
4. SKETCH PLAN REVIEW	\$750.00
5. SUBDIVISION, MINOR	\$750.00
6. SUBDIVISION, MAJOR	\$2,000.00
7. SUBDIVISION, CONSERVATION	\$2,000.00

Fees stated are combined to cover both the Engineer and the Attorney.

APPLICATION AND ESCROW FEES MUST BE PAID WITH SEPARATE CHECKS
MADE PAYABLE TO: *Town of Forestburgh*

Applicant: MMS Land, LLC - Richard Viola (Managing Member)

Location: 80 Tannery Road, Forestburgh, NY 12777

Tax Map Parcel: 24-1-3

Drawing Entitled: Grand Luxury Retreat Site Plan

Prepared By: Fellenzer Engineering

Drawing Reviewed: 7/7/25 **Last Revised:** 7/7/25

Recommended _____ **Not Recommended** _____

Approved with Comments _____

Additional Comments: _____

Date

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**TOWN OF FORESTBURGH PLANNING BOARD
REQUEST FOR APPROVAL OF
SUPERINTENDENT OF HIGHWAYS
OF THE TOWN OF FORESTBURGH**

Applicant: MMS Land, LLC - Richard Viola (Managing Member)

Location: 80 Tannery Road, Forestburgh, NY 12777

Tax Map Parcel: 24-1-3

Drawing Entitled: Grand Luxury Retreat Site Plan

Prepared By: Fellenzer Engineering

Drawing Reviewed: 7/7/25 **Last Revised:** 7/7/25

Recommended _____ **Not Recommended** _____

Approved with Comments _____

Additional Comments: _____

Signature

Superintendent of Highways

Date

cc: Planning Board, Town of Forestburgh
Code Enforcement Officer, Town of Forestburgh