

10/28/2025

## **Planning Board**

Town of Forestburgh  
322 King Rd, Forestburgh, NY 12777  
By: Electronic Mail

Dear Members of the Town Planning Board:

I have previously expressed to the Board, in public comment, my firmly held position that, in light of the materials I have quoted and the matters publicly reported, Chairman Robbins should neither decide matters before the Planning Board much less preside over it. I have also raised both in public comment and in writing repeated concerns regarding transparency and the Board's compliance with the New York Open Meetings Law (OML).

Regrettably, the Chairman's responses have consisted of interrupting my allotted public comment, dismissing my statements with remarks such as "oh please," and, on one occasion, unilaterally convening an executive session which is unlawful.

It is evident that the Chair intends to disregard these serious issues.

I reiterate my prior statements, if the Board is unwilling to address these matters in open session, I remain prepared to meet with the Board in a proper and lawful executive session and to present clear and convincing evidence in support of each concern.

Having been repeatedly interrupted during my three minutes of public comment and otherwise ignored, I write today to restate these issues and to emphasize that the Board's refusal to engage in them publicly undermines its integrity.

The racially charged and bigoted emails, as quoted by the New York State Attorney General and the United States Department of Justice, need not be restated here, as the Board is undoubtedly aware of their content. I note only that they are far from the sole examples of such communications.

What is unmistakably clear, setting aside the Chairman's racial and bigoted views, is that he evaluates applications based upon his personal assessment of the applicant rather than upon the governing law or the application itself. Including stating in an email ahead of a meeting with a prospective applicant, that he would not convey that he had already prejudged an application that had not yet been filed. This conduct alone should disqualify him from further participation.

His handling of applications based on applicants rather than the application has led to criticism by a member of the Planning Board, as did his handling and favored treatment of applications by the Hartwood club which also led to a minutes long shouting match between the Chair and a ZBA member at the last November planning board meeting.

With respect to transparency, I remind the Board of my prior objections to the Chairman's handling of the solar farm application, which was neither transparent nor consistent with OML requirements. I am unsurprised that numerous Board members including Cardoso and Sipos now identify

deficiencies in the clear-cutting and the significant apparent unmitigated adverse visual impacts allowed by the Board, particularly in light of the undisclosed relationship between the applicant's representative and the Chairman.

On the subject of transparency and OML compliance, the Planning Board Engineer on the current application referenced comments prepared by the Board's Traffic Consultant. Having closely followed these meetings, I am compelled to note that there appears to be no record of any public discussion by the Board regarding the retention of a Traffic Consultant, or the preparation of a resolution designating the Board as lead agency under SEQRA, or a determination that the application is complete.

In sum, the Planning Board is a collective body with collective responsibility. The law does not permit the Chair to act unilaterally purportedly on behalf of the Board, and the Board, as a body, must not allow its compromised chair to undermine and erode its integrity.

I remain available to meet with the Board and to provide additional information on each issue raised.

Respectfully submitted,

*Yehuda Miller*