

HEATHER BROWN  
COMMISSIONER

HEATHER JACKSY  
DIRECTOR OF PLANNING



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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

March 31, 2026

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

**RE: FOR26-02: Mongaup Falls Hydroelectric Project**  
GML-239 County Review

Dear Mr. Robbins,

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

- I. **Project Description:** Site plan review for proposed replacement of an existing damaged penstock with new fiberglass-reinforced polymer penstock.
- II. **Applicant:** Eagle Creek Renewable Energy, LLC
- III. **Geographic Qualification:** Municipal Boundary
- IV. **Agency Referrals:** Lumberland (See Attached) / SC Office of Sustainable Energy (No Comments)
- V. **Recommendation:** Local Determination

Sincerely,

Heather Brown  
Commissioner

HB/HJ/cc/sm

cc: Nadia Rajsz, Legislator, District 2

Attachments: 1. Report of Final Local Action Form  
2. Town of Lumberland 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  
DIVISION OF PLANNING, COMMUNITY DEVELOPMENT & ENVIRONMENTAL MANAGEMENT  
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:

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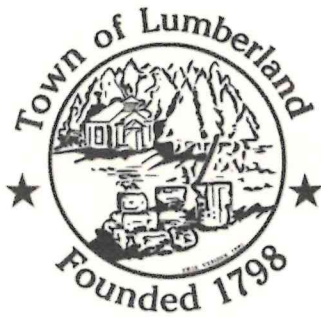
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If the municipal body having jurisdiction has acted contrary to the recommendation of the Sullivan County Division of Planning, Community Development & Environmental Management, please attach a resolution setting forth the reasons for such contrary 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.gov](mailto:planning@sullivanny.gov). Thank you for your cooperation.



Suzanne Edzenga | Town Supervisor

FOR 26-02

Town of Lumberland  
Municipal Building  
1054 Proctor Road  
Glen Spey, NY 12737

Tel: (845) 856-8600  
Email: [supervisor@townflumberland.gov](mailto:supervisor@townflumberland.gov)

March 2<sup>nd</sup>, 2026

Ms. Cheryl Conklin  
Confidential Secretary  
Division of Planning, Community Development &  
Environmental Management  
County of Sullivan  
100 North Street  
Monticello, New York 12701

**Re: GML §239 Referral – Town of Forestburgh Project**

Dear Ms. Conklin,

Thank you for forwarding the referral materials related to the Town of Forestburgh project for review. After reviewing the information provided, the Town of Lumberland does not have any substantive comments at this time. Overall, we are supportive of infrastructure upgrades and improvements, which are generally positive and beneficial in nature.

We appreciate being included in the review process and would be happy to remain informed as the project moves forward.

Please do not hesitate to contact my office should you need anything further.

Sincerely,

**Suzanne Edzenga**  
Supervisor, Town of Lumberland

RECEIVED

MAR 16 2026

SULLIVAN COUNTY  
DIVISION OF PLANNING