

The Town of Forestburgh Town Board held their monthly meeting for Planning Matters on Tuesday, June 25, 2013 in the Town Hall.

Supervisor Sipos called the meeting to order at 7:00 p.m.

Roll Call: Present – William B. Sipos, Supervisor
Eugene D. Raponi, Councilman
John W. Galligan, Councilman

Absent – Susan Parks-Landis, Councilwoman
Michael Creegan, Councilman

Recording
Secretary – Joanne K. Nagoda, Town Clerk

Others
Present – William D. Bavoso, Attorney for the Town

PUBLIC COMMENT – None

UNFINISHED BUSINESS

LOST LAKE – Supervisor Sipos requested that the clerk read into the minutes a letter received from C. T. Male Associates on Lost Lake.

Dear Supervisor Sipos:

On behalf of the Forestburgh Town Board, C.T. Male Associates Engineering, Surveying, Architecture & Landscape Architecture, P.C. (C.T. Male) has completed the technical review of the Applicant's Final Subdivision Plans for Phase 1 of the Lost Lake Resort Project.

As of today, the Applicant has verified that the final approval from the New York State Department of Health (NYSDOH) for realty subdivision and public water supply are in place. Our prior technical comments and questions presented in earlier correspondence have been addressed. It is recommended that the Town proceed with issuance of Final Site Plan and Subdivision Approvals for Phase 1 of the Lost Lake Resort Project.

Further, it is recommended that the Town request to be copied on future correspondence between the Applicant and outside permitting agencies, including NYSDOH and the New York State Department of Environmental Conservation (NYSDEC) during the construction phase of the project, and that the Town receive a copy of the Approval of Completed Works Certificate from the NYSDOH.

C.T. Male continues to encourage the Town to consider some level of construction observation during the construction of this project with the objective of assuring to the extent practicable that critical components are constructed as approved by both the Town and the respective regulatory agencies.

Please feel free to contact me at (518) 786-7496 or Chet Szymanski at (518) 848-3533 should you have any question or comment on this correspondence.

Sincerely, John S. Munsey Supervisor Sipos then requested the following be read into the minutes: Discussion

M. Christopher McCoach, P.E.
ABC Engineering of NY
400 One Norwegian Plaza
Pottsville, PA 17901

Re: Lost Lake Resort – Phase 1
Realty Subdivision and Public Water Supply Plans
(T) Forestburg, Sullivan County, NY

This is to acknowledge receipt of revised drawings and supporting documentation most recently received on June 20, 2013 for the above referenced project. The New York State Department of Health, Monticello District Office and the NYSDOH Bureau of Water Supply Protection have completed review of the materials submitted and granted approval on this day June 24, 2013.

Included with this correspondence are copies of Form DOH-1330 "Certificate of Approval of Realty Subdivision Plan" and Form DOH-1017 "Approval of Plans for Public Water Supply Improvement".

Your attention is directed to the conditions of approval for both the realty subdivision and the public water supply. In order for these approvals to remain in effect these conditions must be adhered to. Be advised that the realty subdivision approval is not considered final until a complete set of the approved plans has been filed with the Sullivan County Clerk's Office.

If you have any questions, please contact me at 845-794-2045.

Discussion was held with regard to keeping C.T. Male as our consultant on the Lost Lake project, as they are familiar with this project from the beginning and having new eyes on a project of this magnitude in the future. No action need be taken at this time. Attorney Bavoso suggested requesting a proposal from C.T. Male for the future phases of Lost Lake. Councilman Galligan asked how much of this our building inspector would be doing on this project. Attorney Bavoso stated that he will be doing permit application review and issuing permits at a minimum to begin with. Councilman Raponi stated that he will be there every day and feeling like he lives there when they get going. Supervisor Sipos stated that we will not be taking action on either of these topics tonight and we will have much more discussion on them in the future.

Supervisor Sipos asked if anyone had any questions. Attorney Bavoso stated that just for the record, we closed SEQRA long ago. We are now free to vote on the final approval for phase I. MOTION by Councilman Galligan, seconded by Councilman Raponi to approve the site plan and subdivision plan for Phase I of the Lost Lake Resort project/subdivision.

Vote:

Councilman Raponi voting aye;
Councilman Galligan voting aye;
Supervisor Sipos voting aye.

All in favor. Unanimous.

Motion carried.

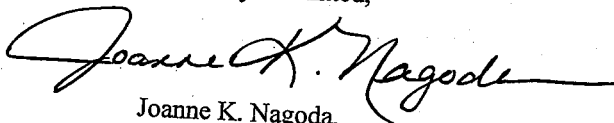
Supervisor Sipos congratulated Mr. Randy Gracy of Double Diamond and all maps and mylars were signed by the Supervisor.

REPUBLIC LAKE JOSEPH - This matter has been tabled at the applicant's request.

ZONING & SUBDIVISION REGULATIONS - Supervisor Sipos explained that he has a meeting with Chuck Voss at 1:00 tomorrow to review some of the last minute minor changes. Then we should have the final copies for review.

ADJOURNMENT - MOTION by Councilman Galligan to adjourn at 7:20 p.m.

Respectfully submitted,



Joanne K. Nagoda,
Town Clerk

RESOLUTION OF THE TOWN BOARD
GRANTING CONDITIONAL FINAL SUBDIVISION PLAT APPROVAL
FOR PHASE I OF THE LOST LAKE RESORT

TOWN OF FORESTBURGH
COUNTY OF SULLIVAN
STATE OF NEW YORK

WHEREAS, the Town Board of the Town of Forestburgh, County of Sullivan, met on the 17th day of December, 2012 at 7:00 p.m. to review the site plan and subdivision plat application for Phase I of the Lost Lake Resort (collectively, the "Application"), submitted by Lost Lake Resort, Inc. (the "Applicant"); and

WHEREAS, the Town Board previously granted preliminary site plan and subdivision plat approval for this Application on February 27th, 2012, and since that time the Applicant has worked to satisfy the conditions of the preliminary approval; and

WHEREAS, the Applicant now seeks conditional final site plan and subdivision approval for Phase I of the Lost Lake Resort from the Town Board, pursuant to Chapter 85 ("Zoning") of the Town of Forestburgh Town Code; and

WHEREAS, the Town Board has previously designated the Lost Lake Resort site as a Planned Development District pursuant to the Zoning Law of the Town of Forestburgh Town Code; and

WHEREAS, the Lost Lake Resort site is located entirely in the Town of Forestburgh, in the RR-1 zoning district; St. Joseph's Road (County Route 108) transverses the project site in a west-east orientation and Cold Spring Road (CR 102) passes the northeast corner of the site, CR 102 and Forestburgh Road (NYS Route 42) connect the project site to the Village of Monticello and NYS Route 17 to the north; and a 52-acre lake, locally known as Lost Lake, is situated in the northeastern portion of the property; and

WHEREAS, the Lost Lake Resort site is made up of the following tax map parcels: 3-1-1.1, 3-1-2.1, 3-1-3, 4-1-7, 4-1-10.2, 7-1-1, 8-1-1.2, 8-1-2, 20A-1-1, and 20B-1-1; and

WHEREAS, the Applicant has proposed a planned resort community that will provide an upscale recreational destination consisting of a gated community of single family residence lots, hotel/conference facilities, a cottage and condominium component, and extensive recreational amenities. On-site recreational amenities for residents and guests will include an 18-hole championship golf course and driving range, clubhouse and restaurant, swimming and boating facilities at Lost Lake, tennis courts, a health and wellness spa, and a system of wilderness trails for passive recreation; and

WHEREAS, the Lost Lake Resort will include development of interior road systems, utilities and stormwater infrastructure, a community water supply, and wastewater treatment facilities; and

WHEREAS, following the designation of the Town Board as lead agency by the Commissioner of the New York State Department of Environmental Conservation ("NYSDEC") on February 9, 2009, the Town Board has served as lead agency for the environmental review of the proposed Lost Lake Resort project pursuant to the State Environmental Quality Review Act ("SEQRA"), and has previously required the preparation of an environmental impact statement; and

WHEREAS, the Town Board, as SEQRA lead agency, evaluated the draft environmental impact statement, all of the public and agency comments thereon, and further required the preparation of a final environmental impact statement to respond to all substantive comments; and

WHEREAS, the Town Board, as SEQRA lead agency, concluded the SEQRA process by the adoption of a SEQRA Findings Statement on May 18, 2011;

and

WHEREAS, thereafter, the Town Board designated the Lost Lake Resort site as Planned Development District ("PDD") and approved the Site Master Plan that was included as part of the FEIS, prepared by Brinkash & Associates, Inc. and Tim Miller Associates, Inc. dated March 21, 2011 (the "PDD Site Master Plan"); and

WHEREAS, a public hearing on the proposed site plan and subdivision plat was duly noticed and held on November 21, 2011; and

WHEREAS, the site plan and subdivision application and related materials were submitted to the Sullivan County Division of Planning and Environmental Management ("SCDP") for its review pursuant to the requirements of the General Municipal Law § 239-1, m & n, and SCDP has responded in writing with its comments; and

WHEREAS, the Town Board has carefully considered all of the comments raised by the public, the Board's consultants, SCDP, other involved agencies, and interested organizations and officials, including those presented at numerous meetings of the Board as well as those submitted separately in writing; and

WHEREAS, the Applicant has submitted a site plan and proposed final subdivision plat for Phase I of the Lost Lake Resort, prepared by Brinkash & Associates, Inc. dated December 5, 2012, consisting of 68 sheets; and

NOW THEREFORE, THE TOWN BOARD HEREBY MAKES THE FOLLOWING FINDINGS:

1. The proposed final site plan and subdivision plat for Phase I of the Lost Lake Resort are consistent with the PDD Site Master Plan.
2. The proposed final site plan and subdivision plat for Phase I of the Lost Lake Resort are consistent with the evaluation and

mitigation measures set forth in the SEQRA Findings Statement.

3. The Applicant's proposed final subdivision plat for Phase I of the Lost Lake Resort, is in substantial conformity with the approved preliminary subdivision plat that was the subject of the prior public hearing.

4. The Applicant satisfied the conditions set forth in the C.T. Male Associates, March 12, 2012 letter.

5. The Applicant has obtained all outside agency approvals, with the exception of the Department of Health approvals, which are pending.

6. The proposed site plan and subdivision plat meet the requirements of the PDD Zoning Law and Subdivision Law for the Town of Forestburgh as well as New York Town Law §§ 274-a and 276.

NOW THEREFORE, THE TOWN BOARD HEREBY RESOLVES THAT conditional final approval of the subdivision plat for the Lost Lake Resort is hereby GRANTED, and the Supervisor is hereby authorized to affix his signature of approval to the site plan and final subdivision plat upon the Applicant's satisfaction of the following conditions:

1. The applicant shall pay all outstanding fees and escrow due the Town in connection with this application;
2. The Applicant shall satisfy any remaining conditions set forth in the review letter from C.T. Male Associates dated December 14, 2012 and any additional technical comments from C.T. Male Associates in any subsequent letters;
3. The Applicant shall reimburse the Town for any outstanding escrow charges due to the Town in connection with the Town's consultants' review of this Application;


4. The Applicant shall secure all remaining necessary permits, approvals and authorizations required from the New York State Department of Health, and any other agency if required, prior to the Supervisor affixing his signature to the final subdivision.

BE IT FURTHER RESOLVED THAT the Applicant shall submit proof of satisfaction of the foregoing conditions and submit a plat for signature within 180 days of the date of this resolution. The Town Board is authorized pursuant to Town Law § 276 to consider and grant further extensions on good cause shown.

Moved: John Galligan

Seconded: Mike Creegan

Vote: 5 Ayes
 0 Nos
 0 Abstentions


FORESTBURGH TOWN BOARD
BY: Joanne Nagoda, Town Clerk