

TOWN OF FORESTBURGH PLANNING BOARD
MINUTES
July 23, 2019

The meeting was called to order at 7:03pm by Chairman, Richard Robbins at the Town Hall.

Members Present: Katherine Barnhart
 Anthony Cardoso
 Vincent Galligan
 Susan Hawvermale
 Richard Robbins, Chairman
 Robert Sipos

Absent: Alan Devlin

Recording Secretary: Billie Jean McGinnis

Approval of Minutes

There are two sets of minutes from June to be reviewed. One set is for the Public Hearing for The Hartwood Club/Wierdsma and the other are meeting minutes.

Minutes for the public hearing were reviewed. Grammatical errors were corrected.

Motion to Approve the public hearing minutes as amended made by V. Galligan, seconded by A. Cardoso.

Vote: All in favor.

Abstain: Susan Hawvermale

Minutes for the June meeting were reviewed.

Motion to Approve the June meeting minutes made by K. Barnhart, seconded by R. Sipos.

Vote: All in favor.

Abstain: Susan Hawvermale

Public Comment on Agenda Items

There are no comments from the public.

Review of Local Law Establishing a Moratorium on PDDs

Chairman Robbins explained that the Town Board adopted a resolution to enact a local law creating a moratorium on Planned Development Districts as they explore fixing the law.

The Board determined that there will not be any directed or indirect implications affected by this law.

A. Cardoso explained that the language used in the moratorium may make one think that there's a moratorium on obtaining permits, such as building permits in previously approved PDDs. The law needs to be made clear that it doesn't apply to PDDs approved prior to the moratorium. Chairman Robbins will report back to the Town Board.

Correspondence Received

Chairman Robbins provided an email exchange between himself and Victor Weinberger, agent for Ching Lam of Kings USA, that occurred regarding Lost Lake/Love Lake. Since that exchange, late the night before the meeting via text message, Mr. Weinberger reported that Love Lake is not going to proceed with Double Diamond on the purchase of Lost Lake and that Double Diamond has revoked their proxy given to Mr. Lam to discuss Love Lake with the Planning Board. The Text message exchange was printed and distributed to the Board members

Chairman Robbins asked for a motion to declare the Love Lake application as abandoned.

S. Hawvermale expressed her concern that going forward, such business matters should occur with formal correspondence to the Planning Board.

Motion made by K. Barnhart for Chairman Robbins to contact Mr. Lam to confirm the revocation of the proxy and withdrawal of their application. He will also advise that their escrow funds are deficient.

Vote: All in favor.

Planning Board Application

Chairman Robbins advised that the Planning Board application needs to be revised to conform with the new subdivision code. Several revisions were discussed, and grammatical errors were corrected.

Chairman Robbins recommended that the Board review the escrow fees. Escrow fees paid for a recent application were not sufficient to cover costs. The Board agreed to make a recommendation to the Town Board to increase the escrow fees as follows:

Site Plan Review Only	\$1000
Site Plan Review and Special Use Permit	\$2,000
Subdivision, Minor	\$400
Subdivision, Major	\$2,000
Subdivision, Conservation	\$2,000

Motion made to recommend to the Town Board an increase in escrow fees made by A. Cardoso, seconded by S. Hawvermale.
Vote: All in Favor.

Another point of discussion was the responsibility of the applicant to publish public hearing notices in the newspaper. S. Hawvermale pointed out that generally the Planning Board Secretary has had this responsibility. She wants the responsibility to remain with the Town to maintain control. A. Cardoso explained that other towns require the applicant to publish notices of public hearings on their applications. After a poll of the Board members, the Board voted (5-1) that the applicant should be responsible for publishing the public hearing notice in the newspaper. The notice will be prepared by the Planning Board Secretary, but it will be the applicant's responsibility to have it published with the newspaper.

Motion made to approve the use of the new application made by A. Cardoso, seconded by K. Barnhart.
Vote: All in favor.

Planning Board Member Comments on Items not on the Agenda

S. Hawvermale asked that any official business from the public for the Planning Board be presented in a formal manner ahead of time.

The Board discussed a recent newspaper article where Town and Planning Board members in Chester, New York did not respond to public comments when they became offensive and are now being accused in a federal lawsuit of harboring and acting on those bigoted sentiments in the actions they took. It's important to not permit silence when confronted by bigoted comments during Planning Board meetings.

Public Comment on Items Discussed During this Meeting

There are no comments from the public.

Adjournment

Motion to adjourn at 8:02pm made by K. Barnhart, seconded by R. Sipsos.
Vote: All in favor.