

TOWN OF FORESTBURGH PLANNING BOARD

Minutes

July 25, 2023

The meeting was called to order at 7:00pm by Susan Hawvermale at the Town Hall in Forestburgh.

Members Present: Katherine Barnhart
Anthony Cardoso
Alan Devlin
Susan Hawvermale
Arthur Leaney-Levenson
Robert Sipos

Absent: Richard Robbins

Town Attorney: Javid Afzali

Recording Secretary: Billie Jean McGinnis

Determination of Who Will Preside Over the Meeting

In Richard Robbins absence, Susan Hawvermale will preside over the meeting.

Approval of Minutes

Motion made by K. Barnhart to approve the minutes. Seconded by A. Leaney-Levenson.

Vote:

K. Barnhart	Aye	A. Devlin	Aye
A. Leaney-Levenson	Aye	S. Hawvermale	Object
A. Cardoso	Abstain	R. Sipos	Object

Some Board members would like more detailed minutes.

Public Comment on Agenda Items

Mr. Yehuda Miller asked what the GML is pertaining to. S. Hawvermale stated that we'll get to that on the agenda.

King/Murphy Lot Improvement

Barbara Garigliano presented on behalf of the applicant. This lot improvement involves five existing parcels and will result in four parcels with parcel 14.7 being eliminated. The Margaret W. Abdoo Irrevocable Trust provides that upon her death, the property will be divided. This lot improvement will fulfill the Trust request.

Parcel 14.7 is a landlocked parcel which will be eliminated with the approval of this application. After the lot improvement, all parcels will have road frontage. Parcel 14.8 is non-conforming by one and a half feet, which exists prior to the lot improvement and does not create a greater non-conformity.

S. Hawvermale asked if there are any plans for future changes. Mrs. Garigliano is not aware of future plans.

S. Hawvermale asked about the right-of-way between parcels 14.1 and 14.6. Mrs. Garigliano stated that the right of way will not be extinguished. She doesn't know who benefits from the right of way but it extends beyond the map.

J. Afzali explained that if the Board determines that the application is complete, the Board may proceed with a decision. This is a Type 2 action which is not subject to SEQRA.

K. Barnhart had questions about the responses on the EAF. Will the proposed action connect to an existing public/private water/sewer? Mrs. Garigliano answered yes because two lots have their own wells. They're connected to private systems. If the other two lots are developed, she assumes they'll have private systems as well.

S. Hawvermale asked if this is the same for wastewater utilities. Mrs. Garigliano responded that it's the same answer. If the two lots are developed, they'll have private septic systems as well.

K. Barnhart asked if the proposed action meets or exceeds the state energy requirements? Mrs. Garigliano explained that there are no design features. There are two existing residences and two empty lots. The two houses are compliant. The other two are empty lots.

S. Hawvermale confirmed with the Board that the application is complete and accurate. She asked if there are any conditions. K. Barnhart confirmed with the secretary that fees have been paid.

Motion made by K. Barnhart to approve the application. Seconded by A. Cardoso.

Roll call vote:

K. Barnhart	Aye	S. Hawvermale	Aye
A. Cardoso	Aye	A. Leaney-Levenson	Aye
A. Devlin	Aye	R. Sipos	Aye

The application is approved.

County GML 239

This matter pertains to Birchwood Estates. J. Afzali explained that the County referred this matter to the Town because the project is on the border of the Town of Thompson and Town of Forestburgh. They've asked if the Forestburgh Planning Board has any comments relating to this application. There is no action that the Town of Forestburgh needs to take on this application. The application is for a site plan modification on the lands outside the Town of Forestburgh. S. Hawvermale confirmed with J. Afzali that the Town of Forestburgh remains an interested agency for this project. Any comments made are only advisory.

A.Cardoso stated that the project is almost exclusively in the Town of Thompson. The application presented really has no relevance to the Town of Forestburgh. He recommends that the Board not take any action.

The Board is in agreement and will not take action on this matter.

Planning Board Member Comments on Items Not on the Agenda

There are no comments.

Public Comment on Items Discussed During the Meeting

Mr. Yehuda Miller suggested that the GML 239 matter be posted publicly on the website. He explained that it's required according to the Open Meetings Law.

Adjournment

Motion made by K. Barnhart to adjourn the meeting at 7:35pm. Seconded by A. Cardoso.

Vote: All in favor.