

**TOWN OF FORESTPORT
FORESTPORT TOWN HALL
10275 State Rte. 28, Forestport, N.Y. 13338
April 19, 2023 @6:15P.M.**

PUBLIC HEARING-LOCAL LAW #3 of 2023, “An amendment to Local Law #1 of 1986-Town of Forestport Site Review Law”, creating a Planning Board of Appeals

PRESENT: Supervisor Entwistle
Councilwoman Kardash
Councilwoman Abrial
Councilwoman Verschneider

ABSENT: Councilman Scouten

RECORDING SECRETARY: Tracy Terry, Town Clerk

CALL TO ORDER:

The meeting was called to order at 6:15 pm by Supervisor Entwistle

LEGAL NOTICE:

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Forestport will be holding a Public Hearing on April 19, 2023, at 6:15 PM at the Forestport Town Hall, 10275 State Rte.28, Forestport, NY, 13338. The Public Hearing is being held to review and hear public comments regarding proposed Local Law #3 of 2023, “An amendment to Local Law #1 of 1986-Town of Forestport Site Review Law”, creating a Planning Board of Appeals.

BY ORDER OF THE TOWN BOARD

Tracy M. Terry – Forestport Town Clerk

PUBLIC COMMENTS:

- Supervisor Entwistle read the letter below for the record.



WHITE LAKE ADK ASSOCIATION, INC.
PO Box 25
Woodgate, NY 13494

04/16/2023

RE: Proposed amendment to local law #1 of 1986
Forestport Town Meeting April 19, 2023

As an organization dedicated to the preservation of the environment in and around White Lake, we would like to express our reservations regarding the creation of a Town of Forestport Planning Board of Appeals (proposed amendment to local law #1 of 1986) out of concern over its potential for abuse. Why is there a need to create another board when one can appeal a Planning Board decision within the established and existing legal framework of an article 78? While not against the concept of appeals per se, we fear that the appointment of this board could be a conflict of interest and could be used to overturn current site planning regulations to the detriment of our community.

Respectfully,

A handwritten signature in cursive script that reads "Louanne R Cossa".

Louanne R Cossa, President
White Lake ADK Association, Inc

Supervisor Entwistle stated the Town of Forestport isn't going to be doing anything different than what they normally do. Currently the Town Board acts as the Planning Board of appeals. According to several Attorneys, it is legal, but not preferred.

- Art Gleasman from the Gallery asked if any problems have come back to the Town Board with their decisions. Supervisor Entwistle said they approved an area variance last May that was overturned by a County Judge through a Article 78 for a procedural issue. There have been seven variances in the last 7 years and 5 were in the last year.
- The Planning Board of Appeals would be a 3-member Board with a stipend that hasn't been decided on yet. They would have to attend the Planning Board meeting prior to the Planning Board of Appeals meeting so they had the background information and 4 hours of training a year. They look at use and area variances and interpretation appeal.
- Councilwoman Verschneider asked how much the Board of review gets paid. It was answered \$15 an hour. Discussion took place regarding the Planning Board of Appeals. Dave Ultsch, from the Gallery asked if they were going to have a secretary and said she should be getting paid more for doing this too. Other Towns are paying \$25 an hour for their Appeals Board members.
- Laurie Fessler, from the Gallery stated usually people don't come to the meeting and the Board reads the five questions and it's a lot to ask of people and a way to hire more people into the Town. Supervisor Entwistle stated the main focus is to make progress with State regulations. Discussion took place.
- Art Gleasman, from the Gallery stated he would like to see it here with the people he elected. Discussion took place. Supervisor Entwistle stated people that have zoning, have a Zoning Board of Appeals. Of the 12 towns in NOCCOG, 9 have a Zoning Board of Appeals.

ADJOURNMENT:

A motion was made by Councilwoman Kardash and seconded by Councilwoman Abrial to adjourn the meeting.

4 ayes/ 0 nays/1 absent MOTION CARRIED

There being no further business the meeting was adjourned at 6:30 pm by Supervisor Entwistle.

Respectfully submitted,

Tracy M. Terry
Forestport Town Clerk