

APPROVED: 3/23/11
MINUTES OF THE
TOWN OF HIGHLANDS PLANNING BOARD
FEBRUARY 17, 2011

A regular meeting of the Town of Highlands Planning Board was held in the Town Hall, Highland Falls, New York, on Thursday, February 17, 2011, at 7:00 P. M.

THERE WERE PRESENT:

Board Members:

Erik Smith, Chairman
Terry Holt
Cathy Kelly

Absent:

Chris Dyroff
John Hunter

ALSO PRESENT: Glen Moyer, Cathy Feliciano, Joe Feliciano, Gayle Colacicco, Mike Colacicco, Susan Kopald, Judith Taylor, Deborah Kopald, and Bill Edsall.

The meeting was called to order at 7:00 P. M. with the Pledge to the Flag. It was noted that there was a quorum present.

The January 20, 2011 Minutes will be reviewed at the next meeting.

COMMUNICATIONS

- Orange County Planning – Newsletter from Orange County Municipal Planning Federation. Save the Date for the Spring Training Course

- Association of Towns Training Confirmations

VOUCHERS

Folchetti & Associates (Amended)	
Matthew H. Lawney	\$ 308.75
Garling Associates	
Homeland Towers	\$ 693.00
Rider, Weiner & Frankel, P.C.	
General Planning	\$ 130.72
Homeland Towers	2,127.50

The Chairman will submit the vouchers to the Comptroller.

PUBLIC COMMENT:

Bill Edsall, 14 Rivercrest, Fort Montgomery, NY. He is a member of the Town Board and will be the Liaison to this Board. He feels the Board is doing a great job. He requested that a copy of the Minutes of this Board be sent to him electronically. He supplied his e-mail address. He stated that an upcoming issue that the Town Board will be working on is sign regulations.

The Chairman expressed that he felt he will make an excellent liaison and there will be good communications. He stated that the Board would like clear direction and a request from the Town Board for any proposed projects. He also stated that the Town Planning Board regularly meets on the third Thursday of each month. Mr. Edsall will attend all meetings and will leave the meeting, if there are any conflicts.

Mr. Glen Moyer, 6 Hillcrest Road, Fort Montgomery, NY.

- Awaiting a response to his letter of January 18, 2011 with reference to the difference between letters and petitions and what standards the Board will be using when evaluating the application from Homeland Towers.
- Is there any limit to the size of the variance that will be accepted for consideration?
- They are in discussions with attorneys as to what their options would be if this standing code is gutted the way the application is presently presented

Cathy Feliciano, 30 Overlook Place, Fort Montgomery, NY

- In agreement with Mr. Moyer and is in discussions with a lawyer if this variance is approved.

Mike Colacicco, 3 Hillcrest Road, Fort Montgomery, NY

- Where is this Board in the process of approving the application?
- Is there a timeline?

The Chairman responded that the application has been presented. There have been discussions but no decisions have been made. Much is not completely governed by the Board. This Board is conducting a coordinated review with the Consolidated Zoning Board of Appeals.

Judith Taylor, Fort Montgomery, NY

- The timeline is not governed by the Board?

The Chairman responded that much is not governed by what this Board does but by what the applicant does. Timeline wise, this Board controls only so much.

Cathy Feliciano, 30 Overlook Place, Fort Montgomery, NY

- Who has the final say on the cell tower?

The Chairman stated that this Board is conducting a coordinated review and is the Lead Agency.

Deborah Kopald

- Thank you for the FOIL.
- Read the submission by Mr. Hudgins.
- The list of parcels given to the wireless company includes parcels owned by civilians in the Town of Highlands, and State Parklands, but did not see any parcels owned by the Federal Government.

The Chairman stated that the list was generated by the Assessor's Office.

- She had spoken to the Town Planning Board Liaison, Mr. Edsall, and asked about the clock and the timeline for the project.

The Chairman stated that The Planning Board is aware of the Shock Clock Provision in the Tele Communications Act.

- She is concerned about the Planning Board's role, the Local Law of 1997, property values, the 1,000 setback requirement, and the reaction of the Board to the possibility of a lawsuit.

At 7:24 P. M. a motion was made to adjourn the meeting.

Motion: Mr. Holt

Seconded: Dr. Kelly

Approved

Respectfully submitted,

Fran DeWitt, Recording Secretary

**The next Regular Planning Board Meeting is
Thursday, March 17, 2011**