

APPROVED: 5/19/11
MINUTES OF THE
TOWN OF HIGHLANDS PLANNING BOARD
APRIL 21, 2011

A regular meeting of the Town of Highlands Planning Board was held in the Town Hall, Highland Falls, New York, on Thursday, April 21, 2011, at 7:00 P. M.

THERE WERE PRESENT:

Board Members:

Erik Smith, Chairman
Terry Holt, Deputy Chairman
Cathy Kelly
Chris Dyroff
John Hunter

Jeff Sculley, Attorney (Rider, Weiner & Frankel, P. C.)
Bruce Martin, (J.R. Folchetti)

ALSO PRESENT: John Hager, Building Inspector, Kathy Hamel, James Thomson, Ann Marie Fiducia, Sal Fiducia, Chris Moyer, Glen Moyer, and Deborah Kopald.

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 Minutes for the March 23, 2011 Meeting will be further reviewed and approved at the next meeting.

COMMUNICATIONS

- Rockland Spring Certification Courses Flyer
- Technical Paper from Orange County Planning

VOUCHERS

Folchetti & Associates	
Homeland Towers	\$585.00
General Planning	65.00
Rider, Weiner & Frankel, P.C.	
General Planning	\$297.22
Hannawalt Subdivision (Weyant Road)	55.50
Homeland Towers	1,942.50

The Chairman will submit the vouchers to the Comptroller.

OLD BUSINESS - None

NEW BUSINESS

Hannawalt Amendment of Site Plan Section 13 Block 1 Lot 1 & 14.2

The Chairman visited the site today referencing the Comment Letters from the Attorney and Folchetti & Associates. This project involves moving the driveway. Originally, the driveway for Lot 1 came off the cul-de-sac by itself along the stonewall to serve the house. The Applicant now proposes to share the first portion of Lot 2's driveway to access the house. The Board's concern is the increase of drainage runoff to the area. To move the driveway now raises the question adverse effect on the existing house to the left.

Mr. Hannawalt stated that Mr. McArthur was not happy having the driveway alongside his property line. Mr. Hannawalt would have to cut trees and disrupt natural growth is already there to make a road, approximately 300 feet long. The full entire road surface now collects water. If undisturbed the way it is now, naturally, it absorbs the water the way it does with no disturbance. Mr. McArthur also has a concern about headlights from vehicles coming into the house. They are taking a 300 foot driveway and reducing it to a 75 foot driveway on the other side. Mr. Hannawalt feels that moving the driveway is a better solution.

Discussion continued about the proposed change, with the Chairman stating that the Applicant had an approved project, and is now looking to amend the original project. The drainage is the main concern.

Mr. Bruce Martin, P. E., of J. Robert Folchetti & Associates, LLC, agreed that the previously approved driveway would catch runoff that would be heading toward the Applicant's neighbor's property. As it stands now they would be getting more runoff straight through the property and he also has concerns. He suggested a drainage swale. Some mechanism will be needed to catch the increase in drainage from the project.

Mr. Hannawalt stated he could control the roof and driveway drainage with footing drains. They could be incorporated into the driveway by pitching the driveway back. The roof drainage could be controlled with the gutter system and footing drains and directed down the new driveway into the catch basins and into the stream bed that has always been there.

Mr. Hager's concern was that if it was a significant change, the Board needed to authorize it. He agrees with Mr. Hannawalt that with the topography there that he could direct the drains to the opposite side away from the neighbor. He could make sure that would happen with a condition to the permit.

Mr. Hunter feels there are some solid recommendations. He can go with the old site plan and make the amendment with the swale or go with the latest one. The goal of this Board is to ensure that there are no additional problems with a house that is not built.

Mr. Hannawalt discussed with the Board and Mr. Hager that the design of the house is not known at this time, but could include a swale to solve the issues. Mr. Hager feels that with this new concept, you could keep the swale relatively close to the foundation of the house, direct the water from the house, and get it off the property in another manner rather than sending it toward the neighbor. This could be incorporated into the Building Department approval process. Mr. Hager stated it could be a condition on the Building Permit. The Chairman will provide a letter to Mr. Hager and the Building Department with this recommendation.

A motion was made stating that this does not required a formal amendment of the site plan and that the changes, as indicated, can be handled by the Building Inspector as part of his permitting process.

Motion: Dr. Kelly

Seconded: Mr. Dyroff

Approved

Mr. Sculley pointed out that an Easement Maintenance Agreement has not been received for the driveway usage.

Hannawalt Erosion Control Permit (extension) Section 13 Block 1 Lot 1 & 14.2.

Discussion began with Mr. Hager's questions about the Erosion Control Permit and Performance Bond fees. He stated that this driveway and swale cannot be started on the site until a Building Permit for the house is obtained by the builder. If that is the case, it is covered under the Building Permit application fees. If he is going to perform that work before the Building Permit, there are no fees to cover the inspection costs. All the fees are exhausted that were collected for the roadway and drainage construction.

A motion was made to extend the Erosion Control Permit for the project for two (2) years waiving any Bond requirement.

Motion: Mr. Holt

Seconded: Mr. Hunter

Approved

Erosion Control Permit Application for property Section 9 Block 2 Lot 11 at 1158 Route 9W for Fill.

The Chairman stated that Mr. Rider generated a letter at his request on the Erosion Control Permit application to put fill in on the property. The piece of property is on Route 9W, in front of the Holiday Inn, directly to the left when you are looking at it, to the north. It is a commercial property with frontage on Route 9W. It is 1.3 acres. Mr. Hannawalt is proposing to level the depression on the property with fill. Permits are under the Erosion Control Law. An application was presented with no site plan. The Chairman sent the application to Mr. Rider for comment.

The Applicant told the Board that he had gone to the Zoning Board of Appeals for an interpretation of the Zoning Code as it is read. Maps were presented to the ZBA

The Chairman explained that a Site Plan and more information is needed for this Board to proceed with this application.

Mr. Sculley suggested that the Board specify to the Applicant what he should submit, unless there is a waiver by the Board of Requirements Code Section 101-9, for the Features Map, the Time Schedule, the Estimate of Cost, and the Operations Map. The Board has the authority to waive those requirements.

Mr. Hannawalt is working on all of these issues and will be at the May 19 meeting.

PUBLIC COMMENT

Glen Moyer, 6 Hillcrest Road, Fort Montgomery, NY

- Commended the Board on their decisions made for Mr. Hannawalt.
- Familiar with that Weyant Road property.
- Every bit of faith in what Mr. Hannawalt does.

Ms. Deborah Kopald

- Why Homeland Towers/AT&T did not show up for this meeting.
- Communication to the Boards.
- Response to Alternate Sites.
- Response to Staff Memorandum.
- Shot Clock Extension.
- FOIL Information
- When they expected to get their variance application in.
- SEQR and Shot Clock timeframe.

At 8:09 P. M., a motion was made to adjourn the meeting.

Motion: Mr. Holt Seconded: Mr. Dyroff Approved

Respectfully submitted,

Fran DeWitt, Recording Secretary

**The next Regular Planning Board Meeting is
Thursday, May 19, 2011**