

APPROVED: 11/17/11

**MINUTES OF THE
TOWN OF HIGHLANDS PLANNING BOARD
OCTOBER 20, 2011**

A regular meeting of the Town of Highlands Planning Board was held in the Town Hall, Highland Falls, New York, on Thursday, October 20, 2011, at 7:00 P. M.

THERE WERE PRESENT:

Board Members:

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

M. Justin Rider, Attorney (Rider, Weiner & Frankel, P. C.)
Bruce Martin, P. E., (J.R. Folchetti & Associates, L.L.C.)
Leslie J. Dotson, Associate Planner (Garling Associates)

ALSO PRESENT: Bill Edsall, Town Councilman, John Rodway, Maria Hannawalt, Roy Hannawalt, Linda Roller, George Roller (Fort Montgomery Marina), Angelina Strongman, Gregg Lawless, Ross Winglovitz, Principal, Engineering Properties, Arne W. Brauten, Kathy Ripa, James Ripa, and Thomas Olley, P. E. (Hannawalt).

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

A motion was made to adopt the September 15, 2011 Minutes, as amended.

Motion: Mr. Hunter

Seconded: Dr. Kelly

Approved

COMMUNICATIONS

- A letter from Cuddy and Feder, LLP, representing Homeland Towers requesting to adjourn from the October to the November meeting to prepare responses and continue their work.
- A letter from Central Hudson concerning referring projects to them if their easements fall within a project.

TRAINING

- Employee Workplace Violence and Sexual Harassment Training
- Green Infrastructure Seminar in November at Patriot Hills
- Social Media
- Canoe trip on Iona Island

VOUCHER

Garling Associates
Ripa Project

\$399.00

The Chairman will submit this voucher to the Comptroller.

NEW BUSINESS

John Rodway, Change of Use, Mine Dock Road, Section 16, Block 1, Lot 14.

Mr. Rodway is requesting a change of use. He contends that he is “grandfathered” as a mixed use commercial residential. He would like to make the building comply with the current zoning regulation of an R5. The restaurant was closed in 1999 and the building is currently being occupied by a residential apartment and a vacant commercial area. Mr. Rodway is requesting to change “commercial residential” to “apartment residential,” for five (5) units in an existing structure.

Comment Letters from Leslie J. Dotson, Associate Planner, of Garling Associates and Bruce Martin, P. E., of Folchetti & Associates, and comments from Mr. Rider were discussed.

Hannawalt Site Plan, 1144 Route 9W, Section 9, Block 12, Lot 11.

Mr. Thomas Olley, P. E., addressed the Board representing Mr. Hannawalt. He stated that the Zoning Board made an interpretation of the Zoning Code in that multiple storage units were a permitted use within a business zone. They are now proceeding with the site plan approval. This will include a two-story self storage unit building. There would be a 500 square foot office located in the southwest corner of the building and a total of just under 15,000 square feet of storage split between two levels.

The Chairman asked how much fill had been brought in and if the piping had been completed. Mr. Hannawalt and Mr. Olley stated that it is all complete. Dr. Kelly asked what type of vehicle is typically used to drop off items for a unit of this type. Mr. Olley explained that most of the units would access through entry doors through the parking lot. They will delineate how the cars and trucks will be able to utilize the area, to include parking and the emergency access area. There will be no further clearing necessary for this project.

Comments Letters from Leslie J. Dotson, Associate Planner, of Garling Associates and Bruce Martin, P.E., of Folchetti & Associates, and comments from Mr. Rider were discussed.

Corbin Hill Amended Site Plan, Section 11, Block 1, Lot 36

The Applicant is proposing to relocate Building #5 from the previously approved location. Last month, after an informal discussion, the Board told the Applicant he must complete a formal application, pay the necessary fees, and submit a plan for comments.

Mr. Arne W. Brauten, representing Corbin Hill, gave a description of the plan. A discussion was held to determine if an amendment to the site plan is necessary for this project.

A Comment Letter from Bruce Martin, P. E., of Folchetti & Associates was discussed.

A motion was made that the Board require no amended site plan since there is no substantial or material change, and that any changes be subject to the approval of the Building Inspector.

Motion: Dr. Kelley Seconded: Mr. Dyroff Approved

The Chairman noted that the Applicant made a payment of \$750. This review generated a cost to the Board and the difference will be returned to the Applicant.

OLD BUSINESS

Kathy and James Ripa, 2 Lot Subdivision, R-4 Zone, Section 2, Block 3, Lot 23

Mr. Larry Marshall, P. E., of Mercurio-Norton-Tarolli began a discussion of project. An amended site plan was presented to the Board, including the waivers requested.

Comment Letters from Leslie J. Dotson, Associate Planner, of Garling Associates and Bruce Martin, P.E., of Folchetti & Associates, and comments from Mr. Rider were discussed.

A discussion was held concerning access to Lot 1. A Referral to the County will ultimately be required and access will be required. Formal documentation will be needed.

A basic drainage easement was also recommended. Whether to keep the well for irrigation use may need further approval by the Orange County Department of Health.

A motion was made to grant the request by the Applicant to waive the requirements in relation to the drainage structures and to the utilities on the project.

Motion: Mr. Dyroff Seconded: Mr. Hunter Approved

A motion was made to grant the request by the Applicant to waive the requirement for soil testing information as required by Section 305.07 of the Town of Highlands Code.

**Motion: Mr. Hunter Seconded: Dr. Kelly Approved
With the following vote:**

**Mr. Holt - Yea
Dr. Kelly - Yea
Mr. Hunter - Yea
Mr. Dyroff - Yea
Mr. Smith - Nay**

A motion was made to set a Public Hearing for December 15, 2011, based on approval of the Chairman or his Designee.

Motion: Mr. Hunter Seconded: Mr. Dyroff Approved

INFORMAL APPEARANCES

Strongman Fort Montgomery Marina future development

Mrs. Linda Strongman Roller, presented to the Board an idea of future development for the area with their Corporation called Sportonics, Inc.

Ideas presented included: A Victorian-looking building, a restaurant, a B & B, a boat marina and dock, townhouses, a garage, parking across the tracks, and a town park.

The Chairman explained the Board cannot tell them what to do with their property, but discussion of some of the issues was held. Code requirements being the main issue and the fact that changes in the Code are made through the Town Board. It is in the R1R District and the current structures were build pre-zoning. Site plan approval would be required. A number of ways for the applicants to proceed with the project were discussed.

Gregg Lawless - Route 9W

The Applicant would like to build a building on the site for his business with rental space for business and potential retail. The Architect and Engineer Ross Winglovitz presented a sketch of the proposed building. Requirements for commercial development and zoning requirements were discussed with the applicant.

PUBLIC COMMENT - None

At 9:55 P. M., a motion was made to adjourn the meeting.

Motion: Mr. Holt Seconded: Mr. Hunter Approved

Respectfully submitted,

Fran DeWitt, Recording Secretary

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