

APPROVED: 2/21/13
MINUTES OF THE
TOWN OF HIGHLANDS PLANNING BOARD
JANUARY 17, 2013

A regular meeting of the Town of Highlands Planning Board was held in the Town Hall, Highland Falls, New York, on Thursday, January 17, 2013, at 7:00 P. M.

THERE WERE PRESENT:

Board Members:

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

Absent:

Chris Dyroff

M. Justin Rider, Attorney, (Rider, Weiner & Frankel, P. C.)
Leslie J. Dotson, Town Planner (Garling Associates)

ALSO PRESENT: John Hager, Building Inspector and Carolyn Storms.

The meeting was called to order at 7:04 P. M. by the Chairman with the Pledge to the Flag. It was noted that there was a quorum.

A motion was made to approve the December 20, 2012 Minutes.

Motion: Mr. Hunter Seconded: Dr. Kelly Approved

COMMUNICATIONS

- Planning News
- New York Planning Federation Training in April 21-23, 2013

VOUCHERS – January 2013

Rider, Weiner & Frankel, P.C.

General Planning	\$ 112.50
Storms	55.00
Ripa	259.00

Garling Associates

Ripa	\$178.50
Storms	535.50

New York Planning Federation

Dues	\$275.00
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Secretary

\$ 82.00

The Chairman will submit these vouchers to the Comptroller.

NEW BUSINESS - None

OLD BUSINESS -

Mr. and Mrs. Storms, 2 Lot Subdivision, 8 Overlook Place, Fort Montgomery, NY, Section 12, Block 1, Lot 14).

The Chairman noted for the record that this project had been referred to the County for the GML Referral and the County replied that it was of local determination. The Negative Declaration was completed.

Mr. Rider pointed out that General Condition #6 in the Resolution with regard to the required easements for utilities and access must be sign and properly recorded.

RESOLUTION OF APPROVAL

TWO LOT SUBDIVISION & SITE PLAN

FINAL

FOR

CAROLYN STORMS AND STEPHEN STORMS

Nature of Application

Carolyn and Stephen Storms have applied for a Subdivision and Site Plan approval allowing them to divide a 1.998 acre parcel into two (2) residential lots with related improvements.

Property Involved

The property affected by this resolution is shown on the Tax Map of the Town of Highlands as parcels 12-1-14 which property is located at 8 Overlook Place.

Zoning District

The property affected by this resolution is located in the R-1-R zoning district of the Town of Highlands.

Plans

The subdivision materials being considered consist of the following:

1. Completed application form and Environmental Assessment Form.

2. Plans prepared as follows:

<u>Author</u>	<u>Title</u>	<u>Last Revision Date</u>
Talcott Engineering Design PLLC	Proposed Subdivision Sheet 1-3	October 30, 2012

History

Date of Application

The application was filed with the Planning Board in July, 2006 and amended in May 2012.

Public Hearing

A public hearing on final subdivision approval was convened on November 15, 2012 and closed on the same date.

SEQRA

Type of Action:

This matter constitutes an unlisted action under the State Environmental Quality Review Act.

Lead Agency:

The Town of Highlands Planning Board is the lead agency in regard to this action.

Declaration of Significance:

A negative declaration was issued on December 20, 2012.

GML 239 Referral

The site is within 500 feet of the Hudson River and accordingly this application was referred to the Orange County Planning Department for review in December 2012. The Planning Department commented on January 14, 2013, with a County recommendation of local determination.

Findings

The Planning Board has determined that approval of this subdivision and site plan will substantially serve the public convenience, safety and welfare in that the land to be subdivided is of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace. Further, the arrangement, location and width of the private roadways, their relation to the topography of the land, water supply, sewage disposal, drainage, lot sizes and arrangement, are all appropriate and consistent with the requirements of the Town of Highlands Subdivision Regulations and applicable zoning regulations, subject to compliance in full with conditions hereinafter imposed.

Resolution of Approval

NOW, THEREFORE, THE PLANNING BOARD RESOLVES to approve the final subdivision application of Carolyn Storms and Stephen Storms as said proposal is depicted on the plans identified above and upon the modifications outlined below, and the Chairperson (or his designee) is authorized to sign the plat upon satisfaction of those conditions below noted to be conditions precedent to such signing.

Specific Modifications

1. The applicant shall comply with the requirements of Chapter 210 of the Code of the Town of Highlands, Zoning, at all times.
2. The applicant shall comply with the requirements of Chapter 101 of the Code of the Town of Highlands, Erosion Control, at all times, including application for a permit if same is required.
3. The applicant shall comply with the requirements of Chapter 173 of the Code of the Town of Highlands, Subdivision Regulations, at all times.
4. As a condition of this approval, the applicant shall be required to authorize town officers, employees or agents to enter onto the site to perform appropriate surveillance required by the Code.
5. The applicant shall pay outstanding Town of Highlands consulting engineering fees incurred in connection with the review of this application prior to the Chairperson or his designee signing the plans.
6. The applicant shall file with the Orange County Clerks' Office both the Declaration of Easement benefitting Lot #2 and the Utility Easement benefitting the Town of Highlands.

General Conditions

This approval is conditioned upon the applicant submitting all necessary copies of the plans to be signed, including mylars when required, to the Town of Highlands Building Department within one hundred eighty consecutive calendar days of the date of this approval.

A full set of the plans to be signed shall simultaneously be submitted to the designated Planning Board Engineer. The plans shall not be signed until the consulting engineer has reported to the Chair that all conditions of this resolution required to be satisfied before the plans can be signed have, in fact, been satisfied.

This approval is further conditioned upon the applicant delivering (prior to signing of the plans) proof, in writing, that all fees—engineering, planning, legal and otherwise—in regard to this project have been fully paid. The plans shall not be signed until proof, satisfactory to the Chair, has been presented showing that all such fees have been paid.

A FAILURE to comply with the general conditions immediately above in a timely manner shall result, without further action, in a lapsing of this approval.

Planning Board Member Cathy Kelly presented the following resolution which was seconded by Planning Board Member John Hunter.

In Favor 4 Against 0 Abstain 0 Absent 1

<u>Terry Holt, Member</u>	voting	-	Aye
<u>John Hunter, Member</u>	voting	-	Aye
<u>Cathy Kelly, Member</u>	voting	-	Aye
<u>Christopher Dyroff, Member</u>	voting	-	Absent
<u>Erik Smith, Chairperson</u>	voting	-	Aye

Dated: January 17, 2013

Erik Smith, Chairperson
TOWN OF HIGHLANDS PLANNING BOARD

Deputy Chairperson	Terry Holt
Recording Secretary	Frances DeWitt
Official Newspapers	News of the Highlands and Times Herald Record (when necessary)
<u>Consultants</u>	
Attorney	Justin Rider of Rider, Weiner & Frankel, P. C.
Engineers	J. Robert Folchetti & Associates
Planner	Leslie Dotson of Garling Associates

INFORMAL DISCUSSION - None

PUBLIC COMMENT - None

At 7:22 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, February 21, 2013**