

**APPROVED: 4/18/13**

**MINUTES OF THE  
TOWN OF HIGHLANDS PLANNING BOARD  
FEBRUARY 21, 2013**

A regular meeting of the Town of Highlands Planning Board was held in the Town Hall, Highland Falls, New York, on Thursday, February 21, 2013, at 7:00 P. M.

**THERE WERE PRESENT:**

**Board Members:**

Erik Smith, Chairman  
Terry Holt, Deputy Chairman  
Cathy Kelly  
John Hunter – Arrived - 7:16 P. M.  
Chris Dyroff

M. Justin Rider, Attorney, (Rider, Weiner & Frankel, P. C.) – Arrived – 7:05 P. M.  
Leslie J. Dotson, Town Planner (Garling Associates)

**ALSO PRESENT:** John Rodway.

**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, with Mr. Hunter expected to arrive shortly.**

**A motion was made to approve the January 17, 2012 Minutes.**

**Motion: Mr. Holt      Seconded: Mr. Dyroff      Approved**

**COMMUNICATIONS**

- Yearly reminder about GML Referrals Letter sent to the Board.

**VOUCHERS – February 2013**

Rider, Weiner & Frankel, P.C.	
General Planning	\$ 131.00
Garling Associates	
General Planning	\$ 31.50
Storms	21.00

The Chairman will submit these vouchers to the Comptroller.

**NEW BUSINESS - None**

## **OLD BUSINESS**

### **Roadway – Change of Use, Mine Dock Road, Section 16, Block 1, Lot 14.**

Mr. Rodway has been before the Board previously. A submittal was received today and the Board will review the information along with the previously submitted Comment Letters from Consultants Leslie Dotson and Bruce Martin. Ms. Dotson will review the new information submitted and make a recommendation to the Board as to whether it is necessary to share this new information with the Engineers.

#### **A discussion continued about the project, including:**

- Plans submitted to the Board by the Applicant on a smaller scale.
- Possibility of waiver of requirement of size of plans.
- Mr. Roadway will be meeting with the Surveyor, Donald Stench tomorrow who has had computer problems which caused the yearlong delay.
- Topographical maps have elevations and no dimensions.
- No exterior work to be done on the building.
- Possibility of an exemption for topographical map.
- Existing structure called the Wine Cellar.
- No change in footprint.
- Space that was Wine Cellar to be residences.
- Property has municipal sewer and two wells.
- Question by Applicant for an area for recreation.
- Board requested that the Applicant appear at the March meeting with a survey.

## **BOARD DISCUSSION**

### **Future Agenda Items**

The Chairman reported that a letter had been received from Homeland Towers stating they requested to be included on the Agenda for the March 21, 2013 meeting. They plan to pursue their original proposal. Mr. Rider indicated that their fees, at this point in time, are up to date; escrow to be forthcoming. Mr. Rider has been in contact with their Attorney Anthony B. Gioffre regarding the further details of this project, noting that major issues include: SEQRA, variances, and possible litigation for this project.

**At 7:28 P. M., a motion was made by Dr. Kelly and seconded by Mr. Hunter, to enter into Executive Session to discuss possible litigation. The Chairman requested that the Planner and Attorney join this session.**

**At 8:12 P. M., a motion was made by Mr. Hunter and seconded by Dr. Kelly to end the Executive Session and return to the Regular Meeting.**

**PUBLIC COMMENT - None**

**At 8:20 P. M., a motion was made to adjourn the meeting.**

**Motion: Mr. Hunter      Seconded: Mr. Dyroff      Approved**

Respectfully submitted,

Fran DeWitt, Recording Secretary

**The next Regular Planning Board Meeting is  
Thursday, March 21, 2013**