

APPROVED: **6/20/13**

Town Planning Board Minutes

May 16, 2013

Town Hall, Highland Falls, NY 10928

Meeting Started 7:01 P. M.

Attendance:

Board members:

Chris Dyroff, Cathy Kelly, Terry Holt, Erik Smith (Chairman), John Hunter -
(arrived at 7:12)

Justin Rider (Counsel) and Leslie Dotson (Planner)

Mr. Rodway and Mr. Miller (residents)

1. Pledge of Allegiance
2. Chairman Smith's welcome
3. **Adoption of April 18, 2013 minutes**
-**Motion made by Chris Dyroff**
-**2nd by Cathy Kelly**
-**Vote: 4 yes 0 no : minutes approved**

4. No communications

5. Vouchers paid

Rider, Weiner and Frankel, P.C.

- | | |
|----------------------|----------|
| 1. General Planning: | \$407.00 |
| 2. Homeland Towers: | \$425.50 |

Garling and Associates

- | | |
|---------------------|----------|
| 1. General: | \$378.00 |
| 2. Rodway: | \$31.50 |
| 3. Homeland Towers: | \$378.00 |

Office Supplies:	\$17.99
------------------	---------

6. Old Business:

Rodway, 23 Mine Road: Site plan and special exceptions. Chairman Smith confirm with Mr. Rider and Ms. Dotson that if the board felt comfortable with Mr. Rodway's proposal, then they could vote to set a public hearing for June 20, 2013. Mr. Rider will write up the legal paper for the public hearing and send it directly to the newspapers. Mr. Rider reminded Mr. Rodway that he would be responsible for paying those fees. Mr. Rodway is responsible to provide a list of people to John Hager (building inspector) for mailing purposes and for posting of signs on the property. Mr. Rodway indicated that he would go see Mr. Hager on Monday morning. Ms. Dotson will write up the SEQRA. Mr. Rodway asked if the board had checked with NYS Department of Transportation because of the proximity to Rt. 9W. Mr. Rider stated that was already done with the county because there is no access on 9W.

A motion was made to set the date of the public hearing for June 20, 2013 by Mr. Holt. Motion was seconded by Dr. Kelly. Vote 5 in favor and 0 against. Date of public hearing set for June 20, 2013.

7. New Business

Informal discussion with Mr. Miller: Mr. Miller was seeking an Erosion control permit. He is building a pond. He bought the house next door, and then sold it with an easement that he plans to use in the future for a driveway. He has been cleaning up the property, but still has some garbage to remove. Mr. Rodway stated that Bruce Martin (engineer) has already seen the property. Mr. Miller provided some updated sketches that included the easement to replace the 2009 sketch. Chairman Smith stated that he wanted to make sure that this project was done correctly so that the fill is stabilized so that there is none washing into the road or a neighbor's yard, etc.

Chairman Smith stated that the board needs specific plans for process, amount, and erosion control measures that will be used. It was recommended that he get a design professional to create a detailed site plan for the project. Mr. Miller explained past experience with projects on this property. Chairman Smith reminded him that those past experiences are not material to the current project and that a site plan is asked for by the board for all individuals seeking a fill permit. It was also recommended that Mr. Miller have his wife update her proxy. It was recommended that Mr. Miller review the code on erosion control and find out what he needs to do; because as stated by Chairman Smith this is 2013 and erosion prevention is the property owner's responsibility. Mr. Miller asked if he had to get an engineer. The Board, Mr. Martin, and Ms. Dotson felt that it was in Mr. Miller's best interest to have an engineer because the rules have changed recently and are stricter. Ms. Dotson express concern about the garbage removal and that it is never a good idea to put a road on organic matter. Mr.

Miller was reminded that this was an informal discussion and that if he wished to pursue this project, he would need to file an application for fill and any waivers he was seeking. A board decision would be needed for permit and waivers; no need for a public hearing.

8. Public comment: Dr. Kelly brought up a discussion about signs in Fort Montgomery on projects that the board had previously worked on. Mr. Rider expressed that this was a healthy discussion but if the project is finished then it is really an enforcement issue.

Mr. Hunter made a motion to adjourn. Mr. Dyroff seconded the motion. Vote: 5 in favor and 0 against.

Meeting adjourned at 7:46 P. M.

Respectfully submitted,

Christina Smith