

**DRAFT: 6/19/14**

**MINUTES OF THE  
TOWN OF HIGHLANDS PLANNING BOARD  
May 15, 2014**

A regular meeting of the Town of Highlands Planning Board was held in the Town Hall, Highland Falls, New York, on Thursday, May 15, 2014, at 7:00 P. M.

**THERE WERE PRESENT:**

**Board Members:**

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

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

**ALSO PRESENT:** Jay Samuelson, P.E. (Engineering Properties), Frank Riccardi, (Architect, Fort Fitness), Janet Suchanye, Fort Fitness, Dave Tonneson, and Ned Kopald.

**The Regular Meeting was called to order at 7:00 P. M. by the Chairman with the Pledge to the Flag. It was noted that all members are present, and there is a quorum.**

**At 7:01 P. M., the Public Hearing was opened.**

**Fort Fitness Site Plan and Special Exception for construction of a 6,000 square foot fitness center located at 2339 U. S. Route 9W, Fort Montgomery, NY (Section 12, Block 1, Lot 1.2, Business Zone)**

The Chairman stated that he was in receipt of the Affidavit of Publication, Affidavit of Mailings, and Affidavit of Posting for this project. He introduced Jay Samuelson, P. E., of Engineering Properties.

Mr. Samuelson began his introduction stating that he had a plan for review for a project located at 1139 Route 9W. It is about a 1.1 acre site. They are proposing a 6,000 square foot fitness center. The building will be located on the center of the site. There will be a “No Parking” fire lane in the front for fire truck access. All of the parking will be on the side and the rear. They are not looking to do any type of curbing to promote storm water runoff. It will be infiltrated to the grass to the greatest extent possible. The Project Architect is here.

Mr. Frank Riccardi, Project Architect, was introduced. He presented the renderings and the stone samples manufactured by El Dorado. They were available for the Public to review. The majority of the building will be metal panels and the color will be the buckskin tan.

The Chairman asked for public comment or comments from the Board. There were no comments at this time.

Department of Transportation review and comment was discussed. Mr. Samuelson has spoken with the local representative of DOT, and sent the plans. He contacted DOT today and received no response. With regard to the curb cuts, Mr. Samuelson stated that if DOT has issues with both entrances, he feels there are two options: 1) To wipe one of them out completely and make it all landscaping in the front; 2) Put one in front of the building to be an exit only for fire trucks just for emergency access to get back out if they had to use the front of the building. He will discuss this with DOT. They are not considering a full access for the second point. They have no issue with making that an exit only on the north side of the property.

Mr. Rider pointed out that the Applicant can consider waiving the timeframe. Mr. Samuelson stated they would have no hesitation with waiving the 62 days, if necessary.

**At 7:09 P. M., a motion was made to Close the Public Hearing.**

**Motion: Mr. Hunter      Seconded: Dr. Kelly      Approved**

**A motion was made to approve the April 17, 2014 Minutes.**

**Motion: Dr. Kelly      Seconded: Mr. Hunter      Approved**

**COMMUNICATIONS**

- Orange County Planning, Spring Land Use Courses (Attended by Dr. Kelly)
- Event by Orange County Partnership
- NYS Legislative Commission on Rural Futures Spring 2014 Issue

**VOUCHERS – April 2014**

**Rider Weiner, & Frankel, P.C.**

General Planning	\$ 74.00
Fort Fitness	462.50

**Garling Associates**

General Planning	\$178.50
Fort Fitness	199.50

The Chairman will submit these vouchers to the Comptroller.

**OLD BUSINESS**

**Fort Fitness Site Plan and Special Exception for construction of a 6,000 square foot fitness center located at 2339 U. S. Route 9W, Fort Montgomery, NY (Section 12, Block 1, Lot 1.2, Business Zone)**

The Chairman spoke with the **Fire Chief** today. The Chief will review this project and the Board will await his report.

The GML reply has been received and distributed to the Board Members. It states a Local Determination. Their Advisory Comments were considered:

- Porous pavement concerns (expense and maintenance)
- Water runoff and infiltration
- Effectiveness of rain gardens
- Flow to lawn areas
- Landscape plan to include street trees and sight distance
- The possibility of using a landscape architect or other qualified professional could be consulted.
- The character of the area

Mr. Samuelson indicated that trees could be added to the outside of the parking lot or the south and east side.

**The Comment Letter from Uday K. Jinabhai, P. E. was discussed:**

- Request for a Fire Flow test – no problem with water
- Parking - adequate
- Dumpster - relocated
- Roof Leaders – on the Site Plan
- Grading and finished floor elevations on Site Plan
- Landscaping – the Board is comfortable with what is proposed
- Lighting – overlap
- NYS DOT – awaiting comments
- Erosion and Sediment Control Plan – Applicant will add items
- Sewer line fitting
- Water service/supply
- Erosion Control measures completed
- Swales
- Sidewalk ramps need clarification

**The Comment Letter from Leslie Dotson was discussed:**

- Hours of operation will be based on client requests
- Magnetic Cards are to be used
- Health emergency contact when building is unstaffed
- Perhaps an on-call contact
- Staffing – prime time hours
- Cameras will be at the Applicant's home
- Insurance carrier will have stipulations
- Lighting plan – dumpster area unlit
- Landscaping plan – Korean Spice Viburnum grows tall and quickly
- Signage
- Lighting to be on concrete pedestals

The Chairman thanked the Applicant for the visuals he provided and for having Frank Riccardi, Project Architect here for this meeting.

**NEW BUSINESS - None**

**Informal Appearances**

**Corbin Hill Access – Amended Site Plan**

Mr. Dave Tonneson is here tonight to let the Board know at what point they are with the revisions and modifications for their approval.

- Changed entryway created more things to be done
- Landscape Architect consulted to modify his plan
- Concerned purchaser about not having access to Route 9W
- They have submitted plans on the new Entrance Only to DOT
- DOT approved and will send letter with stipulations, including signage, no parking, fire zone
- Feels the DOT approval would be a good step to take for the Board's approval
- Will have all plans ready for the June 19, 2014 meeting
- Stormwater Prevention Plan requirements will apply
- An Amended Site Plan will require a GML Referral
- Will reduce traffic on Cherry and Franklin Streets
- Right-of-Way confirmation will be required
- The existing Approval will expire in June 2014 – can it be further extended?
- The Applicant has not meet all of the conditions in the prior approval
- An extension is needed with the Applicant's request

**A motion was made to approve the formal request from the Applicant for a six (6) month extension to complete the items and make a presentation at the June 19, 2014. This extension to expire in December 2014.**

**Motion: Dr. Kelly**

**Seconded: Mr. Hunter Approved**

Dr. Kelly noted for the record that she had suggested making it a one-way entrance.

**Fort Storage – Accessory structure – Mr. Roy Hannawalt – Not present.**

**Homeland Towers**

The Chairman has a letter from the Attorneys for Homeland Towers to the Town. They have a current proposal for a telecommunications tower. This Board made a Positive Declaration on it in reference to community character and the visual impact. Homeland Towers has been investigating alternative sites throughout the town.

Mr. Rider explained that Homeland Towers has made inquiries to the Village and the Town as to leasing two Town owned sites, the DPW site and the old Town Garage on Firefighters Lane.

**Further discussion included:**

- One tower is 100 feet and the other is 110 feet
- Preliminary work has been done but details have not been provided
- Emergency Services/Zoning concerns
- Balance of Interest Test usually done by host municipality
- There have been no documents submitted
- No decisions made
- Town Board is discussing the two sites
- Applicant appearing at Town Board Meeting May 19, 2014
- Cell towers go through the zoning process
- Town Board is aware of the purview of the two Boards and is sharing communications submitted to them from Homeland Towers
- This Board sent a letter to the Zoning Board of Appeals indicating they declared a Positive Declaration
- The Town Board Liaison will continue to communicate and attend meetings

**PUBLIC COMMENT - None**

**At 8:35 P. M., a motion was made to enter into Executive Session regarding a Personnel Matter.**

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

**At 8:45 P. M., a motion was made to end the Executive Session.**

**At 8:46 P. M., a motion was made to adjourn the meeting.**

Respectfully submitted,

Fran DeWitt, Recording Secretary

**The next Regular Planning Board Meeting is  
Thursday, June 19, 2014**

**Workplace Violence Prevention Training was held at the conclusion of the meeting and was presented by Chairman Erik Smith**