

APPROVED: 6/18/15

**MINUTES OF THE
TOWN OF HIGHLANDS PLANNING BOARD
MAY 21, 2015**

A Regular meeting of the Town of Highlands Planning Board was held in the Town Hall, Highland Falls, New York, on Thursday, May 21, 2015, at 7:00 P. M.

THERE WERE PRESENT:

Board Members:

Erik Smith, Chairman
Cathy Kelly, Deputy Chairman
Terry Holt
Chris Dyroff
John Hunter – Arrived at 7:04 P. M.

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

ALSO PRESENT: Lynn Edsall, David M. Zigler, P.L.S. (Atzl, Nasher & Zigler P.C.), Nichole Bernicker, Mark Lavinski, and Dean Walko.

At 7:00 P. M., the meeting was opened with the Pledge to the Flag. It was noted that all Members are present and there is a quorum.

A motion was made to approve the March 19, 2015 Minutes.

Motion: Mr. Holt Seconded: Mr. Dyroff Approved

COMMUNICATIONS

- A letter from Orange and Rockland relating to work done in easements.
- A GML reply on the 320 West 254 Street, LLC Site Plan and Subdivision (Section 7, Block 1, Lot 1.1). The County had no advisory comments; local determination.

OLD BUSINESS - None

NEW BUSINESS

Edsall Amended Site Plan (Bed and Breakfast) 12 Rivercrest Road, Fort Montgomery (Section 9, Block 2, Lot 12 R-1-R Zone)

Consultant David M. Zigler, of Atzl, Nasher & Zigler, P. C. introduced himself to the Board. They submitted a map and the application with a narrative for this project. A short EAF was completed. A discussion included:

- An existing 3 bedroom house converted to a B & B.

- No change in the building footprint.
- No additions.
- A larger deck and patio were completed.
- There are a sufficient number of parking spaces.
- End of a private driveway (turnaround).
- Does meet Code requirements.
- Frontage on plan is on a private driveway.
- Looking from direction

Application and plans provided to the Consultants by the Chairman.

The Planner submitted a Comment Letter. The Engineer stated that everything was fine with the septic system.

The Attorney was consulted concerning the frontage. He stated that this is not a concern for this property.

Comments by Ms. Dotson, Planning Consultant

- Bed and Breakfast establishments are provided for as a special exception use in the Business district with site plan approval.
- Using same driveway as the existing B & B.
- Requirement of owner-occupied to be noted on the map.
- Parking spaces sufficient.
- Special exception permit criteria met.
- Septic system meets the number of occupancy.
- Signage appropriate.
- Masonry wall and chain link fence encroachment is a private matter.
- Need for Orange County Planning Department referral.

A motion was made to hold a Public Hearing for this project on June 18, 2015.

Motion: Dr. Kelly Seconded: Mr. Hunter Approved

The Chairman also noted that the **Comprehensive Plan** includes and encourages a Bed and Breakfast.

Mr. Sigler will submit a note on ownership and service that was done on the septic to the Board.

Walko Site Plan (Addition to existing Single Family Dwelling), 12 Bridge Terrace, Fort Montgomery (Section 15, Block 3, Lot 1, R-1-R Zone).

Mr. Walko has received the necessary variances from the Zoning Board of Appeals for this project. He presented a Site Plan and pictures to the Board for review. A discussion included:

- Has received necessary variances from the ZBA.

- A permanent garage will be connected to the house with a breezeway.
- Site Plan in place.
- Drainage is good.
- Nothing being disturbed.
- Has footings and slab to put in.
- Reviewed by the Planner and Attorney
- Will hook up to municipal water at the appropriate time.
- Existing well will remain.
- No concerns were expressed by the Board.
- A visual improvement for the area.
- A Public Hearing is required.
- A GML is required.

A motion was made to hold a Public Hearing for this project on June 18, 2015.

Motion: Mr. Hunter Seconded: Mr. Dyroff Approved

BOARD MATTERS

Escrow Fees:

The Chairman stated that the Comptroller has expressed interest in increasing the initial \$750 escrow amount for projects. A review was done on past projects, and the amount of \$1,200 was suggested.

A motion was made to recommend that the Town Board increase the initial escrow amount for projects that fall under the purview of the Town Planning Board to \$1,200.

Motion: Mr. Hunter Seconded: Mr. Dyroff Approved

Sewer Plant Capacity

A discussion was held on an E-mail dated April 27, 2015 between Robert Held, Sewer Plant Operator, and John Hager, Building Inspector concerning the sewer plant capacity.

Ethics Forms

The Chairman handed out the Ethics Forms to those members that had not completed them.

Joint Meeting of Town and Village Planning Boards

The Chairman was not at the previous month's meeting. The Board was represented by Dr. Kelly. The Board will continue to participate and be represented by the Chairman and other members of the Board.

PUBLIC COMMENT

Nichole Bernicker, 1376 Route 9W. She asked about the correspondence received by the Board concerning the GML on the 320 West 254 Street that was noted at the beginning of the meeting.

The Chairman explained that the Board is required to submit the plans to the Orange County Planning Department to ask for comments on this project. The GML reply indicated the project is for local determination, meaning that it is this Board's job to make decisions on the project.

He also told Mrs. Bernicker that the Applicant has not appeared before this Board in the last two months and nothing has changed.

At 7:30 P. M., a motion was made to adjourn the meeting.

Motion: Mr. Hunter Seconded: Mr. Holt Approved

Respectfully submitted,

Fran DeWitt, Recording Secretary

**The next Regular Planning Board Meeting is
Thursday, June 18, 2015**

The next Joint Meeting of the Town and Village Planning Boards will be held on Wednesday, May 27, 2015, at 7:00 P. M., in the meeting room at the Village of Highland Falls Village Hall, 303 Main Street, Highland Falls, NY 10928.