

**APPROVED: 12/17/15**

**MINUTES OF THE  
TOWN OF HIGHLANDS PLANNING BOARD  
NOVEMBER 19, 2015**

A Regular meeting of the Town of Highlands Planning Board was held in the Town Hall, Highland Falls, New York, on Thursday, November 19, 2015, at 7:00 P. M.

**THERE WERE PRESENT:**

**Board Members:**

Erik Smith, Chairman  
Cathy Kelly, Deputy Chairman  
Chris Dyroff  
John Hunter  
One (1) Vacancy

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

**ALSO PRESENT:** Mathew J. Sickler, P.E. (McGoey, Hauser and Edsall Consulting Engineers, D.P.C.), Tom Armstrong, Stephen R. Miller, Surveyor, (Badey & Watson Surveying & Engineering, P. C.), and Justin E. Dates (Maser Consulting).

**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, with one (1) vacancy.**

**A moment of silence was held honoring former Board Members Frank Fey and Terry Holt.**

**A motion was made to adopt the Minutes for June 18, 2015.**

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

**COMMUNICATIONS:**

Communications transmitted to Board Members from the Chairman through emails.

**OLD BUSINESS**

**Trans-Hudson Management Corp. Site Plan and Special Exception (Section 11, Block 1, Lot 36.2), Route 9W, Fort Montgomery.**

Mr. Justin Dates, of Maser Consulting, presented modifications to the sketch plan that had previously been presented to the Board. They included:

- Prior application was 1,800 Square foot Dunkin Donuts
- DOT looking for only one entrance to Route 9W
- Having a sewer connection to the town
- Site is in Town's Water District #2

- Met with Jim Hager and Robert Held to show proposed re-route of sewer
- Sent plan to Al Fusco, Town Engineer
- One building mounted sign and one along Route 9W
- Also provided full landscape and lighting, stormwater pollution plan
- Stormwater Pollution Plan required since it is over an acre
- Handed out a rendering of Dunkin Donuts site
- Route 9W elevation on the north side next to parking
- Exterior façade treatments- fiber cement
- Canvas awnings over windows
- Height just over 21 feet
- Met with DOT in August, Traffic Analysis is being done at this time

The Chairman stated that the previous plan showed a single Dunkin Donuts and approval was given. This is vastly different, a big deviation of original plan. Now it will have two entities.

**The Comment Letter from the Engineer was discussed, with Matthew J. Sickler of McGoe, Hauser and Edsall and included the following:**

- Traffic Study, DOT meeting
- DOH approval of water, with details to be worked out with the Town
- Fort Montgomery Fire District to be asked to comment
- Sewer Main relocation requires DOT and DEC approval
- RCP pipe to be identified
- Sign location
- Grease traps to be external
- Pump station should be depicted
- Size of water service lines
- Water line is on the east side
- Retaining walls in excess of 4 feet require a Building Permit due to height
- Sidewalks – additional access ramps should be added
- Filtering
- Stormwater pollution prevention plan (SWPPP)
- Erosion control application
- Curve numbers
- RCP function clarification
- Cross walks – DOT conversation needed

**The Comment Letter from the Planner, Leslie J. Dotson, of Garling Associates, was discussed and included the following:**

- Significant changes to original plan
- Concern about lack of bail-out through the drive through
- Concerns about stacking
- Traffic study archeologically sensitive area
- Waiving of the transitional side yards, and residential side yards
- Utility placement with reference to Corbin Hill

- Supplemental plantings a possibility
- Easement for sewer lines
- Dumpster enclosures highly visible, need screening
- Signage is appropriate meet Code standards
- Send to OC Planning Department
- 911 Numbering

The Board discussed the signage for the project. The Chairman suggested that perhaps it could be made of wood not vinyl.

The lighting will be LED, 20 feet high, well below the Corbin Hill development. Mr. Dates showed the lighting on the sketch.

Regarding the second user, to be a restaurant tenant, there are no prospects at this time. They will need to go through the Building Permit process, including an amended site plan that will have to meet all Code requirements.

**A motion was made for this Board to Declare Lead Agency for this project.**

**Motion: Mr. Dyroff**

**Seconded: Dr. Kelly**

**Approved**

At this time the Board and its Consultants will proceed with the GML and work with the Applicant concerning the other relevant matters.

**The Applicant will work on the following:**

- Contacting the Fire District
- Address DEC concerns
- Awaiting traffic study by DOT
- New Renderings
- Providing sign examples

### **NEW BUSINESS**

#### **Armstrong 2 Lot Subdivision, 14-16 Montgomery Road, Fort Montgomery, NY (Section 15, Block 3, Lot 50)**

Mr. Steve Miller, Surveyor from Badey and Watson, representing Tom Armstrong, spoke about the 2 Lot Subdivision on Montgomery Road, in Fort Montgomery owned by Mr. Armstrong. The parcel is approximately 27,000 square feet with two (2) existing dwellings, both serviced by town water and sewer. The proposal is to divide the parcel into two pieces so that each house is on its own lot. There is an existing gravel driveway which provides access from Montgomery Road to the two dwellings on Mr. Armstrong's property as well as a third dwelling on property next to Mr. Armstrong. We are proposing to include a 20 foot wide common driveway easement for the benefit of all three lots, pending subdivision approval. There is no proposed construction; it is merely a division of lands to accommodate the situation with the existing dwellings.

Lot 2, the rear lot, will have no frontage on a town or county road which would require a 280A variance from the Town.

**The Comment Letter from the Planner, Leslie J. Dotson, of Garling Associates, was discussed and included the following:**

- Referencing the Town Board’s Resolution of March 14, 2005, the Board was authorized to approve ODA subdivisions and to make determinations under Town Law Section 280-a.
- Common Driveway, including the gravel stub to be specifically addressed.
- Driveway easement to include maintenance repair and replacement of the water and sewer lines servicing the three dwellings.
- Chain link fence.
- It is an Unlisted Action and is ready for OC Planning Department submission.

The Easement Agreement to be prepared by Mr. Miller and reviewed by the Board.

**A motion was made declaring this project as an Unlisted Action under SEQR.**

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

**A motion was made to hold a Public Hearing for this project on December 17, 2015.**

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

**Noted for the Record, the Chairman’s Mother has done some recent work for Badey & Watson.**

**BOARD MATTERS**

1. Budget

The Chairman prepared the regular budget but noted that he was asked to do a projected budget for a Consolidated Planning Board Budget.

2. Consolidation

There does not seem to be much progress on the Consolidation.  
Number of members on a Consolidated Planning Board.

3. Code Revision

The consolidation workshops have not been held as of late. There has been no response from the County.

4. Vacancy

Since Consolidation does not seem imminent, the vacancy should be filled.

5. The Chairman went to Orange County Planning Federation Training on November 4, 2015. Robert Freeman, from the NYS Committee on Open Government gave the address. He answered FOIL questions, meeting questions, information on Executive Committee Meetings, and situations where Board Members are together discussing matters.

**PUBLIC COMMENT - None**

**At 8:56 P. M., a motion was made to adjourn the meeting.**

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

Respectfully submitted,

Fran DeWitt, Recording Secretary

**The next Regular Planning Board Meeting is  
Thursday, December 17, 2015**