

APPROVED: 1/21/10

**MINUTES OF THE
TOWN OF HIGHLANDS PLANNING BOARD
DECEMBER 17, 2009**

A regular meeting of the Town of Highlands Planning Board was held in the Court Room, Town Hall, Highland Falls, New York, on Thursday, December 17, 2009, at 7:00 P. M.

THERE WERE PRESENT:

Board Members:

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

M. Justin Rider, Esq. (Rider, Weiner & Frankel, P.C.)
Paul Pelusio, P. E. (J. Robert Folchetti & Associates)

ALSO PRESENT:

Councilwoman Laurie Tautel, Councilwoman-Elect Holly Gokey, John Hager, Building Inspector, John Bennett, Nick Rockwell, Marian Rockwell, Perry Spacone, Curtis Conklin, Michelle Hydock, Michael Paruolo, Gregg Lawless, and John J. Blanc, Jr.

The meeting was called to order at 7:00 P. M. with the Pledge to the Flag. It was noted that there was a quorum with all members present.

At 7:01 P. M., the Public Hearing for Special Exception and/or Site Plan S11 B1 Lot 25, B Zone Approval for Rockwell was opened.

Mr. Rockwell stated that one of the garage bays that was used for storage space for a number of years was converted into a customer lounge with refreshments for his motorcycle customers. Mr. Perry Spacone will operate a café there to serve customers breakfast and lunch.

Public Comment began with Laurie Tautel, Perry Spacone's sister, stating that she feels that more businesses in the community will increase the tax base, and will better serve the community, and feels the project is a good idea.

Curtis Conklin feels that Perry Spacone is a great guy, a nice person, and good cook.

At 7:05 P. M., a motion was made to close the Public Hearing.

Motion: Mr. Dyroff Seconded: Mr. Hunter Approved

At 7:06 P. M., the Public Hearing for John Bennett (Subdivision – R-1 Zone/S10 B3 Lot 9) was opened.

Mr. Bennett presented to the Chairman the notarized paperwork required for the mailings for the project. He stated that it is a straightforward subdivision located at 120 Canterbury Road in Fort Montgomery, of about 3.1 acres of property, with two building lots with one house on each lot.

There was no Public Comment.

At 7:07 P. M., a motion was made to close the Public Hearing.

Motion: Mr. Dyroff Seconded: Mr. Hunter Approved

At 7:08 P. M., the Regular Meeting was opened.

Approval of the November 16, 2009 will be deferred until the January 21, 2010 meeting.

VOUCHERS – October 2009

Rider, Weiner & Frankel, P.C. (Attorneys)	
General Planning	\$210.00
Hannawalt (Weyant Road)	122.50
Hudson Highlands	143.63
Bennett	52.50
Rockwell	35.00
Andreichuk	369.40

VOUCHERS - November 2009

Rider, Weiner & Frankel, P.C. (Attorneys)	
General Planning	\$157.50
Hannawalt (Weyant Road)	245.00
Bennett	122.50
Rockwell	534.62
Andreichuk	175.00
J. R. Folchetti (Engineers)	
General	\$ 65.00
Rockwell	130.00
Andreichuk	130.00

The Chairman will submit the signed vouchers to the Comptroller.

COMMUNICATIONS - None

OLD BUSINESS

Rockwell (Special Exception and/or Site Plan S11 B1 Lot 25, B Zone)

The Chairman stated that the plan was in order and asked if the Board Members had any comments. They did not. The Board did not receive the County's reply for the GML referral. This Board cannot vote on this project tonight. The County has 30 days to respond. The project will be on the agenda for the January 21, 2010 meeting.

Gregg Lawless (Site Plan Approval S11 B1 Lot 23)

The Chairman presented two waiver requests made by Mr. Lawless in a letter to the Town of Highlands Planning Board, dated 10/13/09:

“Item #1: Waiver requested not to show any Topographic Mapping on my site plan. As discussed the parcel isn't changing grades, utilities, or changes to impervious surface area.

Item #2: Waiver requested not to show any zoning schedule on site plans. As discussed no building or structures are proposed. Schedule not needed.”

A motion was made to approve the two (2) waiver requests that the Applicant made in his letter.

Motion: Dr. Kelly

Seconded: Mr. Holt

Approved

A discussion was held concerning the screening of the area with the Applicant providing pictures taken at two different times of the rear and side areas of the lot. He provided the pictures for the Board to see a visual of the area. He also stated that the lot is useful to the Town as well.

The Chairman asked about the foot candle lighting. They are shown on the drawing and are existing.

Mr. Pelusio continued the discussion of the plantings taking into consideration their height and location. The Chairman asked the Applicant to provide specs of such plantings. Mr. Rider reiterated that the Board would need to know the area is safe, there is proper access, the lot is not over crowded, proper signage, and that it has proper screening.

Dr. Kelly pointed out that there are 24 spaces marked for car and truck storage, and 8 oversized vehicle storage areas. The oversized area would vary upon how oversized the vehicles were. If the Board put a maximum on the number, the Applicant could request a change in the future.

The Chairman and Mr. Hunter agreed suggesting that details outlining the number of vehicles for the area should be included in the plan. The plan would also have to go the County because of the proximity of Route 9W, and to expect comments from the County and DOT.

A motion was made to circulate a Notice of Intent to Declare Ourselves Lead Agency and to make the proper GML Referral.

Motion: Mr. Dyroff

Seconded: Mr. Hunter

Approved

Dr. Kelly felt the addition of reasonably attractive planters, or a contained ground covering would be a good plan to take care of the weeds in the area.

A list of what the Board would like could be added to the plan, to include a buffer with delineation of what the plantings would be; the lighting; and setting the maximum of 24 and 8 parking spaces.

Mr. Rider suggested the Applicant complete the long form EAF for the project, since the other agencies will want the complete information for the property.

Mr. Hager discussed the signage of the property. The existing sign does not comply with the Code. He felt this should also be addressed, along with the screening. Mr. Lawless plans to move the sign. It must comply with the Code.

Mr. Hager wanted to make the Board aware that the Town Planning Board has recently amended the Abandoned Vehicle Code. It still largely restricts the storage of abandoned and unregistered vehicles. This is type of business that may need a permit. When the Code was written, the Building Department was given the ability to refer to the Planning Board any concerns. It was agreed, that this is not something this Board needs to consider at this time.

A motion was made to set a Public Hearing for Mr. Lawless for January 21, 2009.

Motion: Mr. Holt

Seconded: Dr. Kelly

Approved

The Chairman stated that the Applicant should complete the long EAF form as soon as possible; delineate the type of shrubs and where they will be planted; note the maximum number of 24 car and truck parking spaces, and 8 oversized parking spaces; and have a sign that complies with the Code.

John Bennett (Subdivision – R-1 Zone/S10 B3 Lot 9)

The Chairman pointed out that the Board is not comfortable discussing the project under Old Business since bills have not been paid to date. The Board holds other Applicants to the proper payment schedules. Mr. Bennett explained that he had to travel to Virginia to visit his sick mother. The Chairman stated that the Public Hearing was held, and if the project is paid up, it can be discussed under Old Business at the next meeting.

PUBLIC COMMENT

Mr. Blanc explained that his interest in attending the meeting is that he has learned a lot by coming to the meetings and also going to the County with his maps. It is a learning experience, and he also appreciates all the work done by the Members of the Board.

Ms. Laurie Tautel applauded the Board for their actions. She agreed that the Board is being consistent with each Applicant.

The Chairman indicated that he hoped to plan a workshop for the Board with regard to the 2010 Planning Board Consultants. Mr. Rider indicated that a week's notice would be sufficient for notification of such a workshop, and that notification to the local newspaper would be necessary.

At 8:00 P. M., a motion was made to adjourn the meeting.

Motion: Mr. Dyroff Seconded: Mr. Hunter Approved

Respectfully submitted,

Fran DeWitt, Recording Secretary

The next Regular Planning Board Meeting is January 21, 2010.