

APPROVED: 8/21/14

**MINUTES OF THE
TOWN OF HIGHLANDS PLANNING BOARD
JULY 17, 2014**

A regular meeting of the Town of Highlands Planning Board was held in the Town Hall, Highland Falls, New York, on Thursday, July 17, 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: Hugh Harris, West Point Auto Spa and Lube.

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.

A motion was made to approve the June 19, 2014 Minutes.

Motion: Mr. Holt Seconded: Mr. Hunter Approved

COMMUNICATIONS

- “Planning News” publication – Conference April 12-14, 2015 in Bolton Landing. (Chairman to arrange for all Board Members to receive a copy of this publication).

VOUCHERS – July 2014

Rider Weiner, & Frankel, P.C.

General Planning	\$111.00
Hannawalt – Fort Storage	277.50
Fort Fitness	296.00

Garling Associates

General Planning	\$ 31.50
Fort Fitness	220.50
Hannawalt - Fort Storage	199.50

Recording Secretary

Fran DeWitt	\$ 84.80 – June
-------------	-----------------

New York Planning Federation	\$275.00 - Dues
-------------------------------------	-----------------

The Chairman will submit these vouchers to the Comptroller.

INFORMAL APPEARANCE

Commercial Subdivision, West Point Auto Spa and Lube, 1368 U. S. Route 9W, Highland Falls, NY.

Mr. Hugh Harris, Owner of the West Point Auto Spa and Lube introduced himself.

The Chairman stated that this site it is located on Route 9W, immediately south of Main Street and Nicole's area. There is an existing building and an ancillary building in the rear.

Discussion included the following issues:

- Sewer can be tapped in.
- Leach field to be made.
- Drilling of a new well.
- Rainwater runoff.
- No municipal water.
- There will need to be engineering review concerning sewer tie-ins and water.
- The current use uses a lot of water (carwash).
- Mr. Harris had preliminary plans for the Board to review.
- Total of 16,361 square feet for the new lot line.
- Easements for access to the property.
- Current access.

Access issues:

- Frontage requirements for subdivision.
- Need access through a recognized road to suitable standards.
- Access easements over the property.
- Referral to the Town Board for an open development area.
- The Town Board is the Board that authorizes this.
- Comments from the Planning Board.
- The need for specifications.
- Will require presentations to both Boards.
- The Board will share information to Emergency Services.
- How the access road may be used.
- Restrictions can be placed on the plans by this Board.
- Full plans to be submitted.

Mr. Harris also noted:

- The residence is completely separate.
- There is no need for additional curb cuts anticipated.
- There are two entrances.
- He uses the south entrance.
- The north entrance is the existing entrance; but Mr. Harris does not use it.

- He has an auto repair shop. The whole site is approved for New York State auto repair shop.
- It will now be split off; two separate lots.

From this Informal Appearance, the Applicant will provide information on the following.

- Make a formal Application for a Subdivision and Site Plan for Lot 2, payment of fees. Submit 21 days ahead of the meeting.
- All easements and pre-existing agreements for the Board and Consultants to review.
- Means and Bounds
- GML with the County
- Any restrictions
- Change of easement
- Sewer lines and sewer easements
- Utilities
- Paving
- Agreements for storage trailers and chain-link fencing
- Plan for leach field and for sewer site plan
- Public Hearing
- Need for an Engineer

OLD BUSINESS: - Applicant not present.

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). Applicant not present at this meeting.

At the last meeting the Board verbally discussed an Erosion Control Permit. In most towns that permit covers all the work that will happen. It is the opinion of the Building Inspector that work could occur just based on an approved site plan. Our Erosion Control Law requires having an approved Site Plan. This project's Site Plan had some conditions. The Applicant could not start Site Plan work before receiving the Department of Transportation's approval.

An Erosion Control Permit was issued by the Building Inspector. The Chairman voiced his concerns about issuing this permit. Subsequently, the Building Inspector rescinded the permit.

Mr. Rider concurred with the Chairman adding that there are balancing factors, as in keeping control of the projects, and having work start when it is fully approved.

A letter from the Applicant's Engineer, Mr. Jay Samuelson, dated July 15, 2014, was referred to by Chairman Smith concerning the work that is allowed at this point in time.

An excerpt from said letter:

“As the NYSDOT process is expected to take a significant amount of time, I would respectfully request that my Client be authorized to begin onsite preparations consisting of the following:

- Tree clearing within the limits of disturbance. My office was onsite to flag the limit of disturbance line as shown on the plans to ensure that the trees to remain were clearly delineated.
- General site preparation consisting of grading the site to a “rough” grade per the design plans. Upon completion of the rough grading, the disturbed area will be stabilized with grass seed and hay to promote a grass growth.

“The site will remain in this stabilized growth condition until all other conditions of the final approval are met at which time the planning board can sign the final maps so that my Client may apply for a building permit”

A discussion continued on this project and future projects including clarification as to what work may be done by an Applicant before a Final Approval is granted by the Board.

An emailed letter was also referenced from DOT to the Applicant that the project was part of a new express permit process that has been established for those permits of limited impact. DOT’s concerns included: The number of curb cuts, access, emergency access, driveway profile, and signage.

A motion was made to grant an Erosion Control Permit on this project limited to the items specified in Jay Samuelson, P. E.’s letter, as follows:

- **Tree clearing within the limits of disturbance that have been flagged to ensure that the trees to remain were clearly delineated.**
- **General site preparation consisting of grading the site to a “rough” grade per the design plans. Upon completion of the rough grading, the disturbed area will be stabilized with grass seed and hay to promote a grass growth.**

Motion: Dr. Kelly Seconded: Mr. Hunter Approved

PUBLIC COMMENT: None

At 8:15 P. M., a motion was made to enter into Executive Session, inviting the Board’s Attorney for a discussion in reference to a consultant.

Motion: Dr. Kelly Seconded: Mr. Hunter Approved

At 8:48 P. M., a motion was made to end the Executive Session.

Motion: Mr. Hunter Seconded: Mr. Dyroff Approved

At 8:49 P. M., a motion was made to adjourn the meeting.

Motion: Mr. Holt Seconded: Mr. Hunter Approved

Respectfully submitted,

Fran DeWitt, Recording Secretary

**The next Regular Planning Board Meeting is
Thursday, August 21, 2014**