A regular meeting of the Consolidated Planning Board was held in the Town Hall, Highland Falls, New York, on Thursday, June 15, 2017, at 7:00 P. M.

THERE WERE PRESENT:

**Board Members**
Erik Smith, Chairman
Ed Dunn, Deputy Chairperson
Chris Dyroff
Matt Johnson

Alyse Terhune, Attorney, (Lewis & McKenna)
Leslie J. Dotson, Town Planner (Garling Associates)

**ALSO PRESENT:** Village Trustee Jim Ramus.

At 7:00 P. M., the meeting was opened with the Pledge to the Flag. It was noted that a quorum was present.

A Motion was made to adopt the April 20, 2017 Minutes, as amended.

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

**ADDED NOTE WITH MOTION:**

A Motion was made that the April 20, 2017 Minutes were duly adopted by two Members present and a third Member that is no longer a Member of this Board. Therefore, it was duly adopted by the Members who participated.

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

The Chairman stated that Informal Discussion Notes were taken for the Consolidated Planning Board meeting of May 18, 2017. There was not a quorum for the meeting, and no official minutes were taken.

**COMMUNICATIONS**

- Letter from the Orange County of Public Works asking for notifications if anything in our Town impacts the county road system or county lands.
- Orange County Department of Planning Resources for Board Members.
- Association of Towns schedule for planning and zoning schools for the summer.
- Planner Leslie Dotson is a possible resource for required training for Board Members.
Orange County has begun revisions to their Comprehensive Plan. A link is available for review and input.

OLD BUSINESS

Village of Highland Falls

Church Hill Properties (Old Guard Hotel), 1610 U.S. Route 9W, 111-1-15.422, B-1.

A request has been received for a 90-day extension of approvals for the purpose of finalizing the Developers’ Agreement with the Village. Ms. Terhune stated that there is a new revised plan, and she will send it to the Board Members. Money seems to be the outstanding item.

A Motion was made to adopt the following Resolution granting a 90-Day Extension to Church Hill Properties (Old Guard Hotel), for a 90-Day Extension.

TOWN OF HIGHLANDS CONSOLIDATED PLANNING BOARD
RESOLUTION GRANTING EXTENSION OF FINAL CONDITIONAL
SPECIAL USE PERMIT AND SITE PLAN APPROVAL TO OLD GUARD HOTEL

1610 Route 9W
Applicant/Owner: Robert A. Luster

WHEREAS, on March 23, 2017, the Village of Highland Falls Planning Board, after duly complying with all state and local procedural requirements, and after issuing a Negative Declaration pursuant to the State Environmental Quality Review Act (SEQRA), issued a final conditional special use permit and site plan approval (the “Approval”) to the project known as the “Old Guard Hotel” on property located at 1610 Route 9W in the Village of Highland Falls, more specifically identified on the Village of Highland Falls Tax Map as Section 111, Block 1, Lot 15.42, and;

WHEREAS, pursuant to Village of Highland Falls Zoning Law § 240-27F, the Approval expires within ninety (90) days if the owner of the property (the “Applicant”) fails to apply for a building permit; and

WHEREAS, the Applicant timely requested an extension of the Approval; and
WHEREAS, Local Law No 3 of 2016, duly enacted by the Village of Highlands Falls Board of Trustees, dissolved the Planning Board of the Village of Highland Falls and consolidated the Village Planning Board with the Town of Highlands Planning Board; and

WHEREAS, pursuant to Local Law No. 3 of 2016, the Town of Highlands Consolidated Planning Board assumed all lawful authority vested in the former Village Planning Board as of April 1, 2017, including, but not limited to, the authority to hear and decide land use applications governed by the Village of Highland Falls Subdivision Law and Zoning Law; and

WHEREAS, the Applicant demonstrated to the satisfaction of the Consolidated Planning Board that it has diligently attempted to complete the conditions set forth in the Approval, but has not yet complied with all of the said conditions.

NOW THEREFORE, BE IT RESOLVED, that the Town of Highlands Consolidated Planning Board hereby grants an extension of the Approval from June 23, 2017 to September 23, 2017, or the date of the regularly scheduled September 2017 Consolidated Planning Board meeting, subject to all conditions set forth in the March 23, 2017, resolution of approval.

BE IT FURTHER RESOLVED, that this resolution granting an extension does not authorize the owner to initiate any onsite work with the exception of work duly permitted for the demolition of the existing hotel on the site.

BE IT FURTHER RESOLVED, that pursuant to Village Code § 240-27, this extension shall terminate and the approval shall be deemed to have lapsed on or about September 23, 2017, unless and until the Applicant does one of the following: 1) requests an additional 90-day extension, or 2) applies to the Town of Highlands Building Department for a building permit.

On a motion by Mr. Johnson, seconded by Mr. Dunn, the Resolution was carried by a vote of 4 ayes, 0 nays.
Mr. Allan Bates, Main Street, 105-3-18.22, R-5

A letter has been received from Mr. Allan Bates requesting a 90-day extension/Special Use Permit at North Main Street in Highland Falls. Mr. Loch and Mr. James Denman attended the May meeting giving information to the Board about this project.

A Motion was made to approve the following Resolution granting a 90-Day Extension to Mr. Bates for this project.

TOWN OF HIGHLANDS CONSOLIDATED PLANNING BOARD
RESOLUTION GRANTING AN EXTENSION OF THE FINAL CONDITIONAL SPECIAL USE PERMIT AND SITE PLAN APPROVAL
Applicant/Owner: Allan Bates (a.k.a. Kay & Bates)
205 Main Street, Village of Highland Falls
SBL 105-3-18

WHEREAS, on May 28, 2015, the Village of Highland Falls Planning Board, after duly complying with all state and local procedural requirements, and after issuing a Negative Declaration pursuant to the State Environmental Quality Review Act (SEQRA), issued Kay & Bates final conditional special use permit and site plan approval to the condominium residential development known as “Kay & Bates” on property located at 205 Main Street in the Village of Highland Falls, more specifically identified on the Village of Highland Falls Tax Map as Section 105, Block 3, Lot 18 (the “Approval”), and;
WHEREAS, pursuant to Village of Highland Falls Zoning Law § 240-27F, the Approval expires within ninety (90) days if the owner of the property (the “Applicant”) fails to apply for a building permit; and

WHEREAS, the owner of the property (the “Applicant”) diligently attempted to complete the conditions set forth in the approval, but was unable to do so for good cause shown and was timely granted several extensions of said Approval by the Village of Highland Falls Planning Board; and

WHEREAS, the Applicant timely requested an additional extension of the Approval; and

WHEREAS, Local Law No 3 of 2016, duly enacted by the Village of Highlands Falls Board of Trustees, dissolved the Planning Board of the Village of Highland Falls and consolidated the Village Planning Board with the Town of Highlands Planning Board; and

WHEREAS, pursuant to Local Law No. 3 of 2016, the Town of Highlands Consolidated Planning Board assumed all lawful authority vested in the former Village Planning Board as of April 1, 2017, including, but not limited to, the authority to hear and decide land use applications governed by the Village of Highland Falls Subdivision Law and Zoning Law; and

WHEREAS, the Applicant demonstrated to the satisfaction of the Consolidated Planning Board that it has diligently attempted to complete the conditions set forth in the Approval, but has not yet complied with all of the said conditions.

NOW THEREFORE, BE IT RESOLVED, that the Town of Highlands Consolidated Planning Board hereby grants an extension of the Approval from June 23, 2017 to September 23, 2017, or the date of the regularly scheduled September 2017 Consolidated Planning Board meeting, subject to all conditions set forth in the March 23, 2017, resolution of approval.

BE IT FURTHER RESOLVED, that pursuant to Village Code § 240-27, this extension shall terminate and the approval shall be deemed to have lapsed on or about
September 23, 2017, unless and until the Applicant does one of the following: 1) requests an additional 90-day extension, or 2) applies to the Town of Highlands Building Department for a building permit.

On a motion by Mr. Dunn, seconded by Mr. Dyroff, the Resolution was carried by a vote of 4 ayes, 0 nays.

Dated: June 15, 2017

TOWN OF HIGHLANDS
CONSOLIDATED PLANNING BOARD

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ERIK SMITH, CHAIRMAN

Hon. June Patterson, Town Clerk of the Town of Highlands, does hereby certify that the foregoing Resolution of the Planning Board was filed in my office on the following date:

_________________________________________________
Signature and Date

Village of Highland Falls

Ms. Harriet Clancy Lot Line Change, 19&23 Eagle Valley Road, 102-6-1&2, R-3

There were no representatives for this project at this meeting.

The Chairman stated that this application would have to be presented to the Zoning Board of Appeals at this point. Board discussion followed.

Items discussed:

- Escrow requirements.
- Plans have been submitted.
- Current easements and property ownership conflicting dates.
- Driveway easement/land transfer.
- Inconsistencies in the plan.
- Short EAF needed for Type II.
- There was an Informal Appearance to the Board, with the Board Members stating what would be needed for their formal application.
- Map needs updating to include easements.
• Comment Letters to be sent to the Applicant, and the ZBA.
• Al Fusco’s Comments to be given to the Board and Ms. Dotson.

A Motion was made to authorize the Chairman to refer this project to the Zoning Board of Appeals, and send all Comment Letters.

Motion: Mr. Johnson Seconded: Mr. Dunn Approved

PROJECT UPDATES

Town of Highlands

West Point Realty

The Chairman summarized the project: West Point Realty is the site of the existing Holiday Inn Express in Fort Montgomery. They appeared and requested a sub-division last year and modifications to the site plan. They submitted a site plan with Special Exception for a 4-story hotel on the new parcel that fronts U. S. Route 9W, and a restaurant. The restaurant would be on the south side of the entryway and the hotel on the north, adjacent to Fort Fitness. They received a height variance from the ZBA for the hotel. Multiple Comment Letters were generated. The Applicant now has Dave Getz as the engineer for the project.

Other items discussed:

• Fire Lane.
• Screening.
• Parking.
• Snow storage.
• Visual Assessment.
• Traffic Study.

The Amah project to the ZBA.

Corbin Hill

There have been no new submittals to the Town.

PUBLIC COMMENT - None.

At 7:56 P. M., a Motion was made to enter Executive Session to discuss Consultants and Personnel Matters.

Motion: Mr. Dyroff Seconded: Mr. Dunn Approved

At 8:42, P. M. a Motion was made to return to Regular Session.

Motion: Mr. Dunn Seconded: Mr. Dyroff Approved
A Motion was made to make the following appointments:

Planning Board Attorney – M. Justin Rider (Temporary)
Planning Board Secretary – Clarissa Scarano Marvin
Deputy Chairperson – Edward Dunn

Motion: Mr. Johnson    Seconded: Mr. Dyroff    Approved

At 8:44 P. M., a Motion was made to adjourn the meeting.

Motion: Mr. Dyroff    Seconded: Johnson    Approved

Respectfully submitted,

Fran DeWitt, Recording Secretary

The next Regular Meeting is scheduled for Monday, July 20, 2017.