

The secretary states there were 18 letters sent and 8 received back return mail and there was no correspondence.

Jeff proposes that we add a condition for approval is that the taxes are paid up and asks if there are any comments from the board regarding this. The Town Attorney states that it is a condition that the building department usually reviews. It is decided not to make this a condition for the planning board.

Motion to open Public Hearing: Tim McKenna Seconded: J.T. Vogt All in favor.

The chairman asks if there are any questions from the board. There are none. The chairman then asks if there is any public comment. There is none.

Mr. Afzali asks if we reviewed SEQR. Part 1 had been reviewed but not Part 2.

Motion to declare the Planning Board as the Lead Agency for purposes of this application.

Motion: Tim McKenna Seconded: Steve Bott

Mr. Afzali then reviews the criteria of the SEQR Part II. All responses for each criteria was no by all members of the board. The attorney then moved on to SEQR Part III.

Motion to confirm that there will not result in any significant adverse effects:

Motion: Tim McKenna Seconded: Frank Monteleone All in Favor

Mr. Afzali then confirms that the board has issued its determination of significance is negative declaration and that there will no preparation of DEIS required and the SEQR process is complete.

Motion to approve subdivision: Tim McKenna Seconded: Steve Bott All in favor.

Application #6-2024 - Eldred Preserve – 1040 State Route 55, Eldred, NY

Section 4.-1-3.1

Represented by James Bacon

Plans to build spa on their premises.

Chairman asks if there is any correspondence which there is none.

Mr. Bacon asks about the 239 comments from the county but it is confirmed it had been discussed at the planning meeting in June.

Motion to open Public Hearing: Tim McKenna Seconded: J.T. Vogt

Secretary reads the public notice:

Please take notice that the Planning Board of the Town of Highland will hold a Public Hearing pursuant to Section 190 of the Town of Highland Code on the application #6-2024 of The Eldred Preserve for approval of subdivision of property to build a Spa on the property identified as Town of Highland Section 4 Block 1 Lot 3.1.

Said hearing will be held on the 24th day of July 2024 at the Eldred Town Hall, 4 Proctor Road, Eldred, NY at 6:00 PM, at which time all interested parties will be given an opportunity to be heard.

The secretary states there were 15 letters sent and 4 received back return mail and there was no correspondence.

The chairman asks Mr. Bacon to summarize their plans again. Mr Bacon explains that this spa is being built on the Eldred Preserve property and they are going to build a spa to service their guests. The total acreage of the

Eldred Preserve is 38 acres and they are going to subdivide a portion of that acreage for the spa. The chairman then explains that Kenneth Ellsworth, our Town Engineer has reviewed these plans and will discuss his findings. Mr. Ellsworth reviews his findings. He states that there is an easement for access to this lot and there are utilities that will be going to this lot that are from the parent lot. He confirms the easements are fine and will be filed with the county so that if the lot is ever sold they will have access to this lot through the parent lot. He then goes on to say that the same is true for the utilities and there needs to be a mechanism in place that defines the second lot can be serviced from the utilities from the parent lot, that it is generally from the transportation corporation but feels if there is another legal way to do it, that is okay. In addition, he states that according to the plans, this will not generate any additional people on site or any more patrons and that the customers will come from the people staying there. The engineer report, though, indicates that 50% of the customers may come from the public who are not staying at the hotel and an additional 8 employees will be employed. His questions is regarding parking. They needed 186 spots and they have 190 which is 4 extra. He wanted to see if there is a way to indicate if additional parking is needed. He goes on to talk about the access road which is currently gravel and wanted to know if this is going to be paved or it will stay gravel. He feels it should be paved. In addition, he questioned the width of the access road and if there is two way parking. The chairman asks Ken about roads for emergency vehicles. Mr. Ellsworth states there are roads there for emergency vehicles but they are not paved. Mr. Ellsworth's recommendation is to pave the access road up to the loop. He states that the health department needs to be involved with the extension of the water and DES needs to be involved with the extension of the sewer and feels the treatment plan is sufficient size to handle this spa.

The chairman asks if there are any comments from the board. There are no comments. The chairman then asks if there are any comments from the public.

Public Comments:

1. Sherie Krist at 793 State Route 55 asked if this spa will be available to people living in the town or is it just for the hotel guests. Mr. Bacon states that it will be available to the public when there is excess capacity.
2. Joan Silna at 1040 State Route 55 states that they the spa is first for the guests³ but if it is not filled, the public can have access to it.
3. Gibson McKean – next door neighbor to the Eldred Preserve at Mount Hope Turnpike. He states that he is very much in favor of this. He feels that it would enhance the place for the guests and will help the town in general including taxes and employment. He feels that many people from this town uses the spa at Woodloch Pines and this will be very handy.

The chairman states that while we wait for some questions to be addressed, that we keep the public hearing open until such time when that information has been received and reviewed. The chairman informs them that they will be placed on next month's agenda. Mr. Bacon confirms that they will have the information ready for the next meeting on August 28th. Mr. Dan Silna confirms that the entry road to the spa will be paved. Mr. Silna states that the only reason they are subdividing the property is due to IDA requirements and they have no intent to sell this as a separate property. Mr. Silna asked if there is a time frame after they are approved to start building and the chairman confirms that as far as the planning board, they can start immediately after approval.

A discussion ensues regarding the SEQR and it was discussed this was done when the hotel was first built but the short form of the SEQR will be done when they move to approval.

They discussed the planning board to be the lead agency. A motion is made for this.

Motion: Tim McKenna

Seconded: J.T. Vogt All in Favor

Mr. Bacon asks if the DEC responded to the issue of the notice of intent to the lead agency. There seemed to be a misunderstanding that the letter of lead agency was to be done back in May. The secretary stated that this will be done immediately and will be back in time for the next meeting.

Application #11-2024- Steven Rodrigues – 110 Split Rock Road, Barryville
Section 22.-2-11.1

Represented by Steven and Mindy Rodriguez
110 Split Rock Road, Barryville

The applicant is presenting for approval for a Short Term Rental

The applicant states they would like to use their home as a short term rental when they are not using it.

Motion to open Public Hearing: Tim McKenna

Seconded: Steve Bott

Secretary reads the public notice:

Please take notice that the Planning Board of the Town of Highland will hold a Public Hearing pursuant to Section 190 of the Town of Highland Code on the application #11-2024 of Steven Rodriguez for approval of a ShortTerm Rental on the property identified as Town of Highland Section 22 Block 11 Lot 1. Said hearing will be held on the 24th day of July 2024 at the Eldred Town Hall, 4 Proctor Road, Eldred, NY at 6:00 PM, at which time all interested parties will be given an opportunity to be heard.

The secretary states there were 10 letters sent and 8 received back return mail

The chairman asks if there is any correspondence and the secretary states there were 2 pieces of correspondence. The secretary states one was in favor and one was opposed to this application. The chairman states these will be available on the website with the meeting minutes.

The chairman asks if there are any comments from the board. Tim McKenna asks if they received any answer from their HOA regarding the short term rental. Mr. Rodriguez states he has not.

The chairman then asks if there are comments from the public.

Public Comment:

1. Kathy and Anthony Goffredo states they are opposing this application due to safety concerns. She states that they don't feel safe with renters with the short term rentals. They have written a letter which will be included with the meeting minutes.

A discussion ensues where the chairman explains that the planning board follows the town codes to make our determination. The HOA is a separate entity and the board does not supersede the HOA requirements. He further explains that if the HOA has an issue it is up to the HOA to deal with it.

Mrs. Goffredo states that her son also lives there and has written a letter opposing this application which will also be included with the meeting minutes.

2. Joseph Krist at 793 State Route 55 asks why we make a decision knowing that the HOA has an issue with. He feels we waste a lot of time on something we know will be stopped.

The chairman explains that it is not our jurisdiction and that there are many instances where other agencies have their requirements or rules but it is not our oversight to look at those and know what they will or will not do. We look at our town codes and make a determination based on that.

3. Norman Sutherland begins to talk about a complaint he submitted to the code office. The chairman explains this is not relevant to this public hearing and that we should move on.

An issue was discussed regarding the garbage problems. Mindy Rodriguez states that they are only renting when they are not there but take care of their home and will not let any issues like garbage become a problem.

Motion to close public hearing: Tim McKenna Seconded: Frank Monteleone All In Favor.

Mr. Afzali states that SEQR Type 2 is not required.

Motion to approve: Frank Montelone Seconded: Steve Bott All in Favor.

New Business

Application #12-2024 – Paul Starkman and Cheryl Wayne – 154 Mail Road, Barryville, NY

Represented by Paul Starkman and Cheryl Wayne.

The applicants are presenting for approval of a Short Term Rental

The applicant explains they have 5.6 acres on Mail Road. They explain they have a property manager who will take care of everything when they are not there. They have 4 bedrooms, 3 bathrooms, finished basement, a TV room, den and a 2 car garage. The insurance is intact and the fire inspection is scheduled for next week. It was confirmed that the blue 911 sign is there.

The chairman schedules a public hearing for this applicant for August 28th, 2024.

The board asks that external pictures are sent prior to the next meeting.

Old Business:

Application #5-2022 Camp Fimfo – Catskill (Kittatinny) –

Represented by Alexander Betke, Attorney & Caren LoBrutto Engineer

Informational review to discuss the DEIS prepared for the Camp Fimfo project. Comments from planning board members, Town Engineer, NPS and the Upper Delaware Council regarding the DEIS report will be reviewed.

The chairman asks if there is any correspondence. The secretary states there were 2 letters which will be made part of the meeting minutes and available on the website.

The chairman recaps that we received the draft environmental study, we reviewed it and have had a workshop meeting on July 16th to discuss this document. The members from Camp Fimfo were there as well as Keystone, the UDC and NPS to review these documents and provide their comments.

The town attorney explains that the next step for the board is to determine whether or not the applicant's DEIS is adequate for acceptance. Comments were compiled which Camp Fimfo needs to review and either adopt them in its entirety or if it is outside the scope to strike them. The applicant will take the comments and either 1. They will adjust the DEIS to incorporate some of these things, 2. Written responses as to why something is outside the scope or 3. Answer that comment but they feel it does not apply in the DEIS. The board cannot generate new issues or topics but can only review that the responses are adequate until we get to a place that the report is adequate and is ready for public review. At that point, we will accept the report as final and then it will be the public's turn to provide comments on the final DEIS. At that point, the applicant and the board will take those comments and provide a final environmental statement.

A discussion ensues to clarify what Mr. Afzali outlined.

Motion to adopt these comments: Tim McKenna Seconded: J.T. Vogt. All in Favor.

Mr. Afzali then explains the next step is that we need to provide an official copy to the applicant and then the applicant can tell us how long they will need for their response. The applicant's response is in written format and then sent to us and made part of the record.

The chairman explains that we have provided these comments and are available to everyone and will be part of the minutes. The chairman asks if there are any comments to mail it to:

Planningboardzba@townofhighlandny.com

Link to view Camp Fimfo information

<https://chazen.sharefile.com/public/share/web-s8cf9c28578824e10bc529bf7b4800a27>

Next Planning Board Meeting is August 28, 2024

Motion to close the meeting:

Motion: J.T. Vogt Seconded: Frank Monteleone All in Favor

The meeting closed at 6:59 PM