

Town of Highland  
Planning Board Minutes  
April 17, 2024

Chairman Jeffrey Spitz calls the meeting to order at 6:00 PM

Pledge of Allegiance

**Attendance:**

Jeffrey Spitz	Present
Frank Monteleone	Present
JT Vogt	Present
Steve Bott	Present
Tim McKenna	Present
Alternate	Ted Knuetter - Present
Board Secretary	Helene Hoffmann- Present
Town Attorney	Steve Mogul- Present
Code Enforcement	Chris Watson- Present

Chairman states that the meeting is being recorded with a new AI program – OtterAI

**Announcements:**

- Chairman introduces Helene Hoffmann as the new planning and zoning board secretary as well as secretary of the code office.
- Chairman introduces second alternate Ted Knuetter

Motion to approve the March 27, 2024 Meeting Minutes

Motion: JT Vogt                      Second: Tim McKenna

All in favor

Motion to approve minutes from Special Meeting on April 2, 2024

Motion: Steve Bott                      Second: Frank Monteleone

All in favor

**Correspondence**

General Correspondence from Christine Martin, EDC representative from the Town of Highland. She was inquiring about the Town of Highlands new special use permit for short term rentals.

**Public Hearings:**

**Application #1-2024 – Kimberly Marin & Michael Popoloski – Section 20.-1-4.12**

Represented by Kimberly Martin

Read by secretary that 8 letters were sent certified and we received 7 back.

The applicant is requesting to use their property as a short term rental. Fire inspection completed. It was found that the tree house structure on the property was unstable. The Code enforcement officer , Chris Watson, approved fire inspection with the stipulation that this structure would be secured with yellow tape around it. Pictures were provided by applicant showing that this was done. This was reviewed and asked these pictures be placed in the applicant's file.

Jeffrey Spitz asked for a motion to open this public hearing.  
Motion: Tim McKenna                      Second: Steve Bott  
All in favor.

Chairman asked if there are any comments from the public regarding this application.

Myra Rappaport voiced concerns regarding regulations for Airbnb and short term rentals for noise, garbage removal and fires. She asked if there are regulations from the town regarding this. It was explained by the chairman that there are provisions in place that when someone comes up for their annual operating review, a search is done for any violations prior to renewal and will not be renewed in this instance.

Joseph Krist voiced concerns regarding putting up the yellow tape around the tree house structure versus making sure it is removed or fixed prior to issuing approval for a short term rental. He felt this will set a precedent going forward that other applicants will use to get approval for their applicants siting this as an example. The board explained that each case is reviewed individually and that the structure in question would have to be inspected. The board explained that the answer to this is better enforcement of laws.

There was a reminder by the Chairman to the applicant that it is quiet time between 10:00 PM and 7:00 AM.

Motion to approve application for short term rental  
Motion Tim McKenna                      Second: Frank Monteleone  
All in favor

Motion to close public hearing  
Motion: Tim McKenna                      Second: Steve Bott  
All in favor

**Application #2-2024 – Jeremy Nachbar& Courtney Deri – Section 18.-1-1.6**

Represented by Jeremy Nachbar

Applicant is asked to state his name and to remind the board about the application. Applicant is applying for a short term rental. The secretary stated that 9 letters were sent out certified and 7 were received.

Jeffrey Spitz asked for a motion to open this public hearing.  
Motion: Tim McKenna                      Second: JT Vogt  
All in favor.

Chairman asked if there were any questions or comments from the public. None were asked.

Motion to approve application for short term rental  
Motion Tim McKenna                      Second: Steve Bott  
All in favor

Motion to close public hearing  
Motion: Tim McKenna                      Second: Frank Monteleone  
All in favor

**Application #3-2024 – Steven Scharf – Section 7.-1-39**

Represented by Kirsten Ey

Read by secretary that 22 letters were sent certified and we received 2 back.

Applicant was asked to submit a special use permit for short term rental due to the fact that s a non-owner occupied residence. Application was submitted and approved. It was confirmed that the fire inspected was passed and the emergency blue number sign was posted. There is to be a follow up on the fire inspection.

Jeffrey Spitz asked for a motion to open this public hearing.  
Motion: Tim McKenna                      Second: JT Vogt  
All in favor.

Barbara Kube asked questions regarding garbage removal issues. Chris Watson, CEO responded that on the application, one of the areas that has to be answered is garbage removal and every short term rental has to identify who's going to be removing the garbage and so we do have that person's name if there is an issue or a problem, etc. He further stated that if the owner could not be reached, then they certainly can get in touch with the code enforcement officer and find out who the person responsible for the garbage removal is and to be able to contact them. Again, there was a reminder to the applicant, that there is quiet time between 10:00 PM and 7:00 AM.

Motion to approve application for short term rental  
Motion Tim McKenna                      Second: Steve Bott  
All in favor

Motion to close public hearing  
Motion: Tim McKenna                      Second: Steve Boot  
All in favor

**New Business**

**Eldred Preserve Informal review of site plan**

Represented by James Bacon

Mr. Bacon explained that they wanted to take 2 acres of their property to build a spa with 7 treatment rooms. Dan Silna, owner, elaborated on these plans for the spa. The board asked about parking and was told that they plan to use existing parking. The capacity of the facility was questioned and it was indicated that there would be a total occupancy of 14-16 total as there are 7 units in addition to employees that are working there. In addition, they indicated it will be open to the public but the priority reservations will be given to the people staying at the resort. They were told by the board to go forward and apply. They were told that all plans are to be sent 10 days before the next meeting

**Application #5-2024 Studio 55 LLC Site Plan Review Section 12 Block 6 Lot 12**

Represented by Nonna and Jeffrey Hall

The main issue discussed was the building of the 2 apartments and that the fire protection is an issue that will need to be addressed and approved. Parking spots were also discussed and it was calculated that 7-8 parking spots will be needed factoring in the capacity of the studio and the living quarters. Chris Watson, CEO, reported what he found... The upstairs apartment was discussed since over the years it has been an apartment and then turned into a storage space for the machine shop that owned it prior. Applicant was told they will need a special use permit for the apartments.

Tm Gottlieb, engineer, was questioned regarding the fire protection and the septic as well as the parking. He was asked to add that onto the engineer drawings. The exterior lights were discussed and the signage which will be 3 x 3 which falls under the size requirement in the town codes. A county form 239M will need to be sent due to the county road. This will be sent by the secretary. g

Motion to approve public hearing

Motion: Steve Bott                      Second JT Vogt.

A public hearing was approved for May 22, 2024 at 6:00 PM.

Applicants were told they will need to submit an escrow check in the amount of \$500.

Motion to close meeting at 7:00 PM

Motion: JT Vogt                      Second: Steve Bott