

Town of Highland
Planning Board Minutes
January 25, 2023

Chairman Norm Sutherland calls the meeting to order at 7:00PM.

Pledge to the Flag

Chairman states the minutes are being recorded.

Attendance: Norm Sutherland - Chairman
JT Vogt - Co Chair
Jeffrey Spitz
Steve Bott
Tim McKenna
Board Secretary: Monica McGill
Town Attorney: Michael Davidoff (absent)
Code Enforcement: BJ Gettel

Motion to approve the November 30, 2022 Meeting Minutes:
Motion: Jeff Spitz Second: Tim McKenna
All in favor

Ken Ellsworth (Keystone Associates) Town Engineer attended via Zoom

Correspondence: Email from Lindsey Kumath (Introduction as Superintendent for the UDC)
Letters received from the public (concerns Camp-Fimfo) will be posted on the website.

Code Officer BJ Gettel does a presentation for the Short-Term Rental Application. The secretary will attach a copy of the application/checklist with the minutes. All Short-Term Rentals will be reviewed within 48-72 hours. The Short-Term Rental Fee covers the public hearing, fire inspection, and the permit from code enforcement. Each permit is good for one year, and must be renewed annually.

NEW BUSINESS

Application #1-2023 Ronald Walborn Short Term Rental

Mr. Walborn owns a cabin at 437 State Route 55 Eldred NY 12732, and he has submitted all the necessary paperwork needed to move forward.

Motion to schedule a public hearing on February 22, 2023 at 7PM for Application #2-2023 Ronald Walborn (STR):

Motion: Steve Bott Second: JT Vogt

All in Favor

Mr. Walborn is instructed to contact the code enforcement office to schedule a fire inspection, which has to be completed before the public hearing. If the fire inspection is not completed the public hearing will be cancelled and rescheduled until Mr. Walborn obtains the fire inspection.

Mr. Walborn is also instructed that the (911) numbers must be blue to stay in conformance with the town and they are to be posted at the entrance of the driveway.

Application #2-2023 River Holding LLC Site Plan Approval

Mr. John Pizzolato and Mr. Roswell Hamrick are in attendance for River Holding. They have purchased the D & R Service Station located on State Route 97 Barryville NY, and have opened it as a taco stand and bar. They are asking the board to approve a site plan.

The site plan presented is not to the satisfaction of the board, and incomplete. They are asked to obtain a new site plan done by a licensed engineer in order to move forward with the application. They will also need to apply for a Special Use Permit in regards to the change of venue of the original business. There is also concern that the cider license they have does not cover the new venue. When they have what is needed to move forward, they can be placed back on the agenda. Tim McKenna is concerned about the two entrances to the business and would like the county to review. Mr. Hamrick explains that the food is not prepared on site of the new business, but brought over from the Stickett Inn and kept warm. They said that the code officer Jim Hanson visited the site and witnessed all that was happening there. Mr. Hamrick explains that their agricultural/cider license covers them for the new business, but BJ Gettel explains that the cider license is for the Stickett Inn only located at 3380 State Route 97, Barryville NY. When Mr. Pizzolatto and Mr. Hamrick provide all the necessary documents, it will then be reviewed not only by the board, but Ken Ellsworth (town engineer), the UDC (Upper Delaware Council), the DEC (Department of Environmental Conservation), and Sullivan County form 239M. The application was put on hold so that the Chairman, the board, the Town Engineer, and the Town Attorney could discuss on how to move forward.

Cannabis

NYS has passed the cannabis act and the Town Board has submitted the zoning for this act for Planning Board review. The board will review the paperwork and send their comments to the Town Board. The new zoning in regards to the cannabis act was the town's zoning consultant LaBerge located in Albany NY. Jeff Spitz states that we need to adhere to NYS regulations and policies. He also has concerns about the number of dispensaries in the area. Jeff Spitz requests that this law is for dispensaries only and not farms. Laura Burrell also has questions regarding hours of operation, and how many dispensaries will be allowed.

OLD BUSINESS

Application #5-2022 Camp-Fimfo Catskills Site Plan Review

A video presentation of the parking area was shown. Although this is not a public hearing, questions were heard from the following:

Christine Martin, Pione Raby, asked how many parking spaces will there be?

Caren LaBrutto (representative for Camp Fimfo) states there are a total of 285 parking spaces with 160 on the campsite side of the campground and the remainder on the river side for canoe customers. This will answer Andrew Valenti's question on safe crossing for pedestrians to the river. The river side parking will be for guests wanting to go on the river for the day, and there will also be a river check in service on the river side. The DOT (Department of Transportation) has stated in their report that there will be no change in the traffic.

Norm Sutherland states that the current plan submitted for the month of January 2023 will be sent to the National Park Service for review, due to a change in staff they will need to be brought up to speed.

Mr. Ken Ellsworth will submit his final review for the February 22, 2023 meeting in regards to Camp-Fimfo.

Norm Sutherland states that the monthly meeting will be held at the Eldred High School until a decision on Application #5-2022 has been made.

Motion to close the meeting:

Motion: Jeff Spitz

Second: JT Vogt

All in favor

Meeting adjourned

Checklist for Short Term Residential Rental Permit

(To be submitted with application)

- Description of Property: Single Family Dwelling
- Boundaries: Renters shall be made aware of property boundaries and no trespassing signs clearly Posted unless a fence not any taller than 8ft encompasses the property
- Character: Short term rental may not adversely affect the residential character of the neighborhood. I.e., Not allowed to display a sign for advertising, generate noise, vibration, glare, bright lighting, odors or other effects that negatively interfere with another person's enjoyment/ peace of their property.
- Fire safety Inspection: Must pass in order to receive an Operating Permit. Operating permit to be posted in a window facing the roadway.
- Garbage: Arrangements are for the timely disposal of trash and will be managed in **a way** to reduce the risk of littering and odor. Location of dumpster (if you have one) and type of screening.
- Insurance: Proof of insurance form for transient occupants and commercial rental.
- Lighting: Not Intrusive to neighbors.
- Location: 911 address sign posted at the entrance of the driveway. Renter made aware of owner contact information and address.
- Management Plan: Indicating emergency contact information, management company name and contact information, garbage company name and contact information, snow removal com any name and contact information, lawn mowing company name and contact information, copies of any rules given to the renter, how are you mitigating noise, lighting, garbage, parking, etc.
- Maximum Occupancy: Two guests per bedroom plus 2 additional permitted.
How many bedrooms. ____ _
- Noise: Mitigation measures.
- Parking: # of vehicle permitted, _____
- Pictures: Show all (4) sides of the short-term rental(s)
- Property Maintenance: The property **will be** maintained in a neat and clean manner. Lawns to be mowed and landscaping to be maintained. No garbage strewn throughout the property.
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Smoke/ Carbon
Monoxide Detectors:

Signed affidavit received to the presence of the required amount.

Snow Removal:

Arrangements are for the timely removal.

Survey:

Showing existing features , including structures, accessory structures, significant natural and man-made features, streets, utility easements, rights-of **ways**, land **use**, etc.

Zoning District:

If mixed commercial / dwelling, site plan review is required.