

Town of Highland
Planning Board Minutes
March 27, 2024

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

Pledge to the Flag

Chairman states the minutes are being recorded.

Attendance:	Jeffrey Spitz	Present
	Frank Monteleone	Present
	JT Vogt	Present
	Steve Bott	Present
	Tim McKenna	Present

Board Secretary:	Vacant
Town Attorney:	Steve Mogel
Code Enforcement:	Absent

Motion to approve the February 28, 2024 Meeting Minutes:
Motion: Tim McKenna Second: Steve Bott All in Favor

Attachment to January 24th minutes. Counsel, Steven Barshov, for Yeshive Ohr Shrage Veretzky/211 Mail Road submitted a request to planning board to clarify the January minutes to reflect that the Town of Highland Planning Board referred the application to the ZBA for interpretation. Language to be added as an addendum to January meeting minutes.

Motion: Frank Monteleone Second: Tim McKenna All in favor

Attachment included

Announcements:

- Monica McGill resigned as Planning Board Secretary, town is interviewing for a replacement
- Moment of Silence to recognize William "Bill" Worzel's passing and his previous role on the planning board and lifelong Town of Highland Community member.
- April 16th at 6pm will be at ZBA meeting where 211 will appear in front of them at town hall.
- April 16th at 7pm is the 10 year comprehensive planning public meeting where the comprehensive plan process will be discussed, as week as the topic of housing at the high school.
- April 17th at 6pm will be the next planning board meeting, a week earlier due to religious holiday.

Application #3-2024 Steven Scharf- 298 Lakeview Drive

Represented by Kirsten Ey

The applicant is requesting to use their property as a short term rental. Fire inspection complete and emergency blue number sign posted. Reviewed application, insurance included.

Property is on a less than a 15% slope, non owner occupied residence.

Town attorney stated that due to its being a non-owner occupied home it requires a special use permit to be a short term rental. Applicant is to consult the code and complete the application for special use permit, which is available on town website.

Applicant to complete SUP application and submit fee. Application will be placed on April 17th agenda and post for a public hearing provided documentation is submitted by April 7th. Code enforcement to be notified.

New Business:

Eldred Preserve informal review of site plan – Applicant cancelled on March 25th, request to appear in front of board and will reach out should they request to attend the April meeting.

Application #4-2024 Guillermo Morales Sub Division- Represented by Caroline Akt

Town attorney notified board of a conflict of interest and subsequently is unable to represent the town on his application for both Planning and ZBA Boards.

Applicant is requesting to sub divide tax lot Section 11 Block 1 Lot 35.1. Maps submitted. Currently 16 acres, wanting to subdivide into a 10 acre, 5 acre, and 1 acre non buildable parcel with a gate and entrance way. 2 houses on property. Application will be forwarded to ZBA to request a variance for the less than 1 acre non buildable lot. Counsel needs to be appointed for this application for both planning and ZBA.

Application #5-2024 Studio 55 LLC Site Plan Review/Special Use Permit (550 State Route 55)- Section 13. Block 6. Lot 12

Jeffrey and Nonna Hall presenting

Correspondence received from Linda Smith in support of project.

Requesting to operate a pottery studio, retail and gallery space and 2 apartments. Will have pottery classes, a store, gallery and 2 apartments on second floor. Parking spots- 6 currently available, looking to add an additional 4. Changing use and 1 apartment into 2. Applicant to contact DOH to determine if approval is needed. Water and environmental tests done, to submit documents.

Due to change of use and a mixed commercial residential dwelling requires a special use permit and site plan review is needed. Refer application to Fusco for review. Refer to County for 239M review who has 30 days to review and respond. Fees to be collected and letters to neighbors to be sent. Full application needed. Possibly schedule a public hearing for site plan and special use for May meeting. Site plan review items to discuss at public hearing include, but not limited to: parking spots including ADA, traffic, access, circulation, exterior lighting, signage, impact to neighbors, staffing, hours of operation, and storage, water, well and gas.

Old business:

Application #45-2023 Andrew Kinsey STR 89 Split Rock Road

Correspondence received March 24th, a letter of support from Steven Rodriguez. Mr. Kinsey presented Pyne Ayre association rules and regulations and specifically highlighted, "It shall be the responsibility of the member to assure that all of the rules contained within the association's governing documents are adhered to by the member and any of their tenants, guests, invitees, lessees, sub lessees or any other individual whose presence on the property of the member or the association was with the consent of the member.

As property is owner occupied and is on a less than 15% slope, no special use permit needed. Discussed hot tub and proper electrical connection and disconnect.

Town attorney noted that based on the above rules from HOA and that there is nothing in the current short term rental laws that would, under these circumstances, that would give the planning board discretion to deny it.

Motion to approve the STR application: Tim McKenna, Second: Frank Monteleone

Roll call vote:

Steve Bott- yes

JT Vogt- no

Frank Monteleone- yes

Tim McKenna- yes

Jeff Spitz- yes

Motion carries.

Public comments: None

Motion to close meeting: JT Vogt Second: Steve Bott