

Town of Highland  
Planning Board Minutes  
August 28, 2024

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

Motion to open the meeting

Motion: Dave Pietkiewicz                      Seconded: Frank Monteleone    All in Favor.

Chairman states that the meeting is being recorded.

As a reminder while this meeting is open to the public to watch, unless there is a public hearing with comments specific to that hearing, there are no conversations, comments or questions from the public.

**Attendance:**

Jeffrey Spitz - Chairman		Present
Frank Monteleone – Vice Chairman		Present
JT Vogt		Absent
Steve Bott		Absent
Tim McKenna		Present
Alternate #1:	Dave Pietkiewicz	Present
Alternate #2	Ted Knuetter	Present
Board Secretary	Helene Hoffmann	Present
Town Attorney	Steve Mogul	Present
Code	Chris Watson	Present

Pledge of Allegiance

Motion to approve the July 24, 2024 Meeting minutes

Tim McKenna states he feels that the meeting minutes from July 24, 2024 were not complete regarding the Eldred Preserve lead agency issue. When the chairman read that line from the minutes and asked Tim McKenna what he is requesting to add/change, Tim stated that it was okay.

Motion: Frank Monteleone

Seconded: Tim McKenna

The chairman explains that we will have a new process for the minutes. We will be revising it where the written minutes will reflect the application, decisions and any motions but if there is a public hearing then we will state who made any comments. We will then be taking the audio recording and will post that onto the website. We need to work through some IT issues to make sure about the bandwidth on the website but that may not happen right away so anyone who would like to request it can do so without a FOIL.

The chairman also reviews the new process we will be using for applications in the future. He then reviews these changes in detail regarding new forms and processes we will be using. Dave Pietkiewicz asks for some clarification and Jeff reviews this for him. New application and letter to applicants attached.

Planning Board Contact Information:

Email: [planningboardzba@townofhighlandny.com](mailto:planningboardzba@townofhighlandny.com)

tel: [845-557-8203](tel:845-557-8203)

The chairman asks if there is any general correspondence. The secretary replies that there was one letter from the Delaware Riverkeeper regarding Camp Fimfo which will be posted with the minutes.

**Public Hearings:**

**Application #12-2024 – Paul Starkman and Cheryl Wayne – 154 Mail Road, Barryville, NY  
Section 21 Block 1 Lot 5.2**

Represented by Paul Starkman

The applicants are presenting for approval of a Short Term Rental. The applicant reviews the details of the house and property management.

Motion to open Public Hearing Tim McKenna

Seconded: Dave Pietkiewicz All in Favor

Public Notice is read by the secretary:

*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 #12-2024 of Cheryl Wayne & Paul Starkman for approval of a Short Term Rental on the property located at 154 Mail Road identified as Town of Highland Section 21 Block 1 Lot 5.2. Said hearing will be held on the 28th day of August 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.*

Number of Letters Sent: 17

Number of Return Receipts Received: 12

Public Comment:

John and Dorothy Curry state that they have a concern about renters having no respect for other neighbors properties, noise and hunting. These issues were discussed.

Motion to close public hearing: Tim McKenna

Seconded: Dave Pietkiewicz

Dave asks if there is any stipulation that can be made regarding hunting on the property and Steve Mogul reviews the legalities on this. It was suggested that maybe the application should incorporate these restrictions in their packet to the renters.

Motion to approve: Frank Monteleone

Seconded to approve: Dave Pietkiewicz

**New Business:**

**Application #13-2024 – Julius Robinson – 3512 State Route 97**

**Section 27 Block 7 Lot 5.1**

Represented by Julius Robinson

The applicant presents for a special use permit. Mr. Robinson would like to construct a shelter storage structure and mounting system for a small scale solar energy system. Mr. Robinson reviews his plans for a multi-use accessory structure. The chairman questions the solar energy system that was included in the application. Mr. Julian states he is not ready for that yet and will come back before the board when he is ready. He is told he will need a site plan review for the solar at that time. The current application is to be amended to remove solar system plans at this time. The mechanical drawing of the planned building is questioned and discussed and it was determined that the town code requires a drawing signed and stamped by an engineer, surveyor or architect and the board does not have the jurisdiction to overlook this. The chairman explains that the application will remain open and that Mr. Robinson should submit new plans 10 days before the next meeting and will be placed on next month's agenda if these plans are received in time.

**Application #14-2024 – The Hamlet Dream 3364 State Route 97**

**Section 28 Block 11 Lot 5**

Represented by Victor and Vanessa Mendes

The applicants present for a special use permit and site plan review for a mixed commercial and residential use. The applicants review their plans and what their renovations include. They have submitted a site plan, a survey, architect drawings and the environmental assessment form. Chris reviews the issue regarding a fire separation of the commercial and residential uses. Any concerns and details are brought up and discussed. There are no issues but the chairman asks them to fill out the form outlining the criteria of the application and

to have it at the next meeting. A copy is given to the applicants. The chairman asks that they are prepared to discuss all details of the apartment, i.e.. separate entry, etc at the public hearing. The attorney confirms the SEQR is completed. Therefore, the board feels we can schedule a public hearing. The chairman asks the applicants to work with the secretary regarding escrow and public hearing details. In addition, the secretary needs to submit a form 239 to the county.

Motion to schedule Public Hearing:

Motion: Tim McKenna

Seconded: Dave Pietkiewicz 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. The secretary reads a letter from Andrew Boyar in favor of the Eldred Preserve.

The chairman states the public hearing is still open and asks if anyone from the public have any comments. There are none. He then explains that Ken Ellsworth, our Town Engineer, was unable to attend the meeting and he did not have the electronic version of the requested documents until late today. Mr. Ellsworth did not have time to review the documents yet, but he commented that he would recommend the board consider conditional approval upon final approval of technical engineering and if there are any questions to ask Ken. The chairman opens this up to the board.

Frank Monteleone reviews the questions about the dam and presents a letter from Warren Shaw from the DEC and reads this letter. A copy of this letter is given to James Bacon, Dan Silna and Christina Zolinski who is their engineer and they will review it and if they will make sure they are in compliance. Mr. Silna reviews the issues with the dam and ensures they will get an engineering assessment done and will be in compliance no matter what it takes. The letters for lead agency were discussed and there were no objections to have the planning board as lead agency. Ms. Zolinski reviews the issues with the county comments from the 239 form and states they are being addressed. A review of the SEQR is done.

Vote on a negative impact:

Motion: Dave Pietkiewicz

Seconded: Tim McKenna All in Favor

Motion to close the public hearing:

Motion: Tim McKenna

Seconded: Dave Pietkiewicz All in Favor

A conditional approval is given with the following conditions:

1. Technical engineering working with Ken Ellsworth
2. Easement language to work with the town attorney

Motion to approve the Spa

Motion: Dave Pietkiewicz

Seconded: Ted Kneutter All in Favor

**Other Business:**

The chairman states that at 2:25 PM today Camp Fimfo submitted their revised DEIS study. We have 30 days to review it and respond. The planning board has set up a meeting workshop for September 12, 2024 at 6:00 PM at Town Hall to review the submitted info. The link to this response will be placed on the town website for the public to be able to review these comments. The chairman reiterates that this meeting is open to the public but no comments from the public.

Camp Fimo link:

<https://labella-pc.sharefile.com/d-sc3ac0185d87f47ae8b820a774ebb5ff9>

Next Planning Board Meeting is September 25, 2024

Motion to close the meeting:

Motion: Dave Pietkiewicz

Seconded: Frank Monteleone All in Favor

The meeting closed at 7:16 PM