

Village of Ellenville  
Planning Board Commission  
February 17, 2010

Meeting called to order at 7:00 p.m. by Chairman Bowler. Also Present:  
Commissioners Maizer and Steinhoff.

Also present: Village Planner Dan Shuster and Code Enforcement Officer Brian Schug.

Green Earth Holdings – Special Permit-Site Plan Review – 81 N. Main Street –  
Motion by Commissioner Steinhoff, seconded by Commissioner Maizer to open  
the Public Hearing at 7:05 p.m.

All in favor - Aye - motion carried

Mr. Eric Cafaro submitted a revised site plan with changes that Planner Shuster had requested. In addition Mr. Shuster suggested that the planter near the driveway be located closer to the street to stop traffic from entering on that side. Mr. Cafaro responded that he has contacted the DOT and submitted paperwork for permits which include the removal of the curb cut. In the meantime he will move the planter.

There was no public comment at this time.

Motion by Commissioner Maizer, seconded by Commissioner Steinhoff to close  
the Public Hearing at 7:15 p.m.

All in favor - Aye - motion carried

No action taken until the Planning Board receives the County's comments on  
their review.

Paul Westbrook – 16 Clifford Street – Applicant is seeking to re-subdivide three  
existing tax parcels - Tax lots 91.8-4-7, 15 and 16. The three lots all are of  
conforming area (10,000 square feet) but an existing building encroaches on the  
lot line between 15 and 16 while Lot 7 (a through lot from Clifford Street to  
Nevins Street) has less than the required 80 foot width. The proposed re-  
subdivision would eliminate the encroachment but would reduce the area of  
former Lot 7 to 7,186 sq. ft. which would render it a nonconforming lot.

Planner Shuster suggested that Mr. Westbrook change the lot lines to make the  
one non-conforming parcel larger; but Mr. Westbrook explained the rationale for  
the lot lines as he presented. Since a new nonconforming lot will be created,  
Mr. Westbrook needs to appear before the Zoning Board of Appeals to request a  
variance for the lot that is non-conforming in area.

Motion by Commissioner Steinhoff, seconded by Commissioner Maizer to recommend to the Zoning Board of Appeals that they approve the applicant's request for a variance for the non-conforming lot since it will not effect the surrounding properties and it will not have any adverse effects on the neighborhood.

All in favor - Aye - motion carried

Osterhoudt - Excavation and Soil Mining – Mrs. Karen Osterhoudt was before the board tonight to discuss her company's application for a mining permit. Code Enforcer Schug wanted this opportunity to review their application with board members and that the DEC has deemed their application incomplete. Code Enforcer Schug stated that once the permit is accepted; the Planning Board should defer to Department of Environment Conservation as lead agency.

Motion by Commissioner Maizer, seconded by Commissioner Steinhoff to permit Code Enforcer Schug that when the mining application is complete to advise DEC that they will be lead agency on this project.

All in favor - Aye - motion carried

Once the application is complete and accepted the Osterhoudts will come back to the planning board to review their plans and apply for a special use permit.

Alan Eisman – 85 N. Main - Code Enforcer Schug stated that the applicant has applied for a special use permit to have two accessory apartments located on his property under Section §227-28 Paragraph A. Mr. Schug does not believe this is a permitted use and denied Mr. Eisman his request. Mr. Eisman has requested the Zoning Board of Appeals to render an interpretation on this matter and also requested the Planning Board for their opinion.

Motion by Commissioner Steinhoff, seconded by Commissioner Maizer to advise the Zoning Board of Appeals that they agree with Code Enforcer Schug's interpretation that this is not a permitted use.

All in favor - Aye - motion carried

Adjourn – Motion by Commissioner Maizer, seconded by Commissioner Steinhoff to adjourn at 8:05 p.m.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon  
Village Clerk