

Village of Ellenville
Planning Board Commission
May 20, 2009

Meeting called to order at 7:00 p.m. by Commissioner Steinhoff. Also Present: Commissioners Nilo, Zelnick and Maizer. ABSENT: Chairman Bowler, Village Planner, Dan Shuster and Alternate Commission Member, Carolyn Shorter.

Also present: Attorney Peter Berger and Code Enforcement Officer Brian Schug.

APPROVAL OF MINUTES: The minutes of April 15, 2009 were tabled until the next meeting of June 17, 2009.

AROMA THYME BISTRO: 165 Canal Street – Continued discussion regarding the issuance of a special use permit to utilize the second floor as an accessory apartment. Commissioners discussed the motion that had been previously passed by both the Planning and Zoning Boards.

Commissioner Zelnik spoke about alternate means of egress from the building and has a concern with the fire escape and the potential issues regarding liability and aesthetics. Code Enforcer Schug commented that a building permit would not be issued until a fire escape is erected and there was discussion about the color of the fire escape and blending it in to the building. He further stated that the present site plan does not have the actual façade of the building along with a color scheme. Commissioner Zelnik further commented on the possibility of a sprinklered stair (a minimum of three heads connected to domestic water) instead of the fire escape and would like it on record that he is not happy with a fire escape on this building (Note: NYS Building Code does not require a second means of egress for one apartment). Code Enforcer Schug will contact the applicants and request the following before the June meeting:

1. Revise the drawings to reflect color renderings of the east façade of the building to demonstrate actual conditions once the fire escape is attached.
2. The second floor plan on page two should accurately reflect the two projections on the east and south walls.
3. Permission from the Village Board of Trustees for an easement needs to be gained to have the fire escape platform extend

approximately 2.5 feet onto Village property. (***issue of insurance and liability for Village***)

4. The fire exit doors on the first floor currently swing in towards the dining room. Egress doors should be in the direction of travel.
5. A second floor elevation that reflects the new window sizes on the entire floor should be submitted for review.

Excavation and Soil Mining: Continued discussion to finalize revised local law – Commissioners reviewed Dan Shuster’s recommendation that the excavation and soil mining law be redrafted to eliminate inconsistencies with state law (and internal ones as well) and to coordinate the state and local laws as much as possible to simplify procedures and clarify standards. Code Enforcer Schug will contact Mr. Shuster and together with Attorney Berger and Paul Griggs they will draft a proposed law for review.

Adjourn – Motion by Commissioner Nilo, seconded by Commissioner Maizer to adjourn at 8:04 p.m.
All in favor – Aye – motion carried.

Respectfully submitted,

Traci Jeter
Deputy Village Clerk