

Village of Ellenville
Planning Board Commission
October 17, 2012

Meeting called to order at 7:00 p.m. by Chairman Steinhoff. Also present: Commissioners Cafaro, Eisman, Maizer and Rosenstock.

Also present: Alternate Commissioner Elizabeth Hooper
Village Attorney, Peter Berger
Code Enforcer Brian Schug
Village Planner Dan Shuster

Minutes – The approval of the minutes from September 19, 2012 were tabled until next meeting after Commissioners have time to review them.

Auto Zone - 69 N. Main Street – Continued Discussion – Public Hearing

Motion by Commissioner Rosenstock, seconded by Commissioner Eisman to open the Public Hearing at 7:05 p.m.

All in favor – Aye – motion carried

Eric Redding representing Auto Zone brought some of the building materials that will be used on the building.

Planner Shuster stated that he has concerns with the site layout and this project does not adhere or attempt to follow the design guidelines as specified in Chapter 228 of the Code of the Village of Ellenville.

Chairman Steinhoff read the Ulster County Planning Board's comments in reference to this project.

There was discussion about landscaping that would be done along Route 209 and commission members would like to see the building brought forward towards Route 209. Commission members requested a copy of the preliminary comments from NYS Department of Transportation. Also discussed was the signage and Building Inspector Schug reviewed with everyone the regulations for signs in our Village code.

Chairman Steinhoff asked commission members from their comments. Commissioner Cafaro wants the applicant to follow Planner Shuster's comments.

Both Commissioners Rosenstock and Eisman would like to see the business in the Village.

Commissioner Maizer would like more time to review the project.

Attorney Berger stated that once the public hearing is closed the Planning Board has sixty two days to make their decision.

Public Comment – Dr. Paul Lonstein questioned the applicant as to where the dumpster would be placed and suggested that handicap parking be moved to the front of the building.

Motion by Commissioner Cafaro, seconded by Commissioner Rosenstock to adjourn the Public Hearing at 7:30 p.m.

All in favor – Aye – motion carried.

Helen Winer – Rosenstock Road – Logging application – Motion by Commissioner Maizer, seconded by Commissioner Eisman to open the Public Hearing at 7:35 p.m.

All in favor – Aye – motion carried

It was determined that since SEQRA has not been completed. This due to the fact that the project crosses jurisdictional lines and therefore a coordinated review according to SEQRA must be done. Approval of the project cannot take place until SEQRA is completed by both the Town of Wawarsing and Village of Ellenville.

Mr. Evan Nichols, Ron Klein, Helen & Johanna Winer were present tonight to discuss this project. Mr. Nichols commented that the number of trees that will be removed is now less than 100 due to several trees, approximately seven, were removed for safety concerns. The approximate seven trees were leaning towards and endangering the house.

Public Comment – Mr. Gerald Berliner questioned how long the project would take and was told between two and three weeks.

A letter was submitted by Mr. Cipone describing the positive effect healthy forestry practices have on wooded areas.

Mr. Nichols stated that seeding after the trees are removed cannot take place at this time of the year and would have to be postpone until Spring.

Joanna Winer spoke about the trees near their home that have already been taken down and their removal has not caused an increase in water on their property.

Mr. Elliott Auerbach requested a list of property owners who were notified about this Public Hearing and stated that he was not notified. In addition, Mr. Auerbach questioned if this project needs to be reviewed by the Ulster County Planning Board. Mr. Auerbach spoke about his septic system and requested that he receive a surety bond in the event of damage to his property. Attorney Berger responded that the applicant is placing a \$50,000 maintenance bond

for this project. Mr. Auerbach commented that he is putting the Planning Board on notice about his concerns as to the impact this project may have on his property.

Mr. Berliner questioned the amount of truck loads per day and was told two to three per day and a total of fifteen to twenty for the whole project.

This application will be sent to the Ulster County Planning Board for their review.

Motion to Commissioner Eisman, seconded by Commissioner Rosenstock to adjourn the Public Hearing at 8:00 p.m.

All in favor – Aye – motion passed

Schedule Meeting Date for November – Motion by Commissioner Maizer, seconded by Commissioner Rosenstock to schedule the next Planning Board meeting to November 19, 2012 at 7:00 P.M.

All in favor – Aye – motion passed

Review of Proposed Local Law to allow Assisted Living Facilities in the R/O, B-1 and B-2 – Dan Shuster and Building Inspector Brian Schug reviewed with the commissioners a few minor changes that were made to original draft legislation.

Motion made by Commissioner Maizer, seconded by Commissioner Rosenstock to recommend to the Village Board of Trustees the proposed legislation to allow Assisted Living Facilities in the R/O, B-1 and B-2 districts is added to our Zoning laws.

All in favor – Aye – motion carried

Martin/Paul Lonstein – 42-44 Canal Street – Lot Line Change – Applicants are requesting a lot line change between tax lots 28 and 30.1 of block 1 and section 83.69 on Canal Street. Transfer of 1.402 acres from tax lot 30.1 to tax lot 28.

Applicants are proposing the addition of a lot line for Lot #2 and removal of a lot line from Lot #1. Dan Shuster stated that he has a concern with access to rear of the property and if the lot line is placed in another area then the applicant would not have to take down car port as the current layout shows the new line drawn through the car port.

Motion to schedule a Public Hearing was made by Commissioner Maizer, seconded by Commissioner Eisman to be held on November 19, 2012 at 7:00 p.m.

All in favor – Aye – motion passed

770 Development – Sub-division – Knollwood Drive & Westwood Avenue – Building Inspector Schug has been in contact with Mr. Alan Frishman and no further information has been submitted as of tonight.

A motion was made by Commissioner Eisman, seconded by Commissioner Rosenstock before any further review is made that an escrow account for engineering costs be established in the amount of \$1,500.00

All in favor – Aye – motion passed

Adjourn – Motion by Commissioner Cafaro, seconded by Commissioner Eisman to adjourn at 8:45 p.m.

All in favor – Aye – motion passed

Respectfully submitted,

Noreen Dechon
Village Clerk