

Village of Ellenville
Planning Board Commission
March 20, 2013

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

Also present:

Village Attorney, Peter Berger
Code Enforcer Brian Schug
Village Planner Dan Shuster

Minutes – Motion by Commissioner Cafaro, seconded by Commissioner Rosenstock to approve the minutes of February 20, 2013 as presented.

All in favor – Aye – motion carried

Lucky Petroleum – 109-111 S. Main Street – Continued Preliminary Discussion – Site Plan Approval

Mr. Khattar Elmassaleman, P.E., Praetorius and Conrad, and Mr. “Lucky” were before the board tonight to continue discussion their application to combine two adjacent lots (one vacant and one with an existing gas station) to expand the building area and the number of gas pumps.

Mr. Elmassaleman reviewed with board members the revised site plans that included the suggestions made at the last meeting.

First item that was discussed was the proposed gasoline pumps (island) in reference to a pre-existing non-conforming use and the fact that they appear to be the same size as the old one. Also discussed was Section 227-18 (b) that states no fuel pump shall be located within twenty (20) feet of any side lot line nor within thirty five (35) feet of any street line. It was requested that the measurement for the canopy be placed on the site plan.

Commissioner Maizer commented that the dumpster is in a much better site and Building Inspector Schug questioned what materials would be used and suggested the applicant review the Village Code Chapter 137 in reference to building materials.

Also discussed was the “drive thru window” and Mr. Elmassaleman said a decision about this window has not been determined. Commissioner Cafaro questioned the parking on the site for employees and how that would interfere with the “drive thru” and the problems that it would cause. Planner Shuster suggested that the parking spaces be placed perpendicular.

In addition, Mr. Elmassaleman questioned the process and timing of sending his plans to the Ulster County Planning Board. Mr. Shuster asked if the applicant has spoken to the Department

of Transportation about the entrances and exits from this property. In addition it was suggested that the Village's Design guidelines be reviewed by the applicant and to check the Zoning Code which has a checklist for all items that need to be on the site plan. Mr. Shuster stated that the rendering of the building presented needs some architectural details and feels the proposed lighting is too bright and should be reduced to a 20 illumination.

Motion by Commissioner Maizer, seconded by Commissioner Rosenstock to schedule a Public Hearing to discuss the Special Use Permit needed on April 17, 2013 at 7:00 p.m.
All in favor - Aye - motion carried

Motion by Commissioner Cafaro, seconded by Commissioner Rosenstock declaring the Village of Ellenville Planning Board as lead agency the purpose of coordinating SEQRA review and this project is an unlisted action.
All in favor - Aye - motion carried

Once the plan is deemed complete it will be referred to the UCPB for comments.

770 Development – 14 ½ Warren Street - Repair Garage & Used Car Sales – preliminary discussion – Allen Frishman was before the board tonight representing 770 Development to discuss their application. First discussed about the site plan was the condition that six parking spaces cannot to be used since they were part of the approval for their special use permit at 115 S. Main Street leaving the applicant two parking spaces for this proposal.

Building Inspector Schug stated that the building has to be brought up to code before any future use could take place on this site.

Questions that were asked was what equipment would be used on site, would there be dispensing of gasoline, how many repair bays would there be and the number of used cars would be on site? Planner Shuster read the section of the code that distinguishes the difference between a *service garages* vs. an *automobile repair*. One of the major concerns of the board is that this property is surrounded by residential homes.

The zoning of this property was discussed as well as the possibility of the applicant using the back building (barn) for anything other than storage since both buildings are in poor condition and is disrepair. The applicant would need an area variance as well and it was suggested that the applicant hire an engineer to bring the buildings up to code.

The overall consensus of the board was this site is not suitable for what the applicant proposes.

Adjourn – Motion by Commissioner Rosenstock, seconded by Commissioner Maizer to adjourn at 8:20 p.m.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon