

Village of Ellenville  
Planning Board Commission  
May 15, 2013

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

Also present:

Village Attorney, Peter Berger  
Code Enforcer Brian Schug

Minutes – Motion by Commissioner Eisman, seconded by Commissioner Rosenstock to approve the minutes of April 17, 2013 as presented.

All in favor – Aye – motion carried

Lucky Petroleum – 109-111 S. Main Street – Continuation Site Plan Review

Mr. Khattar Elmassaleman, P.E., Praetorius was present at tonight's board meeting. The applicant is proposing to combine his two parcels, build a 5,700 foot building and install an additional six gasoline pumps.

Commissioner Eisman recused himself from this discussion since his property neighbors this site.

Motion by Commissioner Rosenstock, seconded by Commissioner Hooper for the Continuation of the Public Hearing at 7:05 p.m.

All in favor - Aye - motion carried

Mr. Elmassaleman reviewed changes to the site plan as requested by the Board at the last meeting. They are: Closure of the curb cut, a green chain link fence, reduction of canopy lights to 21.4, vacuum unit has been removed; air pump will be placed on the wall and the addition of a handicap ramp as well as the sidewalk expanding to seven feet.

Chairman Steinhoff read a letter from Dan Shuster as follows:

I have reviewed the revised plans submitted by Lucky's Petroleum and find that most of the comments in my letter of April 30 have been addressed. However:

1. The air pump should not be located where indicated in front of the building. It will conflict with parking and store entrances and should be relocated adjacent to the air conditioning units.(Comment B.4.)
2. The question regarding rear store entrances was not answered (Comment B.5).

3. The proposed building façade color schemes appear acceptable. However it would be helpful to review actual material samples.

I believe the application is complete and submission to the Ulster County Planning Board at this time is appropriate.

Also discussed were the attached comments from Barton & Loguidice.

Commissioner Hooper stated the elevation color proposed is loud and would like to see a muted color.

It was requested that the applicant bring the actual samples to the next meeting.

Receipt of a letter from Alan Eisman was read into the minutes:

“I am writing this so as to go on record as having some problems with the current plans. I am not opposed to developing this site but the plans must include a reasonable amount of privacy for my two attached properties 59 & 61 Center Street.

I have a huge investment in these two properties and am afraid that I will be unable to keep renters in these five apartments due to noise and traffic.

There must be an adequate buffer zone 6-9 ft high to help with noise as well as visual coverage. The lights of this new development should also be aimed to not interfere with people sleeping who face this property.

Some additional questions I have are who will control the noise from cars pulling up to pumps with radios blasting in the evening. Currently, with the pumps located on Rt. 209 this is not a problem.

The hours of operation should also reflect that there are residential properties boarding three sides of this development.”

Also there was not a consensus from the board in reference to the color and this will be discussed at the next meeting.

Mr. Eisman would also like to see a six foot fence; but the Village code states the height of fences is forty two inches.

No other public comment at this time.

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

All in favor - Aye - motion carried

Motion by Commissioner Rosenstock, seconded by Commissioner Hooper to forward the site plan from the applicant to the Ulster County Planning Board for their review.

All in favor - Aye - motion carried

The review of the applicant's Environmental Assessment Form will be done after Ulster County Comments are received.

It was suggested that the applicant come to the next meeting with the actual materials for the brick and bluestone.

Commissioner Eisman returned to the meeting at 7:35 p.m.

Simon's Upholstery, LLC – 143 Canal Street – Applicants are Fernando Gregory and Giovanna Velasco – Special Use Permit – To allow occupancy of two accessory apartments and a retail store with light assembly.

Motion by Commissioner Eisman, seconded by Commissioner Hooper to open the Public Hearing at 7:35 p.m.

All in favor - Aye - motion carried

Ms. Tarryn Kamrowski, Architect, representing the applicants reviewed with commission members the site plan. The proposed plan is for the first floor to be used as a showroom with the basement floor being used for light assembly and storage. The furniture that will be made at this building will custom orders only and soundproofing will be throughout the building. A sprinkler system will be installed as well as a dust collection system for collect any particles from sanding. A new door will also be installed on Canal Street that will lead to the basement. Hours of operation will be Monday through Friday from 8:00 am – 4:00 pm. The second floor will consist (if approved) of two apartments for employees each approximately 498 square feet.

There was a concern with dust and chemicals that might be used and it was stated by the applicant that no chemicals will be used and the dust will be contained by a vacuum. Only 10% of the basement will be used for their assembly of the furniture.

There will be No County Impact and no concerns after the site plans were reviewed by the Ulster County Planning Board.

Motion by Commissioner Eisman, seconded by Commissioner Rosenstock to close the Public Hearing at 7:50 p.m.

All in favor - Aye - motion carried

These plans were reviewed by the Historic Preservation Commission about the door being added; however their comments are not binding.

The applicant plans to use the similar colors as the Shadowland Theatre on the Center Street side and will bring samples to the Building Department.

Motion by Commissioner Eisman, seconded by Commissioner Rosenstock to grant approval of the site plan.

All in favor - Aye - motion carried

Motion by Commissioner Rosenstock, seconded by Commissioner Eisman to grant approval for a Special Use Permit to create two accessory apartments on the second floor.

All in favor - Aye - motion carried

Opinion to Village Board in reference to Outdoor Displays -

As per your request for the Planning Board to give an opinion in reference to adding additional language to the Zoning Code in reference to Outdoor Displays:

Motion by Commissioner Eisman, seconded by Commissioner Hooper that the Planning Board does endorse the idea of regulating outdoor displays.

All in favor - Aye - motion carried

Adjourn – Motion by Commissioner Hooper, seconded by Commissioner Eisman to adjourn at 8:15 p.m.

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon  
Village Clerk