

Village of Ellenville  
Planning Board Commission  
February 18, 2009

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

Also present: Attorney Philip Cataldi and Code Enforcer Brian Schug

Marcus/Jamie Guiliano – 165 Canal Street – Motion by Commissioner Steinhoff, seconded by Commissioner Diaz open the public hearing to review the application of said applicant to use and allow occupancy of an owner/operator accessory apartment at 165 Canal Street.

Eric Cafaro, representing the applicant was before the board tonight to discuss the plan for this project. Mr. Cafaro stated that some minor changes have been made on the plan and commented that the porch, located on the second floor, on this plan is not permanent and it will be made part of the living space once completed. On that same side two windows will be installed which will not affect the look of the building. This change is not visible from the street due to the fact that it faces east in the area of the parking lot. There was discussion about a separate entrance to the apartment from the commercial space below that would contradict section 227-28(C) of the zoning ordinance. Section 227-28(c) states that, “no accessory apartment shall have access from or through another apartment or a nonresidential use.”

Mr. Schug stated that to be in compliance with the building and fire safety laws the applicant must demonstrate two means of egress. Mr. Schug also stated that the zoning codes for accessory apartments cannot be from a commercial use. A choice was given that either a conditional approval could be granted with the application in its current condition or if the Zoning Board of Appeals issued an area variance for access from a commercial space. Also needed for conditional approval is the signed agreement from Ulster County Planning Board which gives the local municipality authority to grant final approval with these types of requests.

Mr. Schug requested the board wait until his office receives a complete set of revised plans or the signed agreement from the Ulster County Planning Board. In the past Mr. Schug has had difficulty receiving the follow up documentation and subsequent approved site work that was set forth by the Planning Board. He along with the rest of the Planning Board feels safety comes first since this is an old building and the living space will be above a restaurant.

Motion by Commissioner Steinhoff, seconded by Commissioner Diaz to adjourn the Public Hearing at 7:25 p.m.

All in favor - Aye - motion carried

Design Guidelines – Chairman Bowler reported that his meeting with the Village Board in reference to design guidelines resulted in their request for three basic changes. One is that the Planning Board, not the Zoning Board has the right to approve changes. Second, that the design standards document needs to be adjusted so that applies to all of the zones listed, not just the core business district. For example, it now speaks to two story buildings; where as the districts to which it extends include North and South Main Streets which have one story buildings. The concept is to keep things in line with existing architecture, wherever they may

be. And third, to allow artificial/cultured stone in addition to the other materials listed. The new Village Plaza which was constructed by Sonny Patel utilizes that material and it looks good.

Minutes – Motion by Commissioner Diaz, seconded by Commissioner Steinhoff to approve the minutes of November 19, 2008 as presented.

All in favor - Aye - motion carried

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

All in favor - Aye - motion carried

Respectfully submitted,

Noreen Dechon  
Village Clerk