

Village of Ellenville  
Planning Board  
Minutes  
November, 2008

Meeting called to order at 7:00 p.m. by Chairman Bowler. Present: Commissioners David Diaz and Mark Steinhoff. Also present was Attorney Philip Cataldi, Village Planner Dan Shuster, Code Enforcement Officer Brain Schug.

Richard Parzoch – 143 Canal Street - Mr. Parzoch and Irena Elbaum were before the board tonight with a pre-submission for a special use permit to construct two accessory apartments on the second floor of their building. Planner Shuster reviewed their request and offered the following comments:

Review of Plans

1. Site Plan

- a. The site plan illustrates the building outline but does not depict buildings within 50 feet of the property line as required in §227-126.A.(2).
- b. The site plan does not indicate how the four proposed parking spaces are accessed from the municipal parking lot.
- c. The site plan does not indicate the location of building doors for access by residents or the first floor commercial space or loading areas.

2. Floor Plans and Building Plans

- a. For some reason, the floor plans for each apartment and the hallway are shown separately from each other. However, it was possible to “cut and paste” them together as illustrated on the attached plan, but their location within the total building perimeter is impossible to determine.
- b. A complete plan of the entire second floor was not provided so it is impossible to determine how the remainder of the second floor is used. The area occupied by the two apartments and the hallway is approximately 1,040 square feet although the building foot-print is approximately 8,160 square feet.
- c. A separate bathroom is indicated in the hallway but its purpose is not indicated.

- d. No drawings of the existing building façade are provided nor any proposed façade modifications.

### Issues to Be Resolved

Due to the incomplete status of the plans, it is not possible to determine whether the proposal satisfies certain standards for issuance of a special permit set forth in §227-28:

1. Accessory apartments may not be located on the same floor as any nonresidential use. The use of the remainder of the second floor is not indicated.
2. No accessory apartment shall have access from or through another apartment or nonresidential use. Doorways from each apartment are shown leading to other areas of the second floor.
3. Access to the off-street parking is not defined.
4. Enhancement to the building façade is not addressed.

### Recommendations

The applicant should be requested to attend a pre-submission meeting to discuss the application and address the issues and completeness items set for the above.

It was the consensus of the board that the applicant should present plans that show the rest of the building, show the outside stairway on the plans along with the their proposal for these stairs and the existing small bathroom in the hallway should be removed. In addition the right of way for the municipal parking lot should be on the site plan and Chairman Bowler requested the applicant come back with new plans along with rear façade changes. It was suggested that the smaller apartment (302 square feet) be expanded and this could be accomplished by removing the above referenced bathroom. The current kitchen/dining/living room area is too small. Also landscaping plans should be depicted and the neighboring propane tanks should be moved or removed.

Dorian Lennert-Shank – 6-8 Backman Avenue – request for zoning change. The Village Board received a request from Ms. Shank requesting that her building be rezoned from a B-3 district to an R-3 district and is requesting the Planning Board review this request and give their recommendations. After discussion and review the following motion was made:

Motion by Commissioner Steinhoff, seconded by Commissioner Diaz recommending to the Village Board that the property located at 6-8 Backman Avenue rezoned from B-3 Highway to R-3 Residential. This is because the

current map was prepared from a tax map years ago which included residents 200 feet from the main street in the B3 district.

All in favor - Aye - motion carried

Since this property is within five hundred feet of Route 209, this zoning change recommendation will need to be sent to the Ulster County Planning Board for their review and comments.

H. Osterhoudt Excavating, Inc. – 11 Spring Street – Request for zoning change – The Village Board received a request from the Osterhoudts requesting their property behind Spring Street be returned to its original zoning of R-A. Code Enforcer Schug stated rather than rezoning this area add to the R1A use table mining with a Special Use Permit required. There was discussion that a Public Hearing will need to be scheduled for this change and the Department of Environmental Conservation will be involved during the SEQRA process. They indicated that as part of their mining they would be modifying the rough topography of the ridge to permit better housing development in the future.

Motion by Commissioner Bowler, seconded by Commissioner Steinhoff recommending to the Village Board rather than changing the zoning for the Osterhoudt property, we recommend the R1A use table be modified to include mining and a Special Use Permit will be required.

All in favor - Aye - motion carried

“Used Auto Sales” locations – Mayor Kaplan requested that Inspector Schug place this matter on the agenda as a result of a LDC meeting where an applicant applied for funds for a used car lot. There was concern among the members about having used car lots at the gateways of the Village. It was requested that the Planning Board look at the Village map in general to see where these businesses would be appropriate and furthermore that Attorney Cataldi look into possible legislation overseeing used car lots and to research what zones are now authorized to have used car lots in the Village and to bring this matter up at the next planning board meeting as a concern of the Village Board.

Attorney Cataldi gave to board members draft legislation and the Planning Board requested that Planner Shuster review this legislation and give his comments at December meeting.

Design Guidelines – Chairman Bowler stated that he had invited members of the Historic Preservation Committee to join the Planning Board in this discussion. Present from that committee was Marion Dumond, Ann Bowler and Bryan Zelnick.

A consensus of both boards feel these should be incorporated into the zoning law and Attorney Cataldi commented that these guidelines will have to be presented to the Village Board for their review. It was the also a consensus of

the boards that Planner Shuster and Bryan Zelnick present these to the Village Board. Different items that were discussed was the challenge to look for grants for building facades, did we want to have guidelines on residential properties and that building facades are the most critical guideline that needs to be followed. It was felt that any exterior changes to the building that are visible to the street should be reviewed. Also discussed were financial hardships being defined as cost analysis and these guidelines should apply to all business districts and R-0 district. It will be requested that these guidelines be on a Village Board agenda on January.

Next Meeting Date – December 17, 2008 at 7:00 p.m.

Respectfully submitted,

Noreen Dechon  
Village Clerk