

# City of Port Jervis, New York



## PLANNING BOARD

November 19, 2013

### Attendance

The following Board members were present:

Thomas Vicchiariello, Chairman  
Dan Aumick  
Regis Foster  
William Hubbard  
Donald Schields, Jr.

Board member(s) absent: Michael Cicaese and Ralph Hessberger

Also present: Planning Board Attorney Robert Krahulik, Council Liaison Carl Hendrick, Building Official Wayne Kidney, and Zoning Board Chairman Tim Simmons

Public Hearing(s)—  
Healy Art School  
21 East Main  
SBL: 8-13-5

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21 East Main Street  
SBL: 8-13-5

Home occupation of an art school to allow for up to eight (8) students at a time

Mrs. Victoria Campbell, representing the applicant, stated that the applicant is seeking to have small classes on weekends for college professors and/or art educators who require recertification through New York state. Mrs. Campbell detailed the applicant's request as follows:

- The maximum hours of operation will be twelve (12) hours per day seven (7) days per week.
- There will be a maximum of eight (8) students per class.
- There will be one (1) non-family employee.
- There will be no commercial trucks or traffic as a result of the art classes.
- There is some on-street parking as well as parking in the rear of the property, consisting of an area for one (1) handicap space and four (4) regular spaces.
- There will be no offensive noise or smell as a result of the art classes.
- There will be no exterior indication of the art studio, but there may be a code-compliant sign to indicate the art school.
- The property has a handicap accessible ramp and bathroom.
- There is an eye wash station for emergencies.
- Waste will be disposed of properly.

Mr. Vicchiariello requested Mrs. Campbell and Ms. Healy clarify the specific hours of operation. Mrs. Campbell noted the hours of operation will be 9:00 a.m. to 9:00 p.m.

Mr. Vicchiariello inquired about upgrades to the driveway. Ms. Healy stated that she will be doing upgrades at a later date.

Mr. Vicchiariello reviewed department head comments.

Mr. Kidney asked if Ms. Healy will be submitting a revised site plan. He requested the following items be included: parking spaces, handicap parking with a proper access isle, the location of handicap ramp, location and type of lighting, and location of proposed signage. He added that the spaces by the garage can be included in the number of parking spaces if they do not interfere with the driveway.

**Public Comment given**

Ms. Debbie Raia commented on how Ms. Healy has improved the property and how the classes will bring people to Port Jervis.

Mr. Dan Radtke, a neighbor of Ms. Healy, agreed with Ms. Raia's comments and spoke about how Ms. Healy has restored the property, which has improved the neighborhood and the City.

Mr. Vicchiariello read a letter submitted by Mr. David Bavoso, whose law firm shares a driveway area with Ms. Healy. He was unable to attend the meeting. Ms. Healy commented that she would not use the area of the shared driveway if it would pose a problem for law firm. Mr. Vicchiariello recommended she install an "Art School Parking" directional sign to identify the art school parking, discussed an acceptable location for the sign, and recommended adding it to the final site plan.

Mr. Vicchiariello asked Ms. Healy if she would be making any temporary repairs to the driveway, especially one (1) specific hole that could pose problems. Ms. Healy stated she did not foresee making any repairs before winter. Mr. Vicchiariello encouraged her to consider a temporary repair of this one (1) problem area.

Motion by Mr. Hubbard, seconded by Mr. Foster, to close the public hearing at 7:20 p.m.

**AYE: 5 ABSENT: 2 (CICALESE, HESSBERGER) ABSTAIN: 0 NAY: 0 CARRIED**

**Regular Meeting**

The regular meeting of the City of Port Jervis Planning Board was called to order in the City Hall Conference Room, 20 Hammond Street, Port Jervis, New York on Thursday, November 19, 2013 at 7:00 p.m.

**Approval of 10/17/2013 Regular Meeting Minutes approved**

Motion by Mr. Aumick, seconded by Mr. Hubbard, to approve the minutes of the October 17, 2013 regular meeting.

**AYE: 5 ABSENT: 2 (CICALESE, HESSBERGER) ABSTAIN: 0 NAY: 0 CARRIED**

**Discussion of Public Hearing(s)**

There were no comments by the Board.

Motion by Mr. Aumick, seconded by Mr. Hubbard, to declare the City of Port Jervis Planning Board as lead agency and this application for Healy Art School constitutes an unlisted action under SEQRA with no adverse environmental impact and hereby adopts a negative declaration.

**AYE: 5 ABSENT: 2 (CICALESE, HESSBERGER,) ABSTAIN: 0 NAY: 0 CARRIED**

Motion by Mr. Hubbard, seconded by Mr. Foster, to approve the application with the following items be added to the final site plan submitted for signature:

- Hours of operation be noted on the site plan
- Number of employees be noted on the site plan
- Type of and location of lighting be shown on the site plan
- Number of parking spaces, including handicap parking spaces, be shown on the site plan
- Signage be shown on the site plan
- Handicap ramp be shown on the site plan
- Directional signage be shown on the site plan

**AYE: 5 ABSENT: 2 (CICALESE, HESSBURGER) ABSTAIN: 0 NAY: 0 MOTION CARRIED**

**Pre-Submission(s)**

There were no pre-submissions before by the Board.

**Old Business**

Mr. Krahulik spoke about his discussion with Zoning Board attorney Mr. Fink concerning the new SEQR requirements. He included in the discussion the Board's desire to streamline the process and the complexity of the new forms. He also detailed the advantages and disadvantages for the Board and the applicant, noting a compromise might be beneficial. Mr. Simmons added that he feels both Boards should follow the same procedure for consistency.

Mr. Vicchiariello stated the he feels the applicant should be required to fill out the short form questionnaire. Mr. Krahulik, concerned that applications requiring input from Orange County will be rejected without the short forms, will meet with Mr. David Church, Orange County Planning Commissioner, to discuss this issue and the possibility of developing a standard operating procedure.

Orange and Rockland Utilities, via correspondence, requested to be added to the December agenda for a renewal of their previously approved substation project site plan.

Ellicott Development submitted a request for approval of signage that was not included on the final signed site plan. There are only minor changes. Mr. Kidney noted that the modifications were not included with the packet for the Chairman to sign after the approval in July, but the changes reflect a common signage array used by Rite-Aid Corporation. Mr. Krahulik asked if the railroad logo detailed on the drawing was accurate and/or traditional. Mr. Kidney stated that two (2) are proper but was unsure about the third.

Motion by Mr. Aumick, seconded by Mr. Foster, to approve the signage packet submitted by Rite-Aid.

**AYE: 5 ABSENT: 2 (CICALESE, HESSBURGER) ABSTAIN: 0 NAY: 0 MOTION CARRIED**

**New Business**

No new business was discussed.

**Chairman's Correspondence reviewed**

The Board received an invitation for the Municipal Planning Federation dinner. The cost is \$135.00 per person.

**ZBA Report given**

An application for 24 Erie Street was approved and public hearings were set for 100 Kingston Avenue and 9-9½ West Main Street for the December 3, 2013 meeting.

**Code Enforcement Report given**

No report was given.

**Council Liaison Report given**

Mr. Vicchiariello requested that the Council try to notify the Planning Board of scheduling conflicts as early as possible so that room availability can be addressed.

**Adjournment**

Motion by Mr. Schields, seconded by Mr. Aumick, to adjourn the meeting at 7:50 p.m.

**AYE: 6 ABSENT: 1 (CICALESE) ABSTAIN: 0 NAY: 0 CARRIED**

*The next meeting is scheduled for Tuesday, December 17, 2013 at 7:00 p.m.*

Respectfully submitted by  
*Robyn Hendershot*  
Secretary