

# City of Port Jervis, New York



## PLANNING BOARD

June 21, 2016

### Attendance

The following Board members were present:

Tom Vicchiariello	William Hubbard
Dominic Cicalese	Joseph Butto
Donald Schields	Gerald Oney

Absent: Hank Dunn

Also present: Attorney Michael McCann, Building Official Dave Rivera, Council Liaison Lisa Randazzo, Fire Inspector Mike Reilly, Councilman George Belcher, and Zoning Board Chairman Tim Simmons

Public Hearing  
William Onofry 50  
Fowler Street

**APPLICATION # PB 2016-0005 WILLIAM ONOFRY 50 FOWLER ST.  
SBL: 13-8-16 SITE PLAN DEVELOPMENT FOR A MOTOR VEHICLE REPAIR SHOP &  
AUTO SALES WITH AN ACCESSORY APARTMENT**

Mr. William Onofry, representing Four Brothers Improvements LLC, stated the variance was obtained for an auto repair site. The application is for First Stop Auto to be tenant and operate an auto repair shop.

- Hours: 8am - 6pm, Monday through Friday and 8am - 12pm on Saturdays.
- Dumpster removal offsite/storage inside.
- Tires inside and removed offsite.
- Oil stored in drums inside and removed offsite.
- Proposed contractor to handle carting garbage/waste.
- All repairs performed inside building.
- Separation between residential and commercial business.
- Install or repair the fence.
- No new signage or additions to exterior of building.

Mr. Vicchiariello asked if applicant or tenant was in attendance for the public hearing. Mr. Onofry noted the applicant is in the state of Florida and doesn't know whereabouts of tenant.

Mr. Vicchiariello stated the applicant has brush up the side of building, tires piled outside the building, and many other code violations.

Mr. Vicchiariello asked the following:

- How will exhaust be handled? Mr. Onofry stated they will use ventilation in existence. Mr. Vicchiariello noted there is no ventilation in existence and it's a SEQR issue, the board needs to know how they will exhaust the fumes from cars to be repaired.
- Is owner aware of requirements to bring the auto repair shop to code? Mr. Onofry replied he has been told numerous times.

- Is the floor stable? Mr. Onofry answered it is a code enforcement issue. Mr. Rivera added the building department will handle code issues.

Mr. Rivera requested the applicant seal and restripe the parking lot, fix potholes maintain fixtures and repair sidewalks.

**Department head comments:**

- DPW - snow storage a concern and protection of water meter.
- Police Chief – approved. Emergency contact information must be submitted.
- Assistant Fire Chief stated concerns about trash disposal, waste oil, and hazards stored in the building with a residential tenant above and fire separation issues.
- Fire Inspector comments on file.

Mr. Onofry noted he has made his applicant aware that an approval from the board does not mean the tenant can open up shop. All codes must comply.

**Public Comment**            None.

**Close public hearing**    Motion by Hubbard, seconded by Mr. Cicalese to close the public hearing.  
**Onofry 50 Fowler St**  
 AYE: 6    ABSENT: 1    ABSTAIN: 0    NAY: 0    CARRIED

**Regular Meeting**            Chairman Vicchiariello called the regular meeting of the Planning Board to order in the Council Chambers, 20 Hammond Street, Port Jervis, New York on Tuesday, June 21, 2016 at 7:25 p.m.

Mr. Vicchiariello welcomed Lisa Randazzo as new liaison.

**May 17, 2016**                Motion by Mr. Oney, seconded by Mr. Hubbard to approve the May 17, 2016  
**minutes approved**        minutes.  
 AYE: 5    ABSENT: 1    ABSTAIN: 1 (Schiels)    NAY: 0    CARRIED

**Discussion of public**        Mr. Vicchiariello noted the applicant has received two variances from the zoning  
**hearing**                        board which he found too lenient. The site plan looks good.

Mr. Oney asked how to address the assistant fire chief's concerns. Mr. Cicalese reiterated his concerns for the residents living above the repair shop.

Mr. Hubbard questioned the new code requirements. Mr. Rivera noted CO2 will find a way inside the dwelling.

**SEQR motion**                Motion by Mr. Hubbard, seconded by Mr. Oney, to declare the Port Jervis  
 Planning Board lead agency and the application constitutes an unlisted action  
 under SEQR with no adverse environmental impact.

AYE: 4    ABSENT: 1    ABSTAIN: 0    NAY: 2 (Vicchiariello, Cicalese)    CARRIED

Motion by Mr. Hubbard, seconded by Mr. Oney to approve the application as advertised.

AYE: 2 (Oney, Hubbard) ABSENT: 1 ABSTAIN: 0 NAY: 4 (Vicchiariello, Cicalese, Butto, Schields ) DEFEATED

Presubmission  
Samaki Inc.

APPLICATION # PB 2016-0007 SAMAKI, INC 58-60 JERSEY AVE SBL: 13-14-4 SITE PLAN APPROVAL FOR EXPANSION SAMAKI INC.

Mr. Fuller, representing the applicant, stated Samaki is in negotiations to purchase 58-60 Jersey Avenue from Howard Vobis (Sign Here) with frontage on Jersey Avenue and Front Street. The purpose is to expand facilities and continue operations. The expansion will correct issues such as garbage, loading/offloading, and parking of their vehicles.

- Loading/Unloading done solely on Front St.
- No storage on alleyway.
- Exhaust is the same as it has been.
- Disposal of ash will be done in same manner, bagged and disposed of.
- Washing off racks will be done in the washroom of the expanded building and discharged into the sewer drain.
- Employees will increase with expansion.
- Hours will remain the same.
- Lighting will remain the same.
- Mr. Vobis will retain the existing vacant lot.

Motion by Mr. Schields, seconded by Mr. Hubbard to set a public hearing for July 19, 2016 at 7:00 pm in the council chambers.

AYE: 6 ABSENT: 1 ABSTAIN: 0 NAY: 0 CARRIED

Presubmission  
Ellicott Dev.

APPLICATION # PB 2016-0006 Ellicott Development 100 PIKE ST SBL: 12-9-1.1 SITE DEVELOPMENT PLAN PHASE III

Mr. O'Brien stated they have 4-5 prospective tenants lined up. Summary of project progress:

- Work on side of building is done – waiting for masons.
- Replaced decking on roof.
- Metal work on front of façade.

The purpose of application is to redesign the parking lot.

- Reducing island to create an additional 55 parking spaces.
- Restriping and milling the lot.
- Proposing main entrance off of Hammond Street.
- Use of LED light fixtures to produce enough light.
- Propose trash enclosures in the back.
- Enhance/repair retaining wall.
- Security cameras will be responsibility of tenants.
- Signage will remain same with addition of one.

Mr. Vicchiariello noted water needs to be shown on site plan. Dumpsters have to be concrete enclosures, council needs to be updated, and provide the city underground permit number.

Motion by Mr. Hubbard, seconded by Mr. Schields to set a public hearing for July 19, 2016 at 7:00 p.m. in the council chambers.  
AYE: 6 ABSENT: 1 ABSTAIN: 0 NAY: 0 CARRIED

**Old Business**

Mr. Vicchiariello stated comments from Orange County planning recommended K n A Auto to provide planters on southeastern lot line.  
Jennifer McLeod has been promoted and new planner is Jessica Ridgeway.  
All conditional use permit reviews will be held till next month.

Motion by Mr. Oney, seconded by Mr. Cicalese to hold the conditional use reviews for one month for the following:

- Joseph & Eileen Spina 109 West Main St – Subdivision
- JL Dispatching 99-103 Pike St – Taxi dispatch office
- Joe Curtis 134 ½ Jersey Ave – Personal service station
- J Dobbs LLC 42-46 East Main St – Allow a motor vehicle rental at existing motor vehicle repair shop
- Xhavit Zyberaj 189-191 Pike St – Adding 2 apartments
- Millie’s Pooch Parlor 100 Jersey Avenue – Dog grooming facility
- Branagel & Braunagel 9 Sussex St – Addition to building

AYE: 6 ABSENT: 1 ABSTAIN: 0 NAY: 0 CARRIED

**New Business**

None.

**Zoning Board Report given**

Mr. Simmons reported no business since 50 Fowler Street. Nothing for next month.

**Code Enforcement’s Report given**

Mr. Rivera reported the department is issuing several permits for decks and full interior renovations.

**Council Liaison report given**

Ms. Randazzo reported Local Law #14 – Override Tax Cap Levy. Will be discussed at next meeting on Monday. Mr. Vicchiariello asked if she can relay the boards’ recommendations for pending local laws.

**Adjournment**

Motion by Mr. Oney, seconded by Mr. Hubbard, to adjourn the meeting at 8:47 p.m.

AYE: 6 ABSENT: 1 ABSTAIN: 0 NAY: 0 CARRIED

*The next meeting is scheduled for Tuesday, July 19, 2016 at 7:00 p.m.*

*Respectfully submitted,*

*JoAnne Gordon-Burton, Secretary*