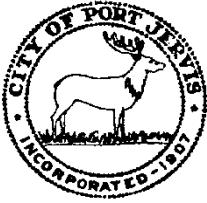


City of Port Jervis, New York



PLANNING BOARD

February 17, 2015

Attendance

The following Board members were present:

Tom Vicchiariello, Chairman William Hubbard
Donald Schields Henry Dunn
Daniel Aumick

Board member absent: Ralph Hessberger

Also present: Planning Board Attorney Michael McCann, Council Liaison Robert Ritchie, Councilman Stanley Siegel, Building Official Dave Rivera, and Zoning Board of Appeals Chairman Tim Simmons

Regular Meeting

The regular meeting of the City of Port Jervis Planning Board was called to order in the Common Council Chambers, 20 Hammond Street, Port Jervis, New York on Tuesday, February 17, 2015 at 7:01 p.m.

11/25/2014 Special Meeting Minutes approved

Motion by Mr. Schields, seconded by Mr. Aumick to approve the November 25, 2015 special meeting minutes.

AYE: 5 ABSENT: 1 ABSTAIN: 0 NAY: 0 CARRIED

1/20/2015 Regular Meeting Minutes tabled

Motion by Mr. Aumick, seconded by Mr. Dunn, to table the approval of the minutes of the January 20, 2015 regular meeting. There was no quorum of members present from that meeting.

AYE: 5 ABSENT: 1 ABSTAIN: 0 NAY: 0 CARRIED

Pre-Submission(s)— William Onofry 130 West Main St.

William Onofry
130 West Main Street
SBL: 17-2-3.1

Conditional Use Permit for a two family dwelling in an R-1 zone.

Mr. Onofry is representing McLiens LLC. The owner purchased a tax lien certificate, it was not redeemed and the title was transferred. The owner has a buyer that is interested only if the conditional use is granted. Before it can proceed, the application needs a referral to the zoning board for variances - lot area, lot width, lot area pre dwelling unit, and setbacks. Building was built over sidelines, presently pre-existing non-conforming with ample parking.

Mr. Vicchiariello asked how they will address being over the boundary line. Mr. Onofry noted it is a pre-existing issue and they cannot move the dwelling. The owner on that side is from PA, if necessary, they can try to address the owner. Ingress and egress will be from the rear and not that side. The only thing on that side is the gas line.

Mr. Vicchiariello asked if there is a concrete slab where the garage is located. Mr. Onofry stated its blacktop, doesn't believe there is concrete slab but as the snow thaws, he will know more.

Motion by Mr. Schields, seconded by Mr. Hubbard to refer the William Onofry application to the Zoning Board of Appeals and tentatively schedule a public hearing for the April 21, 2015 meeting.

AYE: 5 ABSENT: 1 ABSTAIN: 0 NAY: 0 CARRIED

Mr. Onofry mentioned to the board that KFC is under new ownership and they are trying to find someone to put in there.

Old Business discussed

Mr. Vicchiariello read a letter from Mr. Randy Coffill requesting an extension to prior approval for 19 Hamilton Street.

Motion by Mr. Hubbard, seconded by Mr. Aumick for a four month extension for the 19 Hamilton Street application.

AYE: 5 ABSENT: 1 ABSTAIN: 0 NAY: 0 CARRIED

Mr. Schields inquired about the project between Beach and Hamilton Streets. Mr. Vicchiariello replied they have lost their time and it is null and void.

New Business discussed

Mr. Vicchiariello asked Mr. Ritchie if there were any local laws that were before the code committee. Mr. Ritchie stated there was a public hearing for Local Law #2 that consists of three parts -underground utilities on applications, curb cuts, and impervious surfaces.

Mr. Vicchiariello questioned why the board was not notified prior to the public hearing. Mr. Ritchie was unaware and assured they will get a copy. Mr. Vicchiariello noted it is a little late.

Mr. Siegel stated the law is modifying an existing law. The second part was curb cuts and impervious surfaces and discussed what the committee's intentions are.

Mr. Vicchiariello ask they consider accepting oil chip. Mr. Siegel added they do not want gravel or white stone, oil chip is fine.

Mr. Vicchiariello inquired if this was forwarded to Orange County Department of Planning for review and comment. Mr. Siegel responded no.

Mr. Vicchiariello questioned if they will accept a request for a variance. The zoning board would need to know. Mr. Siegel stated they will talk about variances.

Mr. Vicchiariello inquired about a local law for the waterfront district. Mr. Ritchie noted they are still working on it.

Mr. Ritchie invited both chairmen from planning and zoning boards to come to the next meeting and participate in discussion with procedures so everyone is on the same page. The next code committee is March 4.

ZBA Report given

Mr. Simmons noted there has been no meeting. Next meeting is March 3 for the William Onofry, 130 West Main Street.

Code Enforcement Report given

138 Jersey Avenue will be coming in for parking for a first floor business and second floor apartment in SC zone. .It will be referred to zoning board. Mr. Dobbs received a letter and he will follow up on site plan and inquire what he is doing on lot. Mad Dog Liquor has a March 17 deadline.

Council Liaison Report given

Mr. Ritchie added he will sit down with mayor and code chairman and discuss the issues brought up tonight.

Mr. Aumick questioned who is responsible for paying for all the changes. Mr. Ritchie replied it would be up to homeowners and/or banks owning homes.

**Public Comment
given**

Mr. Siegel stated he received an irate call from a real estate agent regarding the 240 day law. Asked what he tells customers if the homes has lost its multifamily status. They are losing money due to the law. Mr. Siegel explained the law, its purpose, and suggested they seek relief from the zoning and/or planning board if necessary.

Mr. Vicchiariello stated Mr. Hubbard will be the deputy chairman.

**Planning Board
Engineers approved**

Motion by Mr. Hubbard, seconded by Mr. Schields, to name McGoey, Hauser & Edsall as planning board engineers. .

AYE: 5 ABSENT: 1 ABSTAIN: 0 NAY: 0 CARRIED

Adjournment

Motion by Mr. Dunn, seconded by Mr. Schields to close the meeting.

AYE: 5 ABSENT: 1 ABSTAIN: 0 NAY: 0 CARRIED

The next meeting is tentatively scheduled for Tuesday, March 17, 2015 at 7:00 p.m.

Respectfully submitted by
JoAnne Burton, Secretary