

City of Port Jervis, New York



PLANNING BOARD

May 21, 2013

Attendance

The following Board members were present:

Thomas Vicchiariello, Chairman
Dan Aumick
Michael Cicalese
Regis Foster
Ralph Hessberger
William Hubbard
Donald Schields, Jr.

Board member(s) absent: None

Also present: Planning Board Attorney Robert Krahulik, Council Liaison Carl Hendrick, Mayor Potter, Councilman-at-Large Kelly Decker, Councilman George Belcher, Councilman Michael McCarthy, Councilman Stan Siegel, Building Official Wayne Kidney, and Zoning Board Chairman Tim Simmons

Public Hearing(s)

No public hearing(s) were held.

Regular Meeting

The regular meeting of the City of Port Jervis Planning Board was called to order in the Council Chambers, 20 Hammond Street, Port Jervis, New York on Tuesday, May 21, 2013 at 7:00 p.m.

Approval of 4/16/2013 Regular Meeting Minutes approved

Motion by Mr. Hessberger, seconded by Mr. Schields, to approve the minutes of the April 16, 2013 regular meeting with one (1) correction noted to change the date for the next meeting to May 21, 2013.

AYE: 7 ABSENT: 0 ABSTAIN: 1 NAY: 0 CARRIED

Pre-Submission(s)— Ellicott Development SBL: 12-9-1

Ellicott Development
100 Pike Street
SBL: 12-9-1
Site Development Plan and Conditional Use Permit
for future tenants

Mr. Tim O'Brien, of Bohler Engineering, and Mr. Robert Maus, Regional Construction Manager for Rite-Aid Company, were present. Mr. William Paladino, CEO of Ellicott Development Company, was unable to attend due to a prior commitment.

Mr. O'Brien distributed and detailed new building elevations for Rite-Aid. He also spoke about access to the property and distributed a new drawing for the Board to review. He noted that this drawing was preliminary and needed further review prior to finalizing. He explained the changes, which included the loss of some parking and improvements to traffic flow. A recent plan submitted to the Board featured grading, utilities, lighting, landscaping, and pedestrian ingress and egress. Mr. O'Brien noted that Ellicott Development will be using the same contractor for both the Rite-Aid building and the existing structure. He spoke briefly about easements and a water line that will need adjusting. He stated that the Department of Public Works is aware of the potential change to the water line, and he will meet with Mr. Lopez to discuss this issue.

Mr. Vicchiariello thanked Mr. O'Brien for providing the Board with the updated site plan. Mr. O'Brien commented that he would like the Board's input and hopes to move forward to create a more detailed plan which incorporates the Board's and department heads' recommendations.

Mr. Vicchiariello asked about resurfacing the existing parking lot. Mr. O'Brien stated that they will cut if grading is necessary, but the disturbance should be below the one (1) acre requirement.

Mr. Vicchiariello asked if this was the company's formal pre-submission. Mr. O'Brien stated that, yes, this was their formal pre-submission. Mr. Vicchiariello asked if Rite-Aid would be leasing the parcel similar to Burger King. Mr. O'Brien stated that Rite-Aid would be leasing the space. Mr. Vicchiariello stated that Ellicott Development must submit a formal application and short form.

Mr. Vicchiariello inquired about the elevation. Mr. O'Brien stated that the elevation should be similar to the existing.

Mr. Vicchiariello spoke about catch basins, and Mr. O'Brien detailed the location of existing and proposed catch basins.

Mr. Vicchiariello requested the company meet with Mr. Lopez to discuss drainage and easements.

Mr. Vicchiariello asked about the railroad right-of-way. Mr. O'Brien stated that they are aware of a cross access easement and noted that an agreement will have to be done prior to construction. A final determination must be made, however, as to the location of the easement prior to an agreement being completed.

Mr. Vicchiariello asked about the color of the Rite-Aid building, noting the comments made at the April meeting. Mr. O'Brien stated that the building will be more of a red color than the brown that was depicted on the drawing distributed to the Board at tonight's meeting.

Mr. Vicchiariello inquired if there would be adequate parking spaces. Mr. O'Brien stated he believes there will be enough parking.

Mr. Vicchiariello noted that the dumpster enclosure must be a concrete enclosure. Mr. Kidney commented that the eight foot (8') chain link fence noted on the site plan was not approved under the zoning.

Mr. Vicchiariello reminded Mr. O'Brien to note the number of employees and hours of operation on future site plans. He also asked about the hours for deliveries. Mr. Maus stated that deliveries, primarily, would be done on off-peak hours as to not disturb customers. The number of delivery vehicles will vary, but one (1) tractor trailer per week would be typical. Also, deliveries will be made mainly at a rear entrance.

Mr. Vicchiariello again requested that Mr. O'Brien meet with department heads. Mr. O'Brien stated that he will contact them.

Mr. Vicchiariello asked that existing pot holes and building graffiti be addressed as soon as possible.

Mr. O'Brien will contact Ellicott Development to request they submit an official application and short form. He will also inquire if the company has submitted plans to Orange County. Mr. Vicchiariello commented that the application could have a public hearing as early as July. He thanked Mr. O'Brien and asked that the Board be kept informed concerning the remaining building on the parcel.

Old Business

No old business was discussed.

New Business

No new business was discussed.

**Chairman's
Correspondence
reviewed**

The *Plan-It Orange* newsletter was received.

An article was also received concerning the length of and recommendations for shortening the Planning Board process, noting the loss of projects and the current process being used in Pennsylvania.

ZBA Report given

The Zoning Board of Appeals meeting in May had the following two (2) pre-submissions: a parcel on Jersey Avenue and a variance and front yard setback request for a corner property on Erie/Liberty Street. Both were set for public hearings for the June 4, 2013 meeting.

**Code Enforcement
Report given**

Mr. Hessberger inquired about the Flo-Jean Restaurant. Mr. Kidney stated that the court date was May 30, 2013. After that date, there would be daily sanctions.

Mr. Hubbard asked about Samaki, Inc. Mr. Kidney stated he had inspected the site, but there were a few minor items yet to be completed.

**Council Liaison
Report given**

No report was given.

Adjournment

Motion by Mr. Hessberger, seconded by Mr. Aumick, to adjourn the meeting at 7:32 p.m.

AYE: 7 ABSENT: 0 ABSTAIN: 0 NAY: 0 CARRIED

The next meeting is scheduled for Tuesday, June 18, 2013 at 7:00 p.m.

Respectfully submitted by
Robyn Hendershot
Secretary