

City of Port Jervis, New York



PLANNING BOARD

October 17, 2013

Attendance

The following Board members were present:

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

Board member(s) absent: Michael Cicaese

Also present: Planning Board Attorney Robert Krahulik, Council Liaison Carl Hendrick, Councilman-at-Large Kelly Decker, Councilman George Belcher, Councilman Robert Ritchie, Council Stanley Siegel, Building Official Wayne Kidney, and Zoning Board member Hermann Barth

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 Thursday, October 17, 2013 at 7:00 p.m.

Approval of 7/16/2013 Regular Meeting Minutes approved

Mr. Vicchiariello thanked the members who conducted the July meeting in his absence.

Motion by Mr. Aumick, seconded by Mr. Hubbard, to approve the minutes of the July 16, 2013 regular meeting.

AYE: 5 ABSENT: 1 (CICALESE) ABSTAIN: 1 (HESSBERGER) NAY: 0 CARRIED

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

Healy Art School
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

Mr. Vicchiariello apologized to the applicant for not notifying her of the date change for the Planning Board meeting.

Mrs. Victoria Campbell, representing the applicant, identified the property and spoke briefly about the applicant's desire to have small studio classes for college professors and/or teachers who require recertification. Ms. Healy anticipates holding classes on Saturdays and Sundays from 9:00 a.m. to 5:00 p.m. The property has a handicap accessible ramp and bathroom.

Mr. Vicchiariello recommended Ms. Healy request the potential maximum number of hours of operation so as to eliminate the need to return to the Planning Board in the future for modifications. He also suggested noting the possible number of employees. Mr. Kidney noted that the code only allows one (1) person outside of the family to be an employee. Lighting will not affect the street or sidewalk. A dumpster will not be needed; Ms. Healy has a waste receptacle and will dispose of the limited amount of hazardous waste (oil paints) at the college where she teaches. Mr. Vicchiariello requested the applicant provide, in writing, Ms. Healy's plan for the disposal of the hazardous waste. Mr. Kidney added that this application was home occupation in a residential home, and the Planning Board can add stipulations that are deemed to be in the

public interest.

Mr. Hubbard asked if the parcel has adequate parking. Mrs. Campbell noted there is a parking area adequate for approximately six (6) or seven (7) cars by the garage, as well as possible handicap parking by the ramp. There is also a shared driveway with a law firm. Mr. Krahulik asked if on-street parking was permitted. Mr. Kidney stated that on-street parking in that area of East Main Street is permitted.

Mr. Kidney noted that Ms. Healy's application submitted to the Zoning Board of Appeals was determined to be unnecessary.

Mr. Vicchiarriello asked that the applicant include the figures for parking for presentation at the public hearing.

Mr. Krahulik recommended the applicant not include the shared driveway area in the parking calculation. Mr. Kidney provided the required size for a parking space.

Mr. Hessberger inquired about signage. Ms. Healy stated there would be no signage. Mr. Kidney added that one (1) sign was allowed and detailed the requirements. He recommended Ms. Healy seek approval for possible signage in the future.

Mr. Krahulik stated that this application was a Type II action under SEQR.

Mr. Vicchiarriello reminded the applicant to obtain the Adjoiner's List from the City Assessor's office.

Motion by Mr. Hubbard, seconded by Mr. Shields, to set the public hearing for this application for November 19, 2013.

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

Old Business

Issues for 100 Pike Street/Rite-Aid have been resolved. The building permit has been prepared but not yet been issued. Staging has begun on the parcel, and Mr. Kidney anticipates the building permit being issued October 18th.

Mr. Vicchiarriello thanked Board members for their input on the recent local laws.

Mr. Kidney stated that research is being done by the Clerk's office on zoning for the withdrawn Alexa Meadows application. The parcel had been granted a SCAH zone in 2009. Zoning maps are being updated, and a determination must be made on whether the parcel will automatically revert back to a R1 zone or a new motion will be required by the Council.

New Business

Mr. Michael Weeks, of McGoey, Hauser and Edsall Consulting Engineers, spoke about the DEC's new SEQR short and long forms. He stated that the regulations remain the same, but the forms changed effective October 7, 2013. Any applications submitted prior to the October 7 date will proceed with the older version forms.

Mr. Weeks commented that the new forms will be helpful with enacting new laws by providing the Board with valuable additional information submitted on the SEQR form with the application. He discussed the Type I threshold and benefits of the workbooks now available. He noted the Planning Board will be better able to make its determination of impact, along with the assistance of the Board attorney and engineer(s).

The Board discussed Part 2 of the short form and when to make the determination of lead agency and SEQR.

Mr. Weeks stated that the additional information now required will aid the Board in determining the level of impact and commented on the Board's use of the workbook in making impact decisions. He noted positive aspects of the workbooks, which included being written for a layperson's use.

The DEC will have a resource mapper available shortly that could be used by the Board to identify potential impacts.

Mr. Krahulik discussed Type II actions which would not require SEQR review and the importance of the initial determination. He recommended providing a list to the applicant of those actions requiring SEQR forms to help determine the necessity of completing the form as part of the application. The Board may disagree with the applicant's determination but providing the list may be helpful in many cases.

Mr. Vicchiariello thanked Mr. Weeks for attending the meeting.

Chairman's
Correspondence
reviewed

The *Rural Futures* and *Plan It Orange* newsletters were received.

The Department of Planning's Fall Course scheduled had also been received.

ZBA Report given

A public hearing had been set for the November meeting for the 24 Erie Street application.

Code Enforcement
Report given

A constituent had contacted Mr. Belcher concerning the lack of walkways on the TDBank and Metro North properties. Walkways will be included with new construction at 100 Pike Street. Mr. Kidney asked that the Planning Board be mindful of this issue when reviewing site plans.

Mr. Hessberger asked for an update on the Flo-Jean property. Mr. Kidney noted that the building is still vacant, but the owners had resolved previous violations that had been issued. The owners continue to keep the parcel clean and are cutting the overgrowth.

Mr. Kidney discussed the new gated entrance at Kolmar on King Street and noted that the changes were for security purposes.

Council Liaison
Report given

Mr. Hendrick stated that the local laws reviewed by the Planning Board had been passed.

Mr. Siegel inquired about including a public comment portion to the meeting. Mr. Krahulik noted that there is an opportunity for public comment during an application's public hearing. Mr. Siegel stated that he feels it is important to offer the opportunity outside of the public hearing. Mr. Krahulik and Mr. Vicchiariello commented on the possibility of an added public comment section greatly increasing the length of the meeting, especially when the Board is reviewing a controversial project. Mr. Vicchiariello noted that the Board had changed the format of the meeting to require comments during public hearings only but would keep Mr. Siegel's request in mind for future consideration. Mr. Krahulik recommended parties wishing to bring concerns or questions before the Board to do so in writing, which could be read by the Chairman.

Mr. Decker asked about the changes at Kolmar and how the barricade would affect ingress and egress of emergency vehicles and comply with any Planning Board mandates. Mr. Kidney stated that the company requested information from the Fire Inspector, and a roll gate has been installed. The River Road entrance should pose no problems for emergency vehicles.

Adjournment

Motion by Mr. Hessberger, seconded by Mr. Schields, to adjourn the meeting at 7:52 p.m.

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

The next meeting is scheduled for Tuesday, November 19, 2013 at 7:00 p.m.

Respectfully submitted by
Robyn Hendershot
Secretary