

City of Port Jervis, New York



PLANNING BOARD

July 21, 2015

Attendance

The following Board members were present:

Tom Vicchiariello, Chairman	Henry Dunn
Ralph Hessberger	Donald Schields
Regis Foster	William Hubbard

Member(s) absent: Dan Aumick

Also present: Planning Board Attorney Michael McCann, Council Liaison Robert Ritchie, Councilman Carl Hendricks, CDA Director Valerie Maginsky, and Mayor Kelly Decker

Regular Meeting

The regular meeting of the Planning Board was called to order in the Council Chambers, 14-20 Hammond Street, Port Jervis, New York on Tuesday, July 21, 2015 at 7:03 p.m.

Table January 20, 2015 meeting minutes

Motion by Mr. Schields, seconded by Mr. Hubbard to table the January 20, 2015 meeting minutes.

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

May 19, 2015 minutes approved

Motion by Mr. Hubbard and seconded by Mr. Hessberger to approve the May 19, 2015 minutes.

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

Old Business

Mr. Alan Lipman, attorney for Orange & Rockland stated they are seeking a six month extension.

Mr. Vicchiariello asked if there are any changes to the substation relative to the breaker failure in March. From an emergency management point of view, March made the city very nervous. Mr. Mark Licari, Orange & Rockland representative, stated the deadline has been pushed up to 2017/2018. He noted there is another substation backing Port Jervis up in Deerpark.

O&R Extension approved

Motion by Mr. Hessberger, seconded by Mr. Schields to approve the six month extension of application till January 19, 2016.

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

New Business

Mr. Hendricks discussed Local Law # 4 of 2015 Orange County Greenway Compact and noted the public hearing is scheduled for July 27th.

Mr. Vicchiariello stated the greenway agreement was adopted in 2003 and this local law is a revision of things we already do with an emphasis on greenspace and waterfront properties.

Ms. Valerie Maginsky explained to the committee the purpose of the local law to enable PJ to apply for different grants and incorporate green methods into the economic development of the municipality.

Mr. Hubbard questioned the impact on the waterfront project. Ms. Maginsky noted it would enhance it.

Approval of Local Law #4 of 2015

Motion by Mr. Hubbard, seconded by Mr. Hessberger to pass the approval onto common council.

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

**Presubmission
99 Ball Street**

**Salvation Army
99 Ball Street**

SBL: 13-17-9, 13-23-1.2, 13-23-1.2/0

Amend site plan approval to allow use of parking lot located at 98 Ball Street as a basketball court/play area.

Mr. Vicchiariello stated there is an issue with Salvation Army's youth activities on the Ball Street parking lot by which a resident had many complaints. The site plan was approved back in 1983/84 with number of parking spaces needed, etc. The complainant is questioning if the parking lot can be used for another purpose other than its intended use. This was sent to the planning board to see if the site plan needed to be amended to say the parking area can be used for other activities besides parking.

Mr. Vicchiariello read a letter from Salvation Army. The property is currently a parking lot but is rarely used as such. Requesting that the lot is used primarily in the afternoons for a play area from 3:00 pm – 7:30 pm. This use would not incur a cost to us, those that use it, nor the city.

Mr. Vicchiariello noted there are three ways to go about it –

1. Accept the application, deny and send to the zoning board for interpretation of the city charter as far as recreational uses for a house of worship.
2. Accept as a presubmission and send to department heads for their input.
3. Decide that the recreational use of the parking lot is a permitted use as long as parking is available as needed.

Mr. Vicchiariello added Salvation Army is not the only house of worship or community center to use their parking lot for other uses other than parking. Other house of worships in the community use them for yard sales and day long events. Would not like to set a precedent to modify a site plan.

Public Comment

Mr. Decker, mayor of Port Jervis, agreed with chairman's remarks, all churches use their lots. There has not been a car on the Salvation Army lot and it is something that take the kids off the streets. If we had to go around and ask the department heads to approve, they will all approve it. The one complaint that brought this about is now in foreclosure. The rest of the area community wants the kids to have a place to go besides wandering the streets. The

Salvation Army is offering a safe place for them. I would ask the hours are extended to a reasonable day time hour like 10:00 am to sundown.

Mr. Hessberger stated it should be up to the Salvation Army to police their own lot.

Mr. Schields asked if the area was gated. Mr. Vicchiariello replied yes.

Salvation Army decision The board decided Salvation Army is in its right to utilize the parking lot as it has been. No action needs to be taken.

Mandatory Trainings Mr. Vicchiariello discussed the new law which passed 4-5 years ago for all zoning and planning board members to take 4 hours of training a year. Cities can exempt out of requirement and Port Jervis has. At this time the mayor is working to get training for the board.

Mr. Decker stated he is working on three versions of training –

1. Online training
2. Take county training
3. County would come to Port Jervis

Zoning board report given Mr. Vicchiariello commented that it is in its third month of extending public hearing for 140 Jersey Avenue. The outstanding issues are how people will get in and out of apartment, refuge, lot size which requires a handicap ramp, and emergency access easement.

Code Enforcement Officer report given Mr. Vicchiariello stated 100 Pike Street's asbestos has been removed and working on securing the roof. A presubmission will be coming shortly for phase III. Also working on the Flo Jean issue, they need to submit asbestos and teardown plan by Friday.

Council Liaison report given Mr. Ritchie stated he encourages and supports the trainings for the board members. As liaison to the IDA, Future Home Technology/Excel was discussed. They defaulted and a notice will be sent from the city attorney. Nothing is going on and not a lot of equipment in there. 100 Pike Street and the board had a special meeting with Tim O'Brien. The city is very encouraged by the discussion. Barton & Loguidice gave a presentation for zone and code changes for the city. Regarding 140 Jersey Avenue, spoke with the one owner and the applicant has not reached out to them.

Mr. Vicchiariello commented that the board members were not aware of the Barton & Loguidice meeting.

Mr. Decker noted the meeting was informal but will notify the board of the next meeting.

Adjournment Motion by Mr. Hessberger, seconded by Mr. Hubbard to close the meeting.

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

The next meeting will be held tentatively on Tuesday, August 18, 2015 at 7:00 p.m.

Respectfully Submitted

JoAnne Gordon-Burton, Secretary