

City of Port Jervis, New York



PLANNING BOARD

March 15, 2016

Attendance

The following Board members were present:

Tom Vicchiariello	William Hubbard
Dominic Cicalese	Joseph Butto
Donald Schields	Hank Dunn

Absent: Gerald Oney

Also present: Attorney Michael McCann, Building Official Dave Rivera, Councilman Liaison Stanley Siegel, Fire Inspector Mike Reilly, and Zoning Board Chairman Tim Simmons

Public Hearing
Fox N Hare Brewing
Co LLC

**APPLICATION # PB 2016-0003 FOX N HARE BREWING CO LLC 46-48 FRONT ST.
SBL: 13-5-24 SITE PLAN DEVELOPMENT**

Mr. Hector Munoz-Baras, representing applicants for Fox N Hare microbrewery, state the project will have a microbrewery on the right side ground floor; basement floor will house the equipment. The opening on main floor will showcase the equipment that people will be able to walk around and look at. The left side main floor will have a tap house/ small restaurant; second floor – offices and storage; third floor – two studio apartments and one-bedroom apartment. On the facade there will be two giant glass garage doors will open up to create an inside/outside area for warm weather. Mr. Munoz-Baras detailed reinforcements for the back wall. Exterior lighting will shine over the signage with some LED colored lighting. The 6 1/2ft wide alleyway in the back will be the second means of egress. The city has agreed to provide an area in the back for garbage storage.

Mr. Vicchiariello asked the following:

- Have you considered using the back for patio due to the issue of people loitering and smoking in the front? No, it is not conducive – too gloomy. *Mr. Vicchiariello suggested fixing the back area for smokers as it is and has been an issue on Front Street.*
- Easements? Not sure if there isn't an easement in place with the neighbor.
- Deliveries? Through the front double garage doors once or twice a week.
- Drainage? Found drainage line in the back which will be used for drainage purposes.
- Gas & water in front? Yes, and electric in back.
- Addressing the undermining of the back sidewalk? Will be pouring new slabs in the back and pitching the alleyway in to the drain that was found in the back. *Mr. Vicchiariello noted the sidewalks are seriously undermined and it is very dangerous.*

Mr. Shaun Donnelly, co-owner of Fox N Hare, noted a box truck will be used for deliveries in the early morning. Will be employing a seven-barrel system which limits how much can be brewed.

Mr. Vicchiariello asked the following:

- Usage of high hazard chemicals? Bleach and detailed the sanitizing process.
- Tanks? Yes, one made of high quality stainless steel.
- Seven batches? It will be seven barrels per batch. One barrel is equivalent to 2 standard barrels of keg.
- Use of vats? The brew house will have two large cylinders.
- Safety issues concerning someone falling in? Railing will be up to code and the manhole is 19 inches in diameter. The vats are sealed containers. The cleaning will be done during nonworking hours.

Mr. Rivera asked how many barrels will they do per year. Mr. Donnelly answered 500-600. The maximum capacity is 2,400 barrels per year.

Mr. Vicchiariello stated after the installation of equipment, have the fire department visit the site.

Department head comments:

- DPW - approved with consideration to the gutters, storm damage and drainage for building. Proper back fill prevention and grease traps installed in kitchen.
- Police Chief – approved and suggests surveillance cameras and provide emergency contact for after hours.
- Assistant Fire Chief asked about sprinkler and connections. Mr. Munoz-Baras stated will comply with fire department requests.
- Fire Inspector comments on file.

Public Hearing Public Comment	Ms. Debbie Raia, 2 nd Ward, described her excitement about the project. Thanked the board and city for allowing this to help save the businesses downtown.
Close public hearing Fox N Hare Brewing Co LLC	Motion by Hubbard, seconded by Mr. Dunn to close the public hearing. 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, March 15, 2016 at 7:35 p.m.
October 20, 2015 minutes approved	Motion by Mr. Hubbard, seconded by Mr. Schields to approve the October 20, 2015 minutes. AYE: 4 ABSENT: 1 ABSTAIN: 2 (Cicalese, Butto) NAY: 0 CARRIED
February 16, 2016 minutes approved	Motion by Mr. Hubbard, seconded Mr. Cicalese to approve the February 16, 2016 minutes. AYE: 5 ABSENT: 1 ABSTAIN: 1(Schields) NAY: 0 CARRIED

Discussion of public hearing Mr. Vicchiariello noted a minor issue with the application directed towards the council. Questioned why the application wasn't a conditional use due to the mixed used in that zone.

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

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

Fox N Hare Brewing Co LLC approved Motion by Mr. Hubbard, seconded by Mr. Shields to approve the application with a condition AM deliveries with trucks no larger than a box truck.

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

Public Comment Mr. Michael Glicksman, 27 Elizabeth St, stated he wanted to address the changes to his backyard. Was not informed of the changes – vegetation stripped and his backyard open to the noises and sights of East Main St. Hope there will be some screening or tree plantings to partially restore what the backyard use to look like. Additionally, there is a retaining wall that is collapsing and wishes for it to be fixed due to the possible liability with school children passing through.

Mr. Rivera note Mr. Silver has been issued a violation regarding the retaining wall two weeks ago.

Mr. Joseph Kaczowski, 25 Elizabeth St, suggests planting cedar. No problems with broken branches or broken trees and they retain noise. Cautions not plant a tree within 50 ft of house.

Continued Presubmission KBX Holdings LLC **APPLICATION # PB 2016-0001 KBX HOLDINGS LLC 33 EAST MAIN ST SBL: 8-10-1 CONDITIONAL USE PERMIT FOR A RESAURANT & USE OF THE ADJACENT PROPERTY AT 29 ELIZABETH ST**

Mr. Fuller stated the applicant is looking to reopen the facility as a restaurant. The zoning board approved parking variance for 16 parking spots.

Mr. Vicchiariello noted there is a sink hole near dumpster that needs to be addressed, protection for gas and electric meter, and add conditional use to site plan.

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

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

Old Business Mr. Vicchiariello noted Number 1 Nail Salon has not remedied the outstanding violations.

Motion by Mr. Cicalese, seconded by Mr. Butto to set a public hearing for April 19, 2016 at 7:00 pm in the council chambers.

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

Mr. Reilly stated the outstanding violations. Mr. Fuller noted he will try to assist with communicating the issues.

New Business

Mr. Vicchiariello read a letter from Keith Hedburg, tenant for 29 East Main St. requesting a conditional use permit for an auto repair shop.

Motion by Mr. Cicalese, seconded by Mr. Hubbard to set a public hearing for April 19, 2016 at 7:00 p.m. in the council chambers.

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

Correspondence

OC Partnership letter - Port Jervis brewery was included.
Newsletter for National Business Institute

**Zoning Board
Report given**

Mr. Simmons noted there were two meetings this month. Special meeting held tonight to assist KBX Holdings which was granted. Schneider application was denied.

**Code Enforcement's
Report given**

Business as usual.

**Council Liaison
report given**

Mr. Siegel reported the following:

- Dog law strengthened.
- Imposed a transfer tax for every \$2/\$1,000 on houses purchased in the city.
- A written disclosure will be provided when a property loses its multifamily status.
- Created a waiver of residency.

Adjournment

Motion by Mr. Hubbard, seconded by Mr. Schields, to adjourn the meeting at 8:44 p.m.

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

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

Respectfully submitted,

JoAnne Gordon-Burton, Secretary