

City of Port Jervis, New York



PLANNING BOARD

July 19, 2016

Attendance

The following Board members were present:

Tom Vicchiariello
Joseph Butto

Hank Dunn
Donald Schields

Absent: Gerald Oney, Dominic Cicalese, and William Hubbard

Also present: Attorney William Bavoso, Building Official Dave Rivera, Council Liaison Lisa Randazzo, and Zoning Board Chairman Tim Simmons

Public Hearing Samakai Inc.

APPLICATION # PB 2016-0007 SAMAKI, INC 58-60 JERSEY AVE SBL: 13-14-4 SITE PLAN APPROVAL FOR EXPANSION SAMAKI INC.

Mr. John Fuller, representing applicant, stated Samaki Inc. is currently located at 62 Jersey Ave. The applicant has entered into a contract to purchase 58-60 Jersey Avenue owned by Howard Vobis of Sign Here. The application is to expand their business from current location into the adjoining building to continue to grow and seek a conditional use permit in the SC zone.

- The two buildings will be connected with an eight-foot addition in hallway.
- Current property over 3,300 sq. ft. proposed expansion 9,500 sq. ft. – provides growth and benefits.
- Off-street parking with plenty of garage space.
- Load/unload on Front Street instead of Jersey Avenue.
- Mitigate garbage issues for the smoke fish business more efficiently.
- Ability to expand with size of new building.
- Hours of operation: Monday – Saturday 5:00 am – 7:00 pm, loading and unloading between 10:00 pm – 1:00 pm
- No proposed lighting.
- Address fire concerns from the fire inspector. Sign Here building does have a sprinkler system.
- 16 employees but may grow to 25.
- Onsite dumpster inside a chain linked area within a concrete driveway and surrounded by buildings. Twice a week pickup with two (6 x 8) dumpsters. *Mr. Rivera noted it is a unique situation, surrounded by two buildings.* Mr. Vicchiariello stated there are no exceptions in the code.

Mr. Rivera requested they provide water mitigation to the street. Ms. Elizabeth Mattes of Samaki noted with expansion the washroom will be moved into the new building and eliminates the washing of racks into the street.

Mr. Rivera asked about the pallets and cardboard stacked outside. Ms. Mattes responded the alley will not be used for anything anymore.

Mr. Vicchiariello asked how many sides of concrete wall. Mr. Fuller stated it will be a gated concrete alley. People will not be able to access it.
Mr. Vicchiariello questioned how many dumpster pickups? Ms. Mattes noted only two, they will probably have to make additional trips to the dump.

Mr. Vicchiariello asked about exhaust fans. Mr. Fuller replied exhaust is for smokers and there is one exhaust fan that exhausts above roof level.

Mr. Rivera requested one masonry wall is constructed along Smith building to protect against debris.

Department head comments:

- DPW -requests notification of changes in chemicals used. If not, approved.
- Police – approved, but no delivery vans parked on sidewalks and do not block pedestrian traffic.
- Fire Dept.– no comments at this time. Asst. Fire Chief called into work tonight.
- Fire Inspector – no comments at this time.

Public Comment None.

Close public hearing Motion by Dunn, seconded by Mr. Butto to close the public hearing.
Samaki Inc.

AYE: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

Public Hearing
Ellicott
Development

APPLICATION # PB 2016-0006 ELLICOTT DEVELOPMENT 100 PIKE ST SBL: 12-9-1.1
SITE DEVELOPMENT PLAN PHASE III

Mr. Tim O'Brien, representing the applicant, stated Phase III is the redevelopment of the shopping center.

- Replaced the roof.
- Started work on the façade of building.
- Within a week will have someone pressure washing.
- Looked for a local mason but will be sending own mason to do cosmetic repair on walls.
- Paint wall on building.

Mr. O'Brien stated the application calls for a revised lighting plan. Three light poles will be removed and changed with LED poles with same height. The parking lot will be milled and restriped. Currently the parking lot has between 140 – 145 parking spaces, but propose 210 parking spaces by moving the island over and remove fence between municipal lot and our parking lot. Comments from the municipal engineer and county planning department were received tonight prior to the meeting and most of the items have been addressed. Mr. Fuller conducted an inspection of the retaining wall. He recommends removing vegetation and cutting down trees around it and weed/spray anything above 24 inches which will hopefully, extend the life of the wall. Also, recommends an annual inspection of the wall and we agree to do that. Some of the timber is cracked but disturbing it by removing and replacing could cause more problems. Mr. Fuller noted he does not feel that it is a danger to pedestrian or vehicles behind there.

Mr. Rivera requested the report (retaining wall inspection) is submitted to the building department.

Mr. O'Brien stated the following:

- Number of employees - 70.
- Hours of operation: 7:00 am – 12:00 am.
- All utilities shown on site plan.
- Concrete block enclosure for dumpster.

Mr. Vicchiariello stated all adjoining property owners must be identified. Each tenant must complete form from the police chief.

Mr. Bavoso stated all recommendations from OC Dept. of Planning/municipal engineers should be noted on site plan.

Department head comments:

- DPW – applicant cognizant of storm drains and gas shut off kept up to grade when paving. Approved.
- Police – approved.
- Engineer – comments on file.
- Orange County Dept. of Planning – comments on file.

Mr. O'Brien stated they are not planning to change the parking lot much and to add infrastructure can be expensive because of what is underneath the parking lot. It is hard to add vegetation/plantings due to the existing lot.

Mr. Vicchiariello read a letter from John Fuller dated July 12, 2016 discussing the inspection of the retaining wall behind the plaza. Letter is on file.

Public Comment

Mr. Julio Petitti, Tri-State Railway Preservation Society president, questioned if there will be direct access from parking lot to the turntable. Mr. Vicchiariello replied the city has a right away to the area and an easement.

Ms. Randazzo stated the city is excited and supports the project and thanked them for coming.

Close public hearing
Ellicott
Development

Motion by Schields, seconded by Mr. Dunn to close the public hearing.

AYE: 4 ABSENT: 3 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, July 19, 2016 at 7:55 p.m.

June 21, 2016
minutes tabled

Motion by Mr. Butto, seconded by Mr. Schields to table approval of the June 21, 2016 minutes.

AYE: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

SEQR motion
Samaki Inc.

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

AYE: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

Samaki Inc.
approved

Motion by Mr. Schields, seconded by Mr. Dunn to approve the Samaki Inc. conditional use permit with the following conditions:
(1) Dumpster improvement (2) 25 employees (3) Alleyway kept clear
(4) All drainage should be tied to the rear sub drain

AYE: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

SEQR motion
Ellicott
Development

Motion by Mr. Butto, 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: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

Mr. Vicchiariello noted the city engineer's had not had the opportunity to see Mr. Fuller's letter and missing a few department head comments. Additionally, due to technical issues the public hearing notice was not published in time. There is four more days.

Motion by Mr. Hubbard, seconded by Mr. Schields to *conditionally* approve the application with the following conditions:

- Written report submitted annually to city regarding the retaining wall.
- Department head comments will be addressed.
- Public hearing notice has four more days.
- Number of employees updated on site plan.
- Hours of operation indicated on site plan.
- All utilities shown on site plan.
- Adjacent property owners listed on site plan.

AYE: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

Presubmission Tao
Foot Spa

APPLICATION # PB 2016-0008 TAO FOOT SPA 298 EAST MAIN ST SBL: 20-6-10
CONDITIONAL USE PERMIT FOR PERSONAL SERVICE IN SC ZONE

Mr. John Lavelle, Rand Commercial broker, stated the applicant seeks a conditional use permit to operate a day spa. They will have a new name and habitat the old Orange West building which is currently vacant. No changes to the exterior, paved parking out back with fire lane and handicap parking. The sign will change to reflect new business. The interior will have one partition wall constructed. The applicant currently owns a spa in Fishkill and operates similar facilities in different malls.

- Hours of operation: 10:00 am – 9:00 pm.
- Three employees.
- No additional lights.
- No dumpsters.
- No chemical issue to be hauled.
- No excess drainage in to the sewer system.

Motion by Mr. Schields, seconded by Mr. Butto to set a public hearing for August 16, 2016 at 7:00 pm in the council chambers.

AYE: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

Old Business

Conditional Use Review

Joseph & Eileen Spina, 109 East Main St – Mr. Rivera stated there are several violations. Compliance date is July 21, 2016.

- DPW approved.
- Police – approved.
- Fire Inspector – requested public hearing.

Motion by Mr. Schields, seconded by Mr. Butto to schedule a public hearing for August 16, 2016 at 7:00 p.m.

AYE: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

JL Dispatching, 99-103 Pike St –

- DPW- approved.
- Police – approved with updated contact information form.
- Fire Inspector – held over for issues but has been resolved.

Motion by Mr. Schields, seconded by Mr. Butto to approve JL Dispatching a two-year conditional use permit renewal.

AYE: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

Joe Curtis, 134 ½ Jersey Ave –

Tenant has changed since the last approval and board has not been updated.

Motion by Mr. Butto, seconded by Mr. Dunn to schedule a public hearing for August 16, 2016 at 7:00 p.m.

AYE: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

J Dobbs LLC, 42-46 East Main St –

Few outstanding issues.

Motion by Mr. Schields, seconded by Mr. Butto to hold over for one month.

AYE: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

Xhavit Zyberaj, 189-191 Pike St –

- Police – approved with contact information form.
- Fire Inspector – approved.
- DPW – approved.

Motion by Mr. Schields, seconded by Mr. Butto to approve Xhavit Zyberaj a two-year conditional use permit renewal.

AYE: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

Millie's Pooch Parlor, 100 Jersey Ave –

- Police – approved with contact information form.
- Fire Inspector – approved.
- DPW – approved.

Motion by Mr. Schields, seconded by Mr. Butto to approve Millie's Pooch Parlor a two-year conditional use permit renewal.

AYE: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

Braunagel & Braunagel, 9 Sussex St –

- DPW – approved.
- Police – approved.
- Fire Inspector – requested a month extension.
- Building dept. – no issues.

New Business	None.
Zoning Board Report given	Mr. Simmons reported no business before the board.
Code Enforcement's Report given	Mr. Rivera reported the department is issuing several permits for first and second floor renovations and updating vacant registrations.
Council Liaison report given	None.
Adjournment	Motion by Mr. Schields, seconded by Mr. Butto, to adjourn the meeting at 8:26 p.m.

AYE: 4 ABSENT: 3 ABSTAIN: 0 NAY: 0 CARRIED

The next meeting is scheduled for Tuesday, August 16, 2016 at 7:00 p.m.

Respectfully submitted,

JoAnne Gordon-Burton, Secretary