

CITY OF PORT JERVIS, NEW YORK
PLANNING BOARD
October 20, 2020
7:00pm
Meeting Minutes

In Attendance: T.Vicchiarello, Planning Board Chair
G.Belcher, J.Butto, D.Cicalese, A. Foster, D.Schiels, H.Dunn

Additional Attendees: G.Plotsky, PB Atty., L.Powrie, Building Official, T.Simmons-Council Liaison

Absent: T.Sexton, ZBA

Kelly Decker:

Okay. Good evening. It is Tuesday, November 17th, 2020. This is the Port Jervis Planning Board meeting via Zoom. My name is Kelly Decker. I'm the mayor of the City of Port Jervis. I'm just going to do a roll call and then I will turn it over to chairman Tom Vicchiariello. So when I call your name, please say your first name and your last name and say present. We'll start with Annie.

Ann Foster:

Ann Marie Foster, present.

Henry Hank Dunn:

Henry Dunn, present.

Jeanmarie Schields:

Jeanmarie Schields, present.

Donnie Schields:

Donnie Schields, present.

George Belcher:

George Belcher, present.

Bob Brady:

Bob Brady, present.

Laurie Powrie:

Laurie Powrie, present.

Tim Simmons:

Tim Simmons, Council liaison, present.

Glen Plotsky:

Oh, I'm sorry. Glen Plotsky, attorney to the Board, present.

Joe Butto:

Joe Butto, present.

Dominic Cicalese:

Dominic Cicalese, present.

Tujuana Smithen:

Tujuana Smithen, present.

Tom Vicchiariello:

Tom Vicchiariello, present.

Tom Vicchiariello:

Okay. Thank you. Thank you everybody. We will get started. First thing we have tonight is a public hearing for Tactical Tacos, 103-129 Jersey Avenue. Ms. Smithen, if you would like to come up and explain to us exactly what you want to do, the same as you did at pre-submission, please.

Tujuana Smithen:

Okay. Sure. My name is Tujuana Smithen. Me along with my sister to Tushauna Clark, well, we're trying to open up a grease free, oil free facility called Tactical Tacos in the old Subway restaurant, a location in Port Jervis. We are saying grease free and oil free because we're actually using slow cookers for all of our food instead of frying it, kind of give Port Jervis a bit of a healthier kick, instead of all the fast food joints that we have going on around here.

Tujuana Smithen:

We're hoping that the Board gives us permission to open up in the few coming months. We're trying to get outdoor seating because COVID is really wreaking havoc on the restaurant industry right now. And we're trying to see if we could use the adjacent parking lot outside of subway as a makeshift seating, perhaps, maybe in the summer, when we kick on right now.

Tujuana Smithen:

The last meeting, we had a few conditions that needed to be met. We had to send out the notifications to the residents and other businesses within whatever the radius was. We've done so. And we submitted our certified mailing receipts. Also we have to get a Knox box to provide access for the fire department, which we are in the process of getting. We already ordered it, but they're a little delayed because of people ordering stuff from them. We do have a confirmation number if that's required. So we're just waiting for that. Other than that, we're still waiting for whatever other conditions you guys need us to meet in order to open up.

Tom Vicchiariello:

Okay. A few other things. Have you decided on your hours?

Tujuana Smithen:

Currently, we were aiming for 11:00 to 11:00, but we'll probably be a little bit... We'll probably be open a little bit later than that just to get the influx of people that might be coming in later on. So for right now, we're looking at 10:00 AM to 1:00 PM.

Tom Vicchiariello:

10:00 AM to 1:00 AM?

Tujuana Smithen:

Yeah, 1:00 AM. I'm sorry. I apologize.

Tom Vicchiariello:

All right. Very good. Have you nailed down the number of employees, at the most, you're going to need?

Tujuana Smithen:

We're starting with five, but we're going to go up from there. I can't really give you an estimate as to how many we're going to need [crosstalk 00:05:22] 12.

Tom Vicchiariello:

The best thing to do is give us the maximum now, if you don't use them, you don't use them, but eight or 10, whatever you feel is the very, very maximum.

Tujuana Smithen:

I don't think we're going to need more than 12.

Tom Vicchiariello:

Okay. So we'll put, use 12 for the site plan?

Tujuana Smithen:

Mm-hmm (affirmative).

Tom Vicchiariello:

Very good. That's fine. There's not going to be any changes to the lighting around the old Subway that would obstruct pedestrian or vehicle traffic?

Tujuana Smithen:

No, we're keeping the same sign. We're just going to put up a sign that measures down to that one.

Tom Vicchiariello:

I said lighting.

Tujuana Smithen:

Oh, I'm sorry. I thought you said signage. No, lighting is going to stay the same.

Tom Vicchiariello:

Okay. Lighting is the same, signage is the same. Are you going to be using a closed dumpster?

Tujuana Smithen:

No, we're going to be getting our own service for dumpster service.

Tom Vicchiariello:

There are rules and regulations that you have to abide by as far as keeping your dumpster enclosed or your refuge closed, so make sure we... Check with Laurie and make sure that that's what you're going to provide, is the adequate.

Tujuana Smithen:

Yes. Yes. I read through everything that needed to be done for dumpsters.

Tom Vicchiariello:

Just for everyone's knowledge, their site plan wasn't ready yet. So we're going to accept all the comments tonight and everything will be put on the site plan before signage.

Tom Vicchiariello:

Okay. All right. We'll go to department head comments. DPW has approved the application and it is a requirement. I know you're going to be grease free and everything, but there probably already is the grease trap [inaudible 00:07:28].

Tujuana Smithen:

Yes, there's a grease trap there already.

Tom Vicchiariello:

Okay. The police department has approved the application and I believe I gave you a contact list to fill out last month.

Tujuana Smithen:

I didn't receive a contact list, no.

Tom Vicchiariello:

Okay. You have to fill out a contact list for the police department before you open. We'll make sure you get a copy of that.

Tujuana Smithen:

Okay.

Tom Vicchiariello:

Bob, fire inspector comments?

Bob Brady:

Yeah. Just along with the no grease, I have to look into the slow cookers and what they're going to require compared to what Subway had in effect when they were there. Also the fire alarm. That fire alarm in that building, I believe is separated per unit now. So that's one thing that's going to have to be looked into is the fire alarm and accessibility where the alarm panel and stuff like that is going to have to go.

Tujuana Smithen:

Okay.

Bob Brady:

So if you can, get in contact with me, I could meet... If anyone has access to the building, I could meet you there and we can go through and see what we have to do to move forward.

Tujuana Smithen:

Okay. Great.

Bob Brady:

That's all I have.

Tujuana Smithen:

I'll get your contact from Laurie?

Laurie Powrie:

Yes.

Bob Brady:

Anybody. Either way, I can give it to you now, or you can get it from someone else in the other departments.

Tujuana Smithen:

Yeah, no problem. I'll pick it up from Laurie. I don't want you to give out your information over Zoom.

Bob Brady:

Okay.

Tom Vicchiariello:

Okay. Dominic?

Dominic Cicalese:

Fire department has no issues. We approve.

Tom Vicchiariello:

Thank you. Laurie?

Laurie Powrie:

As far as the building department goes, and it's a question I want to put on Bob's plate also is in the letter of explanation. It discusses grilling outdoors.

Tujuana Smithen:

Oh, yeah. Sorry. For one of our dishes, the Texas brisket taco, we could also do it indoors in the oven, but the taste is better if we do it outdoors. So we wanted to have part of the adjacent... adjacent to the building, the parking lot, kind of where we're sitting the pedestrians, but further back to have a little space for grilling, just like a little smoker outside to grill the beef or the brisket.

Laurie Powrie:

Any comments on that?

Bob Brady:

Yeah. Actually in the back of that... in the rear of that building, where the dumpster used to be, that is a sprinkler enclosure. If there was a way that area could be utilized where it's sprinkler, would definitely be a benefit, instead of using a parking lot, that's going to be causing smoke, and there's going to be no protection.

Tujuana Smithen:

Gotcha. So I'll have to talk to my landlord about that.

Bob Brady:

Okay.

Tujuana Smithen:

Okay. I'll get back to you.

Laurie Powrie:

Other than that, and as far as the outdoor seating, I'm sure the fire inspector and the fire chief agree that the location of it should not be in the way of any fire lanes.

Tujuana Smithen:

Okay. Currently, the portion that I would like to turn into a seating outdoor space is where the handicap parkings are. There's really no doors close to that. If you have to go to Family Dollar, they're all the way on the other side. So we would have to get those moved over possibly to the front of the building instead of to the side of the building.

Laurie Powrie:

Okay. I don't think moving them would be an issue, eliminating would.

Tujuana Smithen:

Yeah. No, we don't want to eliminate them, we just want to have them closer to the front of the building instead of the side where there's only one entrance over there, which would be my shop. But I think that they're the only handicap spots there, but Family Dollar's all the way on the other side of the building, and whatever they're doing in the middle now, they're nowhere close to that either. So it would be, I think, beneficial to put them in the middle.

Laurie Powrie:

Okay. I think that's something we would have to see on the site plan, the updated site plan, and review it from there.

Tujuana Smithen:

Gotcha.

Tom Vicchiariello:

Okay. Thank you. Are there any other department comments before we move on? Hearing none. I don't believe anybody contacted the city clerk's office for public comment. Is there anyone here that wants to make a public comment on this application?

Kelly Decker:

Tom, there was nobody else. Nobody in the waiting room.

Tom Vicchiariello:

Okay. Very good. No one is in the waiting room. All right. Any other comments from any of the Board members? Okay, hearing... The only other comment I would make is that we get to emphasize at pre submission, to avoid loitering out front on that area. So if we could just try your best to make sure that doesn't happen.

Tujuana Smithen:

Understood.

Tom Vicchiariello:

Okay. All right. If there's no other comments. I will attain a motion to close the public hearing.

Tom Vicchiariello:

Dominic, do I hear a second? George? I heard a second.

Henry Dunn:

So moved.

Tom Vicchiariello:

Okay. All right. Any questions? Hearing none. All in favor.

Bob Brady:

Aye.

Henry Hank Dunn:

Aye.

George Belcher:

Aye.

Tom Vicchiariello:

Anyone opposed? Anyone abstaining? Public hearing is now closed. We'll be discussing this in a few minutes in our regular meeting. Okay. I'll call the meeting to order. I believe everybody received a copy of the October 20th minutes. Are there any questions, additions or deletions? Hearing none. I'll attain a motion to approve the minutes from October 20th.

Dominic Cicalese:

So moved.

Tom Vicchiariello:

Dominic?

Henry Hank Dunn:

[inaudible 00:14:32]. So moved

Tom Vicchiariello:

Hank? I believe it was Hank.

Kelly Decker:

Yes.

Tom Vicchiariello:

Okay. All in favor?

Henry Hank Dunn:

Aye.

George Belcher:

Aye.

Tom Vicchiariello:

Anyone opposed? Anyone abstaining? The minutes are approved. Is there any public comment? Hearing no one in the waiting room, discussion of the public hearing. Questions from the Board? Comments from the Board?

Laurie Powrie:

I do have the public hearing notice in the waiting, and they're in order.

Tom Vicchiariello:

Public notice has been received. Okay. Thank you. All right. If there's no other questions from the Board or the comments I will attain a motion to put the Port Jervis Planning Board to be the lead agency for this application. And it constitutes [inaudible 00:15:36] action without adverse impact.

George Belcher:

Moved.

Tom Vicchiariello:

George? Do I hear a second?

Tom Vicchiariello:

Do I hear a second?

Joe Butto:

Second.

Tom Vicchiariello:

Joe, thank you. On the application itself? Any comments? I'd just like to make two comments or three comments. Obviously, since we don't have a site plan, before us tonight, anything we might sign will be contingent on the site plan we do receive. Second, that the issue with the outdoor seating will be addressed, plus the site plan is provided to us. And all departments comments will be adhered to. Are there any questions?

Tujuana Smithen:

No questions.

Tom Vicchiariello:

All right. Would someone like to make a motion on the application?

George Belcher:

So moved.

Kelly Decker:

Hold on Tom. Tom, you need to vote on your secret motion.

Tom Vicchiariello:

Oh, we didn't vote on that?

Kelly Decker:

No, we didn't vote.

Tom Vicchiariello:

All in favor of the SEQUR motion?

George Belcher:

Aye.

Joe Butto:

Aye.

Tom Vicchiariello:

Anyone opposed? Anyone abstaining? Sorry about that. Okay. Now, on the application itself? George and Dominic. Any questions? Hearing no. All in favor?

Dominic Cicalese:

Aye.

George Belcher:

Aye.

Henry Hank Dunn:

Aye.

Tom Vicchiariello:

Anyone opposed? Anyone abstaining? All right. The application is approved, contingent on the new site plan for when it's provided. Thank you.

Tujuana Smithen:

Thank you.

Tom Vicchiariello:

Okay. Moving on. Does anyone have anything or business to bring up? Any questions? Anything? Okay. Hearing none. Does anyone have any new business? Zoning Board Report. Tim, are you there?

Jeanmarie Schields:

He's not here.

Laurie Powrie:

Yes, we have 11 Orchard.

Tim Simmons:

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ZBA Zoom Meeting 11/17/2020

Yeah. I can give you a report on that. I attended a meeting liaison, they had the KJB building LLC requesting a variance for a rear yard setback at 11 Orchard Street. That would be Dr. Little's office and they need the setback to accommodate addition... They want to put on the rear of the building to increase office space and make the office more efficient.

So a public hearing has been set for December 1st, which will probably be via Zoom unless things change at 7:00 PM, as I stated, on December 1st. And Jeanmarie, perhaps you can help me out if there's any pre submissions coming up for that meeting.

Jeanmarie Schields:

Not that I've heard from Laurie, no.

Laurie Powrie:

No, none.

Tim Simmons:

Okay. Nothing yet. So that would be their order of business then, for that.

Tom Vicchiariello:

Okay. Thank you, Tim. Zoning Board Report. Nothing else?

Laurie Powrie:

Nope.

Tim Simmons:

No.

Jeanmarie Schields:

No.

Tom Vicchiariello:

Okay.

Laurie Powrie:

Code enforcement. The Cornerstone project is underway. The hotel project is gearing up closer to being able to get a permit, still some issues being worked out. And we have the Dunkin' Donuts plans in review.

Tom Vicchiariello:

Okay. Anybody have anything for Laurie? Okay. Hearing none. Council liaison.

Tim Simmons:

Well, as everyone knows, we're working on the budget, trying to get that down. We do have our final budget workshop tomorrow via Zoom. If anyone is interested in, would like to join in, it's using the same number that you used tonight to sign in. That will take place at 6:00. Actually, we're going to, I believe, start at six o'clock tomorrow, a little bit earlier. We want to cover some other business. So we will be discussing the different areas of budget. And then also, as I said, trying to get it down. That I believe is about it.

Tom Vicchiariello:

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ZBA Zoom Meeting 11/17/2020

All right. Thank you. Any other comments from the Board? Hearing none. As of right now, we don't have anything on our agenda for the 16th of December, but hopefully we will. If not, everyone have a happy holiday and I'll call for adjournment

Henry Hank Dunn:

So moved.

Tom Vicchiariello:

George, all in favor?

George Belcher:

Aye.

Tom Vicchiariello:

Anyone opposed? Anyone abstaining? Thank you, everyone.

Dominic Cicalese:

Have a goodnight

Kelly Decker:

Thank you, everyone. Be safe.