



CITY OF PORT JERVIS

P.O. BOX 1002
20 HAMMOND STREET
PORT JERVIS, NEW YORK 12771

Planning Board Meeting Minutes December 16, 2025 7:00 p.m.

Board Members in Attendance: Chairman Tom Vicchiarello, Sean Addy, Joe Butto, Henry Dunn, Kelsey Farr

Board Members Absent: Anthony Fuller, Don Schields

Additional Attendees: Assistant Building Official Laurie Powrie, Attorney Glen Plotsky, Council Liaison Colin O'Connell

Chairman Vicchiarello led those present in the Pledge of Allegiance.

Public Hearing:

- Darryl McKeeby, 31 Pike Street, SBL: 18-5-10
 - Special Use Permit for a Cannabis Dispensary; ZD: WMU

The public hearing opened at 7:05 p.m.

All mailings are on file.

Mr. Brian Dewey, general manager of the dispensary, spoke before the Board. He stated that the company has a lease, insurance, and security, but some work needs to be completed inside the building. He and Mr. McKeeby, the owner, will be meeting with the Office of Cannabis Management (OCM) this week.

Mr. Dewey detailed the following:

- The business will be open seven (7) days per week, and the hours of operation will not exceed the required maximum of seventy (70) hours. They will be as follows: Monday through Friday 10:00 a.m. to 8:00 p.m., Saturday 10:00 a.m. to 7:00 p.m., and Sunday 10:00 a.m. to 5:00 p.m.
- No dumpster will be needed.
- There will be no outside lighting that will affect the street or neighbors.
- An unarmed security guard will be inside the business. The guard will verify the age of each customer and grant access once verified.
- Merchandise will be kept in a vault, and only staff will have access to the secure area.
- There will be tenant and handicap parking spaces.
- Employees only will park across the street. Customers will not be permitted to park in that parking area.

Orange County Department of Planning approved the application.

The Fire Chief, Police Chief, and Department of Public Works Director approved the application. The Fire Inspector submitted his comments, and the list was provided to Mr. McKeeby.

There was no public comment given.

There were no Board comments given.

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

AYE: 5 NAY: 0

Mr. McKeeby asked if the Board could provide him with a written conditional approval to submit to the OCM at his meeting this week. Mr. Plotsky stated that the Board would not be able to provide him with a written approval at this time.

Chairman Vicchiarello called the Planning Board meeting to order at 7:12 p.m.

Approval of Minutes: Motion by Mr. Addy, seconded by Mr. Dunn, to approve the November 18, 2025 meeting minutes.

AYE: 5 NAY: 0

Public Comment:

Mr. Richard Broas, a First Ward resident, read a letter he had provided to his councilman in regard to 77 Fowler Street.

Mr. John Marino, owner of DeMarino's Dispensary, spoke about proximity requirements in regard to 77 Fowler Street.

Discussion of Public Hearing:

No comments were given.

Motion by Mr. Addy, seconded by Mr. Dunn, to name Port Jervis Planning Board as Lead Agency with no environmental impact under SEQR.

AYE: 5 NAY: 0

Motion by Mr. Addy, seconded by Mr. Dunn, to approve the application with the condition that proximity protection in regard to 6-8 Hammond Street is resolved and granted.

AYE: 5 NAY: 0

Pre-Submissions:

- The Tunnel Apartments LLC/BNT Property Holdings, 103-129 Jersey Avenue, SBL: 18-3-12.1
 - Site Plan Approval for new construction of a mixed-use building, ZB: NMU
 -

Mr. Jim Farr, of Farr Engineering, spoke before the Board. The tunnel project will contain, in part, forty-eight (48) apartment units and be located between Neversink Lumber and Dollar Tree. The owners have been granted funding for the project. The project will use water, sewer, drainage, and

sprinkler systems currently on this site. There will be no additional water runoff and no grading changes. The first floor of the building will contain retail/commercial space as well as parking.

The owners, Brett and Tatiana Gartner, also spoke before the Board. The mixed-use building will be new construction, containing affordable housing of one (1), two (2), and three (3) bedroom apartments with some apartments having terraces. Green space will be provided on the roof that will be accessible from all apartments. Efficient systems will be used, including ground source heat pumps and, possibly, wind turbines. Mr. Gartner mentioned they have been long-term owners and saw potential for this space. They have been working on this project for approximately two and a half (2½) years. They will use local vendors when feasible.

Mr. Farr commented on the enhancements to that section of Jersey Avenue.

Chairman Vicchiarello inquired about a lighting plan, and Mr. Farr noted that a plan had not been completed yet.

Drainage was briefly discussed.

Chairman Vicchiarello asked about egress. There will be 2 staircases and an elevator. Doors will be in the front and back.

The building will have a sprinkler system, and fire suppression is still in the planning stage.

Chairman Vicchiarello asked if the front entrance, noted at eighteen feet (18'), could be enlarged. Mrs. Gartner commented that they did not want to lose required parking spaces.

A two thousand dollar (\$2,000.00) escrow will be required and must be deposited with the City Clerk's office.

This application does not require review by the Orange County Department of Planning.

The pre-submission will continue at the Planning Board's January 20, 2026 meeting.

Board Comments:

Mr. Plotsky summarized the status of the application for Higher Reason, 77 Fowler Street. The public hearing was closed in November 2025, and the applicant agreed to extend the Board's approval deadline to its January 20, 2026 meeting. Proximity protection will need to be determined. He noted that there may have been a change in state regulations, and the Board will review any changes prior to making a final decision. He will also review Mr. DeMarino's paperwork to ascertain a date the Board needs to consider for this application.

MHV Port Jervis LLC is working with the City Engineer and is preparing for its public hearing next month.

Old Business: none was given.

New Business: none was given.

Zoning Board Report:

There was no December Zoning Board meeting.

Code Enforcement Report:

Mrs. Powrie reported the following:

- Dunkin' Donuts submitted a demo permit for the project to expand its parking lot.
- The hotel permit has expired, but an application was resubmitted.
- Mrs. Powrie recently visited a building site in Kingston similar to the proposed East Main Street project. The owners feel the project can be completed within the 12-month permit period.
- Chairman Vicchiarello inquired about the wall behind 100 Pike Street. The condition of one (1) section is questionable, and Mrs. Powrie will check on this.

Council Liaison Report:

- The 2026 Budget was approved.
- The Fire Department received funds for new apparatus.
- Mr. O'Connell clarified that the City does not have intentions to tear down the Turntable.
- The Polar Plunge will be held on the 10th, and the proceeds will go to the Fire Department's Special Operations Team.
- The next Common Council meeting will be January 12, 2026 at 6:30 p.m. in the Council Chambers.

Motion by Mr. Dunn, seconded by Mr. Addy, to adjourn the meeting at 7:43 p.m.

AYE: 5 NAY: 0

Respectfully submitted,
Robyn Hendershot
Planning Board Secretary

The next regular meeting is tentatively scheduled for **January 20, 2026 at 7:00 p.m. in the Common Council Chambers.**