



Department of State
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New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE
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Albany, NY 12231-0001
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Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

_____ of the year 2026

Local Law Title:

**A LOCAL LAW AMENDING THE ZONING MAP OF THE CITY OF PORT JERVIS TO REZONE TAX
PARCEL SECTION 14, BLOCK 9, LOT 12.11 FROM R2 TO THE JERSEY AVENUE OVERLAY
DISTRICT**

Be it enacted by the Common Council of the

(Name of Legislative Body)

☐ County **XX City** ☐ Town ☐ Village
(Select one)

Of Port Jervis, Orange County, New York

as follows on the attached pages:

(Name of Local Government)

For Office Use Only

Department of State Local Law Index Number: _____ of the year 20 ____

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

**CITY OF PORT JERVIS
INTRODUCTORY LOCAL LAW NO. ____ OF 2026**

**A LOCAL LAW AMENDING THE CITY OF PORT JERVIS'S ZONING MAP TO REZONE TAX PARCEL SECTION
14-9-12.11 FROM R2 TO THE JERSEY AVENUE OVERLAY DISTRICT**

BE IT ENACTED by the Common Council of the City of Port Jervis as follows:

SECTION 1. TITLE

This Local Law shall be referred to as "A Local Law Amending the Zoning Map of the City of Port Jervis to Rezone Tax Parcel Section 14, Block 9, Lot 12.11 From R2 to the Jersey Avenue Overlay District".

SECTION 2. INTENT AND PURPOSE.

The Common Council of the City of Port Jervis declares its intent to rezone a parcel of land known as 5-7 Mill Street the R2 district to the adjacent Jersey Avenue Overlay District. The rezoning will encompass approximately 0.184 acres of land. The owner of the property has authorized the request for the rezoning. The property is currently classified as a commercial manufacturing structure with a building constructed on said property. Any specific application for an alternate use permissible in the Jersey Avenue Overlay district will be subject to a special use permit and/or site plan approval by the City of Port Jervis Planning Board, as the case may be. Any such application will be subject to full procedural and substantive compliance with the State Environmental Quality Review Act pursuant to which a review will be conducted in which all potential significant adverse environmental impacts of such application for a specific project are to be identified and fully analyzed.

SECTION 3. AMENDMENT TO ZONING MAP.

The City of Port Jervis Zoning Map, adopted and made a part of the Zoning Law of the City of Port Jervis Zoning Code is hereby amended to change the zoning classification from R2 to Jersey Avenue Overlay District for the property designated on the Tax Map for the City of Port Jervis as Section 14, Block 9, Lot 12.11 (5-7 Mill Street) described as follows:

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, with the buildings and improvements thereon erected, situate, lying and being in the City of Port Jervis, County of Orange, State of New York, and more particularly described on a certain map entitled, "Map of Property Belonging to Dr. James J. Mills at Port Jervis, New York" made by I. Righter, C.E., August 31, 1838, and filed in the Orange County Clerk's Office on November 2, 1918, Pocket No. 3, Folder No. 7.

BEING also described as Lot Nos. 5 and 6 on a survey map of land prepared by Conrad & Close, Professional Land Surveyors, dated August 26, 1975, and fully set forth by metes and bounds on the following page.

BEING a portion of the lands described in a deed dated August 29, 1975, made by Almarin Phillips and Sons, Inc. to Richard Kowal and recorded on September 3, 1975, in the Orange County Clerk's Office in Liber 2016 of Deeds at Page 372.

TOGETHER WITH a right-of-way for ingress, egress and regress by foot or by vehicle from and to Mills Street, over and through that adjoining tract designated as Lot No. 7 upon the aforesaid map and survey, and fully described on the following page.

TOGETHER WITH a right-of-way for ingress, egress and regress by foot or by vehicle from and to Jersey Avenue over and through that adjoining tract designated on the tax map of the City of Port Jervis as Section 14, Block 9, Lot 12.1. Said right-of-way to be located only on that part of said premises designated as Lot No. 3 upon the aforesaid map and survey, and fully described on the following page.

RESERVING, however, to the seller a right-of-way for ingress, egress and regress, by foot or by vehicle, from and to Mill Street over and through Lot No. 6 being conveyed to the purchasers hereunder to the remaining lands of the seller, and fully described on the following page.

BEING also described on a survey map of land prepared by Conrad & Close, Professional Land Surveyors, dated March 16, 1979, more fully described as follows:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND, buildings and improvements erected thereon, situate in the City of Port Jervis, County of Orange, State of New York, being known and designated as Lot No. 5 and Lot No. 6, as shown on a certain map entitled, "Map of Property Belonging to Dr. James J. Mills at Port Jervis, New York" made by I. Righter, C.E., August 31, 1838, and filed in the Orange County Clerk's Office on November 2, 1918, Pocket No. 3, Folder No. 7, and being more particularly described as follows:

BEGINNING at a point marked by a found iron rod on the Westerly side of Mills Street, said point marks the Easterly most corner of Lot No. 4 (Lands now or formerly Brown) and the Northerlymost corner of the parcel herein described; running thence, along the Westerly side of Mill Street, South 26 degrees 30 minutes East 80.0 feet to a spike set for a corner; thence, running along the Northerly line of Lot No. 7 and cutting the lands of Kowal, South 60 degrees 14 minutes West 100.0 feet to a spike set for a corner; thence, running along the lands now or formerly Donald Hunt, North 26 degrees 30 minutes West 870.0 feet to a found stake for a corner; thence, running along the Southerly line of Lot No. 4 and along the lands now or formerly Clark and Brown, North 60 degrees 14 minutes East 100.0 feet to the point and place of BEGINNING.

The above described parcel being conveyed SUBJECT TO a 10 foot right-of-way to be used by the seller, his heirs and assigns, and used in common with others, and being more particularly described as follows:

BEGINNING at a point marked by a spike set on the Westerly side of Mill Street, said point marks the Easterly most corner of Lot No. 6 and the Northerly most corner of Lot No. 7, and the Easterly most corner of the above described parcel; running thence, along the Northerly line of Lot No. 7, South 60 degrees 14 minutes West 100.0 feet to a spike for a corner; thence, running North 26 degrees 30 minutes West 10.02 feet to a corner; thence, running parallel to and 10 feet Northerly from the Northerly line of Lot No. 7, North 60 degrees 14 minutes East 100.0 feet to a point on the Westerly side of Mills Street; thence, running along the same, South 26 degrees 30 minutes East 10.02 feet to the point and place of BEGINNING.

TOGETHER WITH a right-of-way 20 feet in width to be used in common with others and being more particularly described as follows:

BEGINNING at a point marked by a spike set on the Westerly side of Mill Street, said point marks the Easterly most corner of Lot No. 6 and the Northerly most corner of Lot No. 7, and the Easterly most corner of the above described parcel; running thence, along the Northerly line of Lot No. 7, South 60 degrees 14 minutes West 100.0 feet to a spike for a corner; thence, running along the Easterly line of Lot No. 3, South 26 degrees 30 minutes East 20.03 feet to a point; thence, running on a line parallel to and 20 feet Southerly from the Northerly line of Lot No. 7, North 60 degrees 14 minutes East 100.0 feet to a point on the Westerly side of Mill Street; thence, running along the same, North 26 degrees 30 minutes West 20.03 feet to the point and place of BEGINNING.

TOGETHER WITH another right-of-way 36.44 feet wide to be used in common with others, and being more particularly described as follows:

BEGINNING at a point marked by an iron rod located on the Easterly side of Jersey Avenue, said point marks the Southerly most corner of lands now or formerly Donald Hunt and ruther being located South 26 degrees 30 minutes East 183.5 feet, as measured along the Easterly side of Jersey avenue from the intersection with the Southerly side of Owen Street; running thence, along the lands of Hunt, North 60 degrees 14 minutes East 100.0 feet to a point on the Westerly line of Lot No. 7; thence, running along the same, South 26 degrees 30 minutes East 36.5 feet to a point; thence, running along the Southerly line of Lot No. 3, South 60 degrees 14 minutes West 90.45 feet to a point on the Northerly right-of-way line of the old New York Ontario and Western Railroad; thence, running along the same, on a curve to the right, with a radius of 826.92 feet for a distance of 12.8 feet to a point on the Easterly side of Jersey Avenue; thence, running along the same, North 26 degrees 30 minutes West 27.41 feet to the point and place of BEGINNING.

BEING the same premises described in a deed dated March 23, 1979, from Richard Kowal to Jack Spiezio and Dorothy Spiezio, his wife, which deed was recorded in the Orange County, New York, Clerk's Office on March 26, 1979, in Liber 2126 of Deeds at Page 951. BEING the same premises described in a certain deed dated February 6, 1980 from Jack Spiezio and Dorothy Spiezio to Spiezio Realty, Inc., which deed was recorded in the Orange County, N.Y. Clerk's Office on April 18, 1985 in Liber 2349 of Deeds at Page 276.

SECTION 4. SUPERSEDING PROVISION.

To the extent that New York State City Law, and the Port Jervis City Code, specifically City Code Section 535-106, fail to provide specific authority for this Local Law or the procedures necessary for its adoption, or otherwise appear to be in conflict with this Local Law or the procedures followed for its adoption, then such laws are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law of vesting.

SECTION 5. SEVERABILITY

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

PLEASE TAKE NOTICE TO THE EXTENT THAT THIS LOCAL LAW MAY CONFLICT WITH APLICABLE PORTIONS OF THE GENERAL CITY LAW OF THE STATE OF NEW YORK, IT IS THE STATED INTENTION OF THE COMMON COUNCIL OF THE CITY OF PORT JERVIS TO EXERCISE ITS AUTHORITY TO SUPERSEDE AND AMEND SAME, AS GRANTED UNDER THE MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK, SECTIONS 10 AND 22.

Local Law Filing

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto ascribed as local law number ____ of 20__ of the _____
was duly passed by the _____ on _____ in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 2026 of the
City of Port Jervis was duly passed by the Common Council on _____, 2026, and was approved by
the City Mayor on _____, 2026 in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20__ of the
(County)(City)(Town)(Village) of _____ was duly passed by the

(Name of Legislative Body) on _____ 20__ and was
(approved)(not approved)(repassed after disapproval) by the _____ on
(Elective Chief Executive Officer*)
_____ 20__.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the
affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on
_____ 20__ in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20__ of the
(County)(City)(Town)(Village) of _____ was duly passed by the

(Name of Legislative Body) on _____ 20__ and was
(approved)(not approved)(repassed after disapproval) by the _____ on
(Elective Chief Executive Officer*)
_____ 20__. Such local law was subject to permissive referendum and no valid petition
requesting such referendum was filed as of _____ 20__ in accordance with the
applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

Local Law Filing

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20 ____ of the City of _____ having submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 ____ became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed thereto, ascribed as local law number _____ of 20 ____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 ____ pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in the paragraph 1 above.

(Seal)

Stacey Hosking, City Clerk-Treasurer

(Date)