



CITY OF PORT JERVIS

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

Planning Board Meeting Minutes January 20, 2026 7:00 p.m.

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

Additional Attendees: Assistant Building Official Laurie Powrie and Attorney Glen Plotsky

Chairman Vicchiarello led those present in the Pledge of Allegiance.

Public Hearing:

MHV Port Jervis LLC; 255-257 East Main Street, 10 South Maple Avenue, 18 South Maple Avenue, and 28 South Maple Avenue; SBLs: 20-7-13, 20-8-4.2, 20-8-5.2, and 20-8-6.22

- Site Development Plan for new construction of a mixed use building in the Tri-State Commercial Overlay Zone; ZD: NMU

The public hearing opened at 7:02 p.m.

All mailings are on file.

Mr. Dan Simone, owner and developer, was present and spoke before the Board.

Mr. Simone reviewed the project, which included the following items:

- The project consists of three (3) acres on East Main Street and South Maple Avenue.
- It will be a 4-story building with fifty (50) apartment units and three thousand (3,000) square feet of commercial space. It will have City sewer and water.
- The new parking lot will consist of one hundred (100) spaces.
- The Department of Transportation (DOT) and Orange County had no notable comments against the project.
- The apartments will range in size from one (1) bedroom studios to two (2) and three (3) bedroom units.
- The ground floor will consist of three thousand (3,000) square feet and contain three (3) commercial spaces.
- The size of the apartments will range from the studios at six hundred twenty-five (625) square feet to the three (3) bedroom units at one thousand one hundred fifty (1,150) square feet.
- The front of the parcel will contain the entire building structure, and the rear of the parcel will contain parking spaces.
- There will be an open promenade facing the river.

Chairman Vicchiarello commented that most of the issues had been resolved.

Mr. Simone noted that a twelve foot (12') by thirty foot (30') drop off area by the front door had been added to address comments about accessibility. He also noted there was no elevator on the first floor due to the property being in the flood plain.

As the parking area is also in the 100-year flood plain, the management team for the building will be given an Emergency Management Plan and will work with the City to assist residents if parked vehicles need to be moved during storms.

Flashing beacons will be added on South Maple Avenue and be controlled by pedestrians at that crossing.

Chairman Vicchiarello spoke with the police chief and Department of Public Works (DPW) director, and both are in favor of the project. He also commented about the building's management team and the City working together to assist vehicle owners in times of flooding or stormy weather.

Mr. Simone noted he will speak with the DPW director in regard to the grinder pump being added as requested by the director.

Chairman Vicchiarello met with the fire chief and fire inspector. They had concerns about the area available for fire department apparatus. Mr. Simone stated the area in question will be expanded, and he is confident it will accommodate fire department vehicles.

The DPW director's comment on the water supply will be resolved, and the police chief approved the application.

Orange County, in their review, noted items such as storm water protection during construction, lighting, and landscaping.

In a letter from New York State, it was noted that a flashing light should be installed to protect pedestrians in the crosswalk at the Maple Avenue intersection. The reconstruction of the intersection may impact the proposed sidewalk.

There were no Board comments given.

Public Comment:

Mr. Lucas Irace, of the Orange County Partnership, spoke in support of the project. The project, he commented, offers revitalization and addresses the housing needs of the community.

Mr. Scott Quinn, City Engineer, added that everything had been covered. Mr. Simone had reviewed Mr. Quinn's most recent memo and had no objections.

Motion by Mr. Dunn, seconded by Mr. Addy, to close the public hearing at 7:20 p.m.

AYE: 7 NAY: 0

Chairman Vicchiarello called the Planning Board meeting to order at 7:21 p.m.

Discussion of Public Hearing:

Chairman Vicchiarello inquired about the timetable for the completion of the project. Mr. Simone stated that it will take approximately twelve (12) months for hard construction and an additional two (2) months for other items such as Certificate of Occupancy. Mr. Simone anticipates leasing to start in approximately fourteen (14) months.

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

AYE: 7 NAY: 0

Motion by Mr. Fuller, seconded by Mr. Addy, to approve the application with the condition that all department head comments be adhered to.

AYE: 7 NAY: 0

Approval of Minutes:

Motion by Mr. Addy, seconded by Mr. Dunn, to approve the December 16, 2025 meeting minutes.

AYE: 7 NAY: 0

Public Comment:

Mr. Matthew Garzia, Co-Chairman of the Orange County Cannabis Committee, read a prepared statement, which included the topics of location and proximity as well as consistency of Board decision-making. Mr. Garzia offered his committee as a resource for the Board and added that he is supportive of the continued growth.

Pre-Submissions:

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

Mr. Jim Farr, in an email of January 20, 2026 to Mrs. Powrie, requested that the Tunnel Apartment's application be removed from the January 20, 2026 agenda so that he can address Mr. Quinn's comments on the project and speak with the City's fire inspector.

2. Hammertime Enterprises LLC, 12 & 14 Sussex Street, SBL: 13-3-3 & 4.2
 - Site Development Plan for Mixed-Use Building-Restaurant on the first floor & seven (7) apartments on the second floor, ZD: CBD

Mr. John Fuller, representing the applicant, spoke before the Board.

After a preliminary site plan had been submitted for the current site of Aliton's Pharmacy, the owner approached Mr. Fuller to add apartments on the second floor. The owner anticipates continuing the pharmacy for another twelve (12) to twenty-four (24) months.

The second floor will contain seven (7) one-bedroom apartments, and the property has a future potential use as an eating establishment once the pharmacy is closed.

Chairman Vicchiarello inquired about parking, as the lot is currently used by pharmacy customers. Mr. Fuller noted that parking spaces could be reserved for residents. Mr. Fuller added that the drive-up window could be used for the future eating establishment.

Chairman Vicchiarello asked about a recreation area for the building's residents. Mr. Fuller commented that the owner may request a waiver similar to others granted in the past and added that a common space would be included on the second floor.

Issues with the current dumpster were discussed, and Mr. Fuller suggested more frequent pick-ups as a possible solution to future issues.

This application will be sent to Orange County for review and input.

No Board comments were given.

Motion by Mr. Addy, seconded by Mr. Fuller, to set the public hearing for this application for February 17, 2026 at 7:00 p.m. in the Council Chambers.

AYE: 7 NAY: 0

Motion by Mr. Butto, seconded by Mr. Dunn, to enter into Executive Session at 7:40 p.m. for the purpose of providing the Board with legal guidance on the application for Higher Reason. An invitation to enter into Executive Session was extended to Mr. Plotsky. It was noted that Mr. Addy would not be joining the Board in Executive Session and would recuse himself from Executive Session and from any further discussion by the Board on this application.

AYE: 7 NAY: 0

Motion by Mr. Butto, seconded by Mr. Dunn, to modify the motion to enter Executive Session to also extend an invitation to Mrs. Powrie.

AYE: 7 NAY: 0

The Planning Board meeting resumed at 8:03 p.m.

Old Business:

- Higher Reason, 77 Fowler Street, SBL: 9-14-23
 - Special Use Permit for a Cannabis Dispensary; ZD: NMU

The Board was in receipt of four (4) letters submitted for the application for Higher Reason. The letters had been distributed to all Board members and would be included as part of the record.

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

AYE: 7 NAY: 0

Motion by Mr. Fuller, seconded by Mr. Butto, to deny the application.

The Board denied the application due to the proximity to the daycare and other cannabis establishments.

Mr. Bondy requested to speak before the Board, and the Board granted his request.

Mr. Bondy noted the following:

- Prior issues with the New York State Taxation and Finance and the New York State Office of Cannabis Management (OCM) had been resolved and satisfied.
- The architect submitted a site plan with the distances to the daycare per the City code.
- In the City code, Mr. Ulm's property is identified as an appropriate location.
- The applicant satisfied everything covered under the City code and requested by the Board.
- The number of hours of operation and a type of advertising used by DeMarino's Dispensary violates the law. Mr. Plotsky requested Mr. Bondy speak on this application only.
- Mr. Ulm had acted in good faith.

Mr. Bondy stated he finds no valid reason to deny this application.

A Roll Call Vote was taken.

AYE: 6 (K. Farr, D. Schields, J. Butto, T. Vicchiarello, H. Dunn, T. Fuller) NAY: 0
ABSTAIN: 1 (S. Addy)

New Business:
None was given.

Zoning Board Report:

No January Zoning Board meeting was held. The next meeting will be scheduled for February 3, 2026 at 7:00 p.m. in the Council Chambers.

Code Enforcement Report:

Mrs. Powrie reported the following:

- A pre-submission for 37 & 39 Pike Street will be submitted for the Planning Board's February meeting.
- The building official is working with the owner of the building on Jersey Avenue.
- Truck traffic is still an issue at Wilder Manufacturing.
- A letter identifying 62 Sussex Street as a dangerous building had been written.

Council Liaison Report:

Councilman Jason Vicchiarello reported that the Council completed various reorganizational Board appointments, and the State of the City address will be Monday, January 26, 2026.

Motion by Mr. Dunn, seconded by Mr. Fuller, to adjourn the meeting.

AYE: 7 NAY: 0

Respectfully submitted,
Robyn Hendershot
Planning Board Secretary

The next regular meeting is tentatively scheduled for **February 17, 2026 at 7:00 p.m. in the Common Council Chambers.**