



CITY OF PORT JERVIS

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

Planning Board Meeting Minutes November 18, 2025 7:00 p.m.

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

Board Members Absent: Henry Dunn

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

Chairman Vicchiariello led those present in the Pledge of Allegiance.

Public Hearing:

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

The public hearing for Higher Reason, 77 Fowler Street, continued. Public comment had been closed at the November meeting.

Mr. Plotsky distributed and submitted to the Board's for its consideration an email dated November 11, 2025 from Mr. Bondy. Attached was the applicant's original Public Convenience and Advantage Waiver Request filed with the Office of Cannabis Management (OCM) on May 14, 2025.

Mr. Plotsky will review Mr. DeMarino's file to determine if his provisional license was issued prior to Mr. Olm's and will provide that information to the Board at the December meeting.

Mr. Plotsky reminded all present that public comment was closed and only the applicant and Board members would be permitted to speak.

Mr. Bondy stated that Mr. Olm has no objections to DeMarino's Dispensary on Jersey Avenue being within the 2,000' distance requirement.

Mr. Bondy noted a September 9, 2025 letter to the Board addressing questions in regards to HeadStart. He added that there would be no odor from the business, and the business would not use the parking lot of the business across the street.

Mr. Bondy remarked that Mr. Olm's business would be a benefit to the community by employing people and generating revenue.

Mr. Bondy stated that Mr. Olm has settled the tax bill for the prior unlicensed sale of cannabis and is expecting a second matter to be settled within days.

Mr. Olm has purchased the property at 77 Fowler Street, has had communications with Police Chief Worden, and wants to operate a business in the community.

Mr. Plotsky pointed out information on the Port Jervis City School District's website in regards to its Universal Pre-K program operating at HeadStart, Candy Cane Preschool, Hamilton Bicentennial Elementary School, and Project Discovery. He also noted that HeadStart, located at 56-58 Church Street, is identified as a school on Orange County's Image Mate property website. Mr. Bondy acknowledged this information but inquired about HeadStart's license.

There were no further Board comments given.

Chairman Vicchiariello asked about the proximity protection filed in May 2025. Mr. Bondy stated that Mr. Olm was never apprised of Mr. DeMarino's Dispensary and reiterated that he does not object to his business being located on Jersey Avenue.

Chairman Vicchiariello noted that the Board must take the Police Chief's comments into consideration.

Mr. Bondy informed the Board that the applicant has requested the OCM hold its decision pending the Planning Board's final decision and stated that Mr. Olm is facing prior issues and addressing them.

Motion by Mr. Fuller, seconded by Mr. Schields, to close the public hearing.
AYE: 5 NAY: 0 ABSTAIN: 1 (Addy)

Chairman Vicchiariello called the Planning Board meeting to order at 7:29 p.m.

Approval of Minutes:

Motion by Mr. Fuller, seconded by Mr. Butto, to approve the October 21, 2025 meeting minutes.
AYE: 6 NAY: 0

Discussion of Public Hearing:

Mr. Plotsky reminded the Board that it has sixty (60) days to make a determination. The December 16 meeting will fall within that timeframe, but the January 20 meeting would not.

Mr. Plotsky asked the applicant if he would consent to extend the sixty (60) day requirement to January 20, 2026, which is the Planning Board's January meeting date. Mr. Olm consented to the extension. Mr. Bondy will provide additional information he receives between November 18 and December 16 to Mr. Plotsky so it can be distributed to Board members for the December 16 Planning Board meeting.

Pre-Submissions:

1. Darryl McKeeby, 31 Pike Street, SBL: 18-5-10 (*continuation*)
 - Special Use Permit for a Cannabis Dispensary; ZD: WMU

Mr. Brian Dewey, general manager for the cannabis dispensary, spoke before the Board. A site plan was provided. Mr. Dewey spoke about 6-8 Hammond Street no longer being a viable location and also about working with the OCM on proximity.

The following details were discussed:

- Parking spots must be noted on the site plan, as well as the height of the building, utilities, and lighting.
- A licensed security guard will be on site.
- The hours of operation will be adjusted to meet requirements and will be noted on the site plan.
- There will be security cameras on site, and there will be a vault on premises.
- There will be security doors in the front of the building.

Mr. Plotsky asked the applicant if he would like to move forward to a public hearing or continue the pre-submission pending the outcome of the proximity variance request. Mr. McKeeby discussed difficulties he's experienced with the OCM, stated he has a provisional license, and wished to move forward to a public hearing.

Chairman Vicchiariello requested the following be on the site plan submitted for the public hearing:

- Actual hours of operation
- Number of employees
- Line spacing for parking
- Lighting
- Height of the building

Motion by Mr. Fuller, seconded by Mr. Addy, to set a public hearing for this application for December 16, 2025.

AYE: 6 NAY: 0

2. MHV Port Jarvis 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 (*continuation*)
 - Site Development Plan for new construction of a mixed use building in the Tri-State Commercial Overlay Zone; ZD: NMU

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

Since the October meeting, Mr. Simone had spoken with the Director of Public Works and the Fire Inspector and was awaiting additional comments. Both department heads indicated they supported the project. Mr. Simone received the updated comments letter from the City Engineer and will make modifications per those recommendations.

Chairman Vicchiariello inquired about the firehouse next to the proposed project. Mr. Simone had received updated topography and would submit any changes that may be needed.

Mr. Butto asked about the crosswalk on South Maple Avenue. Mr. Simone noted the crosswalk will be striped and have signage. The location had been changed, and the sidewalk will extend to the existing sidewalk in that area. He also mentioned that there will be no curb cuts.

Chairman Vicchiariello asked if the proposed path around the parking lot would be open to the public. Mr. Simone stated that the area will not be fenced and will be accessible.

Mr. Simone noted he will make the necessary site plan revisions prior to the public hearing.

Motion by Mr. Fuller, seconded by Mr. Addy, to set the public hearing for his application for January 20, 2026.

AYE: 6 NAY: 0

Board Comments: none was given.

Old Business:

Motion by Mr. Fuller, seconded by Mr. Addy, to grant a 6-month extension to the permit for 47 Front Street.

AYE: 6 NAY: 0

New Business: none was given.

Zoning Board Report:

There was no November Zoning Board meeting, and no business is anticipated for the December meeting.

Code Enforcement Report:

Mrs. Powrie reported the following:

- Chase Bank carport project is moving forward.
- The department anticipates 103 Jersey Avenue coming before the Board at its December meeting or soon thereafter.
- DeMarino's Dispensary and Easy Jay's have been issued their Certificates of Occupancy.
- Rumschock's is progressing slowly but steadily due to having to make alterations to the placement of the garage.

Council Liaison Report: none was given.

Motion by Mr. Fuller, seconded by Mr. Schields, to adjourn the meeting at 8:00 p.m.

AYE: 6 NAY: 0

Respectfully submitted,
Robyn Hendershot
Planning Board Secretary

The next regular meeting is tentatively scheduled for **December 16, 2025 at 7:00 p.m. in the Common Council Chambers.**