



CITY OF PORT JERVIS

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

Planning Board Meeting Minutes September 16, 2025 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, Attorney Glen Plotsky, Council Liaison Colin O'Connell

Chairman Vicchiarello led those present in the Pledge of Allegiance.

Public Hearing:

- Black & Veach on behalf of JP Morgan Chase Bank, 16 Sussex Street; SBL: 13-2-3.2
- Site development for a solar carport in the bank parking lot; ZD: CBD

Mr. Powers, representing the applicant, reviewed JP Morgan Chase Bank's request to install a solar carport in the existing bank parking lot. Mr. Powers clarified the direction of the carport and explained the carport's proposed location is due to the angle of the sun in relation to the building next door.

All mailing receipts have been received and submitted.

JP Morgan Chase Bank's corporate policy includes their desire to remove some of the need from the electric grid, and the corporation is implementing this policy in various locations. The carport will generate electricity to offset the bank's current usage and will produce thirty-five (35%) to thirty-nine (39%) percent of its electrical need, which will lessen the burden to the grid.

No lighting will obstruct motorists' or pedestrians' sight or vision. Mr. Powers noted there will be lights on the lower part of the carport, but they will not be an obstruction.

The hours of operation and number of employees are not applicable.

The slope of the parking lot is good, and drainage and/or runoff should not pose a problem. Mr. Plotsky inquired about snow and ice buildup. Mr. Powers stated the solar panels only have a five percent (5%) slope and also have gaps between the panels. He does not foresee any issues with snow or ice falling from the panels.

Department head comments were reviewed, and all department heads approved.

No public comment was given.

Motion by Mr. Dunn, seconded by Mr. Addy, to close the public hearing at 7:10 p.m.
AYE: 7 NAY: 0

Chairman Vicchiarello called the Planning Board meeting to order.

Public Comment: none was given.

Approval of Minutes: Motion by Mr. Schields, seconded by Mr. Addy, to approve the August 19, 2025 meeting minutes.
AYE: 7 NAY: 0

Discussion of Public Hearing: There was no discussion by the Board.

Motion by Mr. Fuller, seconded by Mr. Butto, to name Port Jervis Planning Board as Lead Agency with no environmental impact under SEQR.
AYE: 7 NAY: 0

Motion by Mr. Addy, seconded by Mr. Fuller, to approve the application.
AYE: 7 NAY: 0

Pre-Submission:

1. Higher Reason, 77 Fowler Street, SBL: 9-14-23 (*continuation*)
 - Special Use Permit for a Cannabis Dispensary; ZD: NMU

Mr. Joseph Bondy, attorney for the applicant; and Mr. Joseph Minuta, architect, were in attendance and spoke before the Board.

Mr. Bondy addressed questions raised at the August pre-submission in regards to items such as distances, number of employees, and hours of operation.

The number of employees will be fifteen (15) over two (2) shifts.

The hours of operation will be as follows: Monday, Tuesday, Wednesday 10:00 a.m. to 7:00 p.m.; Thursday 10:00 a.m. to 8:00 p.m.; Friday and Saturday 10:00 a.m. to 10:00 p.m.; and Sunday 10:00 a.m. to 7:00 p.m.

Mr. Bondy stated that the distance requirement is measured “as the crow flies” and from the front door of the business to the property line of the registered property. They have calculated the distance, using Orange County property records, and maintain distance requirements have been met.

Mr. Bondy spoke about Education Law for school grounds and stated that distance requirements have been satisfied. He mentioned that neither Candy Cane Preschool nor Head Start is registered based on the public records he reviewed.

Chairman Vicchiarello asked about Church Street Park. Mr. Minuta explained that their maps are scaled and contain a margin of error. Church Street Park is outside of the boundary.

Chairman Vicchiarello spoke about the proximity requirements to other cannabis dispensaries, specifically the new dispensary on Jersey Avenue. It was noted that 8 Hammond Street, after a zoning change, can no longer be a dispensary.

Mr. Bondy added that the 200' rule for public parks is pending legislation.

Chairman Vicchiarello and Mr. Bondy clarified that the owner across the street will not allow parking.

Department head comments were reviewed. The Director of Public Works and Fire Chief approves the application. The Fire Inspector requested the business meet federal and state fire codes and approved the application. The Police Chief did not approve the application, expressing concerns about the proximity to Candy Cane Preschool, Head Start, and Church Street Park. The Police Chief also requested assurances that all licensing requirements be met.

There were no further Board comments given.

Motion by Mr. Schields, seconded by Mr. Fuller, to set the public hearing for this application for October 21, 2025.

AYE: 7 NAY: 0

Pre-Submission:

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

Chairman Vicchiarello requested Mr. McKeeby supply the Board with a site plan at least ten (10) days prior to the next meeting.

Mr. Brian Dewey, who will be the general manager of the dispensary, detailed the following:

- There will be security guards on site.
- They are in preliminary license status.
- They have a lease and insurance.
- They will adjust their hours of operation to meet requirements.
- There will be no additional lighting installed.
- The number of employees will be fifteen (15).
- Employees will park in the small lot across the street. It was clarified that the lot will be for employee parking only.
- They do not foresee the need for a dumpster, but if one is necessary, it will meet requirements.

Because the Board does not have a site plan for this application, the pre-submission will be continued at the October 21, 2025 Planning Board meeting.

Pre-Submission:

3. 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

Mr. Dan Simon, owner and developer, shared the following details for the project:

- The property is the former Phil's Ford, which is approximately 10,000 ft². The proposed project will be approximately 11,500 ft².
- It will be a mixed use building with fifty (50) residential units along with retail space on the ground floor.
- They will be building a smaller parking lot, which will have a number of parking spaces well over the requirements.
- There will be a reduction in impervious surfaces by thirty percent (30%).
- The building will be a 4-story wood structure. The ground floor will be commercial. It will have sprinklers and vinyl stone siding, house mechanical units above the flood zone, and have concealed condensers on the roof.
- The owners have developed 3,000-4,000 residential units across the country.
- Sewer and water are readily available and have ample capacity at this location.
- A traffic analysis has been done, indicating a slight increase of fifteen (15) to eighteen (18) cars in the morning at peak time. Traffic will be controlled through South Maple Avenue, and there will be no entrance on to East Main Street.
- Sidewalks will be extended, and lighting will be kept to a minimum.
- No fence is proposed, and the existing fence will be removed.
- A walking trail will be added on the property.
- There will be in-person employees during the "lease up" period, and a general manager will be off-site. Mr. Plotsky commented that a local agent is required per City code.

Ms. Powrie noted that studio, one-bedroom/one-bath units noted on the site plan—14 at 448 ft² and 18 at 558 ft²—do not meet the minimum of 600 ft² of livable floor area required by City code. The units must meet minimum requirements, or a zoning variance will be required.

An escrow of \$2,500.00 must be submitted to the City Clerk-Treasurer's office.

Due to the scope of the project, the pre-submission will be continued at the October 21, 2025 Planning Board meeting.

Board Comments: none was given.

Old Business: none was given.

New Business: none was given.

Zoning Board Report:

There was no September Zoning Board meeting.

Code Enforcement Report:

Mrs. Powrie reported the following:

- The building official is working with the hotel project.
- There are no new Planning or Zoning Board applications at this time.

Council Liaison Report:

Councilman O'Connell shared the following:

- The Council renewed the City Assessor's contract for six (6) years.
- Local Laws #6 and #7 were set for public hearing.
- The Council discussed two (2) grants—the BRICKS grant and a forestry grant.

The next Council meeting will be September 22, 2025 in the Council Chambers.

Motion by Mr. Fuller, seconded by Mr. Dunn, to adjourn the meeting at 8:10 p.m.

AYE: 7 NAY: 0

Respectfully submitted,
Robyn Hendershot
Planning Board Secretary

The next regular meeting is tentatively scheduled for **October 21, 2025 at 7:00 p.m. in the Common Council Chambers.**