

**TOWN OF NEW HARTFORD  
PLANNING BOARD MINUTES  
TUESDAY, NOVEMBER 12, 2024  
TOWN OF NEW HARTFORD MUNICIPAL OFFICES  
8635 CLINTON STREET, NEW HARTFORD, NEW YORK**

The Regular Meeting was called to order by Chair Heather Mowat at 5:30 P.M. at which time the Pledge of Allegiance was recited. In attendance were Board Members Julius Fuks, Jr., Lisa Britt, Manzur Sikder and Rocco Arcuri. Absent: James Decker and Wilmar Sifre. Also in attendance, Town Attorney Herbert Cully, Highway Superintendent Richard Sherman, secretary Dory Shaw.

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Minutes of September 9, 2024 Planning Board meeting were addressed. Motion was made by Board Member Manzur Sikder to approve these minutes as written; seconded by Board Member Rocco Arcuri. All in favor.

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**Dr. Haraj Lulu, 3354 Oneida Street, Chadwicks, New York.** Final Site Plan review for a proposed music center. Tax Map #349.020-1-22; Zoning: C2 Commercial Retail Business. Mr. John Jweid of Pavia Real Estate appeared before the meeting.

Chair Mowat explained Preliminary Approval was granted at the September 9, 2024 Planning Board meeting. This application was sent to several agencies for SEQR review: those agencies responded: Oneida County Planning – no recommendation; NYSDEC no objection - less than one acre disturbance, therefore, no construction – stormwater permit is required; Willowvale Fire Company, Chief Noel Ames, his concern is the parking lot situation but the remedy suggested in the most recent engineering plan provided on November 5, 2024 would alleviate his concerns about the parking lot, which he indicated to Staff. He will be doing a walk thru regarding the interior, i.e. electrical, ingress/egress. Another walk thru planned.

Town Contract Engineer John Dunkle could not be at this meeting; however, he had the following suggestions:

- receipt of a parking lot layout plan that allows for unrestricted circulation of a fire truck – approval and building permit issuance could be subject to his final review upon receipt of such a plan. Mr. Jweid stated Dr. Lulu is agreeable to this and pending Mr. Dunkle's approval;

- certification from a New York licensed engineer that the stream bank adjacent to the parking area is sufficiently stable to withstand flooding damage, and will support the proposed traffic circulation and parking layout at the top of the bank. Mr. Jweid said Dr. Lulu is agreeable to this subject to this being done for a permit;

- the Town is indemnified from any liability relating to any future streambank erosion which may jeopardize the safety of pedestrians, traffic circulation, emergency access, or parking (completed by applicant's attorney and for Planning Board review). Mr. Jweid said Dr. Lulu is ready to do this as soon as he takes ownership;

-all events to be held at the facility needing more than \*20 parking spaces will require a special event permit with an offsite parking plan. Mr. Jweid said Dr. Lulu is agreeable to this and if they have more than 20, they have to come back before this Board.

\*the Planning Board members reviewed this number and is satisfied with 20 parking spaces. These include ADA spots. ADA spots were on the plans, standard size.

Creek bank drawings: it was stated that Mr. Dunkle will not sign off unless he agrees with the drawings of the installed bank – Mr. Donald Ehre, P.E., submitted information on this.

No further discussion.

At this time, motion was made to close SEQR with a Negative Declaration by Board Member Lisa Britt; seconded by Board Member Manzur Sikder. Vote taken:

Chair Mowat – abstained	Board Member Lisa Britt – yes
Board Member Manzur Sikder – yes	Board Member Rocco Arcuri – yes
Board Member Julius Fuks – yes	

Motion **passed** by a vote of 4 approved and 1 abstention.

Motion was made by Board Member Rocco Arcuri to grant Final Site Plan approval subject to the four (4) items listed above and Contract Engineer John Dunkle’s approvals; also the number of parking spaces for special events to be 20; seconded by Board Member Manzur Sikder. Vote taken:

Chair Mowat – abstained	Board Member Lisa Britt – yes
Board Member Manzur Sikder – yes	Board Member Rocco Arcuri – yes
Board Member Julius Fuks – yes	

Motion **passed** by a vote of 4 approved and 1 abstention.

Mr. Jweid asked how to proceed and was advised accordingly.

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Mr. Andrew Bailey of LaFave, White & McGivern, LS PC, for **Mr. & Mrs. Louis Inkawhich, 4913 Henderson Street, Whitesboro, New York.** Two lot minor subdivision. Tax Map #317.013-3-6.1; Zoning: Medium Density Residential.

Two homes on one lot – an Area Variance was granted to this property on October 21, 2024 by the New Hartford Zoning Board of Appeals for one lot – both homes are in New Hartford. The applicant wants both towns to approve the subdivision. The existing driveway was discussed as it is in the middle – it will be worked out – both homes have access out. Once one of the properties sells, the use is extinguished.

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Each have their own driveway but in different towns. Each property has acres apiece and will be provided a copy of the deed once it transfers. Discussion ensued regarding the filing of the deeds.

Mr. Bailey will be attending the Whitestown meeting next week and he will advise accordingly.

Oneida County Planning and Oneida County DPW had no recommendations. Contract Engineer John Dunkle reviewed this and had no questions. Highway Superintendent Rick Sherman has no issues with this application.

At this time, motion was made by Board Member Rocco Arcuri to grant Preliminary and Final Subdivision Approval; seconded by Board Member Julius Fuks. Vote taken:

Chair Mowat – yes	Board Member Lisa Britt – yes
Board Member Manzur Sikder – yes	Board Member Rocco Arcuri – yes
Board Member Julius Fuks – yes	

Motion **passed** by a vote of 5 – 0.

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Chair Mowat addressed projects that are pending.

There being no further business, the meeting adjourned by motion of Board Member Julius Fuks; seconded by Board Member Manzur Sikder at approximately 6:20 P.M. All in favor.

Respectfully submitted,

Dolores Shaw  
Planning Board Secretary

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