

**TOWN OF NEW HARTFORD
PLANNING BOARD MINUTES
MONDAY, FEBRUARY 9, 2026
TOWN OF NEW HARTFORD MUNICIPAL OFFICES
8635 CLINTON STREET, NEW HARTFORD, NEW YORK**

The Planning Board 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 Planning Board Members Julius Fuks, Jr., Rocco Arcuri, Manzur Sikder, Wilmar Sifre, Lisa Britt, and James Decker. Also in attendance was Councilman David Reynolds, Town Attorney Herbert Cully, Esq., Town Engineer John Dunkle, Codes Enforcement Officer George Farley, and secretary Dory Shaw.

Minutes of the December 8, 2025 Planning Board meeting were approved by motion of Board Member Rocco Arcuri; seconded by Board Member Julius Fuks, Jr. All in favor.

Mr. Hans Arnold, 107 Paris Road. New Hartford, New York. Proposed 384 sf living area addition to the 504 sf accessory apartment. Tax Map #329.018-7-46; Zoning: Low Density Residential. Mr. Arnold appeared before the Board.

Mr. Arnold explained the purpose of this addition. His son and grandchildren will utilize the main house and he and his wife will utilize this apartment – the property is for family use only. This has always been an in-law apartment. It is not a subdivision. He referenced the sections of the Town Code that apply to this property. This meets all side and rear yard setbacks and maximum height is in compliance. He submitted drawings and explained the shop and stairway. There is just one way out of the second floor. Stairs are for emergency exits and would meet the State Code. This use is for him only, no rental and there is no change to the existing pattern of traffic, parking, etc. This does not require County 239 Planning Department review. He has met with five of the six property owners in the area who have no objection.

Discussion ensued regarding the actual square footage total, 888 sf. Town Attorney Cully explained the section of the law that applies plus this structure was pre-existing as an accessory apartment use, which is permitted in our Code. Town Engineer Dunkle referred to the proposed trench and he is fine with this. Board Member Arcuri addressed the staircase on the exterior which is covered. Board Member Fuks stated there is adequate water and sewer.

After a review of the plans submitted and further discussion of this project, motion was made by Board Member Rocco Arcuri to **grant approval** of this 384 square foot addition to the existing square footage of this apartment; seconded by Board Member Julius Fuks, Jr. All in favor.

First Source Federal Credit Union, 4451 Middle Settlement Road, New Hartford, New York. Preliminary Site Plan Review for a proposed 4000 square foot storage building with a small office and toilet room. Tax Map #328.007-1-1; Zoning: C1 General Commercial. Mr. S. Michael Steiger of SMSA Architects appeared before the Board.

Charm Mowat abstained from this application as she is a committee member for this Credit Union.

Mr. Steiger explained that First Source Federal Credit Union is proposing to construct a 4,000 sf storage facility with a small office and toilet room for their use. The location is on their property at Middle Settlement Road. He submitted building plans for review and he also went thru the submittals presented step by step (which are all a part of the file and can be addressed further at a later Planning Board meeting). Mr. Steiger was advised that this needs SEQR review and this Board can address this application at the time SEQR responses are forwarded to the Planning Board. Mr. Steiger said he would address this application further at that time.

Mr. Dunkle stated that some of this area has storm water issues and he needs to review this. He feels it doesn't need a storm water permit but would like to review it further.

It was mentioned that there is no landscaping plan at this time, but we would want to make sure it meets the character of the area. Also, we need information regarding connection of sewer and approvals from Oneida County DPW. Board Member Britt asked if anything was going in the back portion of the property that would affect Pep Boys – answer: no.

There being no further input, motion was made by Board Member Rocco Arcuri to accept this application for Preliminary Approval; that the Planning Board be Lead Agency and send out for SEQR review to Interested/Involved Agencies; seconded by Board Member Jim Decker. All in favor.

O'Reilly Auto Parts, 8521 Seneca Turnpike, New Hartford, New York. Preliminary Site Plan Review and proposed subdivision for a 7,214 square foot auto parts store. Tax Map #328.012-1-69; Zoning: C1 General Commercial. John Schell, PE of APD Engineering appeared before the Board.

Note: subdivision packet included with paperwork for this meeting, however, deed descriptions are needed before this can be reviewed with County agencies. Mr. Schell will provide those deed descriptions.

Town Attorney stated that this Board should know what the remainder of the property is used for and is there a shared driveway agreement. If there is a shared agreement, Attorney Cully would like to review it. Mr. Schell said there are two exit points to the lot. There is concern regarding segmentation. They are working with NYSDOT regarding the curb cuts. Stormwater requirements are needed and he has been working with John Dunkle (Mr. Dunkle is satisfied as they are meeting the requirements with reduction in flow that is currently there). Mr. Dunkle suggests the Board not approve the entrance and the shared driveway into the mall and get documentation from the mall that they accept the driveway access, and storm water. The mall doesn't own this property. The driveway is by the mall. Mention was made if there is a maintenance agreement for the storm water facilities?

Town Attorney Cully asked if they had any traffic control – they stated stop signs on their property in between the two properties between the two intersections. He also asked about deliveries – just a retail use – some tractor trailers mid-size. Board Member Arcuri asked what would happen if they can't get truck approvals – they would have to come back.

Board Member Fuks has concerns with Seneca Turnpike and an auxiliary lane in the middle with trucks coming in and out, especially with the businesses along this area. He is also concerned about parking problems with shared driveways.

Discussion ensued regarding number of employees and parking spaces; they want 30 spaces. Discussion continued regarding shared driveways and possible over parking.

One change: they want to add six more parking spaces. He mentioned how they received a variance from the Zoning Board of Appeals on October 20, 2025 for 14± parking spaces.

It was suggested O'Reilly's speak with the other owner of the property and give us some information on what possibly could be built next door as this Board has concerns.

Chair Mowat feels they meet the criteria for preliminary review except for the segmentation issue. A suggestion is for them to seek approval from Sangertown as to the roadway issue.

Mr. Schell will come back with more information. At this time, motion was made by Board Member Rocco Arcuri to approve the preliminary review of this project; seconded by Board Member Wilmar Sifre. All in agreement except Board Member Julius Fuks, Jr. who voted no – Vote for approval of preliminary review is 6 – 1.

CHA Solutions for a proposed housing development at 4647 Middle Settlement Road, New Hartford, New York. Owner: Margaret Schmitt Trust. Zone change request at Town Board level from General Commercial C1 to Residential Planned Development District (RPDD). Tax Map #328.000-3-25. Referral from Town Board to Planning Board. Mr. Brian Bouchard of CHA Solutions appeared before the Board as well as Mr. John O'Brien.

Mr. Bouchard stated that this proposal went to the New Hartford Town Board for a zone change review and then for them to forward to the Planning Board for their review. He explained the process from thereon.

The applicant is requesting a zone change from C1 General Commercial to RPDD Residential Planned Development District. This RPDD district allows a residential community/apartments on this property.

- There are three (3) residential apartment buildings that total 120 dwelling units
- All apartments will be three (3) stories high
- Access will be from a new driveway in the center pf the property on Middle Settlement Road
- Parking will be in the center of the project – 216 parking spaces with a ratio of 1.75 per dwelling unit
- driveway width

- Community building with the project to include a leasing office, management office, tenant amenities/fitness room, gathering space, outdoor recreation areas
- dumpster enclosure location. Snow storage, pedestrian walkways and utilities.
- stormwater management controlled on site, fence
- dog walk park

Mr. Bouchard addressed SEQR and zone change approval then back to the Planning Board for Site Plan approval process.

Mr. Dunkle needs to review the details. There is concern about a single entrance at this development. He suggests looking into a secondary access and an emergency/fire truck access, fire code and the ability for an entrance road not used by the public. He also would like to see parking generation as well as storm water management, driveway access review by the County DPW and sewer connections for water.

Impervious area was addressed, not much there.

Town Attorney Cully referred to the concerns for distance from the intersection as that was a problem previously. Board Member Arcuri addressed demographics on 55 and older, no age restrictions, driven market rates. Board Member Fuks addressed the zones, what other areas would be consistent in this neighborhood. There is a mobile home park located nearby which is full. Have you looked around this area to see what is near your location? Need to address the high density residential area; compare this project to other areas.

It was mentioned that at some point this property needs to be repurposed. Also, there is no access to Woods Park Drive. Board Member Britt mentioned the front of the building will be facing Middle Settlement Road. She also asked if maintenance people are on site all the time – yes, usually 24-7. Mr. Bouchard said the front would be on the parking lot side. He explained the back buildings. There isn't a view in the back. Board Member Sikder has a concern with only one entrance and exit. Board Member Sifre has a concern with the curb cut.

Zone change recommendation, traffic, entrance location and further site plan review was discussed. Board Member Fuks suggested finding out what can be done and speak with NYSDOT regarding traffic and a light. He also feels we need some type of answer to site distances, and any other information the NYSDOT may have with the driveway.

Discussion ensued regarding support of the apartment use on this property and configuration of site layout and parking; the request for a traffic study for review as part of the zone change; a traffic study as well as a review of the sewer and water utilities for the project as part of the zone change recommendation as requested by Town Engineer John Dunkle.

At this time, motion was made by Board Member Lisa Britt to table this for further information until next month and traffic, sewer and water information be addressed, also the use change; seconded by Board Member Wilmar Sifre. All in favor.

Also, mention was made to find out which Fire Department services this property...it is New Hartford.

Dwyer Development, LLC for **Hart's Three One-5 Winery & Brewing Company**, 8495 Seneca Turnpike, New Hartford, New York. Tax Map #328.008-2-12.1; Zoning: C1 General Commercial. Mr. Dustin Dwyer appeared before the Board.

Firstly, Town engineer John Dunkle needs to do further review of this project and will do so.

Mr. Dwyer approached the Board stating that he needs to move forward for funding for this project. He asked the Board for their comments with regard to some questions he has to help move forward with construction schedules: i.e., 1) If they decide to pivot to just the outside courtyard operation first, what are the criteria for a C of O for use of the property as an outside marketplace venue to start; 2) Can they operate just as an outdoor vendor/entertainment market with portable facilities and what are the minimum requirements; 3) What are the minimum requirements to use existing building as an open vendor market?

He is hoping to get some guidance from the Planning Board. He wants to have the same project operate from an outdoor standpoint then move inside at a later time frame. Would he be able to do business outside and what facilities are we required to have, i.e, parking. A courtyard was mentioned but would it have to be fenced in?

It was mentioned that a site plan would need to be reviewed, storm water, etc. before they can actually operate at the site. A preliminary approval for the whole concept and final site plans later. Possibly an amendment to final. He is asking for preliminary approval to operate the whole thing and then an interim site plan for Phase I.

Town Engineer Dunkle will be looking at preliminary approval with the concept then needs to see a final plan and work through all those issues.

Mr. Dwyer wondered if they can use part of the building while the rest of the building is under construction. Discussion of having a Certificate of Occupancy was brought up by Board Member Fuks. Also, having an outdoor facility submitted for Phase I then Phase II would be the building.

Town Attorney Cully recommended he meet with Codes Officer Farley and work through Codes issues, but have a professional plan to review. Codes Officer Farley stated if you want to have a building it has to have a C of O. He also stated plans need to be drawn up with a professional and then it can be reviewed – he cannot answer questions without seeing something.

Chair Mowat addressed possible projects coming into the area.

There being no further business, the meeting adjourned at approximately 7:30 PM by motion of Board Member Rocco Arcuri; seconded by Board Member Wilmar Sifre. All in favor.

Respectfully submitted,

Dolores Shaw, Secretary
Planning Board

db