

**TOWN OF NEW HARTFORD
PLANNING BOARD MINUTES
MONDAY, MAY 11, 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., Manzur Sikder, Lisa Britt, James Decker and Alternate Board Member Joseph Chiffy. Board Member absent: Wilmar Sifre. Also in attendance were Town Attorney Herbert Cully, Esq., John Dunkle, Engineer, Richard Sherman, Highway Superintendent, Codes Enforcement Officer George Farley, Assessor Darlene Abbatecola, and Dory Shaw, Secretary.

Minutes of the April 13, 2026 Planning Board meeting were approved by motion made by Board Member Manzur Sikder; seconded by Board Member Lisa Britt. All in favor (Board Member Julius Fuks, Jr. abstained).

Mr. Brian Bouchard/CHA Solutions, 4647 Middle Settlement Road, New Hartford, New York; Tax Map #328.000-3-25; Zoning: C1 to Residential Planned Development District (RPDD). Review and recommendation to Town Board.

Town Attorney Cully explained the procedure of this development to the Town Board and Planning Board for a site plan review and what we can vote on this evening. Mr. Bouchard made a presentation first to the Town Board then to the Planning Board for our review, etc.

Mr. Bouchard addressed the application: three buildings, 120 multi-family into a RPDD district. The site layout is split up between three buildings, 3 stories each, 216 parking spaces (120 apartments with amenities, a play area for children, and a club house with outdoor amenities). Upon adoption by the Town Board it comes back before the Planning Board for site plan and they will address landscaping, utilities, grading, and storm water management (see attached letter to Town Board) which has been made a part of the file. Planning Board secretary will forward this letter to Town Board.

Board Member Britt asked if an inventory of market rate in the Town has been done – to be looked into.

Mr. Donald D. Ehre, PE/Preliminary/Final Subdivision for Mr. Matthew Sanchez, Cascade Drive, New Hartford, New York. Tax Map #330.019-1-25; Zoning: Low Density Residential (LDR). Mr. Ehre appeared before the Board.

Mr. Ehre explained the reason for this two-lot subdivision. One of Mr. Sanchez's children would like to build one house and garage on this property. The Zoning Board of Appeals granted a frontage variance of 40' at their meeting on April 20, 2026; the property has 60' of frontage and requires 100'. He gave a history of this property from the previous owner who did not proceed to develop there. The property will

have a gravel driveway 100' long; the nearest property will be about 122' away. He further explained the water drainage direction from the site, and the sanitary sewer. They will be clearing about ½ acre of the property. They addressed the proposed swale and enclose it with a storm drain for discharge. This proposed home is about 200' plus away from some of the houses. He doesn't feel the house is intrusive.

Discussion ensued regarding what transpired at the ZBA meeting with residents, flooding on Cascade Drive, runoff, ditches, clogged culverts, etc. Mr. Ehre explained how water travels thru open ditches, etc.

Further discussion ensued with Highway Superintendent Richard Sherman regarding the situation on Cascade Drive. Things are being discussed regarding how to eliminate some of the problems at this site and he understands everyone's frustration. Some work will be starting there soon – perhaps a detention pond would be a solution. Town Attorney Cully thanked Mr. Sherman for some of the work done in this area after the Zoning Board meeting. This review is for one house on 4.77 acres.

Chair Mowat reiterated that this is not a Public Hearing but offered to have some residents in attendance address the Board:

-Ms. Jenifer Bowman, 33 Cascade Drive. She explained her situation with water problems, drainage, the number of sump pumps she uses and flooding on Cascade Drive. She doesn't want the addition of another home built with existing problems in this area. She appreciates what the Town is doing but the situation still exists with drainage, water, etc.

Chair Mowat explained she has been involved with water situations in the Town and Town Engineer John Dunkle is aware of these problems. She explained that the applicant is here for a subdivision which is what the Planning Board reviews. She opened the meeting to residents as the Highway Superintendent is here and she knows they have concerns.

-Ms. Cicily Talerico, 38 Cascade Drive. She questioned the presentation tonight as she feels it is different than what was addressed at the Zoning Board meeting. She addressed the ditches. Mr. Ehre explained the runoff situation again and the drainage. There has been no change on the plans since the ZBA meeting. Stormwater was also addressed. Catch basins put in to direct water so it doesn't go toward the neighbors, and there is an existing culvert and ditch drain. The existing swale was addressed further. She also asked if anyone knows why the previous owner didn't develop the land (it is not known). She also referred to possible contaminants at the former Scully site. Mrs. Sanchez spoke stating that she did hire a company to evaluate the soil as they were concerned as well. It was determined there is no problem.

Town Engineer John Dunkle addressed the Board. This house would need a Building Permit and he suggested that as a condition that he look at the plan and grade before a permit is issued to make sure there is no drainage to anyone and all the drainage calculations are reasonable. Town Attorney Cully said this could be made a condition that the Building Permit application given to Codes Officer George Farley be referred to Town Engineer John Dunkle for his review before a permit is issued.

Question: any easements proposed? No, sewer and water is in the roadway. No contamination on site, Mrs. Sanchez said it is clean, the NYSDEC stated all clean. No plans at this time for further subdivision.

Highway Superintendent Rick Sherman asked, are you going to extend Cascade Drive – answer: no.

At this time, motion was made by Board Member Manzur Sikder to accept and approve the two-lot subdivision for Mr. Sanchez and that when they apply for a Building Permit, that Town Engineer John Dunkle review the application as to storm water and approved at the applicant's expense; seconded by Board Member Jim Decker. Vote taken:

Chair Heather Mowat – yes
Board Member Jim Decker – yes
Board Member Lisa Britt – yes

Board Member Manzur Sikder – yes
Board Member Julious Fuks – yes
Alternate Board Member Joseph Chiffy – yes

Motion **approved** by a vote of 6 – 0.

Benderson Development/Consumer Square, Commercial Drive, New Hartford, New York.
Amendment to Final Site Plan Review for a proposed 25,000 sf commercial building expansion located by Michael's. Tax Map #317.0213-3-23; Zoning: C1 General Business. Mr. Matt Oates appeared before the Board.

Chair Mowat explained that prior to this meeting NYSDOT met with Staff and Mr. Oates regarding this new proposal. Discussion held regarding traffic patterns, driveway, ingress & egress, etc. Concern over emergency vehicle access. Perhaps contact with adjacent property owners can be held regarding driveway owned by the hotel.

Mr. Oates referenced on the map the relationship between this development, Stewarts on Middle Settlement Road, the hotel, apartments, etc. NYSDOT has easements there and he said Benderson would be willing to look into this. Benderson has adjusted some of things suggested by NYSDOT and accepted. Attached are comments from Benderson regarding this proposal (and any future) development.

Mr. Oates addressed the small adjustment to design plan near LL Bean. 1) Modification to northeast corner of building to avoid existing gas main and associated easement; 2) elimination of head on parking at building to allow for larger sidewalk and proposed patio area. This does not affect parking.

The 25,000 sf expansion adjacent to Michaels (most likely a retail tenant): by the time they finish construction, they will have a tenant: they submitted a SWPPP, meets water quality and they meet requirements – no increase in discharge. He explained what the building will look like, architectural expansion. Traffic study was done with traffic counts in December 2025 – did not affect the dual lanes. No negative impact. They agreed that they will provide a new and updated traffic study for NYSDOT to review. He referred to site work in front of Best Buy, looking into this further. Better public access by Panera's, Chipotle's and Best Buy; better sidewalk access to different locations. Once they are able to locate a report, it will be done – it has to go thru NYSDOT permitting. NYSDOT has said they want to see any additional square footage to review especially the light to get traffic moving better. NYSDOT wants to make sure they look at the intersection further to help improve the traffic flow. Mr. Oates stated that in the future they will submit an updated traffic study.

Town Attorney Cully asked if this is taking some of the parking spaces allowed. Mr. Oates stated they still meet Codes for parking. It is being built on a paved portion, but they still provided the SWPPP.

Board Member Britt mentioned the kiosks near Wal-Mart during spring/summer months for firework sales – how does this affect parking? Mr. Oates explained they have an extra 40 spaces above and beyond – he doesn't see any concern. He stated truck circulation is still good especially by Wal-Mart and in the grocery area as well – no vehicle or pedestrian concerns. She also addressed water discharge: Mr. Oates stated it is minimal, directed to the wetlands and he explained the discharge. All existing impervious – no change in drainage.

Board Member Decker referred to the traffic study (stamped by a licensed engineer) – NYSDOT did respond. He still has a concern about the trips, but ok with it. He suggested in the future any study address traffic, police and fire – sensors can be put in. Mr. Oates explained he can work with the Police and Fire Departments with traffic issues and they have no issue with putting it together. He will check who owns the traffic signals and NYSDOT. Mr. Oates mentioned he has to modify the short form EAF in regard to traffic. He cannot find the original environmental impact study.

Alternate Board Member Chiffy asked about the back of the property – it was explained to him.

Board Member Fuks referred to this Amendment to Final and exceeding the square footage. He addressed emergency vehicles also. Chair Mowat stated they will pursue the approach to the property owner regarding fire apparatus in and out of the property. He understands the traffic studies have been completed addressing those intersections going out to Commercial Drive – his concern is not getting out for the movement of traffic and how well it performs, especially emergency vehicles. Mr. Oates referred to the map and explained what exists today – turning movements stay the same.

Town Engineer Dunkle stated SEQR has been done and each time there has been an updated traffic analysis (he mentioned the improvements made at the property). Panera's has a light; four more lanes out; they have always completed what NYSDOT has recommended. Best Buy is a different situation.

Board Member Britt referred to #17A on stormwater discharge – Mr. Oates said it should be NO because it doesn't discharge but 17B is yes. She also referred to perimeter road by Staples – it can still be used but there are pavement markings to try to discourage to use another way – but still usable. She also requested that onsite dumpsters be placed against the building and not by the fire lanes. Mr. Oates will check this.

- 1) There being no further discussion, motion was made by Alternate Joseph Chiffy to grant a negative declaration to SEQR, there being no significant impacts; seconded by Board Member Manzur Sikder. All in favor.
- 2) Also, motion made by Board Member Jim Deckler to grant Amendment to Final based on the condition that any future development will require a full review of the entire site, traffic and other related matters; seconded by Board Member Manzur Sikder. All in favor.

Chair Mowat addressed a number of items coming before the Planning Board. Possibly a combined Zoning Board/Planning Board meeting.

There being no further business, the meeting adjourned at approximately 7:15 P.M. by motion of Board Member Manzur Sikder; seconded by Board Member Jim Decker.

Respectfully submitted,

Dolores Shaw, Secretary
Planning Board

dbb