



# TOWN of NEW HARTFORD

**CHAIRMAN**  
Heather Mowat

**VICE CHAIRMAN**

**SECRETARY**  
Dolores Shaw

COUNTY of ONEIDA

## PLANNING BOARD

The Town of New Hartford Municipal Offices  
(At The Orchards)  
8635 Clinton Street, New Hartford, New York 13413  
OFFICE: (315) 724-4300 ext 2  
FAX: (315) 724-4323

### Board Members

Lis DeGironimo  
Julius V. Fuks, Jr.  
G. Brymer Humphreys  
John Latini III  
William C. Morris II

## TOWN OF NEW HARTFORD PLANNING BOARD MINUTES

APRIL 8, 2019

TOWN OF NEW HARTFORD MUNICIPAL OFFICES  
8635 CLINTON STREET, NEW HARTFORD, NEW YORK

The Regular Meeting was called to order by Chairwoman Heather Mowat at 5:30 P.M. at which time the Pledge of Allegiance was recited. In attendance were Board Members Lis DeGironimo, G. Brymer Humphreys, William Morris, and John Latini III. Board Member absent: Julius V. Fuks, Jr. Also in attendance: Town Attorney Herbert Cully; Councilmen David Reynolds and Richard Lenart; Highway Superintendent Richard Sherman; Mr. Brian Madigan (contract engineer from GYMO Engineering); and Secretary Dory Shaw. Absent: Code Enforcement Officer Joseph Booth.

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Draft minutes of the March 11, 2019 Planning Board meeting were reviewed by each Board Member. Motion was made by Board Member Brymer Humphreys; seconded by Board Member John Latini III. All in favor.

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**First Source Federal Credit Union, 4551 Commercial Drive, New Hartford.** Tax Map #328.007-1-1; Zoning: C1 General Commercial. Final Site Plan Review/Approval. Mr. Rick Maar of Dunn & Sgromo Engineers and Mr. Stan Kocyba of First Source Federal Credit Union appeared before the Board.

Mr. Maar reviewed what transpired with the previous application and what is now being submitted as a revision at this time. He also addressed the storm water facilities, curbing radii, signage, and landscaping which is acceptable. Town Attorney Cully has no additional comment on this. Highway Superintendent Rick Sherman will contact the State regarding drainage.

There being no further comments, motion was made by Board Member Bill Morris to close SEQR with a negative declaration; seconded by Board Member Brymer Humphreys. All in favor.

Motion was made by Board Member Bill Morris to **grant Final Site Plan approval**, seconded by Board Member John Latini III. All in favor.

\*\*\*\*

**New Hartford Office Group** for a proposed two-lot subdivision on Woods Park Drive & Briana Road. Tax Map #328.000-3-7.1; Zoning: C1 General Business. Mr. Larry Adler appeared before the Board.

Town Attorney Cully reviewed the map and deed descriptions – this meets the requirements for approval. It is an approximate 1.0 acre lot with an access easement over .083 acre parcel. There is a 60' easement

area and if further development happens, there will be one entrance to the other parcels and it will be a recorded document.

Town Contract Engineer Brian Madigan had no concerns. OC Planning and NYSDOT had no adverse comments.

Motion was made by Board Member Lis DeGironimo to **approve** this subdivision as presented; seconded by Board Member John Latini III. All in favor.

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**\*Greenstate Properties for a Preliminary/Final Site Plan Review** of a proposed 8,000 sf office building at New Hartford Office Park - Woods Highway. Tax Map #328.000-3-7.1. Zoning: C1 General Business. Messrs. Matt Napierala and Connor Colbert of Napierala Consulting; Mr. Larry Adler of New Hartford Office Group, appeared before the Board.

Town Contract Engineer Brian Madigan stated the proposed office park was done under the GEIS many years ago and in this case, things were addressed under several studies. He had a conversation with NYSDEC and they agreed with him and the only issue was the drainage and the EIS process for the Master Plan – (how it was broken about for Hampton Inn and Homewood Suites as traffic patterns or land use may have been a concern). If this is for an office building that does not exceed Mr. Adler's build out for us, then the applicant only needs to file a SEQR Short Form and the Planning Board can issue a Negative Declaration.

Mr. Napierala said they met with Brian Madigan about storm water and other issues especially regarding storm water to make sure they didn't have any adverse impact onto Woods Park Drive. Water quality is taken care of and dealing with the 100-year storm. They put together a drainage memorandum that addresses this. He further explained the handling of storm water and grass line swales. He also addressed access drive.

This building will be a two-tenant building and parking works. The size of the building hasn't changed. Future buildings are shown in the build-out. Mr. Madigan wanted to make sure the drainage was addressed in that the road be extended and drainage goes back to the storm water area. All concerns are met and he has no further issues.

Chairwoman Mowat asked Highway Superintendent Sherman as it relates to the drive, is it okay. Mr. Sherman stated Mr. Adler will build it to Town specs so the Town at some time can take it over.

Town Attorney Cully mentioned that in 2008 when SEQR was done, they have not built out to nearly the amount once indicated. SEQR is required but it is a Short Form EAF so they can get approval tonight for this office building.

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Motion was made by Board Member Bill Morris stating that there are no adverse impacts and that a negative declaration determination be made of no environmental significance for this project; seconded by Board Member Brymer Humphreys. All in favor.

Motion to **grant Preliminary and Final Site Plan Review** by Board Member Lis DeGironimo; seconded by Board Member John Latini III. All in favor.

Town Contract Engineer Brian Madigan stated that if the road redevelops, to revisit it. Also, if new projects come through, no SEQR is needed as everything was addressed through the GEIS.

Board Member DeGironimo also stated that with any future development, the Water Authority should be notified, as water is not guaranteed.

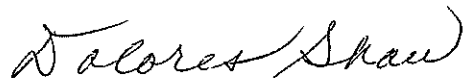
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Motion to adjourn was made by Board Member John Latini III; seconded by Bill Morris. All in favor.

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There being no further business, the meeting adjourned at approximately 6:00 P.M.

Respectfully submitted,



Dolores Shaw, Secretary  
Planning Board

DbS  
Enc.

\*Note: see attachments

## Shaw, Dory

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**From:** Brian Madigan, RLA, CPESC <BMADIGAN@GYMODPC.COM>  
**Sent:** Thursday, April 11, 2019 11:58 AM  
**To:** Shaw, Dory  
**Subject:** Greenstate properties.

### Subdivision:

I discussed the confusion regarding the subdivision and stated that without the final subdivision that the site plan has to go for 239 review at Oneida County Planning. Without the subdivision the site plan review would be different than if the subdivision was finalized because the originating parcel is adjacent to highway ROW whereas the site plan, once subdivided may not be within 500' of the highway ROW and may not require 238 review from the County. I spoke to Guy Sassaman and he confirmed that he reviewed it and sent his comments to you last week.

Also, In my opinion, the subdivision has to be complete before the Site Plan can be approved by the Planning Board.

### Site Plan Review:

I discussed that the Office Park was pre-evaluated during several SEQR reviews including the original GEIS, the Supplemental GEIS for the break in access and the EIS prepared by Peter J. Smith and Company for Larry when he proposed the office park. NYS DEC Regional Permits Administrator Confirmed that the applicant only needed to address drainage under their General Permit (MS4) because all of the environmental constraints were previously addressed during the GIES and supplemental GEIS for the office park. If a proposal in the office park is for an office building that does not exceed the threshold of Larry's build out scenario in use and intensity that the applicant only has to file a SEQR Short Form and the Planning Board can file a Negative Declaration.

As long as a office building is being evaluated and it does not exceed the thresholds evaluated during the previous evaluation it does not have to go through SEQR.

I believe the reason the Planning Board required the EIS for the hotels was because there may have been a concern regarding traffic generated by the hotels, or the intensity of the land use for the two hotels was more than originally understood, which was appropriate.

I met with the applicants engineer and he addressed all of the issues in my previous review letter to our satisfaction.

I also asked the developer, that as the office park continues to build out over time, that he should amend his build-out scenario because the configuration of lots and the private road may change over time.

I e-mailed DEC's comments to the Planning Board so let me know if you want me to resend it, if you need a copy of my review letter.

Thank you.

Brian K. Madigan, RLA, CPESC  
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GYMO Architecture, Engineering & Land Surveying DPC  
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## Shaw, Dory

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**From:** Brian Madigan, RLA, CPESC <BMADIGAN@GYMODPC.COM>  
**Sent:** Friday, March 29, 2019 2:21 PM  
**To:** Shaw, Dory; DeGironimo, E. (NH); jvf416@roadrunner.com; brymerh@adelphia.net; jlatinisalon@yahoo.com; billcmorris2@gmail.com; mowatheather@gmail.com  
**Cc:** Herb Cully; Booth, Joe; Sherman, Richard C.  
**Subject:** RE: April 8, 2019 Planning Board Meeting - Greenstate properties.

I have been in contact with the NYSDEC Regional Permits Administrator over the past week.

They concur that they have no issue with the proposed development project.

As long as it is in compliance with their SWPP for the office park, the applicant is covered under the General Permit.

Brian K. Madigan, RLA, CPESC  
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GYMO Architecture, Engineering & Land Surveying DPC  
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**From:** Shaw, Dory <DoryS@townofnewhartfordny.gov>  
**Sent:** Friday, March 29, 2019 9:05 AM  
**To:** DeGironimo, E. (NH) <edegironimo@townofnewhartfordny.gov>; jvf416@roadrunner.com; brymerh@adelphia.net; jlatinisalon@yahoo.com; billcmorris2@gmail.com; mowatheather@gmail.com  
**Cc:** Herb Cully <hjc@callilaw.com>; Booth, Joe <JoeB@townofnewhartfordny.gov>; Sherman, Richard C. <rsherman@townofnewhartfordny.gov>; Brian Madigan, RLA, CPESC <BMADIGAN@GYMODPC.COM>  
**Subject:** April 8, 2019 Planning Board Meeting

There is a Planning Board meeting scheduled for Monday, April 8, 2019 at 5:30 P.M.

Packets will be distributed shortly.

If you have any questions, contact me. Thank you.

Dory

**Brian Madigan, RLA, CPESC**

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**From:** Tyoe, Terry (DEC) <terry.tyoe@dec.ny.gov>  
**Sent:** Friday, March 29, 2019 2:44 PM  
**To:** Brian Madigan, RLA, CPESC  
**Subject:** New Hartford site  
**Attachments:** GYMO New Hartford site.pdf

Brian,  
Attached is the map we discussed on the phone.

Based on your description of the project (office space, no manufacturing, public water and sewer, located within an existing business park) it appears that the only jurisdiction we would have is the General Permit for Stormwater Discharges from Construction Activity. As you are aware the SWPPP's (Stormwater Pollution Prevention Plan) are authorized by our Albany Office upon submission of the NOI (Notice of Intent). In this case you will also be required to submit the MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form with the NOI.

If you have other questions please don't hesitate to contact me.

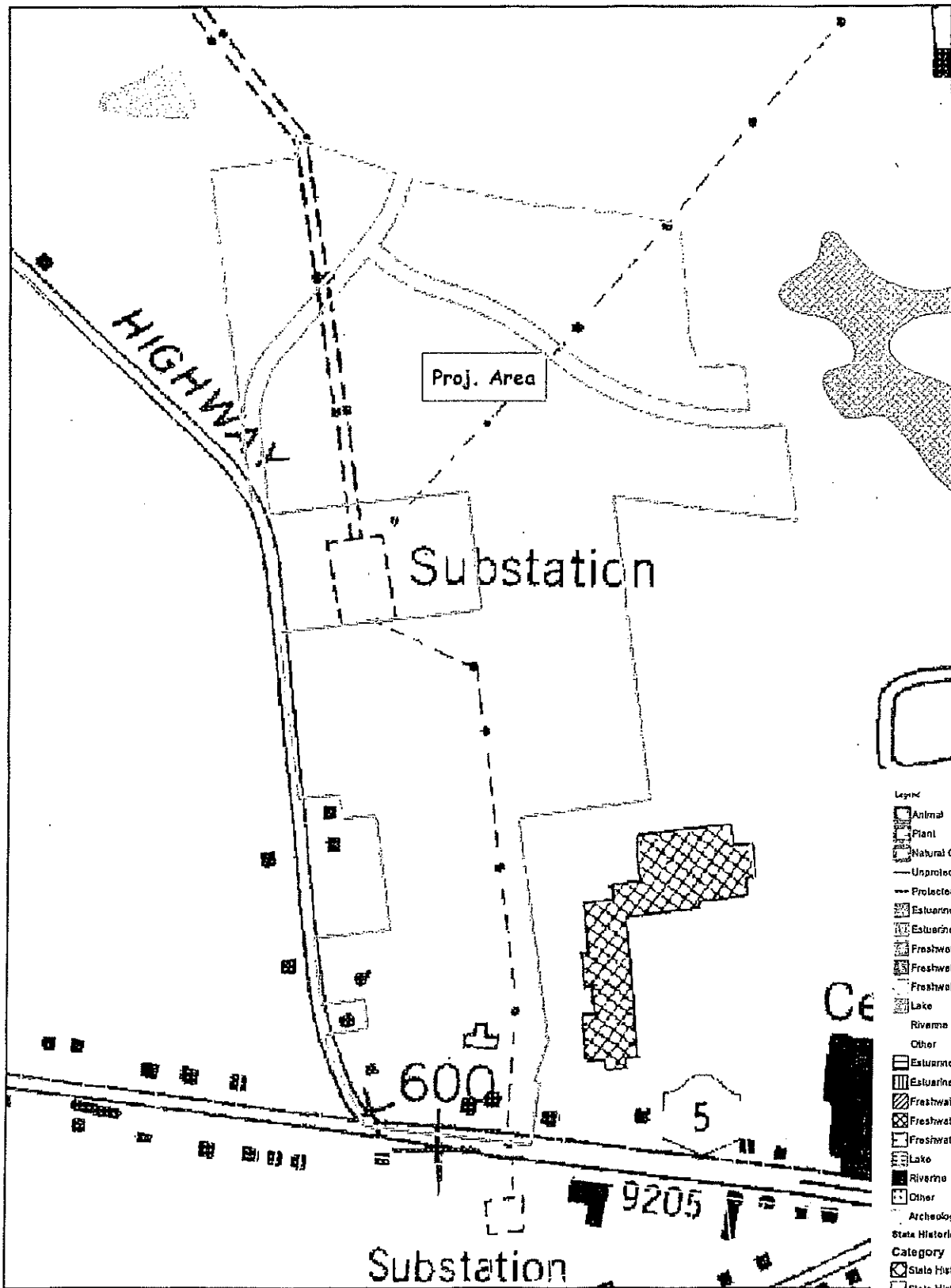
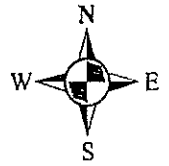
Terry

Terry Tyoe  
Environmental Analyst 2

New York State Department of Environmental Conservation  
Division of Environmental Permits  
Utica State Office Building Rm 1404  
207 Genesee Street Utica NY 13501  
Permits Phone #'s: 315-793-2555 / 315-235-0331  
315-793-2740 / 315-793-2746

[www.dec.ny.gov](http://www.dec.ny.gov)

# 328.000-3-7.1 Project Site General Area



- Legend**
- Animal
  - Plant
  - Natural Community
  - Unprotected
  - Protected
  - Estuarine and Marine Deepwater
  - Estuarine and Marine Wetland
  - Freshwater Emergent Wetland
  - Freshwater Forested/Shrub Wetland
  - Freshwater Pond
  - Lake
  - Riverine
  - Other
  - Archeological Sites of Sensitivity
  - State Historic Sites
  - Category
  - State Historic Park
  - State Historic Site
  - Scenic Byways
  - Navigable Waters - rivers, streams & canals
  - Navigable Waters - lakes & ponds
  - Remediation Site Borders
  - Regulated Facilities
  - Tax Parcels - Onida County