

**TOWN OF NEW HARTFORD
PLANNING BOARD MINUTES
FEBRUARY 10, 2020
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 G. Brymer Humphreys, William Morris, Lis DeGironimo, John Latini, and Wilmar Sifre. Board Member absent: Julius Fuks, Jr. Also in attendance: Town Attorney Herbert Cully; Councilman David Reynolds; Highway Superintendent Richard Sherman; Contract Engineer John Dunkle; Assessor Darlene Abbatecola; and Secretary Dory Shaw.

Draft minutes of the November 12, 2019 Planning Board meeting were reviewed by each Board Member and approved by motion of Board Member Bill Morris; seconded by Board Member Brymer Humphreys. All in favor (Board Member Julius Fuks, Jr. was not in attendance).

Mr. Gregory Gorea, vacant parcel on 6 Taber Road, New Hartford, New York. Two-lot minor subdivision. Tax Map #341.005-1-11; Lot size: approximately 1.7 Acres; Zoning: Low Density Residential. Mr. Gorea appeared before the Board.

Town Attorney Cully referred to the site and explained that it meets the Codes requirements for a two-lot subdivision and further explained the proposed lot sizes.

Board Member DeGironimo has a concern as to what she feels is a change in the character of the neighborhood with this split, and storm water issues downstream. She explained the neighborhood and size of frontages in that area. There are many issues downstream and she explained what she knows regarding problems with the clearing of these lots as it relates to water issues. Placing two houses on these lots would be detrimental to the downhill residents.

Town Attorney Cully discussed whether this application might be something to be handled with conditions by providing an engineering study that addresses storm water on site.

Highway Superintendent Richard Sherman agrees about the storm water issues but this storm water subject has been addressed at the Town Board level. This is a legitimate concern. Also, he feels the character of the neighborhood would change.

Mr. John Dunkle stated that the Town hired him to look at the how things are affecting properties downhill.

Mr. Gorea explained what he did to his property in South Woods to address water issues, which was at his expense. Discussion ensued regarding whether to place conditions on any approval, an engineering study submitted, etc. Attorney Cully read from our Code. It is not in conflict with the Master Plan.

Board Member DeGironimo again stated she feels this is an appropriate time to address the water situation as we are trying to improve areas when they come before the Planning Board. This is the opportunity we need.

Chair Mowat asked the Board Members for their input. Discussion took place regarding the Town Board's interest in addressing the water situation, description of the lots in question, and mitigation.

Town Attorney Cully asked Mr. Gorea if he would consider some engineering. Mr. Gorea doesn't want to have restrictions when others don't have any. He knows the integrity of the neighborhood – he is fully aware of where water drains. He fixed his own problem. He explained what someone could do to build on that lot, i.e., one large house with driveways vs. smaller house(s).

After further discussion, motion was made by Board Member Bill Morris to approve this minor subdivision as presented; seconded by Board Member John Latini. Vote taken:

Chair Heather Mowat – no	Board Member Lis DeGironimo – no
Board Member Bill Morris – yes	Board Member John Latini – yes
Board Member Brymer Humphreys – yes	Board Member Wilmar Sifre – yes

Motion passed by a vote of 4 – 2.

SAES Smart Materials, 4355 Middle Settlement Road, New Hartford, New York. Amendment to Final. Preliminary Site Plan Review of a proposed demolition of a roof portion of an existing building to be replaced with a 12,956 sf addition along the front and a second 20,246 sf building addition is to be constructed along the back. Mr. Dale Meszler, P.E., 260 Structural Engineering (Consultant), Mr. Rich LaFond, Vice President & General Manager of SAES, and Mr. Alan Swierczek, P.E., Civil/Site Engineer, appeared before the Board.

Mr. Meszler explained the employee totals, shifts and days of the week – the operation is in two buildings. They are looking to expand due to lease matters from Special Metals. The interior operations of this business were demonstrated thru a visual screening, i.e., materials produced, and how they affect the human body for example. They demonstrated the expenses incurred, employee salaries, revenues, etc. and their contribution to localities. A NYSDEC SPDES permit for storm water discharges from construction activity will need to be obtained and a Storm Water Pollution Prevention Plan (SWPPP) will be prepared. They addressed drainage on the site, water and sanitary sewers. They are working with NYSDOT for a different curb cut.

They are moving the gates area and providing a turnaround for trucks and tractor trailers. Mr. Swierczek did some site work and explained the site and truck traffic. Existing pavement for tanks will be removed and parking changed. Storm water management was done in 1998 and he explained what exists at that site now and what is proposed. Storm water management facilities are being look at and inspected by

NYSDEC. Mr. Dunkle has reviewed this and there are some prior water problems that are checked.

Mr. LaFond addressed the Board and explained what is at the site now and what is being proposed. They don't have any room for storage now but after this project is complete, there will be storage available.

Chair Mowat stated that the applicant is working with Mr. Dunkle retarding storm water. Mr. Dunkle has been focused regarding Mudd Creek and a grant received that will help Mudd Creek. He is employed by the Town for this area and with Special Metals area and he is on both with this project. At this time, Mr. Dunkle addressed concerns, which are a part of the file.

Mr. Meszler would like to expedite this process and would like preliminary approval to proceed and work with Mr. Dunkle to get all his requirements into their plan. He also addressed the NYS Building Code and how it is changing soon (he mentioned May 12, 2020). Everything is being worked on with the current Code. He would like to continue under this Code and get a Building Permit before the May date. Mr. LaFond explained they have a 12 month lease with Special Metals, which has an exit clause. There are large furnaces at this site which will be moved and this is why they need to work fast on this project.

Highway Superintendent Richard Sherman has a concern regarding the sewer right of way – they are encroaching on the 50' right of way side of the building. He asked if the sewer is located on the plans – answer: yes. Mr. Meszler said they are relocating the pipes. Mr. Sherman said if they had a problem he doesn't think it would be a problem. If they have to do something there, they can.

Mr. Dunkle went through his comments regarding detention basin – can it be drained – Mr. Swierczek said yes; loading dock, lighting plan, truck maneuvers, fire department should look at this plan, setback issues will be checked, fencing (all to the rear), drainage, water runoff. Highway Superintendent Sherman wants to make sure the pipes are large enough to remove water – this will be looked into. Mr. Dunkle will work with the applicant – storm water is mitigatable.

At this time, motion was made by Board Member Lis DeGironimo to grant preliminary approval for this amendment to final; seconded by Board Member Brymer Humphreys. All in favor.

Motion was made by Board Member John Latino to have the Planning Board be Lead Agency under SEQR; seconded by Board Member Brymer Humphreys. All in favor.

There being no further business, the meeting adjourned at approximately 6:30 P.M. by motion of Brymer Humphreys seconded by Board Member Sifre. All in favor.

Respectfully submitted,

Dolores Shaw, Secretary
Planning Board
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