

**TOWN OF NEW HARTFORD  
PLANNING BOARD MINUTES  
SEPTEMBER 14, 2020  
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., G. Brymer Humphreys, William Morris, John Latini, Manzur Sikder and Wilmar Sifre. Also in attendance: Town Attorney Herbert Cully; Councilman Richard Lenart; Highway Superintendent Richard Sherman; Assessor Darlene Abbatecola and Secretary Dory Shaw.

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Minutes of the August 10, 2020 Planning Board meeting will be addressed/approved at the October 13, 2020 meeting.

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**Public Hearing - Special Use Permit for Mr. Greyson Ross, 3 Marks Place, New Hartford, New York.** Tax Map #328.016-4-74; Zoning: Medium Density Residential. Proposed home occupation: acupuncture. Chair Mowat notified everyone in attendance that Mr. Ross withdrew his application.

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**Hoffman Car Wash, 8635 Seneca Turnpike, New Hartford, New York.** Tax Map #328.012-1-69; Zoning: C2 Commercial Retail. Preliminary Site Plan Review of a proposed 6,400 sf car wash with 13 vacuum spaces and 8 employee parking spaces. Mr. Gavin Vuillaume of Environmental Design Partnership, Clifton Park, New York appeared before the Board.

Mr. Vuillaume explained their project on this site. Mr. John Dunkle is reviewing the technical plans. The existing curb cut was addressed with NYSDOT and they were comfortable using the existing curb cut. He explained the traffic flow. There are automated tellers – no personal contact is required. The slope will not be infringed upon. They may be able to save some trees. The water line is on the other side of Route 5. He addressed the sanitary sewer and any easements. He also explained the water filter and how it is recycled. Storm water pipe: they are allowed to connect to that storm sewer and Sangertown Mall will provide them with an easement.

Mr. Hoffman was present and he explained the concept of his family business and how they have grown. There will be three lanes – only a few minutes to go thru, no interior cleaning at this location, they do their own landscaping, and he explained product delivery.

John Dunkle, PE (contract engineer for the Town) is still reviewing storm water for SWPPP. He feels the Board should be okay with preliminary with the condition that any storm water issues be addressed. (He will submit comments).

Board Member Fuks referred to sanitary sewer discharge and is it adequate. They will address this. He also asked about water capacity – they will check into this also. They will also get the necessary permits needed.

At this time, motion was made by Board Member John Latini to grant Preliminary Approval for Hoffman Car Wash; seconded by Board Member Wilmar Sifre. All in favor.

Motion was made by Board Member Bill Morris to name the Planning Board Lead Agency under SEQR for the Hoffman Car Wash; seconded by Board Member Brymer Humphreys. All in favor.

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**Heartford Luxury Apts., Clinton Road, New Hartford, New York.** Modifications to original approval – walking trail. Tax Map #328.000-2-80; Zoning: PDPP. Mr. Steve Buck and Mr. Al Swierczek, PE, appeared before the Board.

Chair Mowat explained that this project went to the Town Board and they were Lead Agency for the PDD overlay district. This project had a trail in and around the apartments originally and also exit thru a parcel in the back which they don't own and would hook into Sherrillbrook Park. Mr. Buck was unable to purchase that lot. It is before this Board tonight for the relocation of the trail location on the property he owns. Also, he is updating his building units. Mr. Buck displayed a concept outlining his proposals which indicated the trail relocation – it is moved to the front of the complex near Clinton Road and along the sides; the trail will be made of mulch or stone dust – no lighting is proposed. Regarding the change in buildings, etc. (comment letter from Mr. Swierczek outlining these changes have been made a part of the file).

Mr. Dunkle stated he hasn't reviewed anything that the former engineer from the Town had reviewed, i.e. storm water. Right now, it is his opinion these are minor changes to impervious surfaces and he doesn't feel there is much of a change from the plans approved previously. As far as the trail itself, it is a decision of this Board to address. There are two dead ends. It does cross the road and crosswalk and it would be marked. He asked if this is ADA compliant. He also referred to the loop around the pond, can it be opened up so people don't have to walk on the street? Mr. Buck said he would do a crosswalk for some connection.

Board Member Fuks asked if this Board is approving the building units tonight. At some point the Town Board will have to grant final approval of the overlay. They are looking for our input as to whether or not we are still okay with the project with the walking trail.

Chair Mowat stated when we go for final approval we want to make sure the plans reflect the cross walk and the trail itself, and also the time line about getting the trail installed.

At this time, motion was made by Board Member John Latini to approve the plans as amended; seconded by Board Member Wilmar Sifre. All in favor. The Town Board will be notified of the Planning Board's review and decision.

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Proposed road off Ironwood Road, **Wishaway Woods Lane, New Hartford, New York**. Amendment to final/major subdivision. Tax Map #340.000-2-1.2; Zoning: Low Density Residential.

This is for a proposed new road located northwest of Ironwood Road opposite Thistle Court. The proposal is for two new homes. In doing so, they are looking for a Town road into these two proposed houses and hook up to the sewer line. Public Water and utilities exist. When the original final site plan was approved, it didn't have either of those things for this project.

Town Attorney Cully described the history of this project, number of lots, number of houses, variance request, etc. Mr. Giovinazzo came in for a three-lot subdivision - originally for 32 lots connecting to Ironwood Road. They had to come to the Zoning Board for a variance because they didn't have the necessary frontage. The Higby Road lot was no problem. The problem was the 12 lots and their intent at the time was to put in a driveway from Ironwood Road to the two houses. The plan was approved. Technically, the subdivision is approved for the two lots. There are just two driveways and it is shown on the approved plan - so it got approved. They came back again after it had been approved and we had to review the legal issues because a resident was concerned about the stub road. It was never accepted as a Town road and the Giovinazzo's bought that when they bought the other land. It then went to the Planning Board for a minor subdivision. The Planning Board approved it and now what we have is a proposed change. The only change is the two lots are going to be on 12 and 11 acres. They are proposing to put in a Town road with a cul-de-sac and run utilities.

This concept was brought to our Planning Staff, and Mr. Al Swierczek, P.E. is the engineer and since it involves an extension of a road, it is a major subdivision regardless of the number of lots. If you extend a Town road in any way, it is a major subdivision subject to a Public Hearing.

As it is now, this is for only a couple of homes on large parcels.

Highway Superintendent Rick Sherman had called the County and there is a county sewer line near the properties that they could hook up to for their sewer instead of a septic system. The Highway Superintendent does not have any problems with the cul-de-sac as it would be built to size and Code, materials, etc. It will be built to Town specs and dedicated as a Town road. Utilities will run to the cul-de-sac. Also, there is going to be a swale that goes into the storm water. The cul-de-sac will drain towards the west into the woods. He also addressed catch basins.

Mr. Dunkle suggested that the drainage swale at the north end of the cul-de-sac that there be a level spreader to diffuse the flow. Mr. Swierczek said the owner of one of the parcels was thinking of putting in a pond at that site - this is a private issue. Board Member Fuks doesn't feel we need to get into this.

Attorney Cully stated this is an approved two lot subdivision and the only change is the driveways to a road. This is an Amendment to Final and it becomes a major subdivision because of the installation of a Town road and utility extensions.

Attorney Cully referred to setting up a Public Hearing for the amendment to final - the change being to put in the road.

Mr. Miscione addressed the Board stating there will be just two houses, one for him and the other for a doctor. The land has been cleared with a grading permit. There is no change to storm water – this drains properly. Also, on the doctor's side, he doesn't think it can be built further. Mr. Miscione went to the neighbors and explained to them what was going on and he got a favorable reception. There is no way any other houses can be built there. The cul-de-sac is the same size as Thistle Court.

Motion was made by Board Member Bill Morris to declare the Planning Board Lead Agency under SEQR; seconded by Board Member John Latini. All in favor.

Motion was made to schedule a Public Hearing on October 13, 2020 by Board Member John Latini; seconded by Board Member Bill Morris. All in favor.

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Chair Mowat brought the Board Members up to date on other projects that may appear before this Board.

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Motion to adjourn at approximately 6:30 P.M. was made by Board Member John Latini; seconded by Board Member Brymer Humphreys. All in favor.

Respectfully submitted,

Dolores Shaw, Secretary  
Planning Board

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