

**TOWN OF NEW HARTFORD
PLANNING BOARD MINUTES
OCTOBER 13, 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, and Wilmar Sifre. Board Member absent: Manzur Sikder. Also in attendance: Town Attorney Herbert Cully; Councilmen David Reynolds, Richard Lenart, James Messa and Richard Woodland; Highway Superintendent Richard Sherman; Asst. Town Supervisor Anthony Trevisani; Assessor Darlene Abbatecola and Secretary Dory Shaw.

Minutes of the August 10, 2020 and September 14, 2020 Planning Board meeting were addressed. Motion was made by Board Member John Latini to approve the minutes of August 10, 2020 as written; seconded by Board Member Brymer Humphreys. All in favor. Motion was made by Board Member Bill Morris to approve the minutes of September 14, 2020 as written; seconded by Board Member Wilmar Sifre. All in favor.

Public Hearing – Wishaway Woods Lane, New Hartford, New York. Amendment to final/major subdivision. Tax Map #340.000-2-1.2; Zoning: Low Density Residential. Two proposed homes on a new Town road/cul-de-sac. Ms. Juleen Quandah, applicant, was in attendance. Also, Mr. Al Swierczek, P.E.

Chair Mowat explained the Public Hearing procedures and described what is being presented for this amendment. The Public Hearing opened at approximately 5:35 P.M.

-Mr. Dan Szabo, 39 Deerpath Drive. His property abuts the proposed project. He questioned who installed the road. Town Attorney Cully stated the road is being put in by the applicant, not the Town. He also explained what originally occurred in 2010 for this project and what is being done at this site now. He further explained the road will be built according to Town specifications and accepted by the Town Board. The only amendment tonight is whether it is going to be a private driveway or a Town road. The developer pays for everything.

Mr. Szabo addressed water shed issues. Their engineer will address storm water.

-Ms. Jolene Bressi, 36 Ironwood Road. Her property backs up to one of the lots. 1) She prefers that the road name be changed to something more in line with the names that exist in that area now. 2) Water and wetlands – how would it be controlled; 3) construction site work as a fence was knocked down recently; 4) increased traffic in the neighborhood; 5) municipal cost. She wanted to purchase this property previously to keep it forever wild.

Mr. Paul Miscione addressed the Board. Sewer, water and road is put in by the developer. There is no cost to the Town. He explained the tax base that will occur here. This project was approved in 2010. The review at that time called for septic systems, which isn't good. Now sewer will be put in, which is good for everyone. He further explained about footage on Ironwood Road back in 2010. Now you need more footage and if this didn't occur, the lots wouldn't conform. He reiterated that all work is being done by the developer, not the Town. He referred to the 50' buffer behind the homes. Also, there is no Town Code about not cutting trees. There won't be another home in that location. Any forestry will stay forest. Storm water: the engineer put a plan in for this. The same two homes will go there, but with adequate sewer which will make the homes conforming.

-Mr. Qandah, 29 Juniper Lane. The work being done there is a high level job. Neighbors were very supportive. There is no risk to any children. He wants to maintain the woods in the back. The property was purchased and they own the property so they will put in two homes. There is no need to do any further development. The idea of the Town road was to let it conform to what it was originally. This land got held up by Covid, but it was thought about a long time ago. This area should not have septic which was previously addressed – they are putting in sewers, which is a good thing. Water drainage is reviewed by their engineers.

-Mr. Szabo, 39 Deer Run Road. He has a problem with debris left on the property. He is concerned about development debris left in the area.

-Ms. Jolene Bressi, 36 Ironwood Road. She referred to how she put in a bid on this property. She questioned any conflict of interest. Safety is another concern and she would like to see a safety management plan.

-Ms. Lisa Britt, 220 Lincoln Drive - she is concerned about wetlands.

-Ms. Judy Cusworth, 101 Woodhaven Lane. She referred to the houses and a driveway. Town Attorney Cully said the variance allows them to split the driveway. They can build the two houses. Question is, do you want a private driveway or Town road. It is already approved for two houses. Again, the only reason we are here tonight is they are willing to build a Town road with a cul-de-sac rather than a driveway.

At this point, Chair Mowat read an email from Carol Seager and Dr. Richard Loe, 34 Ironwood Road and also two emails from Jerome Donovan, 14 Silver Birch Court. These have been made a part of the file.

At this time, Mr. Al Swierczek, P.E., appeared. He referred to the map of this project indicating property lines, the cul-de-sac at Thistle Court, water main extension, sewer extension, and storm water drainage. Town Attorney Cully asked if there was anything being done on storm water on the lots – Mr. Swierczek said no – it is less than an acre so they don't need to do a storm water review. As far as drainage off the back, one of the homeowners was hoping to put in a pond there to collect water. Depending on the time of year is whether it is unusually wet. When this was approved in 2010, there was no requirement for storm water mitigation and he isn't aware of any. The 50' buffer will be preserved. The cul-de-sac is located further back to preserve the trees.

Board Member Humphreys asked if any parcel was designated for wetlands – Mr. Swierczek said yes. He referred to the wetland area on the map approximately 9 lots to the west and in the back so this is not being disturbed. He couldn't tell if it was regulated or not.

State Environmental Quality Review (SEQR) comments were received. Board Member Fuks referred to the SEQR response from the Mohawk Valley Water authority regarding the 4 inch supply water main. Discussion ensued regarding existing fire hydrants in that area. Mr. Swierczek referred to Thistle Court and Ironwood Road. The limit is 500'. The Fire Department in their SEQR comments addressed the hydrant particulars with MVWA. His concern is fire protection, and any code violation which could affect resale in the future, i.e. compliance for a Building Permit or no insurance – they either need another hydrant or address this. Mr. Swierczek spoke with Mr. Jones of MVWA on July 27, 2020 and it is less than 500' to the homes and it is okay. Anything 500' more they would need a hydrant. Mr. Swierczek referred to the map and indicated they are under the 500'.

Mr. Miscione referred to the buffer line and how this is under the 500'. He also stated they are going to make a pond area with a fountain to look nice on the property – detention area. They don't want soggy land either – they are going to live there. They are cleaning up the tree area in the back for better drainage.

Highway Superintendent Rick Sherman addressed septic tank vs. sewer line. The County Sewer Department was contacted. Once there is a sewer line, a sewer connection has to be made. The Town road is preferred and it will be inspected at different phases. It has to be accepted and approved by the Town Board after a final inspection is done. He wants to see the cul-de-sac.

Mr. Swierczek addressed soils in this area and how it drains.

Mr. Miscione again addressed the Board as there were misconceptions made. He referred to the trees removed. He was approached by several people while he was having some work done about helping to remove some trees that were old and diseased. The 50' buffer has nothing to do with this project. He wanted to clarify this. He helped some neighbors when one of their trees fell. There was no fence destroyed, no incidents of any kind – just neighbor helping neighbor. He wanted to clarify this as it is his character to help people. Everyone working on this project will be licensed if necessary and trained. There will be no more cutting trees in the front. They will make this right – no cost to the Town at all. He referred to the sale of this property – there is nothing here to impact anyone.

Chair Mowat asked Mr. Quandah about the name of this road and if there is any significance to it as it was brought up previously. He stated that his young daughter plays in the area with a game called Wishaway. She enjoys this atmosphere near her home and wanted to name the area Wishaway. Thus, the name. Chair Mowat referred to when South Woods was originally developed, lots, roads, storm water, traffic, safety, etc. She kept the Public Hearing going so as to let residents, staff and applicant speak and address concerns.

Mr. Szabo asked if there were any street lights – the answer was no.

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The Public Hearing closed at approximately 6:30 P.M. by motion of Board Member Bill Morris; seconded by Board Member Wilmar Sifre. All in favor.

At this time, 1) motion was made by Board Member Bill Morris to close SEQR with a negative declaration with no significant impacts and to approve the Town road; seconded by Board Member Brymer Humphreys. All in favor. 2) Motion made by Board Member John Latini to approve the Amendment to Final for Wishaway Woods Lane project; seconded by Board Member Wilmar Sifre. All in favor.

There being no further business, the meeting adjourned at approximately 6:35 P.M. by motion of Board Member Bill Morris; seconded by Board Member Julius Fuks. All in favor.

Respectfully submitted,

Dolores Shaw, Secretary
Planning Board

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