

**TOWN OF NEW HARTFORD
PLANNING BOARD MINUTES
APRIL 19, 2021
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., John Latini, Manzur Sikder, Wilmar Sifre, Brymer Humphreys and William Morris. Also in attendance: Town Attorney Herbert Cully; Highway Superintendent Richard Sherman; Contract Engineer John Dunkle, Councilmen Richard Lenart and David Reynolds, and Secretary Dory Shaw.

Minutes of the March 8, 2021 Planning Board meeting were addressed. Motion was made to approve these minutes as written was made by Board Member Bill Morris and seconded by Board Member Manzur Sikder. All in favor.

Mr. Ryan Barone/Ralph Humphreys, proposed three-lot subdivision on Paris Road, New Hartford. Zoning: Tax Map #339.000-1-18.1; Zoning: Low Density Residential and Agricultural. (A couple of the neighbors expressed concern to Chair Mowat regarding the validity of the survey presented). Mr. Barone appeared before the Board.

Town Attorney Cully reviewed this 3-lot subdivision and deed descriptions. Mr. Barone stated they are not changing any of the exterior. He is buying two lots and Mr. Humphreys is keeping the third. The parcel on Tibbitts Road is zoned Agricultural and the other two are Low Density Residential. He explained where the lot lines are located. Mr. Barone is building a home nearest Paris Road property. Discussion ensued regarding the existing pond and ravine, which will be retained by Mr. Humphreys.

Chair Mowat asked staff if they had any questions: Codes Officer Lary Gell said there is adequate road frontage; Engineer John Dunkle and Town Attorney Cully explained each lot has to be protected before a subdivision is created - there are open streams – we want to make sure each lot is protected. Mr. Barone explained drainage. He also said there are not actual wetlands.

Board Member Fuks questioned the Town’s concerns over this three-lot subdivision as he didn’t feel this wasn’t a major storm water concern. Town Attorney Cully and Engineer John Dunkle explained their concerns.

A couple of the neighbors expressed concern to Chair Mowat regarding the validity of the survey presented. She read the email to the Board. The neighbors have arranged their own survey. Mr. Barone’s survey was done by Christopher Nash and certified. Mr. Barone explained he is far away from the neighbors who expressed concern.

Motion was made by Board Member John Latini to approve the three-lot minor subdivision; seconded by Board Member Wilmar Sifre. All in favor.

Town Attorney Cully explained to Mr. Barone that someone could challenge this Board's decision (he just wanted him to know this).

Mr. Ben Tucker, Tucker Pools, Seneca Turnpike, Clinton (Town of New Hartford). Final Approval. Tax Map #328.000-2-13; Zoning: C2 Commercial Retail Business. At this time, Town Engineer John Dunkle still had some questions regarding his site plan. Mr. Tucker appeared before the Board.

Engineer John Dunkle has been working with Mr. Tucker diligently on his project, especially grades and storm water impervious area. Mr. Tucker stated there is no increase in drainage. He explained the drainage flow. His engineer didn't stamp the plans yet because he wants some clarification, i.e., contours and elevations. His engineer will be working on a landscaping plan for species – he is planning 8' tall trees going along the property line between the lawn and front of the fence. Also, the type of lighting and direction.

Mr. Tucker thanked Mr. Dunkle and the Board for their input.

National Grid, 221 Campion Road, New Hartford. Preliminary/Final Approval for a proposed accessory use structure storage building. Zoning: M Manufacturing. Tax Map #329.006-3-22.3 and 329.010-2-1. Ms. Lynn Kozak of Nelson Associates appeared before the Board.

This application was addressed at the Zoning Board meeting of February 22, 2021 for an Area Variance of an expansion to an existing structure, which was approved.

Board Member Julius Fuks, Jr. abstained from this application. Ms. Kozak explained where the main building is located and further explained what this building would house, storage, trucks, wash bay, etc. The building is not insulated. Water system will connect to the inside of the building and the sprinkler system will be available with a fire hydrant. The new sanitary will be connected. She further explained the drainage system. Building will be installed with a fire protection system and alarm. New heaters and fresh air system. Waste water will go into a basin and into the oil and water separator.

Town Engineer John Dunkle has no comments on this.

Motion was made by Board Member John Latini to grant Preliminary and Final Site Plan Approval; seconded by Board Member Brymer Humphreys. All in favor (Board Member Fuks abstained).

Mike Sheridan for 2 Ellinwood, New Hartford. Preliminary Site Plan Review of a proposed two-story medical building, 17,500 sf, using existing parking. Tax Map #316.020-1-6 ; 1-7; 1-8. Zoning: C1 General Commercial. Mr. Sheridan appeared before the Board. This is a proposed medical arts building. They separated a parcel at the southwest corner so that this additional building could be developed. It is two stories, cut into the hill. All parking is there. Engineers are working on the final design. Water and

sewer is available. There is a lot line adjustment to this parcel as Mohawk Valley Water Authority requires them to access on the parcel for water service. Landscaping is being prepared. Considering moving the sign. No entering of the building from Commercial Drive – entrance from parking lot side. Costello Eye Physicians will be in this building with a tenant of the same caliber for the vacancy.

This will go through SEQR review. Contact will be made with the New York Mills Fire Department to review.

Motion was made by Board Member Manzur Sikder to grant preliminary approval and send out for SEQR with the Planning Board Lead Agency; seconded by Board Member Bill Morris. All in favor.

Codes Officer Lary Gell mentioned setbacks. Mr. Sheridan explained that the footprint was changed – Mr. Gell hasn't seen it. They discussed this change. Mr. Sheridan said it meets all setbacks. There will be no drive thru, all traffic will be circulated through existing traffic pattern.

Consumer Square/Benderson Corporation, 4505 Commercial Drive, New Hartford. Amendment to Final. Tax Map #317.013-3-23.61; Zoning: C1 General Commercial. Mr. Matt Oates of Benderson Corporation appeared before the Board.

They are requesting two small building expansions, expansion next to Old Navy to relocate Five Below and about a 200 sf expansion for a loading dock for Burlington. They have reviewed comments from the Town regarding loading and truck routing. They did modify the request for Burlington and it is to the right approximately 20' just to make sure of truck loading. They made a change to the loading dock.

Town Engineer John Dunkle has no storm water issues. Discussion of some signage for one way traffic at the Staples side and Do Not Enter at another location. Codes Officer Gell has no concerns.

Motion was made by Board Member Wilmar Sifre to grant Amendment to Final; seconded by Board Member John Latini. All in favor.

Mr. Oates has been very supportive of the requests of this Board, especially for looking into traffic patterns at the Starbucks site.

Taco Bell, Seneca Turnpike, New Hartford, New York. Final Site Plan Review/approval of a proposed 2,700 sf building and associated parking located at northwest corner of Levitt Place (Sangertown entrance) and Seneca Turnpike. Tax Map #328.012-1-69; Zoning: C1 General Commercial. Ms. Stephanie Albright, APD Engineering, and Mr. Mike McCracken of Hospitality Syracuse, Inc. appeared before the Board.

Taco Bell received Zoning Board approval for signs and parking on February 22, 2021. Ms. Albright displayed signs of the site. They finalized the SWPPP and storm water and submitted it to Mr. Dunkle. He is satisfied with all the work that has been done. The drive thru is still a concern as it is located in the front. She displayed the original plan and the rendering with the drive thru in the front.

There is a grade change. They want to work with us and went back to the drawing board. Being that this is a corner lot it forces an entry too close to the intersection. They kept the entry drive far away from Seneca Turnpike and Levitt Place. They combined a right in and right out on Levitt. She explained the in and out parking along the building, and explained the traffic flow.

Reference was made to the flow of traffic through this site as previously presented. Concern is for the lights from the drive thru shining into the homes located nearby. It was stated how far up those homes are located from this project. Ms. Albright stated that the drive thru traffic lights would be below the houses that border the mall to the east by the Sangertown property. Discussion was held regarding comments from NYSDOT and Oneida County Planning, as well as some SEQR comments.

Mr. Dunkle stated that if this project changed everything would have to be reworked. Some comments stated it is more of an appearance thing with the drive thru in the front. Ms. Albright referred to a possible delay with the prepay window if changed.

Landscaping was addressed. Board Member Fuks addressed the level of traffic at this site, which is a D. Ms. Albright explained the level of service in this whole area and they explored other ideas but didn't work out – just not feasible. The trucks especially would need a wider curb cut. Board Member Fuks also referred to the original SEQR for Sangertown, was this part of it. Ms. Albright said they have looked at the entire parcel and it is in the GEIS area. The sidewalk issue, they have a sidewalk along Levitt.

Mention was made of queue time: answer, 21 cars before it gets backed up. The time is about 15 seconds per vehicle. Because of the second window, it should move faster.

The Board asked to look at the first concept again.

Motion was made to close SEQR with a negative declaration by Board Member Bill Morris; seconded by Board Member Wilmar Sifre. All in favor. Motion was made by Board Member Wilmar Sifre to grant final approval based on the original design; seconded by Board Member Manzur Sikder. All in favor.

Board Member Bill Morris asked about the drive thru, it is 24' wide.

Mr. McCracken referred to an easement for the existing sign. Codes Officer Gell said it is being worked on.

Chair Mowat referred to possible items coming in before the Board.

There being no further business, motion was made by Board Member John Latini to adjourn; seconded by Board Member Brymer Humphreys. All in favor. The meeting ended at approximately 7:00 P.M.

Respectfully submitted,

Dolores Shaw
Secretary/Planning Board/dbs