

**TOWN OF NEW HARTFORD
PLANNING BOARD MINUTES
WEDNESDAY, SEPTEMBER 16, 2026
TOWN OF NEW HARTFORD MUNICIPAL OFFICES
8635 CLINTON STREET, NEW HARTFORD, NEW YORK**

The Planning Board 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 Planning Board Members Julius Fuks, Jr., Lisa Britt, Rocco Arcuri, Jim Decker, Alternate Joseph Chiffy and Wilmar Sifre. Absent: Manzur Sikder. Also in attendance were Town Attorney Herbert Cully, Esq., Town Supervisor James Messa, David Reynolds, Councilman, Engineer John Dunkle, Assessor Darlene Abbatecola, Codes Enforcement Officer Michael Mulligan, and Dory Shaw, Secretary.

Minutes of the August 10, 2026 Planning Board meeting were by motion of Board Member Lisa Britt; seconded by Board Member Wilmar Sifre. All in favor.

O'Reilly's Auto Parts, 8469 Seneca Turnpike, New Hartford, New York. Preliminary/Final Site Plan approval. Proposed auto parts store. Tax Map #328.012-1-69; Zoning: C1 General Commercial. Mr. Dominic Pavia, and John Schell, Civil Engineer of APD Engineering appeared before the Board.

Town Attorney Cully referred to a storm water maintenance agreement to be executed between O'Reilly's and the Town. It was stated that it is here. It requires O'Reilly's to build and maintain a storm water facility and be responsible for it – if they don't, we charge them. There are cross easements to access the property between the mall and O'Reilly's.

Mr. Schell referred to the cross easement agreement, which is drafted up and ready to be put in place. O'Reilly's has no issue with storm water requirements. The only thing left is approval for access planned. They have been reaching out to NYSDOT who said they are okay with the access drive, but he wanted this in writing. He is asking for conditional approval pending NYSDOT. Mr. Schell demonstrated the project, access on Route 5 north edge of Seneca Turnpike, subdivided into two lots. He addressed the eastern lot; addressed 28 parking spaces (they received a variance on parking from the Zoning Board of Appeals), grading of the lot, storm water runoff (which is 57% less), lighting, asphalt parking lot, and landscaping. He referred to the higher grade of the lot. He addressed the location of heavy asphalt where trucks will be delivering - there is a cross access agreement drafted up (an agreement for the two lots when they are subdivided). Discussion ensued regarding curb cuts, unloading of trucks (by area in the rear).

Engineer John Dunkle felt issues were satisfied except what is discussed right now. Especially with the mall and it is ok and referred to the Town Attorney with the agreements. He referred to NYSDOT and the shared driveway and sign off from NYSDOT – he is okay with this.

Chair Mowat asked Codes Officer Mulligan if he had a chance to review this - he did look at it but hasn't seen the plans but he will review it shortly.

Board Member Arcuri asked about the other lot – Mr. Pavia addressed this and his conversation with

NYSDOT. He also addressed stacking and that Sangertown Mall is 100% with them on this project. Mr. Pavia addressed any concerns with cut thru traffic, no specific concerns and he explained. Board Member Fuks asked about left and right egress from the property – Mr. Pavia stated NYSDOT is allowing it and they are okay with the proposed stacking. He said the curb cut gets pushed down about 75' from where it is today. There is one point of

ingress and egress on Seneca Turnpike once they sign off. Board Member Fuks is still concerned with the auxiliary lane and stacking.

- 1) Motion for approval of subdivision as provided by map dated December 8, 2025 by motion of Board Member Rocco Arcuri; seconded by Board Member Jim Decker. All in favor.
- 2) Motion to grant final Site Plan review/approval dated August 21, 2026 with a negative declaration on SEQR conditioned on storm water agreement and reciprocal easement and shared driveway by motion of Alternate Board Member Joseph Chiffy; seconded by Board Member Wilmar Sifre. All in favor.

At this time, Chair Mowat addressed ongoing and possibly new projects in the Town:

- 1) Proposed apartment project on Middle Settlement Road: applicant still working on this, especially driveway requirements, and information forthcoming;
- 2) Charles T. Sitrin, Cedarbrook project: applicant will be meeting with Staff to review submittal for this project. Property recently rezoned.
- 3) Chick Fil A working with NYSDOT and information to follow.
- 4) Heartford Luxury Apartments, Clinton Road: trying to locate documentation for a couple of buildings. Stormwater issues. NYSDOT has a concern about their culverts as it is deteriorating. A meeting will be setup to discuss this with Mr. Buck (owner) and NYSDOT.
- 5) Burger King, Seneca Turnpike: NYSDOT has concerns especially with driveways. They will have a letter drafted shortly regarding concerns and it will be shared with Staff.
- 6) House of the Good Shepherd: concern raised by a resident concerning glare from vehicles in the parking lot facing his property (just an FYI).
- 7) BJ's Wholesale Club, Seneca Turnpike (Sangertown Mall): still under SEQR review and waiting for more responses from involved/interested agencies.

The next Planning Board meeting is scheduled for Monday, October 12, 2026 (which is Columbus Day). The New Hartford Town Planning Board will still be meeting on that day.

Town Attorney Cully referred to a proposed lot line adjustment on Christine Court which does not require a subdivision review. If anyone has any interest, to advise him.

There being no further business, the meeting adjourned by motion of Board Member Jim Decker; seconded by Alternate Board Member Joseph Chiffy at approximately 6:30 P.M. All in favor.

Respectfully submitted,

Dolores Shaw, Secretary
Planning Board