

MINUTES OF THE REGULAR MEETING
JUNE 12, 2006

The Regular Meeting was called to order by Chairman Joseph Yagey at 4:30 P.M. and recited the Pledge of Allegiance. Board Members present were Hans Arnold, Peggy Rotton, Bob Imobersteg, Bob Wood, Rodger Reynolds and Jerome Donovan. Also in attendance were Councilman David Reynolds, Councilman Bob Payne, Highway Superintendent Roger Cleveland, Town Engineer John Meagher, Town Planner Kurt L. Schwenzfeier, AICP, and Secretary Dory Shaw.

Minutes of the May 8, 2006 meeting were distributed and motion was made by Board Member Peggy Rotton to approve these minutes as written; seconded by Board Member Bob Imobersteg. All in favor.

Charles T. Sitrin Home, Tilden Avenue, New Hartford, New York. Preliminary Site Plan Review of proposed Nursing Home Residential Development. Tax Map #340.000-2-21; Zoning: Planned Development Institutional. Mr. Richard Wilson, CEO and Ms. Patricia Hayes of the Sitrin Home appeared before the Board.

Chairman Yagey explained that this is not part of the Cedarbrook Development; this project is part of the Charles T. Sitrin Nursing Home. This is a project to relocate 110 skilled nursing residents from the existing facility to the newly proposed nine 12-14 bed residences.

Mr. Wilson explained that this proposal is not part of their Phases for Cedarbrook. This project could possibly be built before Cedarbrook or at the same time. Future use of the existing building is for rehab patients and the expansion of their day care facility.

Discussion was held regarding the type of review for this project in relation to their Master Plan. Mr. Wilson stated this project is half the original number of houses that were previously proposed. He explained the process with the NYS Depart. of Health.

Chairman Yagey referred to the proposed GEIS study for this area and the policy criteria that may develop for approvals of projects and where that project falls if a moratorium is applied.

A question arose as to whether this application needed another SEQR review as one was done previously on the Cedarbrook project. It was decided to check with the Town

Attorney for his input. However, motion was made by Board Member Peggy Rotton to declare the Planning Board Lead Agency for SEQR; seconded by Board Member Bob Wood. Vote taken:

Chairman Joseph Yagey – yes	Board Member Peggy Rotton – yes
Board Member Bob Wood – yes	Board Member Hans Arnold – yes
Board Member Bob Imobersteg – yes	Board Member Jerome Donovan – yes
Board Member Rodger Reynolds – yes	

Motion was approved by a vote of 7 – 0. (This motion is a mute issue if it is determined that another SEQR is not needed).

Mr. Kevin Phillips/P3 Developers LLC, 8181 Seneca Turnpike, Clinton, New York (Town of New Hartford). Final Site Plan Review Review/Approval for proposed offices at the former Karrat’s Restaurant. Tax Map #328.005-4-33; Lot Size: .78 Acres; Zoning: Planned Highway Business. Mr. Donald D. Ehre, P.E. and Mr. Kevin Phillips appeared before the Board.

Mr. Ehre explained the proposal to convert the former restaurant into offices with an addition onto the rear of the building. This addition needed Zoning Board approval, which was granted on February 27, 2006. Mr. Ehre referred to the driveways and designed them as requested by NYSDOT. Highway Superintendent Roger Cleveland met with NYSDOT representatives to review the site plan for this project, more specifically, the location of the proposed driveway on Midland Place, a Town road. NYSDOT indicated that was shown on the site plan was acceptable, which is also acceptable by the Town (memorandum from Highway Superintendent Cleveland has been made a part of the file).

Motion was made by Board Member Bob Imobersteg to close SEQR with a Negative Declaration; seconded by Board Member Hans Arnold. Vote taken:

Chairman Joseph Yagey – yes	Board Member Peggy Rotton – yes
Board Member Bob Wood – yes	Board Member Hans Arnold – yes
Board Member Bob Imobersteg – yes	Board Member Jerome Donovan – yes
Board Member Rodger Reynolds – yes	

Motion approved by a vote of 7 – 0.

Motion was made by Board Member Jerome Donovan to grant Preliminary Approval; seconded by Board Member Peggy Rotton. Vote taken:

Chairman Joseph Yagey – yes	Board Member Peggy Rotton – yes
Board Member Bob Wood – yes	Board Member Hans Arnold – yes
Board Member Bob Imobersteg – yes	Board Member Jerome Donovan – yes
Board Member Rodger Reynolds – yes	

Motion approved by a vote of 7 – 0.

Town Planner Schwenzfeier prepared the Pre-development Agreement and Memorandum of Understanding which are in the process of being signed.

Motion was made by Board Member Hans Arnold to grant **Final Approval** with the stipulation that a Building Permit be obtained within one (1) year of approval date; seconded by Board Member Bob Imobersteg. Vote taken”

Chairman Joseph Yagey – yes	Board Member Peggy Rotton – yes
Board Member Bob Wood – yes	Board Member Hans Arnold – yes
Board Member Bob Imobersteg – yes	Board Member Jerome Donovan – yes
Board Member Rodger Reynolds – yes	

Motion was **approved** by a vote of 7 – 0.

Jefferson Street Development, LLC, on Higby Road, New Hartford, New York for seven (7) single-family residential lots with one (1) outlet known as **Jewel Ridge Subdivision**; Tax Map #340.000-2-1.1; Lot Size: 5.23 Acres; Zoning: Low Density Residential. (This application was tabled at the May 8, 2006 meeting). Mr. Donald D. Ehre, P.E., and Mr. Gregg Grates, appeared before the Board.

Chairman Yagey explained that this application was tabled at the last meeting to allow the storm water calculations to be reviewed by an independent engineer working for the Town but being paid by the developer. Shumaker Engineering was hired to review these numbers and they concur with Mr. Ehre’s calculations (Shumaker’s letter of June 8, 2006 has been made a part of the file). (The Town Planner addressed hiring an independent contractor and the Town’s policies and procedures).

Reference was made to storm water behind Christopher Circle – it has been determined this project will not add to the existing storm water issue.

Mr. Ehre discussed screening and advised the Board that he tried to contact the neighbors for their input but did not get a response back. However, it is noted on the plans that if

the Town Planner feels screening isn't adequate, he will advise them. He also stated that Mr. DeBernardis has not contacted them regarding the driveway issue and they don't know what he will do about this.

Soil erosion and sediment control was addressed – they will have a storm water pollution plan as required under the New York State permit process.

SEQR was closed at the May 8, 2006 meeting.

Motion was made by Board Member Jerome Donovan to grant Preliminary Approval; seconded by Board Member Bob Wood. Vote taken:

Chairman Joseph Yagey – yes	Board Member Peggy Rotton – yes
Board Member Bob Wood – yes	Board Member Hans Arnold – yes
Board Member Bob Imobersteg – yes	Board Member Jerome Donovan – yes
Board Member Rodger Reynolds – yes	

Motion was approved by a vote of 7 – 0.

Motion was made by Board Member Peggy Rotton to grant **Final Approval** with the stipulation that the Town Planner review/approve the screening and if additional screening is necessary, that the developer comply; and that a Building Permit be obtained within one (1) year of approval date; seconded by Board Member Bob Wood. Vote taken:

Chairman Joseph Yagey – yes	Board Member Peggy Rotton – yes
Board Member Bob Wood – yes	Board Member Hans Arnold – yes
Board Member Bob Imobersteg – yes	Board Member Jerome Donovan – yes
Board Member Rodger Reynolds – yes	

Motion was **approved** by a vote of 7 – 0.

At this time, Highway Superintendent Roger Cleveland addressed the Board with an update of the information he has regarding the proposed GEIS and possible moratorium in the southern tier of the Town and the implementation process, and also the impacts this study would have with ongoing and new projects.

Councilman David Reynolds stated that his knowledge of the GEIS is that the Town Board is looking to the County for some input but expects it to be addressed again soon at the Town level.

Update: **Dr. Frank DeLaus**, proposed **33-lot Major Subdivision on Higby Road**. Tax Map #340.000-2-1.2; Lot Size: 27 Acres; Zoning: Low Density Residential. Town Planner Schwenzfeier stated that we received sign agreements between Higby Woodlands and Dr. DeLaus for sewer, therefore, a pumping station is not needed. The proposed GEIS/moratorium does not extend to this area. SEQR had been opened at the July 11, 2005 meeting and is ready to be mailed to the involved agencies.

Update: **COR Development/Twin Orchards, Middle Settlement Road**. Tax Map #316.000-2-41.1 & 42; Lot Size: approximately 21 Acres; Zoning: Planned Development Mixed Use. Chairman Yagey said he heard from Mr. Gerardi and they will appear at the next Planning Board meeting with the revised plan. They have taken into consideration the recommendations made by the Planning Board.

Town Planner Schwenzfeier said the study regarding traffic and roads incorporated into the Business Park was not ready but should be done by the next meeting, will address the proposed Business Park and COR Development.

Update: **New Hartford Business Park, Mr. Larry Adler, Woods Highway**. Tax Map #328.000-3-7 & 316.000-2-41; Lot Size: approximately 115 Acres; Zoning: Planned Development Park. Chairman Yagey said this item will be placed on next month's agenda for a review of their plan along with the report from the consultants regarding traffic and connector road to COR Development. Mr. Adler has been meeting with the Town regarding traffic, etc. Discussion took place regarding the possible extension of Woods Highway to Route 840. It was also mentioned to think about designing a pedestrian walk-way, something to compliment the Philip Rayhill Trail.

Update: **Comprehensive Plan**. Board Member Hans Arnold is the representative for the Planning Board on this committee. Peter J. Smith is the consultant for this Master Plan process. Surveys were sent out with many positive responses about what New Hartford residents want, notably green space, held public meetings, and considered those ideas/recommendations. The Steering Committee met on traffic, etc. and will take those comments to the Town Board and Planning Board for their consideration.

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Town Planner Schwenzfeier said park land, improvements, costs are still being considered and this issue can be done at any time independent of the Comprehensive Plan.

Highway Superintendent Cleveland said he asked the consultant to include in the Comprehensive Plan the Sauquoit Creek corridor for review.

Update: **Cell Tower, Woods Highway**. Tax Map #316.000-2-32.4; Lot Size: 1.5 Acres; Zoning: Planned Development Park. Chairman Yagey explained what has transpired with this project at the Planning Board level. It was determined that this will need to be presented to the Zoning Board of Appeals for an Area Variance based on a review and interpretation from the Town Attorney regarding the drop zone.

There being no further business, the meeting adjourned at 6:25 P.M.

Respectfully submitted,

Dolores Shaw
Secretary

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