

MINUTES OF THE REGULAR MEETING
JANUARY 22, 2007

The Regular Meeting was called to order by Chairman Hans Arnold at 4:30 P.M. at which time the Pledge of Allegiance was recited. Board Members present were Peggy Rotton, Bob Wood, Rodger Reynolds, and Ellen Rayhill. Absent: Board Members Jerome Donovan and Bob Imobersteg. Also in attendance were Highway Superintendent Roger Cleveland, Councilman David Reynolds, Town Planner Kurt L. Schwenzfeier, AICP; John Meagher, Senior Engineer and Secretary Dolores Shaw. Chairman Arnold introduced newest Board Member Ellen Rayhill.

Chairman Arnold also introduced Town Supervisor Earle Reed who welcomed the Planning Board members into the new year.

Minutes of the draft December 11, 2006 meeting were distributed and motion was made by Board Member Peggy Rotton to approve these minutes with the correction of a typo on Page 1; seconded by Board Member Bob Wood. All in favor.

Charles T. Sitrin Home, Tilden Avenue, New Hartford - Cedarbrook Project. Tax Map #340.000-2-21; Zoning: Planned Development Institutional. Amendment to Final: adjusting the residences for the cottages and relocating the Cedarbrook building. Messrs. Richard Wilson, CEO/Sitrin Home and Larry Adler appeared before the Board.

Chairman Arnold asked Town Planner Schwenzfeier to outline the differences between the previously approved plan of Cedarbrook and the newly revised set of plans.

Cedarbrook Senior Living: same square footage as it was before except for the footprint change to two (2) stories – still being funded through the Sitrin Home.

The residential units are now changed to include triplex, duplexes and singles (it was previously duplexes and singles. Difference is seven (7) more units with approximately the same square footage - (five (5) less buildings because of the triplexes).

The number of cottage units (consisting of triplex, duplex and singles) are now 43 as well as maintaining the 44 apartments in the Cedarbrook building (Cedarbrook is the assisted living area) and which square footage has been reduced to accommodate two (2) separate

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floors. There are site changes only. SEQR was previously addressed and closed. Oneida County 239 Planning Review was received with no recommendation.

Mr. Wilson addressed the Board referring to the terrain of the property. He stated that Mr. Larry Adler felt the new changes would be a better reconfiguration, i.e., moving Cedarbrook to the rear cottages. Mr. Adler appeared and referred to the map. He felt the change in layout would be more natural to the area. The apartments were in different locations. They will use some drainage to create water features on site. He said the square footage previously was 67,300 and now it is between 65,000 – 76,000 square feet – this includes garages.

Board Member Rotton asked...1) if the cottages will be taxable – Mr. Wilson said yes; 2) if the senior living is closer to the current facility – Mr. Wilson said yes; 3) do people have the option to move from cottages to assisted living – Mr. Wilson said it is not automatic at this time, but there are options.

Board Member Wood referred to the water in the pond and if it would be there all the time – Mr. Adler said it is designed to hold water and explained the calculation process for standing water vs. acreage.

Board Member Reynolds referred to the road off Higby and if it led to Tilden Avenue – Mr. Adler said yes. Board Member Reynolds is concerned this may become a short cut for traffic – Mr. Adler referred to the map and it is designed not to be a straight road. Mr. Adler said the distance between Higby Road and the back of the closest set of structures is about 120’.

Chairman Arnold asked if the new road would be dedicated to the Town – Mr. Adler said yes. Chairman Arnold feels this is an improvement for emergency services and lessens the impact of traffic in one area. He met with Messrs. Wilson and Adler and feels they have improved on the natural conditions in this area, grades, soils and wetlands and if the water features take place, he feels it will be an attractive addition to the site.

Chairman Arnold asked the Town Planner if SEQR had been complied with in terms of the Master Plan – he said yes, however, permits are needed with the NYSDEC. Town Planner Schwenzfeier said at this point the applicant is seeking Amendment to Final approval, which is Amendment #2 and with the condition placed previously.

Motion was made by Board Member Peggy Rotton to grant **Amendment to Final #2** to Charles T. Sitrin Home/Cedarbrook with the condition that a Building Permit be obtained within one (1) year of approval date (if Sitrin needs to extend this permit time frame, they would have to come back before the Planning Board; and that they comply with all the

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necessary agencies; seconded by Board Member Rodger Reynolds. Vote taken:

Chairman Hans Arnold – yes

Board Member Peggy Rotton – yes

Board Member Rodger Reynolds – yes
Board Member Bob Wood – yes

Board Member Ellen Rayhill – yes

Motion **approved** by a vote of 5 – 0.

Jewel Ridge, Phase II Major Subdivision, Higby Road. Tax Map #340.000-1-6; Lot Size: 8.144 acres; Zoning: Low Density Residential. Proposal for eleven (11) single-family lots adjacent to the recently approved Jewel Ridge Subdivision. Mr. Gregg Grates, developer, and Mr. Donald Ehre, PE, appeared before the Board.

Town Planner Schwenzfeier explained the location of this project, which is on the lower portion of Phase I. A cul-de-sac shown on the original plan will be removed. Access to this phase will be from Jewel Ridge Drive, which they plan on dedicating to the Town. The developer is proposing eleven (11) lots with approximately 18,000 square feet along the proposed cul-de-sac and road. Storm water will no longer be in the cul-de-sac – there will be two (2) separate storm water detention basins.

Chairman Arnold referred to the road at the upper part of the plan (which is one of the entrance roads to the elementary school). This is a private road and the developer cannot connect to it.

Mr. Donald Ehre appeared before the Board and addressed the infrastructure of this project and storm water. He explained that Phase I and Phase II are separate projects. Originally the storm water quality was inside the cul-de-sac and he explained where storm water would be controlled at this site. Water would build up in a fairly deep ravine so it won't carry forward or around this area. They will have a second chance to reduce the flow. The sanitary sewer will have to be carried across. They feel they can control all their storm water and also reduce flows of surrounding properties. They are negotiating with the Church as to where the easement will go. The ravine continues down and under the school driveway. Mr. Ehre said they would like to provide the storm water quality feature in the ravine and not in the cul-de-sac.

Mr. Ehre explained the proposed low ground plantings for the cul-de-sac assuming the Planning Board agrees – they would like the center of the cul-de-sac green rather than to pave it.

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Chairman Arnold stated that this is before the Board conceptually and now is the time to raise questions or design changes as it is this Board's duty to find out how this impacts the adjacent property owners.

Board Member Reynolds addressed the retention ponds and if they are open. Mr. Ehre said they have to keep a certain amount of area 5' deep and explained NYSDEC's requirements, especially addressing mosquito growth. Board Member Reynolds is concerned about the safety of children with these open ponds. Mr. Ehre explained that if NYSDEC is willing to change their requirements, he is open to suggestions.

The Board Members are aware of the water problems in this area of Town. Board Member Rayhill asked Mr. Ehre to explain where the water goes, i.e., Chapman Road, Meadowbrook basins, etc. Mr. Ehre stated they have a design to avoid water problems. They are attempting to reduce the peak flow and make up for past problems.

Board Member Wood asked about the drainage flow – Mr. Ehre said it goes to the road and he referred to the topographical map and explained the flow direction. Board Member Wood also stated that some of the lots appear smaller, especially near the cul-de-sac. Mr. Ehre said all lots meet the Code requirements but could be increased if necessary.

Chairman Arnold asked Mr. Ehre for the location of the storm water basins – Mr. Ehre referred to the map and explained where the new storm water basin is – off the property they now control. They will need a grading easement from the church and sanitary sewer easement. Chairman Arnold referred to Lindale Avenue and if water would run down this road. Mr. Ehre said no water will travel to Lindale Avenue.

Chairman Arnold again stated that this is a conceptual review. He explained that when this developer submits a plan that we can consider further, this Board would want an independent engineer to review the storm water. Chairman Arnold asked if the owner would explore a connection to the school entrance road and make that a Town road. Mr. Ehre said Mr. Grates has been in contact with some people from the school, especially about bringing in the sanitary, but the school has not indicated any interest.

Further, Chairman Arnold would like the Police Chief and Fire Department's comments on whether or not the length of this cul-de-sac is acceptable for emergency services. Chairman Arnold referred to open space and Mr. Ehre said they are giving the Town about a ½ acre for green space and for maintenance of storm water. Chairman Arnold feels this is an opportunity to address open space and would like this Board to consider it in the review process.

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Board Member Reynolds referred to the private road and how much distance from the road to the property – about 25'.

Chairman Arnold is concerned about storm water development at this site, and also about the 5' depth which the NYSDEC is saying a 1' shelf would be a deterrent to people. He also addressed having a pedestrian walk or path way and would like the developer to talk to the school. Mr. Ehre said maintenance and control may be a problem. Chairman Arnold said maybe a homeowners association could be responsible for open space.

Town Planner Schwenzfeier said he would contact the school regarding this. The developer will refine his plan and keep in touch with the Town Planner. No further action will be taken this evening.

peter j. smith & company: input on the proposed **GEIS/Southern Territory and Comprehensive Plan Review**. Mr. Peter J. Smith and Mrs. Eve Holmberg appeared before the Board.

Chairman Arnold introduced Mrs. Eve Holmberg who will be addressing the Board regarding completion of the new Town Comprehensive Plan and the proposed new GEIS for the southern portion of the Town. Chairman Arnold would like this plan to be used to guide growth in the Town and it updates the Town's Zoning Law. As the Planning Board knows, he served on the Comprehensive Plan Advisory Committee as a member of the Planning Board. He introduced Mr. John Kivela who is part of this group and a resident of the Town. He would like to hold a meeting just on this plan and invite members of the Steering Committee to meet jointly to have Mrs. Holmberg give all the details of the Comprehensive Plan and strategy. The Town Planner will head up an effort with Town Staff also.

Mr. Kivela addressed the Board and asked the members to refer to the back pages of the proposed Plan which has the results of the public's opinion. He stated that the plan isn't based on just a few people and the results are overwhelming.

Board Member Rotton asked why the villages are not a part of this process. Mrs. Holmberg said the villages did not want to participate at this time.

Mrs. Holmberg gave a presentation of the update to the Comprehensive Plan, the process, what should be addressed, the updates to the Zoning Law, etc. (a prepared outline is available with the Planning Board Secretary). She also referred to the proposed GEIS for

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the southern portion of the Town and the reasons why it would be done and the Planning Board's role in the process.

It was decided that Mrs. Holmberg would attend the next scheduled Planning Board meeting, which is February 12, 2007 to further meet with the Board after regular business and discuss further the Comprehensive Plan. She will also bring some preliminary GEIS material with her.

OTHER:

1) Chairman Arnold and Town Planner Schwenzfeier updated the Board regarding the NYSDEC's concerns on sewer districts where there is an excessive amount of clean storm water getting into the sanitary sewer system. The Consent Order being developed only affects that portion of the Town that is connected to the Sauquoit Creek Pump Station. NYSDEC is saying no to new hook ups in that service area until the Consent Order has been resolved. The Board will be kept apprised of this situation.

2) Chairman Arnold asked the members to consider changing the Planning Board meeting time as he would like to accommodate the public as much as possible. This will be discussed further.

3) Chairman Arnold wanted the Board Members to be aware of calls he may receive by a developer for an upcoming project in the Town. He may setup informal meetings and if any Board Member would like to participate, he would like to be advised according for proper protocol. The Board Members stated that they do not have a problem with this type of arrangement.

CORRESPONDENCE:

1) Chairman Arnold referred to a request from Benderson Development to return or cancel its \$100,000 bond as it relates to Consumer Square. He discussed this issue with the Town Attorney and the Town Planner. Discussion ensued regarding the internal traffic flow with this project and how it affects NYS Route 5A (Commercial Drive).

Chairman Arnold is asking the Planning Board members for their approval to send a letter that has been drafted regarding these issues.

Motion was made by Board Member Peggy Rotton for the Planning Board Chairman to send a letter to the Town Board concerning Benderson Development's request for the return or cancellation of their \$100,000 bond as it relates to Consumer Square; seconded by Board Member Ellen Rayhill. Vote taken:

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Chairman Hans Arnold – yes
Board Member Ellen Rayhill – yes
Board Member Rodger Reynolds – yes

Board Member Peggy Rotton – yes
Board Member Bob Wood – yes

Motion **approved** by a vote of 5 – 0. Planning Board Secretary Dory Shaw will forward this letter from the Chairman.

There being no further discussion, the meeting adjourned at 7:00 P.M.

Respectfully submitted,

Dolores Shaw
Planning Board Secretary

dbS