

**MINUTES OF THE REGULAR MEETING
FEBRUARY 12, 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; Police Chief Raymond Philo; John Meagher, Senior Engineer and Secretary Dolores Shaw.

Minutes of the draft January 22, 2007 meeting were distributed and motion was made by Board Member Rodger Reynolds to approve these as written; seconded by Board Member Peggy Rotton. All in favor.

Chairman Arnold explained that Town Staff has met and have come up with a final draft of Subdivision Regulations to be sent to the Town Board for adoption. When approved, this Board will have a new set of regulations – we hope to clarify some discrepancies especially as it relates to developers and what is required. If any Board Member would like to see a draft at this time, contact the Town Planner.

He introduced those in attendance, in part, who are on the Steering Committee and instrumental with the review of the revised Comprehensive Plan: Highway Superintendent Roger Cleveland; Police Chief Raymond Philo; Senior Engineer John Meagher; Bill Delaney, resident; Fred Kiehm, Zoning Board Member; Guy Sassaman, representing Oneida County Planning; and Town Planner Schwenzfeier.

Chairman Arnold also introduced Mrs. Eve Holberg, peter j. smith & company who would field any questions regarding the proposed GEIS/Southern Tier and the Comprehensive Plan. Mrs. Holberg is looking to address any question remaining on the Comprehensive Plan. She stated that Board Member Donovan had some questions/corrections, which have been addressed (a copy of her response to him has been made a part of the file). Mr. Kiehm was given a copy of this response. Town Planner Schwenzfeier said committee members will have all comments and responses when it is completed.

Eve Holberg, from peter j. smith, Consultant to the Town on the Comprehensive Plan, spoke to the Board members about the Comprehensive Plan, what it's purpose was and how it triggered its own SEQR action, i.e., that if the Comprehensive Plan were implemented, it would result in a Positive Declaration, having negative impacts. Ms. Holberg represented that the Town was very close to adopting the Plan, but she had been asked to appear before the Planning Board to answer questions about the Plan. She explained the process of completing the Plan, and spoke about the focus groups that had met on specific issues, and that there had been several public information and participation meetings, some well attended and some not.

Some of the members of the Steering Committee for the Comprehensive Plan were in attendance, and Chairman Arnold asked those persons as well as the Planning Board if there were any issues in the Plan that anyone felt needed further investigation, questions answered, or issues that should be included in the Plan. Chairman Arnold also pointed out that Planning Board Member Jerry Donovan had submitted a list of questions to Ms. Holberg, and that those had been responded to. Several issues were identified, discussed, and if there was consensus to obtain additional information, or modify the language in the Plan, including Board Member Rotton's concerns regarding school population, etc. Chairman Arnold requested that those be attended to with a response from Eve back to the Board.

Mr. Guy Sassaman asked if his department provided her with Ag districts for the Town as he hasn't seen it, and is there going to be a map - she would check into this.

GEIS: Ms. Holberg explained that the GEIS is a mechanism that gets us to a structure, and which incorporates fees in lieu of mitigation. Police Chief Philo explained how his department has utilized these fees. This proposed GEIS is for the southern section of the Town and it will address traffic, storm water, roads, etc.

Town Planner Schwenzfeier explained the process for the GEIS for the record:

- Close the Comprehensive Plan and the SEQR process
- Issue a Positive Declaration
- Declaration of Lead Agency
- Completed Environmental Assessment Form
- Completed Positive Declaration Form
- Completed Notice of Completion of Draft and Notice of SEQR Hearing
- Finalized Draft GEIS
- Completed Notice of Final GEIS
- Completed Findings Statement
- Final GEIS

The Board Members discussed the other GEIS' done in the Town and the effect they have had on developers and the community. They also discussed the issue of moratoriums. Councilman Reynolds asked if this Board could still approve minor subdivisions during the GEIS review process – Ms. Holberg said yes. Ms. Holberg also explained to the Board the difference between Involved Agencies and Interested Agencies during the process.

Police Chief Philo explained to the Board how the GEIS' and mitigation fees affect the Police Department - fees have enabled his department to purchase needed equipment.

Chairman Arnold will schedule Ms. Holberg to appear before the Planning Board at the next meeting, which is scheduled for Monday, March 12, 2007 at 4:30 P.M.

Chairman Arnold discussed the Planning Board meeting time and asked for comments from the members. This will be discussed further when all Board Members are in attendance.

Board Members Rodger Reynolds and Rayhill brought up the previous discussion of school population in New Hartford and better communication between this Board and the school district. Councilman David Reynolds and Town Planner Schwenzfeier invited Chairman Arnold to attend the a meeting with a small group of school officials who usually meet once a month. Chairman Arnold said he would do so.

Police Chief Raymond Philo talked about the BOCES expansion vote, and how this would impact his department.

Local Law “D” of 2006 – Cell Tower Height – update. Town Planner Schwenzfeier said this proposal is to limit the height ton 100' for cell towers, radio or cb antennas, power lines, power poles, etc. To go any higher would require a variance. Any exemption would be a public utility. He further explained the drop zone and how it relates to a tower, and wind towers, terminology of transmission and communication towers and cables, aesthetics, etc. The Board Members discussed this in detail.

Motion was made by Board Member Bob Wood to recommend to the Town Board the approval of the proposed height limit of 100' as stated below:

SECTION 1. Chapter 118 of the Code of the Town of New Hartford, Section 118-60, is hereby amended as follows:

Section 118-60. Additional height requirements

The existing paragraph shall become A. and the words "...transmission and communication towers and cables..." shall be deleted from the first sentence in paragraph A.

Add new paragraph:

B. Communication and transmission towers and cables shall be a maximum of 100 feet.

SECTION 2. Chapter 118 of the Code of the Town of New Hartford, 118 Attachments 4, Schedules of Use, Area and Bulk Regulations for zoning classifications:

(Attachment 4:1)	A – Agricultural District
(Attachment 4:3)	RA-2 Residential Agricultural District
(Attachment 4:4)	LDR – Low Density Residential District
(Attachment 4:5)	MDR – Medium Density Residential District
(Attachment 4:6)	HDR – High Density Residential District
(Attachment 4:7-8)	RB1 – Retail Business District
(Attachment 4:9-10)	RB2 – Retail Business 2 District
(Attachment 4:11)	RB# - Office Business District
(Attachment 4:13)	M – Manufacturing District
(Attachment 4:15)	PO – Professional Office District
(Attachment 4:16)	PHB – Planned Highway Business District
(Attachment 4:17)	PDMH – Planned Development Mobile Home District
(Attachment 4:18)	PDMU – Planned Development Mixed Use District

shall be changed so that all Public Utility(ies) shall have a Maximum Height of one hundred (100) feet.

seconded by Board Member Peggy Rotton. Vote taken:

Chairman Hans Arnold – yes	Board Member Bob Wood – yes
Board Member Rodger Reynolds – yes	Board Member Peggy Rotton – yes
Board Member Ellen Rayhill – yes	

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Motion for recommendation to the Town Board as stated above was approved by a vote of 5 – 0.

There being no further business, the meeting adjourned at 6:30 P.M.

Respectfully submitted,

Dolores Shaw, Secretary
Planning Board

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