

MINUTES OF THE REGULAR MEETING
TOWN OF NEW HARTFORD PLANNING BOARD
AUGUST 4, 2008

The Regular Meeting was called to order by Chairman Hans Arnold at 5:30 P.M. at which time the Pledge of Allegiance was recited. Board Members present were Jerome Donovan, Ellen Rayhill, Rodger Reynolds, Bob Wood, Peggy Rotton and Bob Imobersteg. Also in attendance were Councilman David Reynolds, Town Planner Kurt L. Schwenzfeier, AICP; and Dory Shaw, Secretary.

Also in attendance were Mr. Guy Sassaman, OC Planning Dept.; Ms. Caroline Williams, Cornell Cooperative Extension; Mr. Martin Broccoli, Cornell Cooperative Extension; local farmers Ed Collins and sons, and Anthony Massoud.

Minutes of the June 23, 2008 meeting were reviewed by the Board Members. Motion was made by Board Member Peggy Rotton to approve these minutes with typographical amendments; seconded by Board Member Rodger Reynolds. All in favor.

Special Metals, Middle Settlement Road, New Hartford. Preliminary/Final Site Plan Review of a proposed 1,760 (±) square foot addition to the main factory. Tax Map #328.000-2-25; Lot Size: 110 Acres; Zoning: Manufacturing. Mr. John Schumaker of Special Metals and Mr. Dale Meszler, P.E., of Almy & Associates appeared before the Board.

Town Planner Schwenzfeier presented a map of the proposal for the Board's review and the existing facility off Middle Settlement Road. The main facility is fenced in – nothing will be changed with fencing or parking/circulation. This is a 40' x 44' bump out of the main structure. County 239 Planning review was received with no comments. NYSDOT responded with no recommendation but noted a highway work permit is required if needed. This project is in a Manufacturing zone which requires Site Plan Review.

Mr. Meszler stated that there currently is impervious area where the proposed addition is and another smaller building will be taken down – they don't anticipate any additional water runoff.

Chairman Arnold referred to the Environmental Assessment Form. Town Planner Schwenzfeier said this is a Type II action based on the size of the expansion and no

action is required. Board Member Rayhill recommended that once a determination is made, we can review the criteria.

Town Planner Schwenzfeier stated that he would look into amending the SEQR application form to address Type II, no action required, for Site Plan Review where applicable.

Motion was made by Board Member Imobersteg to grant Preliminary/Final Site Plan Review and that the Town Planner had made the clarification of a Type II action; seconded by Board Member Rayhill. Vote taken:

Chairman Hans Arnold – yes	Board Member Bob Imobersteg - yes
Board Member Ellen Rayhill – yes	Board Member Bob Wood – yes
Board Member Rodger Reynolds – yes	Board Member Peggy Rotton – yes
Board Member Jerome Donovan – yes	

Motion **passed** by a vote of 7 – 0.

Mr. Christopher Carfagno, 81 Clinton Road, New Hartford. Final Site Plan Review of proposed professional offices. Tax Map #328.016-1-1; Lot Size: .54 Acres; Zoning: RB4 Neighborhood Business. Mr. Christopher Carfagno appeared before the Board.

Town Planner Schwenzfeier referred to the location of the project, and also that the applicant is not making any physical changes to the site, but changing the building from a warehouse to office space. He presented a sketch presented by the applicant for parking – they have eleven (11) spaces, including one (1) handicap space. He would like the Board to consider this a Type II action as there is no change to the structure. Town Planner Schwenzfeier said the applicant will be back to this Board in the future for an expansion depending on how the site works out and then it would require a full SEQR review. None of the parking will be in the front of the existing building, and Mr. Carfagno has plans in the near future to pave the site.

Reference was made by the Board Members for a point of ingress and egress at the site to be shown, and that the applicant would need a curb cut from the State if they do any change to the driveway. It was stated that the applicant can designate ingress and egress. The Board has concerns regarding vehicles backing out onto the State road. Concerns were also expressed about storm water. Board Member Imobersteg would like to see additional landscaping. The Town Planner mentioned that green space on this property is adequate.

Chairman Arnold asked the Board Members if they would like to see a revised parking plan with ingress and egress, additional landscaping, and storm water. It was the consensus of all Board Members to get this additional information and for the applicant to contact the Town Planner. Mr. Carfagno said he would provide a new plan addressing all issues, and he feels additional landscaping is only a plus to his project.

Board Member Rotton asked if the applicant could begin work on the interior of the building. It was stated that the Codes Officer would probably have to go to the site to check it.

Motion was made by Board Member Imobersteg that this Board defer any action on this application and request the developer to submit a plan for ingress and ingress, landscaping and storm water; seconded by Board Member Rotton. Vote taken:

Chairman Hans Arnold – yes	Board Member Bob Imobersteg - yes
Board Member Ellen Rayhill – yes	Board Member Bob Wood – yes
Board Member Rodger Reynolds – yes	Board Member Peggy Rotton – yes
Board Member Jerome Donovan – yes	

Motion **passed** by a vote of 7 – 0. Chairman Arnold advised the applicant that if he gets this information in on time, it could be addressed at the next Planning Board meeting.

Jewel Ridge Subdivision, Phase II, Higby Road, New Hartford. Town Planner Schwenzfeier will check into the status of this and report back to the Board.

GEIS – discussion of agricultural issues and review of revisions to draft. Chairman Arnold explained about the concept of the GEIS for the southern area of the Town, the process this Board has been going through, and addressing issues and concern raised. Chairman Arnold invited the representatives of the Ag community and agencies for their input. Also, he wanted to have the Town Planner update this Board regarding preliminary plans for future expansion of water service in the Town by the Water Board.

Town Planner Schwenzfeier referred to a map of the proposed water service and oriented the Board with regard to major thoroughfares in the Town, the Town boundary between Oneida and Herkimer Counties. He referred to the pumping stations proposed, the proposed water tanks in the Town and where water service would become available. Board Member Donovan asked about the creation of water districts – the Town Planner said water districts could be established and they would need to be funded by the Town –

tanks are included in the district (they'll take it over but won't do any improvements). He stated that the Water Board doesn't have any intention to build those tanks to enhance service to any existing or future area, it is up to the municipality.

Board Member Donovan felt that zoning will play a roll in density. Chairman Arnold stated that most of this area is covered by established Ag districts.

Chairman Arnold said that the Water Board will be contacting him about this but he wanted the Town Planner to show the future potential and our job is to look and evaluate those conditions. The Town doesn't control the pace for these activities.

Discussion ensued regarding water service and interest by developers to invest in extensions.

Chairman Arnold referred to Ag issues. This Board is considering a plan to allow high density, commercial and residential development along the Sauquoit Valley area and would allow coming out east and west some moderate density and possibly allow no new development or low density development, i.e., 5/10/20 acre lots. He said this Board would like to provide an option for a farmer if ever they want to give up farming – an alternative available to them. The farmer should get some benefit from the land and this Board doesn't want to preclude this. We are also trying to achieve a balance of open space, agriculture of land, and zoning

Mr. Marty Broccoli of Cornell Cooperative Extension thanked the Board for addressing this issue. He felt we are here to live cohesively and his job is to protect the farmers. He stated there are mechanisms in place, planners to work with him on this issue, and addressed Purchase of Development Rights, and land easements. He said Oneida County has to embrace it and the Town has to implement it. Right now it looks like the County wants to pursue it but it is not an easy process. There is a public workshop in December 2008 and he will try to get some applications in for 2009. It is still an application process, not a grant process statewide. If we get some farmers and Towns to apply, they still have to get approved. There is criteria but he thinks New Hartford farms would score well because they meet a lot of the important criteria, i.e., good soil types. He said if the Town puts its support behind it, some type of resolution, it would help support the PDR process.

Mr. Collins explained how he owns 134 acres but farms 200 acres – he referred to the problems that exist on land he farms, i.e., houses being constructed on vacant property. Mr. Massoud asked, once you agree to PDR, what about taxes. Mr. Broccoli said there is a lot to learn about this yet.

Board Member Rayhill asked, what if the farmer wants to get out of the PDR program. Mr. Broccoli said you have to pay the State back and that is why he wants farmers to really understand this – it is a learning process and a serious commitment. Mr. Broccoli explained the PDR process and the percentages of money allotted.

Mr. Guy Sassaman of Oneida County Planning mentioned that the Oneida County Farmland Protection Board {FPB} has created a pre-application which is similar to what several other counties have developed. The pre-application helps the FPB weed out the applications and submit the ones that have the best chances of getting funded. The FPB is developing a press release that should go out sometime in the fall. When the press release is out, a copy of the pre-application will be presented as well. The FPB will be hosting informational workshops on the state's PDR grant program sometime in late fall. Interested landowners and municipalities will be invited to attend the workshops. We plan to have representatives from the New York State Department of Agriculture and Markets, American Farmland Trust, and land trust representatives discuss the various components of the PDR program.

Mr. Omar Massoud addressed the Board asking for clarification of why the southern area of the Town is being addressed for a GEIS. Chairman Arnold explained that this Board can foresee certain development pressures that should be handled before they get here – it is a plan that would restrict growth in this part of the Town. It is about planning and looking to the future but also by going through this method we are able to set up a mechanism by which when developers come in, we can collect money from them even if those developments are off site because there are storm water problems, road issues, etc. This gives us a way to collect and help solve those problems. Mr. Massoud said he felt people are doing exactly what they want to do at this time. Board Member Donovan explained what this Board is trying to achieve. Mr. Massoud asked, is this Board looking to maintain open space or aesthetics – Board Member Rayhill said both.

Mr. Massoud also said the people in his area would like to see septic tanks removed and water put in. Board Member Donovan said anyone can petition the Town for a sewer district, and also mentioned low interest loans and/or grants.

Ms. Caroline Williams of Cornell Cooperative Extension referred to, for example, a five (5) acre lot with a house in the middle – the lot is limited – it would prevent the reclaiming of farm land later. Board Member Donovan said this could be addressed by zoning. Ms. Williams said perhaps the Town could incorporate something into the Zoning Law.

Board Member Rayhill said people want to preserve green space. We are looking ahead for future development and expansion – how do we direct developers in the future. She

referred to fees collected so as not to burden the taxpayers. She also referred to other alternatives that might be applied, i.e., development limitations, incentive zoning.

Mr. Ed Collins stated that he felt landowners don't want four (4) or five (5) acre lots. Chairman Arnold said that if large zoning isn't the answer, he would appreciate some ideas from him as to what is. Mr. Collins feels deed restrictions or easements aren't the answer. He also said that there are other farmers in the area that may want to be contacted - he gave Chairman Arnold a list of people.

Board Member Rotton referred to water runoff and what was stated by an engineer previously who addressed this issue. She also referred to addressing the issue of selling off frontage and leaving the rear of the property where there is no access.

Discussion ensued again regarding open space, and farmer's options. Chairman Arnold asked Ms. Williams if there was some formula for this – Ms. Williams said she would look into this and stated that she would be willing to work with the Planning Board in anyway possible.

Board Member Donovan addressed how the Comprehensive Plan addresses open space.

Board Member Rayhill referred to larger lot sizes and possible restrictions/rights-of-way, population, schools, affordable housing and taxes. Chairman Arnold felt that this is in the draft GEIS providing more opportunities for entry level housing, more dense housing, and walkable paths.

Mobile Home Parks: Chairman Arnold asked the Town Planner for the number of units in the mobile home parks located in the Town of New Hartford, which he provided.

Chairman Arnold referred to what this Board was to draw on the land use map and what was discussed with peter j. smith. Also, to make sure peter j. smith consultants are at the next meeting to discuss this. The Town Planner referred to what the colors meant on the map (which has been made a part of the GEIS file). Existing zoning districts were discussed, development vs. non-development, proposed lot sizes, rights-of-way into larger lots, restrictions, etc. Town Planner Schwenzfeier also commented on rights-of-way – according to our Zoning Ordinance, farmland doesn't need frontage for the purpose of farming.

Board Member Imobersteg referred to the previous discussions tonight, and suggested the following:

1. Limit water lines up the hills surrounding the Oneida Street farm areas;
2. Make large lots for water run off with rights-of-way – with these projects it will protect the farmland and green space and the option of turning their land into wealth (interior easement).

He also asked the Town Planner if he could take the map and highlight the areas that are not developable because of topographics of the area, then show high density, and low density areas. Chairman Arnold also asked the Town Planner to get something together, refer it to peter j. smith and give this Board something to review.

Board Member Rayhill referred to commercial development as it impacts the Police, traffic, etc. as she feels there is significant new commercial development in the Draft GEIS.

CORRESPONDENCE

Letter from Germain & Germain, LLP regarding Developers Diversified Realty/
Consumer Square/Wal Mart.

This letter was given to the Board Members for their review.

There being no further business, the meeting adjourned at 8:20 P.M.

Respectfully submitted,

Dolores Shaw, Secretary
Planning Board

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