

**MINUTES OF THE REGULAR MEETING  
TOWN OF NEW HARTFORD PLANNING BOARD**

**OCTOBER 20, 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 Imobersteg, Peggy Rotton and Bob Wood. Also in attendance were Town Planner Kurt L. Schwenzfeier, AICP; and Dory Shaw, Secretary.

After a brief discussion and few corrections, minutes of the September 8, 2008 meeting were approved by Board Member Peggy Rotton; seconded by Board Member Jerome Donovan. All in favor.

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**Public Hearing regarding the Department of Agriculture and Markets' request for applications for State assistance in relation to municipal Agriculture and Farm Land Protection Plan Development.**

Chairman Arnold gave an explanation for those in attendance about the implementation and process of the proposed GEIS for the southern area of the Town and subsequent meetings. Agricultural industry in this part of Town is important and a highly significant use of land. Ms. Caroline Williams, Rural Development Specialist for Cornell Cooperative Extension (CCE), is here this evening to advise us of the potential for a grant program, the application process and the need to have this Public Hearing.

The Public Hearing opened at 5:40 P.M. Ms. Williams referred to information that was presented during the August 4, 2008 Planning Board meeting with Staff, local farmers, Cornell Cooperative Extension and Oneida County Planning. A request was then made by the Town of New Hartford for CCE to look into potential funding opportunities. There is one (1) municipal grant for \$25,000 to conduct an Ag Land Use study. The Public Hearing is a requirement for this process. The grant is either a single grant for \$25,000 or a joint grant for \$50,000. She allocated the funding breakdown by municipality. The Town of New Hartford will be required to contribute \$1,667.00 in cash match from non-state funds. It can be entered into the Comprehensive Plan or be a stand along Agricultural Land Use Plan. The Planning Board, Oneida County Farm Land Protection Board and Ag Commission Board reviews the plan, and having the guidelines in place, lets us know how to proceed with the use, Ag property and land, in the southern part of the Town.

Chairman Arnold asked Ms. Williams for examples of specific kinds of things that might come out of the end of the process. Ms. Williams stated that the plan would assist the Planning Board in identifying overall Ag land use, property best for development, property to be protected, and certain areas of development. The process should take about two (2) years. There is an opportunity with this grant to apply jointly given the location of some properties that extend beyond into the Town of Paris. Given their similar development pressure, it really is in the best interest of the Town of New Hartford and Town of Paris to do this – it would benefit us to combine. She stated that the Town of Paris is looking into whether or not to submit the application. (This applies to (2) Towns in the same County – it can't be two (2) Towns in different Counties).

Mr. Carlton Corey (resident) asked if Herkimer County has been made aware of this – Ms. Williams said she would advise them.

Chairman Arnold addressed discussions held on large lot zoning; purchase of development rights; development in the southern area of Town, etc. Ms. Williams mentioned that an informational meeting is being held at the Cooperative Extension regarding Purchase of Development Rights on December 17<sup>th</sup> – this is a separate issue from the plan itself.

Board Member Wood asked Ms. Williams what she is looking for from this Board. Ms. Williams said accepting this as part of the Comprehensive Plan or stand alone plan, and that the Planning Board use this as a guidance tool. Ag & Markets will look for other items in that plan that fits into their mission, i.e., New Hartford/Paris as well as the County review process.

Board Member Donovan asked what impact would any subsequent plan have on zoning in those particular areas. Ms. Williams said that will come back to our zoning, information for land use, soils, property use limitations, Ag elements that maybe haven't been looked into. She feels there will be some level of balance. Board Member Donovan asked, this is a tool to be used when looking at any future zoning changes – Ms. Williams said yes. He also asked what role the landowner would play both during the application process and in development of any subsequent plan – Ms. Williams stated that in the review process, a committee would be established and two (2) specific members of the Ag Committee would be assigned to that community specifically. Once the application is accepted, then there will be a Public Hearing, workshops, consultation with consultant and any public forum.

Mr. Massoud addressed developmental rights and green space. Chairman Arnold stated that is why we want to do the study, to find the balance of Ag and development. Ms.

Williams explained the difference between Purchase of Developmental Rights and the transfer of developmental rights. Mr. Massoud also asked about NYR II – Board Member Rayhill stated that it is still under discussion, and to wait for a decision would put everything on hold.

Chairman Arnold addressed the Board stating 1) what is the relationship between this work and finalizing the GEIS; 2) if we agree to go forward with this effort, we then need to send a request to the Town Board for the \$1667.00 as the Town's contribution; also someone from this Board needs to sit on the Advisory Committee for this effort.

Mr. Carlton Corey referred to the GEIS study, mitigation fees, and runoff problems. It was said this would be a fine tuning to that plan – it is a very specific plan that only deals with Ag land use components – the GEIS study is looking at all of the components in the southern area and how they interact.

Board Member Imobersteg stated that if this Board makes a recommendation to the Town Board to appropriate the \$1667 and they approve it, what happens if the Town of Paris doesn't participate. Ms. Williams said the application can be done signally or jointly – it is the same amount of money. She feels that with our development pressure, we probably have a strong application to get the funding.

There being no further discussion, the Public Hearing closed at 6:05 P.M.

Chairman Arnold asked the Board Members if they feel this is a worthwhile proposal to recommend to the Town Board for approval of the funding of \$1667.00 in cash match. Motion was made by Board Member Peggy Rotton to approve this recommendation; seconded by Board Member Bob Imobersteg. Vote taken:

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

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

Board Member Arnold asked for a volunteer to be a part of the committee – Board Member Peggy Rotton said she would participate and if needed, an alternate could be used. Chairman Arnold said he could participate also. The Town Planner will also be a part of this review.

Ms. Williams said that it will be determined if we need to get a landowner to volunteer also. Whatever farms we select should be different than the Town of Paris selects if they participate. It would also be beneficial to identify a particular farmer who has property on the border of New Hartford/Town of Paris.

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GEIS – peter j. smith consultants in attendance - update. Mr. Peter J. Smith and Mrs. Eve Holberg appeared before the Board.

Mrs. Holberg is present to give the Planning Board a status report and update of where we are in the GEIS process. She also presented maps for the Board's review.

Update on status of project/revisions completed: the word 'urban' has been removed from the report. One issue: remove the "respect significant review from the design problems" – not sure why. Board Member Donovan thought there was some concern it was a duplicate of another principle – Ms. Holberg will check this. We need a better definition on how to accomplish this through planning and zoning. Note to include sidewalks in the design principles – already there. Discuss about elimination/mitigation of mobile home parks – it has been incorporated but needs more review. Round about is out. Board Member Donovan wants something addressed at this interchange.

Revisions yet to come: need to incorporate and discuss storm water management facilities. They have the Town of Paris Comprehensive Plan but no others yet for abutting communities. Discussion took place regarding Route 840/Route 8/Route 12 connection.

Chairman Arnold reminded everyone as to why we are doing this study – manage or control growth.

Mrs. Holberg referred to discussion and action to be taken:  
Approve new growth boundary; describe new growth boundary for inclusion in Design Principles; approve current 20-year build out against trends; discuss and approve approaches for alternatives #2 and #3.

Revisions that can't be done yet: Kirkland, need Comprehensive Plan; revisions of storm water runoff within the entire study area vs. the smaller areas.

Chairman Arnold thought 1) that Shumaker was going to be able to give us language that fits in a general sense requiring large lots for residential development; 2) long range study with many aspects to it but also addressing storm water at a time when many people are experiencing severe problems. He feels we should have a synopsis about what the

storm water management group has been doing, assess, prioritize and then plug it into this plan.

Mrs. Holberg feels we should be able to get this from Shumaker.

Mapping Revisions: The Board Members reviewed the maps presented and addressed the issues involved.

Also, Mrs. Holberg gave the Board a proposed schedule to move forward. She proposed as public meeting to be held at the Fire House in Chadwicks, New York in January 2009 (a date and time to be determined) and the revised draft findings will be presented; SEQR to be done in February 2009; and hopefully complete the project in March 2009.

Ms, Holberg is requesting the Planning Board to approve the new maps as presented (the ones redrawn with some help from Board Member Jerome Donovan and Planner Kurt Schwenzfeier) and reviewed at the last Planning Board meeting. This shows the urban growth boundary. The previous plan had a three-tier approach and this is only the definition of an outline. She had very dense development going into the hamlets, outside the hamlets somewhat more densely developed. Two alternatives outside the growth boundary – no growth or less dense development – results of the public meeting were leaning toward more development.

Chairman Arnold doesn't think there was anyone who disagreed with the center spine promoting the most dense development, create pedestrian connections. The growth boundary has been redrawn to reflect some existing development, topography, drains, sewer and water. Board Member Donovan feels zoning is going to define this – and this report is a guide.

Chairman Arnold felt the original criteria of the growth boundary being walk able is within one mile – Town Planner Schwenzfeier said only in the very southern portion.

Board Member Rayhill referred to arterial lines and boundary lines – an August 2006 map of Ag lands was presented.

Board Member Arnold referred to what is happening with the Water Board and how it affects growth in this area. Peter j. smith will need to talk to the Water Board about this.

Reference was made to the Sitrin Home property in the growth boundary area – Town Planner Schwenzfeier said this is a pre-existing development.

Mrs. Holberg said she is going to recommend 1) null alternatives; 2) no growth alternatives; 3) 10-acre lot development but under a more farm land protection context.

Chairman Arnold said perhaps the public could address the growth area around Higby Hills and Pleasant Street areas at the public meeting. He also asked if this Board wants to go forward with the growth boundary as shown on the map, go to the public meeting and then adjust anything later on. Board Member Rayhill thought the point was never to change the zoning. Discussion ensued regarding keeping this area low density and the problems that could occur with larger development.

At this time, Mr. Omar Massoud (resident) asked if a gully is a natural drainage area – the answer is yes.

Chairman Arnold stated that unless he hears an objection from a member of the Planning Board, he feels we should go forward with this growth boundary, redraft the plans as necessary and readjust the numbers.

Mrs. Holberg presented another map - build out based on water build out. She will be looking to 2010. She will need to take the Building Permit data from 2004 to 2008 – if nothing changes, all of the data is what will develop in the southern area of New Hartford. She had Building Permit data for 2002 to 2007 and that is the rate of development – more projected with 20 years. This is a development pattern. This will at least give an idea of what the full build out is but the map shows what it would look like in 20 years.

Mrs. Holberg said total build out for the southeast area is 1806 potential housing units.

Mrs. Holberg is asking this Board to approve this approach and then let them go ahead and work on alternatives 2 & 3. Town Planner Schwenzfeier will give Mrs. Holberg the parcel maps not shown on the map presented.

Concerns were expressed by Board Members Ellen Rayhill and Bob Wood. Mrs. Holberg explained further about the process – where residential development will go and how much can be anticipated in the southern part of the Town.

Board Member Imobersteg stated that with the anticipation over 20 years – people tend to go in certain areas – you shouldn't say you can't go but this is where the trend is.

Board Member Donovan referred to areas 8 & 6 and to zoning concentration, townhouses and condos as opposed to single-family homes, and how zoning can be used as a tool to

help look at this. Mrs. Holberg said areas 8 & 6 will recommend that the growth be into Chadwicks.

Chairman Arnold asked Mrs. Holberg if the calculations she used in the southeast area does or does not reflect a new proposal in this plan for density - she said no.

Mr. Peter J. Smith addressed the Board stating they have to gather the information in different ways. They didn't have to do any of this to zoning and they have to create a model. They can take that model and then turn it into a zoning map.

Board Member Rayhill wants to know how we are going to present the numbers to the public – she is concerned about the reaction to area 8 and perhaps it would be better to just show the area where the development has been occurring conceptually – just shade the area rather than a dotting method as previously mentioned.

Chairman Arnold feels what they are showing is trend analysis. Wouldn't there be another element to show we have a GEIS plan which says that in the area outside the growth corridor we will call for ten-acre lots. Board Member Rayhill agreed.

Board Member Imobersteg suggested putting a circle that states southeast, northeast, etc. With potential development – it would be the presentation everyone would better understand. Then ask the public what they would like to see.

Board Member Reynolds wants to be careful that the public understands the concept and that we are also seeking their input. Mrs. Holberg agrees and she will be talking fundamentally about why we are here, and then address options. She also asked if it was the sense of this Board to develop those other alternatives the next time around (build out). No response.

Mr. Carlton Corey (resident) asked about traffic thru Chadwicks/Oneida Street, walk able communities, and the consultant who did the storm water and traffic reports.

Mrs. Holberg would like to talk about the approach for commercial development. And there hasn't been any for at least eight (8) years. Also, they would like to look at the current zoning and move some commercial into the hamlets if acceptable.

Chairman Arnold recognized Town Planner Kurt Schwenzfeier and Board Member Jerome Donovan for prioritizing the work on the GEIS, and he liked the schedule the consultant gave to us this evening.

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Board Member Donovan asked about the status of the DeLaus project, i.e., terms of the review process, in particular, SEQR and whether there is some formal written notice given to the estate of Dr. DeLaus. Town Planner Schwenzfeier referred to this and other projects in the Town that were delayed and how they have to start over from the beginning, but he will check into this.

Board Member Rotton referred to the Jewel Ridge project as she has been told people are having water problems which they believe come from this project. The Town Planner stated that he and Town Engineer John Meagher went to this site and the water is coming from a different water shed; NYSDEC has been there also.

At this time, Mrs. Holberg presented to the Planning Board and members of the Steering Committee the award given the Town of New Hartford from the American Planning Association, which was presented to Town Planner Kurt Schwenzfeier at the annual meeting in Rochester, New York on October 8 thru October 10, 2008. It was an honorable mention in the Comprehensive Planning category. This plan was prepared with consultant peter j. smith, inc. Chairman Arnold also recognized Mr. John Kivela of the Steering Committee who spent a tremendous amount of time working on this with our Staff. Mr. Kivela noted that he is happy with this plan because it is based on the public's opinion. The Town Planner said there would be a press release in the Utica Observer Dispatch on this award.

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Discussion ensued regarding the next Planning Board meeting. It was determined that the next meeting wouldn't be until Monday, November 24, 2008 at the NH Public Library commencing at 5:30 P.M.

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There being no further business, the meeting adjourned at 7:50 P.M.

Respectfully submitted,

Dolores Shaw  
Secretary/Planning Board

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