

**TOWN OF NEW HARTFORD
PLANNING BOARD MINUTES
MONDAY, JULY 25, 2011
NEW HARTFORD PUBLIC LIBRARY – 5:30 P.M.**

The Regular Meeting was called to order by Chairman Elis DeLia at 5:30 P.M. at which time the Pledge of Allegiance was recited. In attendance were Board Members Ellen Rayhill, Julius Fuks, Jr., Peggy Rotton, Bob Wood, Brymer Humphreys and Jerome Donovan. Also in attendance were Town Attorney Herbert Cully, Codes Enforcement Officer Joseph Booth, Lis DeGironimo, Town consultant/engineering, Supt. of Highways Rick Sherman, and Recording Secretary Dory Shaw.

Draft minutes of the June 13, 2011 meeting were received by each Board Member. Motion was made by Board Member Peggy Rotton to approve these minutes with minor changes of Lis DeGironimo; seconded by Board Member Julius Fuks. All in favor.

Minor two-lot subdivision; **Kevin Kingsley, 4046 Oneida Street, New Hartford.** Preliminary and Final Minor 2-Lot Subdivision Approval. Tax Map #339.012-1-11; Zoning: Low Density Residential. Ms. Catherine Kunz and Ms. Deborah Hepburn appeared before the Board representing Mr. Kingsley.

Town Attorney Cully stated he reviewed the descriptions and they conform to the map. He feels it is a lot line adjustment to square off an adjacent parcel.

Chairman DeLia asked if there were any comments from staff – there were no comments.

Motion was made by Board Member Peggy Rotton to **grant Preliminary & Final Minor 2-Lot Subdivision Approval** for this property on Oneida Street; seconded by Board Member Jerome Donovan. All in favor.

Applewood Heights Subdivision, Phase 1. Preliminary Site Plan Review/Approval for 20 proposed mobile home sites to be located off the existing Applewood Mobile Home development, Seneca Turnpike, Clinton, New York (Town of New Hartford). Tax Map #328.000-2-1; Lot Size Affected: 12.29 Acres; Zoning: Low Density Residential; Planned Development Mobile Home; Planned Highway Business. Mr. Donald Ehre, P.E. and Mr. John Barkett/Barkett Group, appeared before the Board.

Mr. Ehre explained that the parcel of land is 67.4 acres in total. The parcel has frontage on Route 5 but they elected not to use this. They are proposing Phase I as 20-lots with public roads, adequate water supply, storm drainage, and sewer to match the format of

the existing park. They will have open ditches for infiltration, sanitary sewer and 8" sewer main. Mr. Ehre referred to a sketch of the existing mobile home park and what is proposed. In the center of the development they have green space – it will be left with natural vegetation, which will act as a storm water area. He also referred to what is proposed for Phase II on the site, which the zoning in that location is Low Density Residential – when the time is right they will take the appropriate steps regarding zoning. Part of Phase II is one large lot #45 – that will be a mobile home lot. Also they are looking at one lot and a driveway on Seneca Turnpike. Access roadway will be from Applewood Boulevard.

Lis DeGironimo said she met with the developers twice and they did the requested suggestions from Staff. Originally they wanted 50 lots with access on Seneca Turnpike - which will not be the case. One of the concerns is sanitary sewers connecting with existing Applewood. This is owned by the Town of New Hartford.

Codes Officer Booth was asked if he had any comments – Mr. Booth said they have made bigger lots than necessary; they have a 60' roadway; no problems with zoning on this development.

Mr. Rick Sherman, Supt. of Highways, stated the existing sewers and pumps are owned by the Town. He believes we need to take a look at them. Some things will be repairs. They have to upgrade the existing line out to Route 5 to go out to the main. He is waiting for the County to look into some sewer work and go out to bid and let them do our work.

Chairman DeLia referred to when Applewood was approved, it was approved with an approved sewer system for 333 units. Including this project for Phase I and Phase II, an additional 45 units. Mr. Booth said on the original plan it shows 430 lots. But they lost some lots and now it is down to 340 capacity. Chairman DeLia referred to the sewer system approved that took into consideration many more lots even with this additional development.

Board Member Humphreys wanted to know why the system had to be upgraded. Ms. DeGironimo said it is not functional – there will be I & I problems.

Attorney Cully explained that when the Town replaced it, they didn't put a grinder pump in. Are you identifying the use of the entire 60 acres – anything remaining so we don't get into a segmentation issue. Mr. Ehre said with Phase II everything is covered.

Board Member Fuks referred to the submittal and didn't notice anything about the existing sanitary sewer system, conditions and relative to the connection. Mr. Ehre said when they wrote the reports, that issue didn't come up until after meeting with Staff. The concept is how much additional load will it add on. These issues were identified and the owner and Rick Sherman are working toward a solution. There is some ongoing work the owner is doing.

Board Member Fuks asked what will be provided for adequate capacity on future connections. Mr. Ehre said they will look at an upgrade, modifications or maintenance or improvements for a pump station and connection. If it is not staged properly, does a potential exist? Mr. Ehre said no.

Chairman DeLia said this could be addressed under SEQR, but that Staff and the contract engineer have been informed.. Board Member Fuks said he understands, but would like to get the issue in the forefront.

Board Member Donovan asked why the developer corrected the I & I on a Town system. Town Attorney Cully stated that laterals are on private property. Board Member Donovan also wanted to know the direction of the project from Seneca Turnpike – Mr. Ehre explained.

Board Member Fuks had a question regarding the Office of Parks, Recreation and Historic Preservation – was that ever done, i.e., excavation as the potential exists for an archaeological find there – was that ever completed? Mr. Ehre said Phase I was not done. The concept is to proceed at their risk and if they find something, they would have to stop and take the appropriate steps to that agency at that time..

Board Member Fuks referred to a federal wetlands letter in 2007 from the Army Corps of Engineers accepting the wetland delineation – was work started to make sure they didn't violate it and are you sure that this letter was still in force and in compliance? Mr. Ehre said they haven't done anything with the Corps itself. There is an active grading permit that has been executed and a permit issued by the Town. They have done some grading. Mr. Ehre feels the grading takes care of his concern and qualifies as work.

Board Member Donovan asked if there is a second exit – only for a single lot. There are 380 lots with one entrance and exit.

Lis DeGironimo asked the Town Attorney if there is a sunset clause for a grading permit when it changes – Attorney Cully said he would check into this. Mr. Ehre said the main road has remained the same and that is where the bulk of the work has been done. They are staying within limits. Mr. Ehre said under Phase I 2300 feet of new road is being put in and under Phase II, 2600 feet. About half a mile of road.

Board Member Rayhill referred to the number of lots – 312 lots as of today. It will be 340 lots when approved. With this project there is another 45 lots to bring them up to 385 lots.

Mr. Ehre reiterated that the sewer system was approved and designed for 430 lots.

At this time, motion was made by Board Member Peggy Rotton to grant Preliminary Approval; seconded by Board Member Humphreys. All in favor.

Motion was made by Board Member Peggy Rotton to have the Planning Board be Lead Agency and to be sent out for SEQR comments; seconded by Board Member Jerome Donovan. All in favor.

Secretary Dory Shaw will forward materials for SEQR.

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There being no further business, the meeting adjourned at 6:00 P.M.

Respectfully submitted,

Dolores Shaw
Recording Secretary

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