

TOWN OF NEW HARTFORD  
PLANNING BOARD MINUTES  
RODGER REYNOLDS MEETING ROOM  
AUGUST 11, 2014  
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 Peggy Rotton, Lis DeGironimo, G. Brymer Humphreys, William Morris II, Julius Fuks, Jr. and Heather Mowat. Also in attendance: Town Attorney Herbert Cully, Codes Officer Joseph Booth, Highway Superintendent Richard Sherman, and Recording Secretary Dory Shaw. \

Draft minutes of the June 9, 2014 meeting were received by each Board Member. Motion was made by Board Member Peggy Rotton to approve these as written; seconded by Board Member Bill Morris. All in favor.

\*\*\*\*

Amendment to Final. Preliminary/Final Site Plan Review. **Sangertown Square Mall, Seneca Turnpike/Commercial Drive**, New Hartford, New York. Redevelopment/expansion of existing Circuit City building. Tax Map #328.008-1-12.1; Zoning: C1 Retail. Mr. Scott Dumas of Sangertown Mall and Mr. Randy Bebout of Ty Lin Engineers appeared before the Board.

Mr. Dumas stated that Sangertown has had 34 years of support and a positive relationship from the Town. To meet the changes in retail design, they need to go forward with new ideas. They are looking at about a 13,642 square foot expansion to allow for additional tenants and restaurants. They would also like to have outside seating. Circuit City has been basically un-leasable. They would like to bring it back into the mall area. They will be doing major renovations to the floors, tiles; they will have chandeliers and a new entrance, as well as landscaping.

Mr. Randy Bebout of Ty Lin Engineers presented sketches of the proposed expansion/changes. A majority of the site is impervious area already – they meet the Code for impervious area. Total gross area will amount to approximately 990,880 square feet. They are within the Code for parking spaces. The loading dock is being removed. There will be a service entry with a compactor in the back corner. There will be an upgrading of storm sewers. Mr. Bebout showed the generic elevation but could be subject to change.

Codes Officer Booth questioned Mr. Bebout regarding 1) exterior materials. Mr. Bebout said brick, stone and EIFS. They will have a certain percentage of glass. 2) compactor/transformer screening. This will be landscaped and placed on the right side of the building. The landscape plan was submitted with the application. Islands will be curbed with trees and bushes.

Plantings in between the patio and main sidewalks. 3) vehicular protection by the outside patio – any protection for people sitting there. Mr. Bebout said no, there is a raised curb and some kind of fence defining it. Mr. Dumas stated they could work on something at the Board's request.

Board Member DeGironimo is concerned about screening by the compactor. It was stated they could put a fence there but they need to get to the transformer. She also asked about roof elevation and storage area.

Board Member Humphreys asked about ratio of restaurant vs. new retail space. Mr. Dumas stated it is a mix until the tenants are signed. All we know right now is there are two (2) restaurants.

Board Member Fuks addressed the location of handicap parking at the entrance and to the right and left. This is also a concern of Board Member Peggy Rotton. Mr. Bebout said they haven't moved it at this point. Board Member Fuks doesn't know where the curb cuts are for handicap. What about handicap spaces on the left hand side. Mr. Bebout said it serves the Sears building.

Considerable discussion ensued regarding the location of the handicap parking spaces and wheelchair accessibility. It was stated that the mall meets all ADA requirements.

No changed to the parking lot lines; the light stays at Target. Board Member DeGironimo asked about the entrance to the mall on the right side – this was the only access to the mall. Board Member Fuks asked how they plan to determine the new façade from the old. Also, are you eliminating the entrance where Target is on that side – it was stated yes.

Board Member Mowat asked about sanitary sewer – where does it go into. Mr. Dumas said it goes out to Commercial Drive.

Board Member Fuks stated again he is concerned about handicap parking and people with special needs. His concern is a planning perspective – Sangertown is providing this for people to come to the restaurants but to him those handicap spots aren't convenient. Board Member DeGironimo stated perhaps it is more convenient to have them off to the side because of less traffic. Codes Officer Booth was asked if there was anything in our Code for allotment for handicap. Mr. Booth said our local Code doesn't – just percentage of spaces. Mr. Bebout said he is familiar with American National Standards Institute (ANSI). Mr. Dumas doesn't have a problem with moving the spaces.

Chairman DeLia asked the Board Members if they were clear on what has transpired. We have a new Code and new regulations. Town Attorney Cully said if you are going to deviate from this, they have to come back. The purpose of this rendering was to convey to the Board this development.

Chairman DeLia asked Codes Officer Booth if we are looking at this façade to approve. Mr. Booth said they are representing their intent, all materials acceptable to Code and glass requirements. This is something that can be done internally or if need be, bring it back.

Town Attorney Cully suggested tabling this and have them come back with changes to the parking spaces. Chairman DeLia asked Codes Officer Booth if he was comfortable with reviewing this parking situation – Mr. Booth said he could look into it.

Further discussion was held regarding the handicap spaces. It was determined that Sangertown would reposition the six (6) accessible parking spaces to meet this Board's concerns.

Motion was made by Board Member Julius Fuks Jr. to accept the Amendment to Final provided the plans are updated to show six (6) handicap parking spaces and accept that relocation of the handicap parking spaces as shown on the rendering as part of the Amendment to Final; Added, that the handicap parking spaces be centered on the main entrance. Motion seconded by Board Member Peggy Rotton. Vote taken:

Chairman Elis DeLia – yes	Board Member Julius Fuks, Jr. – yes
Board Member Lis DeGironimo – yes	Board Member Peggy Rotton – yes
Board Member Bill Morris – yes	Board Member Heather Mowat – yes
Board Member Brymer Humphreys – yes	

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

\*Mr. Dumas said he can put six (6) handicap spaces in the front.

\*\*\*\*

**Higby Woodlands. Amendment to Final/realignment of lots.** Tax Map #330.018-3-16; 330.019-3-20; 340.006-1-64; 340.006-1-59; Zoning: Low Density Residential.

Attorney William Schmitt and Mr. Neil Eberley appeared before the Board. They had previously sold some lots to adjacent property owners. They are trying to create three (3) larger lots to increase marketability. Two (2) lots will be 4.1 acres and one (1) lot will be about 15 acres. There is no sale yet. The cul-de-sac is compliant with our Code. They are reducing the number of approved lots in this development.

Board Member Mowat asked are you taking all these smaller lots and shortening a road. They will build a road to turn over to the Town. She also asked if there were any storm water issues. Mr. Richard Sherman, Highway Superintendent, stated that the cul-de-sac will have three (3) catch basins and there is a huge detention in this location. This is an extension of an existing road into the cul-de-sac built according to Town specifications. This would reduce the amount of impervious area as well. Mr. Sherman stated there are no problems in this area at all for storm water. The Town of New Hartford owns the pond and they maintain it.

At this time, motion was made by Board Member Heather Mowat to grant the Amendment to Final for Higby Woodlands application to realign the lots as presented; seconded by Board Member Peggy Rotton. Vote taken:

Chairman Elis DeLia – yes	Board Member Julius Fuks, Jr. – yes
Board Member Lis DeGironimo – yes	Board Member Peggy Rotton – yes
Board Member Bill Morris – yes	Board Member Heather Mowat – yes
Board Member Brymer Humphreys – yes	

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

Town of New Hartford  
Planning Board Minutes  
August 11, 2011  
Page 4

\*\*\*\*

There being no further business, the meeting adjourned at 6:20 P.M.

Respectfully submitted,

Dolores Shaw  
Secretary/Planning Board

dbb