

**TOWN OF NEW HARTFORD
PLANNING BOARD MINUTES
RODGER REYNOLDS MEETING ROOM
JULY 13, 2015
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 Julius Fuks, Jr., Lis DeGironimo, William Morris, and Heather Mowat. Board Members absent: G. Brymer Humphreys and Peggy Rotton. Also in attendance: Town Attorney Herbert Cully, Codes Enforcement Officer Joseph Booth, Councilman David Reynolds, Assessor Darlene Abbatecola, and Recording Secretary Dory Shaw.

Draft minutes of the June 8, 2015 meeting were received by each Board Member. Motion was made by Board Member Bill Morris to approve these minutes; seconded by Board Member Heather Mowat. All in favor.

Mr. Larry Adler/New Hartford Office Group: Final Site Plan Review/Approval for a proposed 4-story, 85 room hotel and a restaurant of approximately 3000 square feet on **Woods Park Drive, New Hartford, New York**. Tax Map #328.000-3-7.1; Lot Size: Approximately 4 Acres. Zoning: C1 General Commercial. Mr. Larry Adler appeared before the Board.

Codes Officer Booth referred to responses regarding SEQR with issues raised by OCDPW regarding traffic and the Mohawk Valley Water Authority addressed water issues. Mr. Booth stated that the Town's contract engineer, Mr. Chris Lawton, found that after a review by GTS Consulting with regard to trip generation associated with the proposed additional development, that a revised traffic study is not warranted at this time (a copy of Mr. Lawton's response has been made a part of the file).

Mr. Adler stated that he wasn't aware of the Mohawk Valley Water Authority response (this letter has been made a part of the file). He stated that when the Business Park was approved, the Town and he paid hundreds of thousands of dollars for review. Mr. David Jones of the Mohawk Valley Water authority forwarded a memorandum to him stating their response would not hold anything up at their end but the items in their response letter would need to be addressed and verified.

Mr. Adler referred to the map indicating a few minor changes, i.e., labels for handicap spaces and also a turn around which is required by Code. He is suggesting a more standard wrap up. They have this same concept at the Hampton Inn and it works fine. He is putting this in as an option. Codes Officer Booth said the Code doesn't allow a dead end parking lot but the Planning Board can overrule this. Mr. Adler feels this is a better concept.

Board Member Fuks referred to the NYSDEC response regarding a full Environmental Assessment Form. He asked if this exceeds ten acres. Mr. Adler said no. Therefore, a full EAF is not required.

Board Member Mowat referred to trip generation/Clinton Street. Mr. Adler said he believes this is the land between his property and Lowe's. When they did it, they anticipated a build out but nothing has been done.

Chairman DeLia explained the intersection is in the GEIS area and the study was done a long time ago. Chairman DeLia asked if there were any other questions from the Board Members – there were none.

Motion was made by Board Member Heather Mowat to close SEQR with a negative declaration; seconded by Board Member Bill Morris. All in favor.

Motion was made by Board Member Bill Morris to **grant final approval** to this application and that this Board accept the final site plan with the Alternate #1 insertion as referenced; seconded by Board Member Heather Mowat. Vote taken:

Chairman Elis DeLia – yes
Board Member Heather Mowat – yes
Board Member Julius Fuks, Jr. – yes

Board Member Bill Morris – yes
Board Member Lis DeGironimo – yes

Motion was **approved** by a vote of 5 – 0.

AutoZone Parts, Inc., 4470 Commercial Drive, New Hartford, New York. Final Site Plan Review of a proposed 6,816 sf AutoZone store. Tax Map #328.011-1-13; Zoning: C1 General Commercial; Lot Size: approximately 1.50 Acres. Mr. Nathan Kirschner of Langan Engineering appeared before the Board.

Mr. Kirschner referred to an issue raised about the flood zone – this has been straightened out. Board Member Fuks, Jr. was satisfied with this change. Mr. Kirschner referred to the access drive. Mr. Chris Lawton, contract engineer for the Town, approved the access road. The site plan application has been updated showing a paved exit drive. The owners of both properties are here if this Board has any questions. Two parking spaces have been removed to meet Code requirements. Storm Water is tied in with the existing system. The easements are being finalized by AutoZone and the owner.

Attorney Cully hasn't seen these yet. He asked if both parcels are in the same entity – Mr. Dominick Crocilla, owner, said yes. They are the same LLC, being BCC and it will remain. His attorneys will forward Attorney Cully the easement agreements.

Board Member DeGironimo has a concern with the line of site where the trees are proposed and asked what kind of plantings are proposed. Mr. Kirschner said red maple trees will be planted,

Chairman DeLia asked the Board if there were any other questions – there were none.

Motion was made by Board Member Bill Morris to close SEQR with a negative declaration; seconded by Board Member Lis DeGironimo. All in favor.

Motion was made by Board Member Bill Morris to **grant final approval** to AutoZone; map dated November 17, 2014 with revisions noted up to July 10, 2015 by Langan Engineering; seconded by Board Member Lis DeGironimo. Vote taken:

Chairman Elis DeLia – yes
Board Member Heather Mowat – yes
Board Member Julius Fuks, Jr. – yes

Board Member Bill Morris – yes
Board Member Lis DeGironimo – yes

Motion was **approved** by a vote of 5 – 0.

Referral from the Town Board to the Planning Board for consideration and recommendation to Town Board. Zone Map Amendment, Lot 42 (Fair Haven Avenue), Thomas Acres. Change the designation of Lot 42, Tax Map #328.014-1-16, from Institutional to Medium Density Residential.

Town Attorney Cully explained that this was approved as part of the residential subdivision for Thomas Acres. However, it got tacked on to the Preswick Glen property. In our recent Town zoning change, it was added as Institutional, which would not allow the building of a residence. We are trying to correct that mistake and revert it back to residential. The application was initiated by the Town Board to make this correction.

Chairman DeLia asked if there were any questions from the Board Members – there were none.

Motion was made by Board Member Heather Mowat to recommend to the Town Board that Lot 42 (Fair Haven Avenue) in the Thomas Acres subdivision, be reverted back to its original zoning classification, which is Medium Density Residential; seconded by Board Member Bill Morris. Vote taken:

Chairman Elis DeLia – yes
Board Member Heather Mowat – yes
Board Member Julius Fuks, Jr. – yes

Board Member Bill Morris – yes
Board Member Lis DeGironimo – yes

Motion was **approved** by a vote of 5 – 0.

There being no further business, the meeting adjourned at 5:50 P.M.

Respectfully submitted,

Dolores Shaw, Secretary
Planning Board

dbS