

**TOWN OF NEW HARTFORD
PLANNING BOARD MINUTES
RODGER REYNOLDS MEETING ROOM
AUGUST 14, 2017
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 V. Fuks, Jr., Lis DeGironimo, William Morris, G. Brymer Humphreys, Heather Mowat, and Peggy Rotton. Also in attendance: Town Attorney Herbert Cully, and Codes Officer Joseph Booth; Councilman David Reynolds and Dolores Shaw, Secretary.

Draft minutes of the May 8, 2017 Planning Board meeting were reviewed by each Board Member. Motion was made by Board Member Brymer Humphreys to approve these minutes as written; seconded by Board Member Julius Fuks, Jr. All in favor.

BG New Hartford LLC, Consumer Square, 4765 Commercial Drive, New Hartford, New York. Amendment to Final Site Plan Review for a new fabric canopy to cover six of a total of 10 restriped existing parking lot spaces. Access striping for new “pickup” area. Directional signs within the parking lot. Tax Map #317.013-3-23.61; Zoning: C1 General Commercial. Mr. Perry Petrillo of Perry Petrillo Architects PC appeared before the Board.

Mr. Petrillo explained the concept for this site. Six of the ten spaces are covered by the canopy. The change in parking is the dedicated spaces towards the pick up – 12’ wide instead of 9’. Those ten spaces require an additional 30’ of parking area. Mr. Petrillo had a minor change in the plan, which he distributed. There are ten spaces at 12’ then a 5’ ramp area. The difference is two parking spaces from what is currently on site. This is for the new pick-up concept at Wal-Mart. There is an application or you can call in to Wal-Mart for items. When you call, they will designate a space for you to go to and they will bring the items out to your car. There is a slight change in signage, which was part of the previous approval – it went from 472 sf to 465.73 sf.

Codes Officer Booth commented about the signs and it is fine with the way they are shown.

Board Member Rotton asked about wind and snow loads for this canopy – Mr. Petrillo: it is designed not to be a problem. She also referred to a tent that was previously in the parking lot and if this occurred again, would it cut into parking. Mr. Petrillo stated he would need to come in for a permit if they did any kind of tent.

Codes Officer Booth explained that the tent referred to was for fireworks and it was allowed for two weeks.

Board Member Mowat asked if these directional signs would change traffic flow – Mr. Petrillo: no – they will help people to understand where to go because it is new. Board Member Mowat referred to parking spaces (1022). Mr. Petrillo explained why it would be reduced to 1020.

Chairman DeLia asked if there were any other questions.

Motion was made by Board Member Peggy Rotton to approve this Amendment to Final for Wal-Mart; seconded by Board Member Heather Mowat. All in favor.

Mr. Larry Adler/New Hartford Billboard, LLC for vacant property located at 4800 Commercial Drive, New Hartford, New York. Preliminary Site Plan Review for new construction of an approximate 2200 square foot block building with two bays for automotive retail service. Tax Map #317.013-3-18.3; Zoning: Lot Size: approximately 1 Acre. Mr. Larry Adler appeared before the Board with his engineer, Mr. Napierala of Napierala Consulting.

Mr. Napierala explained where this proposed retail use is to Mudd Creek. This is a drive-thru automotive service. It is a small building ideal for this site. He is aware of the history of this property with regard to flooding, especially in 2013 and other issues. He stated this does not affect the floodway. The flood plain was designed by FEMA. They have done an analysis and are creating more volume within the 100-year flood plain – adding many cubic yards of fill. They are not adversely impacting the flooding events with regard to the 100-year storm. This site does not adversely affect Mudd Creek or flooding events. He referred to the existing traffic signal at this site. Preliminary talks are being held with NYSDOT regarding curb cut (they will use what is there). He further explained stacking behind this structure so cars can wait. Employees have ample parking. Light landscaping will be implemented.

Mr. Adler stated particular attention, after conversations with Mr. Chris Lawton (contract engineer for the Town of New Hartford), and others was to make sure the back of the center be appropriately landscaped especially with regard to lighting – it doesn't go off the property line and shielded. The trees are evergreens and blue spruce (approximately 6' in height) – permanent vegetation up to 80-90%.

Codes Officer Booth referred to onsite detention. They did not get into impervious vs. non-impervious area. They are dealing with the flood plain issue – what is there today compared to what it would be in the future? Mr. Adler said Mr. Lawton prefers it not to be detained. They want the water to come out first and not back up.

Chairman DeLia stated that this application addresses stacking, parking, impervious area and it is a complete application for Preliminary review – they are in the GEIS area so off site SEQR is complete.

Board Member Mowat asked how many employees – typically 4 or 5 – they have a total, with handicap, eight spaces. This gives the customer spaces if they want to get out and go inside if there is a question. She referred to snow accumulation and when snow melts – it was stated there is plenty of area to push the snow. She is concerned about where the water would go after the snow melt – does it go toward the street? Mr. Napierala said they have a catchment area and it contours down. There is a culvert pipe to catch some of that water. There is a drainage system in the front and it catches water and discharges to a

pipe. He explained where everything from Commercial Drive to Mudd Creek goes down (north to south to Mudd Creek).

Chairman DeLia explained this will be addressed through SEQR.

Board Member Fuks asked: would you have the flood way delineated on the plan. Mr. Napierala will add it. Board Member Fuks said we are going for preliminary and he doesn't know if the Town's flood maps have been reissued. Codes Officer Booth said they are brand new. Mr. Napierala said he showed where the limit of the floodway is. Board Member Fuks referred to HEC-RAS (Hydrologic Engineering Center-River Analysis System). Mr. Napierala explained what this is. He explained to the Board what they have done based on the 100 year flood. They will work with Mr. Chris Lawton. Board Member Fuks said if it has been completed and updated, they would verify it and provide a date for the FEMA map (National Flood Insurance Program). The NYSDOT report in 2014 mentions the HEC-RAS. They have that report and will collaborate with it.

Mr. Adler said the improvements done in the spillway were done in 2015. This property gave an easement to put in a spillway. He believed it helped with the last storm. He explained there was never an easement to the Town for maintenance and they have talked about providing an easement to the Town to access the lower creek area to perform maintenance. Mr. Rick Sherman, Highway Superintendent, talked about it and this gives the Town a permanent easement – it is a good thing.

Board Member DeGironimo referred to the July 2017 storm and Royal Brook Lane flooding. They did get some flooding but not like before. She said she spoke to a few residents – all the water was pushing down to Royal Brook Lane. Does anyone know if it is to be made level. Highway Superintendent Sherman said it needs cleaning and it is on the list. The bank has to be 5' higher – it was engineered through a firm. Mr. Adler said grading along Commercial Drive was not changed. Board Member DeGironimo stated that the bank appeared stabilized on the Commercial Drive side and it is higher. Mr. Adler said the spillway done in 2015 appears that more water is going away from Royal Brook Lane.

Motion to declare the Planning Board to act as Lead Agency for onsite SEQR was made by Board Member Brymer Humphreys; seconded by Board Member Bill Morris. All in favor.

Motion to grant Preliminary Approval was made by Board Member Heather Mowat; seconded by Board Member Bill Morris. All in favor.

Board Member Mowat referred to Mr. Adler's letter of August 11, 2017 and the easement to the Town of New Hartford (this letter has been made a part of the file). She questioned the negotiations and if allowed – Town Attorney said yes. This allows the Town to go on the property to clean it up and do what is necessary. The landowner isn't required to give the easement. Board Member Humphreys said the easement is just for access.

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

Respectfully submitted,

Dolores Shaw, Secretary
Planning Board

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