

**TOWN OF NEW HARTFORD
PLANNING BOARD MINUTES
RODGER REYNOLDS MEETING ROOM
MARCH 12, 2018**

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, G. Brymer Humphreys, Heather Mowat, and Peggy Rotton. Also in attendance: Town Attorney Herbert Cully, Codes Officer Joseph Booth, Councilman David Reynolds, Highway Superintendent Richard Sherman, and Dolores Shaw, Secretary.

Draft minutes of the February 12, 2018 Planning Board meeting were reviewed by each Board Member. Motion was made by Board Member Bill Morris to approve these minutes as written; seconded by Board Member Brymer Humphreys. All in favor

Public Hearing: Mr. Moshin Syed, 8960 Tibbitts Road, New Hartford, New York. Special Use Permit for a 24.852KW Solar System array installation on this property. Tax Map #339.000-2-21.11; Lot Size: approximately 11+ acres; Zoning: Low Density Residential. Mr. Moshin Syed and Mr. Aaran Koller of Next Generation Solar appeared before the Board.

Chairman DeLia opened the Public Hearing at approximately 5:30 P.M. He asked if there was anyone from the public in attendance. There being no response, the Public Hearing was closed at approximately 5:35 P.M.

Board Member Humphreys asked Mr. Koller to show him the relationship to other properties with the nearby airstrip. Further, Mr. Koller explained the type of trees (28 green arbor vitae) that will be planted and how tall they would get after a few years, how far the system is from the road, and that this application meets Codes.

There was no further discussion. Motion was made by Board Member Brymer Humphreys to approve the Special Use Permit for Mr. Syed as presented; seconded by Board Member Bill Morris. All in favor.

Two-lot Minor Subdivision for **Mr. Joseph Scarafile, for Sylvan Way, New Hartford, New York.** Tax Map #330.018-3-9; Zoning: Low Density Residential. Mr. Scarafile was not present.

Town Attorney Cully has reviewed the deed descriptions and this application meets the requirements for a two-lot minor subdivision.

Board Member DeGironimo referred to an easement and a fence/structure. She asked if we allow structures in the easement as the survey map said the fence is very close to the parcel line and it shows the easement there. It is a question of clarity for her.

Town Attorney Cully mentioned that there is nothing on these two lots.

Board Member Mowat is concerned about drainage in this area, as she knows about grading problems in the past.

Board Member Fuks mentioned that this review was probably done at the time of the original subdivision. Board Member DeGironimo feels that by subdividing this parcel we are doubling the potential for impervious surface on this parcel. Board Member Mowat hopes Staff, i.e., Codes or Highway Superintendent Sherman, looked at this regarding drainage.

There being no further discussion, motion to approve this two-lot minor subdivision was made by Board Member Bill Morris; seconded by Board Member Julius Fuks, Jr. Vote taken:

Chairman Elis DeLia – yes	Board Member Bill Morris – yes
Board Member Julius Fuks, Jr. – yes	Board Member Brymer Humphreys – yes
Board Member Heather Mowat – no	Board Member Lis DeGironimo – yes
Board Member Peggy Rotton – yes.	

Motion to approve was **passed** by a vote of 6 – 1.

Board Member Fuks stated that this parcel is less than an acre, and was part of the original subdivision review plan and items were addressed at that time. He explained the regulations and the National Flood Insurance Program that take into 100-year storms. Board members Mowat and DeGironimo feel we need to be cautious.

Coughlin/Giambrone, LLC, ½ Jordan Road, New Hartford, New York. Preliminary Site Plan Review for interior renovations, building addition, new driveway, parking lot, and site work. Tax Map #329.013-3-13; Zoning: C3 Commercial Professional Office. Messrs. Coughlin and Giambrone appeared before the Board with their architect, Mr. Daniel Manning.

Board Member Julius Fuks, Jr. took over the meeting for this application as Chairman Elis DeLia, Board Member Bill Morris and Town Attorney Herbert Cully abstained.

Mr. Manning explained what changes will be made to this parcel. The proposed project conforms to the C3 Commercial Professional Office zone. They are adding a parking lot for eight (8) clients – they will provide handicap parking. The front of the building is being completely restored, i.e., new windows, roof repair, house re-stained and overgrowth removed – it will be aesthetically pleasing. It will be a mowable slope. Water will be controlled to the existing culverts – they are not changing the drainage system. They would also like a sign on the corner.

Some comments were received from NYSDOT and they will address them. Mr. Giambrone referred to their address, they will keep the address at ½ Jordan Road.

Mr. Giambrone stated they have been in business for 21 years and have looked a long time for a place to move which has good exposure.

Reference was made about drainage. Codes Officer Booth stated that Contract Town Engineer Chris Lawton looked at it and he said it is much less than ½ an acre so it is minor.

Board Member Fuks mentioned, because of the abstaining of Elis DeLia and Bill Morris, (and Town Attorney Cully), five (5) Board Members would be reviewing this for approval. He mentioned addressing this application as a preliminary/final or send out for SEQR responses and Planning Board be Lead Agency. He is not comfortable with addressing this as a final. He addressed parking requirements and setbacks. It was mentioned that backing out of spaces could be problematic but the site looks good (when backing out you are backing into each other). Mr. Manning said there is plenty of turnaround room and there is parking on the property not on the street.

Board Member DeGironimo asked Highway Superintendent Rick Sherman, was there extensive grading to that corner and trees? He said they put a sewer line in to stop the manhole from popping. Were the trees replaced – yes. The Town paid for the trees. She does not have a clear distance setback from highway and road right-of-way. NYSDOT has been asked for this and it will be done. Mr. Manning will contact NYSDOT. They want visibility so they will remove most of the trees or weed some out. Any removal of trees is a concern to her. She asked about slope stabilization – Mr. Manning said all going to be mowable surfaces.

Board Member Rotton asked if there is a water problem in this particular spot – Mr. Sherman said sometimes when there is a heavy rain.

It is the consensus of the Board Members that this application be sent out for SEQR.

Motion was made by board Member Heather Mowat to grant Preliminary Approval; seconded by Board Member Peggy Rotton. All in favor.

Motion was made by Board Member Peggy Rotton to have the Planning Board be Lead Agency under SEQR; seconded by Board Member Heather Mowat. All in favor.

There being no further business, the meeting adjourned at approximately 6:05 P.M.

Respectfully submitted,

Dolores Shaw, secretary
Planning Board

dbS