

April 4, 2012

Patrick M. Tyksinski,  
Town Supervisor  
Town of New Hartford  
48 Genesee St.  
New Hartford, NY 13413

RECEIVED  
from Patrick at  
APR 25 2012 T. H. W. T. G.  
TOWN OF NEW HARTFORD  
TOWN CLERK

**Re: Zoning Petition – PDP to PDMU**

Dear Town Supervisor:

The purpose of this letter is to clarify items relating to the business park and the pending zone change from Planned Development Park (PDP) to Planned Development Mixed Use (PDMU).

The New Hartford Business Park development that was reviewed by the Town of New Hartford and NYSDOT in 2007 consisted of:

175, 000 Sf retail  
350, 000 Sf office  
200, 000 Sf manufacturing  
100 Room hotel  
50 Single family homes

Consistent with the NYSDOT comment letter dated 3/9/12, wherein the DOT commented that, *“it is our understanding that the trip generation rates projected for the full build out as presented in the EIS for the Rt 840 break in access full traffic analysis and the Middle Settlement – Woods Highway Connection Link Study would not be exceeded as a result of the rezoning of the subject properties”*. This will confirm that regardless of the zoning, the trip generation rates referenced above will not be exceeded for the current approvals. Further, we agree that consistent with the comment letter *“if future proposed development of the subject parcels is expected to exceed the original trip generation estimates, a new traffic impact study and storm water management plan will be required”*.

As it relates to uses studied, the following is acknowledged:

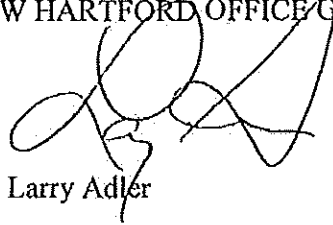
- The Town has indicated that consistent with the recommendations set forth in the 2007 Town Comprehensive Plan the Town is planning to update the Comprehensive Plan, and that;
- Until such Comprehensive Plan Update is completed the Town wishes to limit the amount of retail development in the lands of the New Hartford Business Park;

- Therefore, in consideration of the above, the New Hartford Office Group will limit retail development on lands it owns, including those parcels zoned Planned Highway Business (PHB) and PDMU;
- Specifically, prior to an update of the Town Comprehensive Plan, the New Hartford Office Group, will limit retail development to no more than 175, 000 sf on the PHB and PDMU zoned lands.

It is my hope that this letter addresses concerns raised during the review of this proposal and indicates our willingness to continue to work with the Town to help bring beneficial development to the Town.

Very truly yours,

NEW HARTFORD OFFICE GROUP

A handwritten signature in black ink, appearing to read 'Larry Adler', is written over the typed name. The signature is stylized with large loops and a long horizontal stroke.

By: Larry Adler