

REZONING PETITION INFORMATION

ZONING PETITION

STATE OF NEW YORK
 COUNTY OF ONEIDA
 TOWN OF NEW HARTFORD

AMENDED PETITION FOR ZONING AMENDMENT
 PURSUANT TO ARTICLE XIV OF THE
 TOWN OF NEW HARTFORD ZONING CODE

The undersigned Petitioners who together own more than fifty percent (50%) of the property included within the Planned Development Park District (PDP) located along Woods Highway in the Town of New Hartford consisting of parcels identified on Exhibit 1, hereby Petition the Town Board to amend the Zoning Map of the Town of New Hartford to re-designate approximately 216 acres of the PDP as Planned Development Mixed Use (PDMU) as shown on exhibit A and as described by metes and bounds on exhibit B. The Petitioners moreover further Petition the Town Board to amend the Zoning Map of the Town of New Hartford to re-designate approximately 30.5 acres of the PDP as Planned Highway Business (PHB) as shown on exhibit C and as described by metes and bounds on exhibit D.

The purpose of the requested Zoning Map amendment is to bring the Town of New Hartford Zoning into compliance with the Town of New Hartford Comprehensive Plan. Specifically it will help accomplish the goals of a) reducing the number, types, and availability of Planned Development Districts in the Town and, b) providing a transitional Planned Highway Business (PHB) zone along Seneca Turnpike. The amendment will also encourage economic growth.

PROPOSED ZONE CHANGE

- Two components:
 - PDP (Planned Development Park) to PDMU (Planned Development Mixed Use)
 - PDP (Planned Development Park) to PHB (Planned Highway Business)
- Submitted to Town Board on January 11, 2012.
- Per Town Board resolution No. 17 of 2012:
 - Town to forward application to agencies with the stipulation that referrals do not occur until it receives:
 - Metes & bounds descriptions
 - Map
 - SEQR Form & Fees
 - The above were submitted to the Town and subsequently the application was sent out for recommendations and comments.

LAND OWNERS FILING PETITION

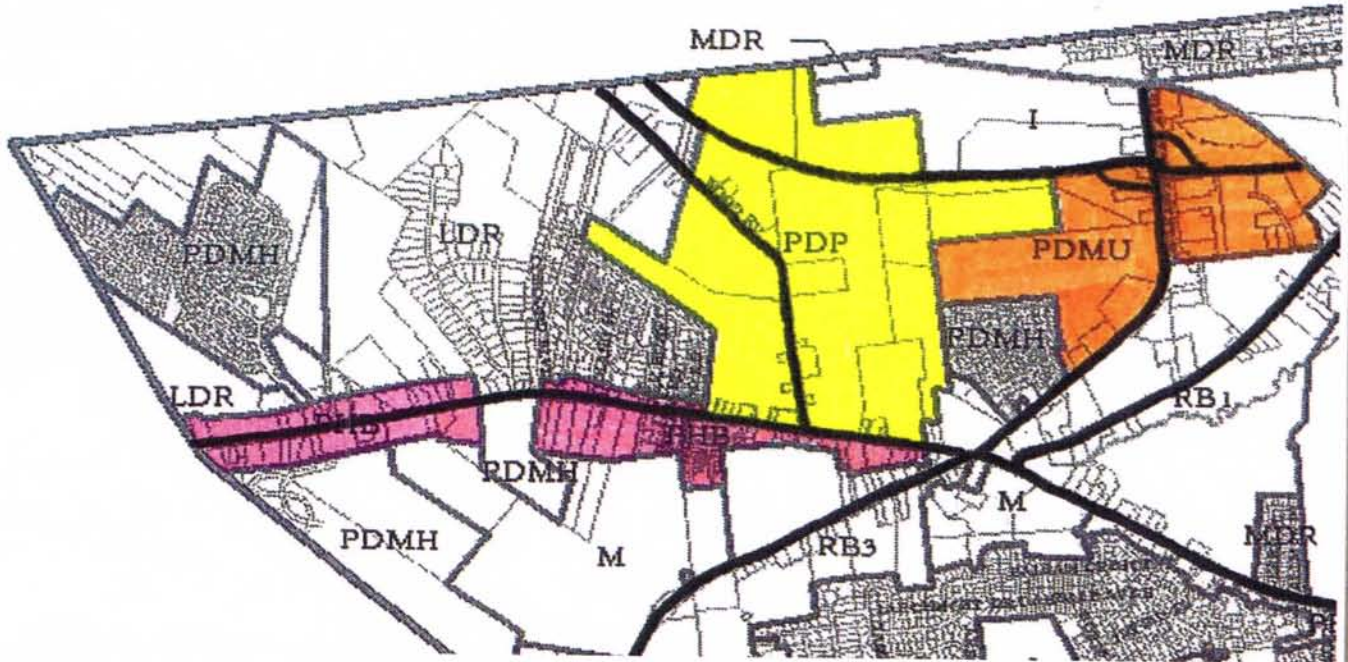
The zoning petition was filed by the following land owners, who represent 86% of the entire Planned Development Park zone (246.8 Acres)

- Karen Szymanski/David Iadanza 48.6 Acres
- New Hartford Office Group LLC 78.8 Acres
- PAR Technology Corporation 38.7 Acres
- Michael Paladino 28.1 Acres
- Woods 840 LLC 18.5 Acres

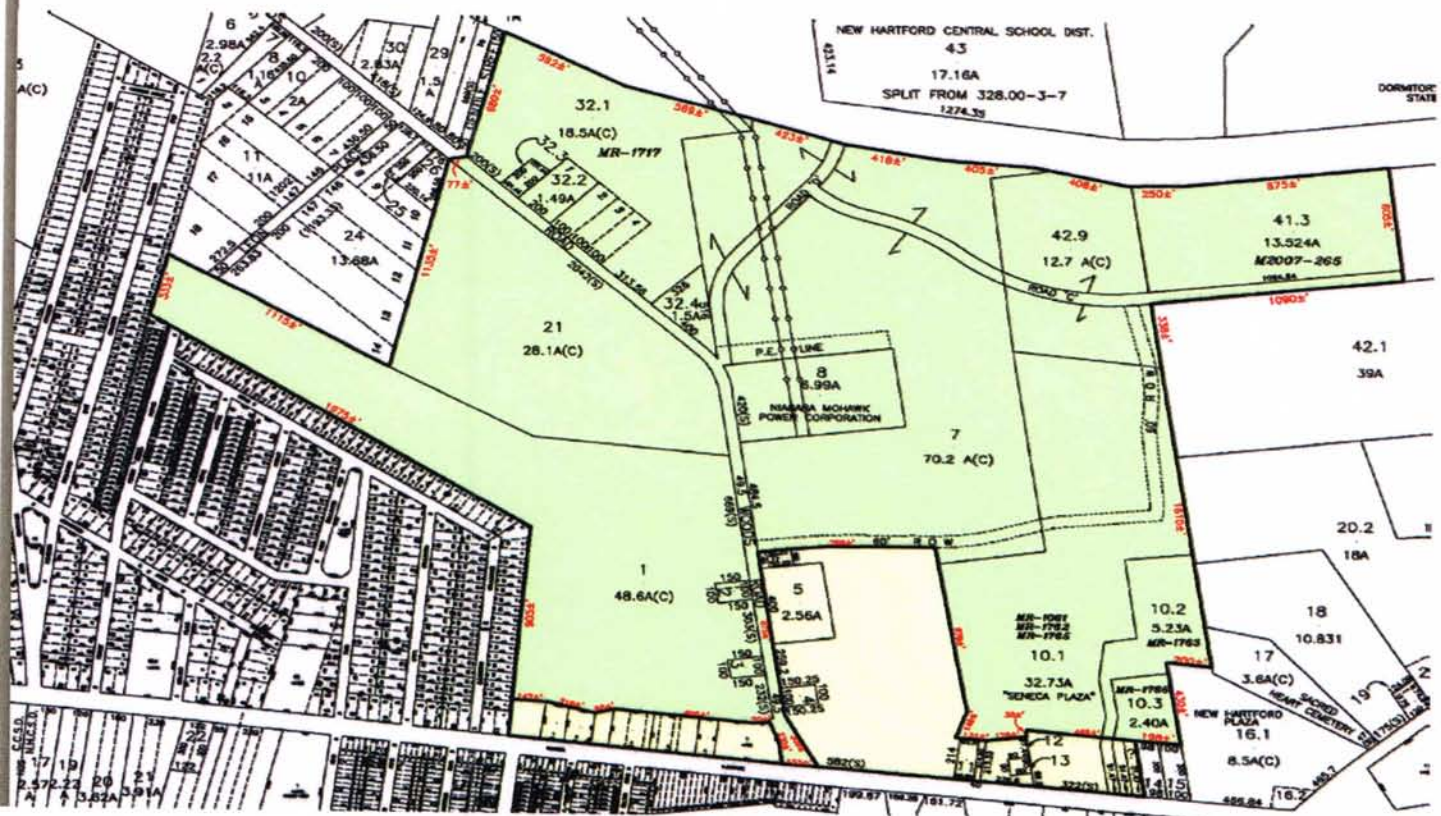
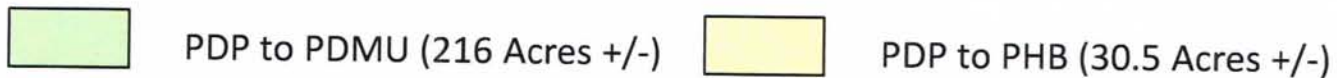
TOTAL ACRES 212.7 Acres

See maps on next page

EXISTING ZONING MAP



PROPOSED ZONING MAP



PROCESS

- Petition submitted to Town Board on January 11, 2012 – lead agency
- SEQRA coordinated review to interested agencies

COORDINATED REVIEW

<u>Agency</u>	<u>Comments Received</u>
• NYS Department of Transportation	3/09/2012
• NYS Department of Environmental Conservation	2/16/2012
• Oneida County Department of Public Works	2/28/2012
• Oneida County Health Department	2/08/2012
• Oneida County Soil & Water Conservation District	2/13/2012
• Mohawk Valley Water Authority	2/09/2012
• Town of New Hartford Police Department	2/13/2012
• Town of New Hartford Fire Department	2/22/2012

Note that all comments received have been addressed in a letter to the Town of New Hartford Town Supervisor on March 9, 2012.

RESPONSES & RECOMMENDATIONS

<u>Agency</u>	<u>Recommendation</u>
• Oneida County Planning Department	March 6, 2012
PDP -> PHB	APPROVAL
PDP -> PDMU	APPROVAL
• Town of New Hartford Planning Board	March 12, 2012
PDP -> PHB	APPROVAL
PDP -> PDMU	APPROVAL

AREAS OF DISCUSSION / CONCERN

Traffic

- 2006/2007 Town of New Hartford hired Clark Patterson & GTS Consulting to complete Middle Settlement Road/Woods Highway/Route 840 Connector Link Study.
 - Developments
 - 1) Lowes/Twin Orchards 148,700 sf
 - 2) Business Park 885,000 sf

- Business Park Uses & Square Footage Modeled Completed to date
 - 350,000 sf Office 120,000 sf
 - 200,000 sf Manufacturing
 - 175,000 sf Retail
 - 100 Room Hotel 87 rooms
 - 50 Single Family Homes

- As new specific development is identified, trip generation estimates should be prepared to ensure the original assumptions. Based on modeled levels of development/trip generation bases we do not anticipated that these numbers will be exceeded.

See NYS DOT comment letter dated 3/9/2012.

Storm Water

- There is an existing SWPPP for activity to date in the park and 4 detention basins have been constructed.
- The requirements of the NYS General SPDES permit for discharge associated with construction and development must be adhered to. These requirements, as well as those implemented by the Town as the MS4, ensure that both during construction and after construction, storm water is managed and treated on site.
- All development phases will include a complete storm water management plan and SWPPP for review by the Town as a MS4. The storm water system will meet all NYSDEC requirements for the on site management and treatment of storm water.
- Post development run off can not exceed pre development conditions, therefore there will be no off site impact.

PLANNING BOARD PROCESS

Per Town law, the Planning Board’s report on the requested rezoning “shall make inquiry and provide recommendation concerning the items specified below:”

1. Whether such change is consistent with the purposes embodied in this chapter as applied to the particular districts concerned.
2. Whether adequate public services and other support facilities exist or can be created to serve the needs of any additional development that may occur as a result of such change.
3. The indirect implications of such change in its effect on other regulations.
4. Whether such proposed amendment is consistent with the underlying objectives of the Town Comprehensive Plan.
5. Whether such proposed amendment is consistent with the character of the community.

1. CONSISTENT WITH PURPOSES IN ZONING DISTRICTS

- The purpose of the PHB districts is to have a more comprehensive planned review of projects that are consistent with the Highway Business location.
- The PDMU provides for mixed commercial development with access to commercial and regional roadways. The idea is not to have just retail, professional office buildings or light industrial uses, such as those devoted to technologically advanced businesses, but to have a mix of these uses.

2. ADEQUATE PUBLIC SERVICES

- Adequate public services and other support facilities exist and are sufficient for the development of projects within the PHB and PDMU districts.
- Water and sewer currently exist throughout the entire business park property.
- All roadway infrastructure is in place consistent with the recommendations in the traffic study prepared for the Town in 2007.

3. INDIRECT IMPLICATIONS

- Existing buildings within the Planned Development Park zone are more consistent with requirements of PDMU than PDP.
- There are limited, if any, indirect implications of this change. Review will still be in the hands of the Planning Board and any items raised will have to be addressed.

4. CONSISTENT WITH TOWN'S COMPREHENSIVE PLAN

- Provides a transitional Planned Highway Business (PHB) zone along Seneca Turnpike.
- Reduces the number, types and availability of Planned Developments.
- Reduces the number of zones.
- Makes code easier to use.
- Encourages economic growth.

5. CONSISTENT WITH THE CHARACTER OF THE TOWN

- The proposed change in zoning would make it more consistent with the Town's character as adjacent properties are already zoned PDMU/PHB.
- A rezoning would also allow residential, which is consistent with the character of the Town, especially in parcels to the west of Woods Highway.

1995 COMPREHENSIVE PLAN – UPDATED 2007

- “Goals and objectives must be realistic and reasonable. They are flexible enough to accommodate changes in the forces influencing plan implementation and superimpose an attainable vision of the future upon the reality of today.”
- The area of Commercial Drive, Middle Settlement Road and Seneca Turnpike are designated as the “Regional Commercial Center”.
- Provides a transitional PHB zone along Seneca Turnpike.
- The number, types and availability of PDs should be reduced.
- A general reorganization of the code will make it easier to use.

General Policy & Objectives:

- Promote appropriate industrial development.
- Promote office development.
- Encourage the development of mixed-use neighborhoods
- Planned development districts are loosely worded to allow the developers a degree of flexibility in design.
- New development should take place only in those areas where adequate infrastructure exists.
- Plan should be revised every five (5) years

HISTORY

1992-1995	The Business Park was originally planned (1992-1995) to be Town-owned.
1999	Town re-zoned the property and created design guidelines in 1999. <ul style="list-style-type: none"> • Re-zoning to PDP was intended to provide “shovel ready” sites with expedited review by Town Business Park review panel
Early 2000s	Town abandoned pursuit of park, but left zoning unchanged.
2005	Land purchased by New Hartford Office Group LLC
2010	Town Changed review and approval process in 2010, but left zoning district in place. <ul style="list-style-type: none"> • Zone Text Amendment – PDP • Site plan approval with planning board • Modifications to guidelines