

TOWN of NEW HARTFORD

ONEIDA COUNTY

PLANNING BOARD

COMMUNITY CENTER BUILDING, NEW HARTFORD, NEW YORK 13413

CHAIRMAN
N. Joseph Yagey

VICE CHAIRMAN
Samuel Marchio

EXECUTIVE SECRETARY
Dolores Benzo Shaw

Telephone (315) 724-4324
Fax (315) 724-4323

BOARD MEMBERS
Jerome F. Donovan
Robert A. Imobersteg
Ronald Morelle
Bob Wood
Treva Wood

MINUTES OF THE REGULAR MEETING **MAY 12, 2003**

The Regular Meeting was called to order by Chairman Joseph Yagey at 4:30 P.M. at which time the Pledge of Allegiance was recited. Board Members present were Ronald Morelle, Robert Wood, Sam Marchio, and Treva Wood. Board Members absent were Bob Imobersteg and Jerome Donovan. Also in attendance were Roger Cleveland, Superintendent of Highways, Kurt L. Schwenzfeier, Town Planner, John Meagher, Senior Engineer/Engineering Department, Town Supervisor Ralph Humphreys, and Dory Shaw, Secretary.

Minutes of the April 14, 2003 meeting were distributed and motion was made by Board Member Treva Wood; seconded by Board Member Bob Wood. All in favor.

Chairman Yagey mentioned that another agenda item had been added, that being an Amendment to Final Approval for The Orchard, Clinton Street.

Whitetail Meadows, Oneida Street, New Hartford. Amendment to Final Approval. Tax Map #358.000-2-10; Lot Size: 79 Acres; Zoning: Planned Development Residential (PDRES). Mr. Donald D. Ehre, P.E., and Mr. John Barkett, developer, appeared before the Board.

Town Planner Schwenzfeier stated that based on the presented changes to the plans dated May 6, 2003, Senior Engineer John Meagher met with Mr. Ehre to discuss the revisions. Chairman Yagey asked if all the changes are on the plans, and did Staff look at them all? Senior Engineer Meagher responded that he didn't go through them 100%, but that it appears all changes have been included. Town Planner Schwenzfeier then represented that the developers are proposing to create a new Lot 21 in Block A adjacent to a new out lot. This combined new Lot 21 and out lot on the original approved plans was to be a detention basin for storm water management. This new configuration is now available because storm runoff originally scheduled for the original basin has now been redirected to a different on-site basin leaving an adequate amount of land to create both a new building lot and an out lot, which is immediately behind Mrs. Driscoll's property and she has expressed an interest in purchasing the out lot as an additional buffer. Chairman Yagey asked if Staff is satisfied with the changes such that it represents the management of storm water and doesn't create a problem? Senior Engineer Meagher said he feels



storm water on the project will work out better. As proposed, Lot 21 will become a building lot and again the out lot is scheduled to be conveyed to Mrs. Driscoll. If she doesn't acquire the out lot, then it is proposed that Lot 21 will be increased in size to also encompass the out lot. The fencing around the former basin is not a concern as it was only there as an impediment to people in the development accessing the basin. Board Member Treva Wood asked Staff if it (the remaining storm water basin) is going to be dry? Senior Engineer Meagher said yes.

Town Planner Schwenzfeier said that the roads had been renamed, and that the newly proposed out lot needs to be conveyed or become a conforming building lot or become part of the new Lot 21. If the out lot were to remain as a stand alone parcel, the county will assign a Tax Map parcel number to it and the Town doesn't want it nor do we expect does the developer.

Town Planner Schwenzfeier said there was a change to the drainage easement on Lot 4, Block A and said easement eventually comes across Kay Circle. There is a concern about adequate siting area on this lot given the orientation and location of this drainage easement. Board Member Marchio stated that this Board has never allowed a building on a piped lot. Mr. Ehre said the developers informed him that they had a discussion with Highway Superintendent Roger Cleveland and he indicated the Town would review any proposed changes. Mr. Ehre said this was done before he heard about it. Chairman Yagey said we have never approved plans where anyone is allowed to build over a pipe. Mr. Ehre said he is aware of this and that the developer understands that the Town is currently doing a review of this change. Meeting Town Codes or siting a home on this lot is a concern as the relocated drainage pipe appears to interfere with the acceptable location of a house on this lot.

Mr. Ehre said these plans bring the Board up-to-date for having received comments from Staff. Mr. Barkett is looking to doing something different – these plans show what is at the site at this time. A 42" pipe is already constructed on Lot A4 – it is in the ground but it is not that difficult to reroute it. Board Member Marchio started it can be left there but can't be built over.

Chairman Yagey said this Board looked at a plan not having it this way. The developer ignored the plan we approved and ran the pipe in a different direction. After he does it, he is coming in and asking us to approve it. He has a concern with this. Mr. Ehre said it is his understanding that when storm water basin #2 was being considered for elimination by the developer, the developer went to Staff, but not to him (Mr. Ehre). Staff is now questioning him about the elimination of basin #2 for this particular area as it was questioned by Staff as to whether just putting the pipe in would be acceptable to the Town. The developer is representing that he had received an answer in the positive then

they went and installed the pipe. Mr. Ehre is relating that it is Mr. Cleveland who spoke to the developer, however, no formal written consent was ever given by anyone from the Town. They went to some people who had the authority to grant a change or given information to that issue. Mr. Ehre wanted Chairman Yagey to know this as the developer just didn't do it without getting permission. Chairman Yagey reiterated that it is this Board only who grants modifications.

Town Planner Schwenzfeier and Engineer Meagher stated that the addition of an extra lot would have to go through a major subdivision (as the approved plots is less than three (3) years old). Mr. Meagher said they wanted to see what was done and what was being proposed. He feels this plan, at its present stage, isn't acceptable. Chairman Yagey asked Codes Enforcement Officer Back for comments on drainage – Mr. Back said he is not an expert on drainage. Mr. Ehre stated that these plans do not reflect what change they would like to make from this point to bring it back to a buildable lot, but they understand that the Board and the Town want it to go a different way.

Mr. Barkett addressed the Board stating that Mrs. Driscoll has much of this property behind her home that she wants and he is open to the out lot #4 contingent if Lot 21 goes through with the subdivision. Mr. Barkett addressed the storm water going across #A4. There is a stream that runs through the easement with a hedge row. (Lot 21 is where the second storm water basin is on the plans). At this point, the stream is just following where the water has always flowed and he has talked with Staff and they know it is not acceptable for a building lot. They will decide which way to reconfigure it. Chairman Yagey said if they decide to use it for a building lot, they can't put the pipe there. Mr. Ehre noted that Mrs. Driscoll said this is the only spring that she hasn't had water in her basement.

Board Member Treva Wood asked about water pressure as she remembers this being a discussion during the Public Hearing. Mr. Ehre said that nothing has been done with the water pressure, however, this development won't add to the problems. He then referred to the water booster station.

Chairman Yagey stated that another issue is that this project was approved with Niagara Mohawk utilities (gas and electric) being totally underground. Niagara Mohawk now wants to put a pole near the entrance to this project on the west side of Oneida Street to bring power to the site overhead. This is an issue as concerns arose about obstructing view and is not according to what was approved. The Town Attorney advised that if this is not acceptable to the Planning Board, we need to tell the developers right now to try to resolve it. Highway Superintendent Cleveland said he feels the Planning Board should convey their feelings and with some degree of rational request Niagara Mohawk to go back to the original plan. Site distance concerns at the entrance to the project on

Oneida Street was a significant issue in the review and approval of this project. It was eventually resolved and a negative declaration issued under SEQR. Chairman Yagey stated that we cannot hold the developer responsible for this change. Mr. Cleveland will draft a letter with a copy to the Planning Board asking Niagara Mohawk to conform to the negative declaration with the plans as originally approved.

Town Planner Schwenzfeier stated that they are still waiting on the establishment of the drainage and water districts and the transportation corporation. At this time, John Maya, Esq., attorney for the developer, appeared before the Board regarding the status of these entities. He said they filed papers with the Town Clerk and notified the Town Attorney. He said that part of the approval is the transportation corporation and the storm water district as well as the water district expansion, which went today to the Attorney for the Town. He said the originals will be going to the Town Clerk tomorrow.

Chairman Yagey said these amended plans will go to the NYSDEC, County Planning Department and the NYSDOT because of the road situation for their comments. This is an amendment and again depending on what he does with that lot (Lot #A4), he may have to come back before us again. Chairman Yagey asked the Board and Staff if they had any additional comments – no response.

Motion was made by Board Member Sam Marchio to accept the amendments to this project as presented with the exception of the newly created out lot; and subject to the responses of the Involved Agencies; seconded by Board Member Treva Wood. Vote taken:

Chairman Joseph Yagey – yes

Board Member Sam Marchio – yes

Board Member Bob Wood – yes

Board Member Treva wood – yes

Board Member Ronald Morelle – yes

Motion was passed by a vote of 5 – 0.

Mr. Merritt Bremer, 4684 Commercial Drive; Amendment to Final Approval. Tax Map #316.020-1-9; Zoning: Retail Business 1 (RB1). Mr. Donald D. Ehre, P.E., and Mr. Merritt Bremer appeared before the Board.

Mr. Ehre stated that Mr. Bremer would like to modify the parking lot as originally presented. Town Planner Schwenzfeier stated that there were islands there with trees and curbing. They want to take these out as this would help with maintenance and visibility.

There are hedges existing around the perimeter. Mr. Bremer stated that lighting is directed downward in this area and there is natural vegetation and trees.

After a review of the plans, motion was made by Board Member Treva Wood to approve the amendment of the plans to remove the islands from the parking lot; seconded by Board Member Sam Marchio. Vote taken:

Chairman Joseph Yagey – yes
Board Member Treva Wood – yes
Board Member Ronald Morelle – yes

Board Member Sam Marchio – yes
Board Member Bob Wood – yes

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

The Orchard, Clinton Street, New Hartford. Amendment to Final Approval. Tax Map #316.020-1-11.1; Lot Size: approximately 29 acres; Zoning: Planned Development Mixed Use. Mr. Larry Adler appeared before the Board.

Chairman Yagey stated that potential leases are coming in for this proposed shopping center and Mr. Adler had stated that he would like to modify his approved plans. We have had an extensive conversation with Staff on this modification. Chairman Yagey said these revisions would be sent to the NYSDOT, NYSDEC, and Oneida County Planning Department for their comments. The application today is for an amendment to one end of the shopping center and it is his understanding that another modification may take place later on. The proposed retailers would like part of the extended walkway to the proposed theater.

Mr. Adler said the existing drive to the former Family Golf Center would be removed and the grading will be 6'-8' to make it level and an acceptable slope. The square footage has not changed – the buildings are just shifting. He may have to come back to this Board when the other leases are finalized. No more square footage, but perhaps change the road depending on the leases that he obtains. The amended plans presented tonight are his preference.

Discussion ensued regarding about a possible connection road between Ellinwood and the project.

After a review of the amended plans, motion was made to approve the Amendment to Final Approval for The Orchard subject to the responses from the Involved Agencies; seconded by Board Member Bob Wood. Vote taken:

Town of New Hartford
Planning Board Minutes
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Chairman Joseph Yagey – yes
Board Member Ronald Morelle – yes
Board Member Treva Wood – yes

Board Member Sam Marchio – yes
Board Member Bob Wood – yes

Motion to **approve** was made by a vote of 5 – 0.

There being no further discussion, the meeting adjourned at 5:30 P.M.

Respectfully submitted,

Dolores Shaw
Secretary

db

cc: Councilmen (6/10/03)rb

RECEIVED BY	
TOWN OF NEW HARTFORD	
GAIL WOLFE YOUNG TOWN CLERK	
JUN 10 2003	
TIME	1:20 M.
BY	AK

(Town Project)

8/5/08

Town Of New Hartford Drainage improvement Report

Address of work: 212 Florence CT

Amount and size of culvert pipe used:

2 18" Bands

5' 18" PVC

Number of catch basins used:

1 Catch Basin

Tons of #2 stone: 8 tons

Tons of run a bank fill: 8 tons

Feet of fabric: 0

Equipment used: 1 Backhoe 8 hrs

2 Large Jumps 8 hrs

1 Pickup Truck 8 hrs

Manpower: 1 Heo 8 hrs

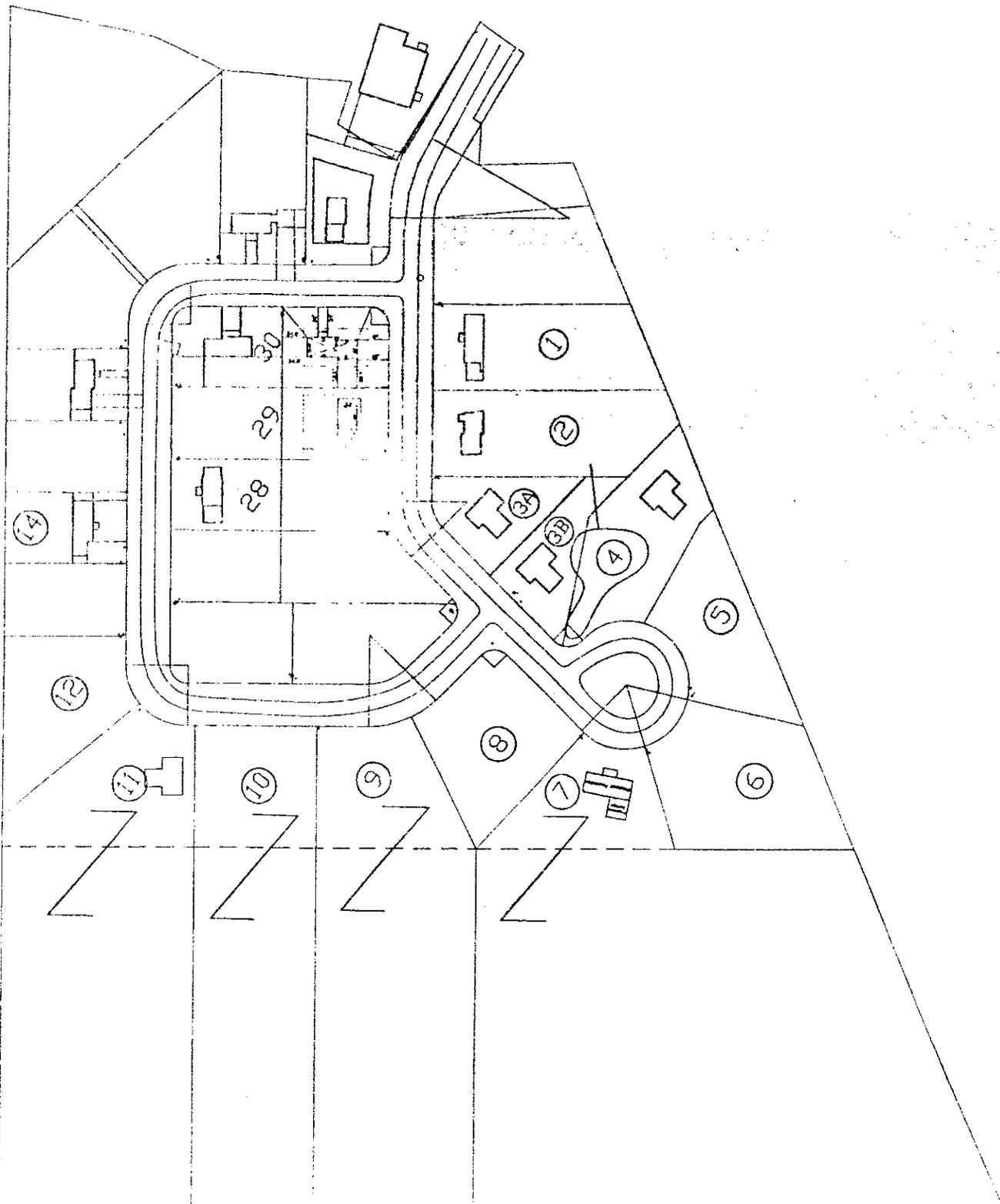
2 Meo 8 hrs

2 Laborers 8 hrs

Other materials:

10 Concrete Brick

1 Bag mason mix



Young, Gail

From: Kurt Schwenzfeier
Sent: Tuesday, September 08, 2009 2:14 PM
To: Young, Gail; 'Cathy Lawrence'
Cc: Sherman, Richard C.; Meagher, John; 'Gerald J. Green (E-mail)'
Subject: RE: FOIL - Whitetail Meadows Stormwater

Gail see attached

kurt

Kurt L. Schwenzfeier, AICP, Town Planner
Town of New Hartford
111 New Hartford Street
New Hartford, NY 13413
Phone: (315)724-4300 Ext.5
Fax: (315)724-4323
Email: KurtS@Town.New-Hartford.ny.us

-----Original Message-----

From: Young, Gail
Sent: Wednesday, September 02, 2009 2:34 PM
To: 'Cathy Lawrence'
Cc: Sherman, Richard C.; Meagher, John; Kurt Schwenzfeier; Gerald J. Green (E-mail)
Subject: FOIL - Whitetail Meadows Stormwater

Cathy,

Receipt is acknowledged of your request.

By copy of this email to indicated departments, I am asking that any file folders relating to stormwater matters in Whitetail Meadows for the designated timeframe be sent to the Town Clerk's Office on or before Tuesday, September 8, 2009 (Monday is the Labor Day Holiday).

Gail Wolanin Young

-----Original Message-----

From: Cathy Lawrence [mailto:cathy@snsdoll.com]
Sent: Monday, August 31, 2009 1:31 AM
To: Young, Gail
Subject: FOIL request - Whitetail

Gail,

I would like to FOIL for review in your office all folders regarding the Whitetail subdivision to include, but not limited to, **any** correspondence to include memos, emails, studies, etc. for any stormwater work for Whitetail in 2006, 2007, 2008 & 2009 to date. I would also like to review any invoices relating to any stormwater work that has been done by the Town of New Hartford or any contractor hired and paid by town monies.

Since Whitetail has a Stormwater Drainage District, I would like to FOIL any invoice or other documentation from the Town that reimbursement to the town has been either received or requested from the residents within the district for all stormwater work completed in the Whitetail subdivision.

Thank you.

9/8/2009

Cathy Lawrence



INVOICE

Clinton Affordable Housing DBA New Hartford Homes

INVOICE # 110
DATE: AUGUST 17, 2009

21 Applewood Boulevard, Clinton, NY 13323
Phone 315.793-3040 Fax 315.793-3317

Re:

BILL TO The Town of New Hartford
Attn: Mr. Richard Sherman
Highway Superintendent
110 New Hartford Street
New Hartford, NY 13413

COMMENTS

DATE	DESCRIPTION	BALANCE	AMOUNT		
April 2007	Construction of retention basin on Lot 4, Whitetail Meadows Labor & Materials (See Attached breakdown)		\$5,950		
CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	AMOUNT DUE
					\$5,950

REMITTANCE	
Statement #	110
Date	
Amount Due	\$5,950
Amount Enclosed	

Make all checks payable to New Hartford Homes
THANK YOU FOR YOUR BUSINESS!

New Hartford Homes



21 Applewood Boulevard, Clinton, NY 13323

Phone: (315) 793-3040
Fax: (315) 793-3317

April 4, 2007

Mr. Roger Cleveland
Highway Superintendant
Town Of New Hartford
110 New Hartford Street

Roger,

As you know I had been holding onto this bill until it was confirmed that the size of the new basin installed at Whitetail was "signed off" by your office. As confirmed by you it is.

I thank you for the work.

The bill breaks down as follows:

Excavator	37 hours clearing/digging
Dozer	13 hours grading
Dump truck	4 hours

Total for construction **\$ 5950.00**

Thank you.

John Barkett Jr.

NEW HARTFORD HOMES

Daily Log-(Subcontractor's) work performed-Date 12-4-06

	<u>Location</u>	<u>Job Description</u>
Clinton:	JIB. 9-2 @ WT	Clearing lot #4 For Retention Basin
	TE moved backhoe to A/C	JK Driveway Slope
L&R:	205 FLORENCE	Plumbing
Heartstone:	205 Florence	Int.
BerMor:		
Earl's Siding:		
GAP:		
Horan:		
Lawnscares:		
Nester :		
North Paving:		
PaintnMore:		
Parker Survey:		
Platt:		
Shafer/Sons:		
Utica Steps:		
Top Notch Tree:		

5 hrs
to plan

NEW HARTFORD HOMES

Daily Log-(Subcontractor's) work performed-Date 12-5-06

	<u>Location</u>	<u>Job Description</u>	<u>WT</u>
Clinton:	JB	8-2 EXCAVATOR	6 hrs
	TE	10 AM - 1:00 DOZER	3 hrs
L&R:	AW		
Heartstone:	205	Interior	
BerMor:	NO		
Earl's Siding:			
GAP:			
Horan:			
Lawnscapes:			
Nester :			
North Paving:			
PaintnMore:			
Parker Survey:			
Platt:			
Shafer/Sons:			
Utica Steps:			

6 hrs
3 hrs

TO
DUN



NEW HARTFORD HOMES

Daily Log-(Subcontractor's) work performed-Date 12-6

	<u>Location</u>	<u>Job Description</u>
Clinton:	JB 8-3	excavator
	TE 9-10	DORER
☺	10-1	Dump truck
L&R:	Applewood	
Heartstone:	205 Florence	
BerMor:	looked AT	205 SAME PRICE
Earl's Siding:		
GAP:		
Horan:		
Lawnscapes:		
Nester :		
North Paving:		
PaintnMore:		
Parker Survey:		
Platt:		
Shafer/Sons:		
Utica Steps:		
Top Notch Trees:		

WT

7
1
3

NEW HARTFORD HOMES

Daily Log-(Subcontractor's) work performed-Date 12-7

	<u>Location</u>	<u>Job Description</u>	<u>WT</u>
Clinton:	JB 8-2	Excavator	6
	TE 8-9	Dumptruck	1
	9-11	DOZER	2
	Cleaned up Road w/ skid steer for Tony Complaints - of mud - probably wileys		
L&R:	Approved		
Heartstone:	205 FLORENCE		
BerMor:			
Earl's Siding:			
GAP:	Mud from town		
Horan:	Trucks 1/1		
Lawnscapes:			
Nester:	MEBYER STOPPED UP		
North Paving:	Had NO IDEA THIS WAS		
PaintnMore:	GONG IN NOT HAPPY W/		
Parker Survey:	Design in CREEK - SHOULD		
Platt:	be off to side BUT "DO		
Shafer/Sons:	WHAT ROGER WANTS. MAYBE HE		
Utica Steps:	TALKED TO SHEWMANER. NO ONE		
Tom Nash:	TELLS ME ANYTHING!"		

NEW HARTFORD HOMES

Daily Log-(Subcontractor's) work performed-Date 12-12-06

	<u>Location</u>	<u>Job Description</u>	
Clinton:	<u>BE-3</u>	<u>EXCAVATOR</u>	<u>7</u>
	<u>TE E-1</u>	<u>DOZER</u>	<u>5</u>
	<u>TOY WANTS AT 3.99 PER STORAGE RIGER WANTS MORE</u>		
L&R:	<u>AV</u>		
Heartstone:	<u>305</u>	<u>PART DAY</u>	<u>7</u>
BerMor:			
Earl's Siding:		<u>EX Paved</u>	<u>Bas</u>
GAP:		<u>Graded</u>	
Horan:			
Lawnscapes:			
Nester :			
North Paving:			
PaintnMore:			
Parker Survey:			
Platt:			
Shafer/Sons:			
Utica Steps:			

NEW HARTFORD HOMES

Daily Log-(Subcontractor's) work performed-Date

~~1-2-06~~ 1-2-07

	<u>Location</u>	<u>WT</u>	<u>Job Description</u>
Clinton:	JB	9-3	EXCAVATOR 6 hrs



Tony would still like it Bigger But
 They will wait until Bond Passes
 And have more money. Roger
 WANTS TO put 2nd Basin up hill

L&R:

NO SHOW

Heartstone:

Behind my house

BerMor:

NO

Earl's Siding:

GAP:

Horan:

Lawnscapes:

Nester :

North Paving:

PaintnMore:

Parker Survey:

Platt:

Shafer/Sons:

Utica Steps:

Top Notch Tree:

TOWN of NEW HARTFORD

ONEIDA COUNTY

DEPARTMENT OF HIGHWAYS/SEWERS

111 NEW HARTFORD STREET, NEW HARTFORD, NEW YORK 13413

OFFICE: 315-724-4300

FAX: 315-724-4323

ROGER A. CLEVELAND
Superintendent of Highways

ANTHONY DECUFFA
Deputy Highway
Superintendent

2OCT08

John Barkett, Jr., President
Applewood Community
21 Applewood Blvd.
Clinton, New York 13323

Re: Detention Basin at Whitetail

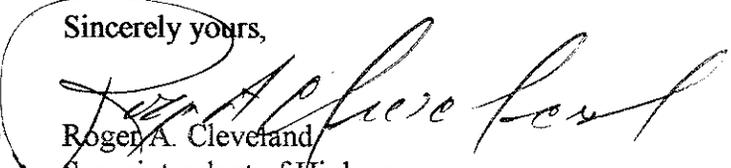

Dear Mr. Barkett,

I write to thank you for the relatively recent installation of the supplemental detention basin in the Whitetail subdivision. Knowing that the residents on and along Oneida Street have, for many years longer than the Whitetail subdivision has existed, experienced periodic flooding from upland runoff, the basin you installed to help reduce the frequency and intensity of flooding has been visibly noticed.

This basin may need to be enlarged in the future, however, until a full hydrologic study of this subarea is conducted, I think it best to leave the basin function as it does.

Thank you for your attention to this matter and for your cooperation in assisting the Town with the installation of this critical piece of infrastructure
I am,

Sincerely yours,


Roger A. Cleveland
Superintendent of Highways

cc Town Board
Town Attorney
Planning Board Secretary
Town Planner
Engineering

MISSION STATEMENT

To provide our citizens with the services necessary to maintain, protect and improve our infrastructure, our environment, and our quality of life.



recycled paper