

**PROPOSED TOWN BOARD AGENDA (SUBJECT TO CHANGE)**  
**APRIL 23, 2014 at 7:00 P.M.**  
**Butler Memorial Hall**

**I. MINUTES**

- A. April 9, 2014

**II. REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE CHAIRPERSON**

- A. Town Clerk Committee – Councilman Woodland
  - 1. Fireworks Permit Application/4<sup>th</sup> July – Yahnundasis Golf Club
  - 2. Zone Map Amendment App/G.Koury; SEQR responses incl. Plan.Board
  - 3. Waiver of 30 day filing/Liquor License Red Lobster
- B. Zoning (Codes), Planning Committee – Councilman Messa
  - 1. Introduce local law to amend Electrical Code, Chapter 59
    - a) Schedule public hearing – May 14
  - 2. Introduce local law to amend Telecommunications, Chapter 107
    - a) SEQR review – Lead agency status; agencies have 30 days to review
    - b) Schedule public hearing late May or in June
  - 3. Introduce local law to update Zoning Law & Map; Comprehensive Plan
    - a) Schedule hearing for May 14
- C. Public Works/Sewers – Councilman Messa
  - 1. Upgrade interior lighting – Police & Court offices (2 quotes)
- D. Assessor Committee – Councilman Woodland
  - 1. Training Conference for Assessor

**MATTERS SUBMITTED BY COUNCILMEN / ATTORNEY**

**III. MATTERS SUBMITTED BY TOWN SUPERVISOR**

- A. Financial and other routine reports
  - 1. Audit of vouchers
- B. Miscellaneous communications
- C. Unfinished Business
- D. New Business

REQUEST FOR FIREWORKS DISPLAY PERMIT

Town, Village or City of New Hartford

Ref. NY State Penal Law, Article 405.00

Application Date: 4/2/14

(A) Sponsor of the Show

\$75.00 Application Fee

Name: Yahnundasis Golf Club

Address: 8639 Seneca Trke, New Hartford

Phone: 315-732-6123 Contact Person: John Roberts

Display Company

Company Name: American Fireworks Display LLC

As a condition of granting the permit, the town must require an adequate bond or indemnity insurance policy, of which coverage may not be less than \$1 million for the payment of damages to any people or property resulting from the fireworks display. The town should ensure that the terms of the bond or indemnity insurance policy covers it and its officers and employees from any liability.

Address: PO Box 980, Oxford, NY 13830

Phone: 607-647-9703 Contact Person: Jennifer Banks

NYS Dept. of Labor Explosives License # D-5171 Expires: 4/30/15

Operator – Name of the Certified Pyrotechnician who will be in charge of the display

Name	Certificate #	Expires
<u>Kevin Fritschler</u>	<u>PR-95</u>	<u>10/2015</u>

Authorized Assistants: Names of the individuals who are authorized by the operator to work on the show, identified either by their certificate number and expiration date, if they are certified, or by their age and phone number, if they are not certified. (Continued on Page 2).

9:50 AM  
(at)

## Young, Gail

**From:** Young, Gail  
**Sent:** Thursday, April 17, 2014 5:21 PM  
**To:** Town-Board  
**Cc:** Cully, Herb; Booth, Joe  
**Subject:** FW: Koury, George Recomm. to Town Board.docx  
**Attachments:** Koury, George Recomm. to Town Board.docx

Gentlemen:

Please review the attached correspondence from the Town Planning Board with regard to the George Koury Zone Map Amendment application. This is an agenda item for April 23, 2014.

Gail

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**From:** Shaw, Dory  
**Sent:** Thursday, April 17, 2014 11:59 AM  
**To:** Young, Gail  
**Subject:** Koury, George Recomm. to Town Board.docx

Gail, I talked with the Town Attorney and I am sending this to you for your information. I will send the detailed draft minutes as soon as complete. Thank you.

Dory

April 18, 2014

To: Gail Wolanin Young, CMC/RMC  
Town Board Members

From: Dory Shaw, Secretary/Planning Board

Re: Recommendation to Town Board  
Zone Map Amendment  
Application of Mr. George Koury  
31 Clinton Road, New Hartford, New York 13413  
From Medium Density Residential to High Density Residential

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The Planning Board reviewed this application at its meeting of April 14, 2014. After considerable discussion, please note the following:

Motion was made by Board Member Peggy Rotton to recommend to the Town Board that the Planning Board does not accept this application submitted by Mr. George Koury at the present time based, in particular, to the comments made by Board Member in relation to the slopes, drainage and spot zoning. Also, it was felt there are too many discrepancies and the application is inadequate.

Motion seconded by Board Member Bill Morris. Vote taken:

Chairman Elis DeLia – yes	Board Member Bill Morris – yes
Board Member Peggy Rotton – yes	Board Member Heather Mowat – yes
Board Member Julius Fuks – yes	Board Member Lis DeGironimo – yes
Board Member Brymer Humphreys – yes	

Motion to recommend to the Town Board that the Planning Board does not accept this application was passed by a vote of 7 – 0.

Draft minutes which outline this discussion in detail are being prepared.

If you have any questions, feel free to contact me.

dbb

## Young, Gail

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**From:** Young, Gail  
**Sent:** Wednesday, March 26, 2014 4:49 PM  
**To:** Town-Board  
**Cc:** Cully, Herb; Shaw, Dory  
**Subject:** Emailing: ZMA App.GeoKoury.SEQR Responses.pdf  
**Attachments:** ZMA App.GeoKoury.SEQR Responses.pdf

Town Board Members, Herb and Dory:

Open attachment for various SEQR responses to Mr. Koury's application for a zone change on 31 Clinton Road.

Dory, perhaps the Planning Board members would like copies before their April meeting???

Gail.

Your message is ready to be sent with the following file or link attachments:

ZMA App.GeoKoury.SEQR Responses.pdf

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



# NEW HARTFORD POLICE DEPARTMENT

32 Kellogg Road  
New Hartford, New York 13413

Business: (315) 724-7111 • Fax: (315) 724-8618  
www.tonhpolice.com

Michael S. Inserra  
Chief of Police

RECEIVED

FEB 24 2014

TOWN OF NEW HARTFORD  
TOWN CLERK

February 21, 2014

Mrs. Gail Wolanin Young  
New Hartford Town Clerk  
48 Genesee Street  
New Hartford, New York 13413

Re: State Environmental Quality Review Act (SEQRA)  
Zoning Amendment – 31 Clinton Road  
4 Building Apartment Complex

Dear Mrs. Young:

The purpose of this correspondence is to comment, pursuant to the State Environmental Quality Review Act (SEQRA), on the above-referenced development project pending before the New Hartford Town Board. My comments will be limited to the projects potential impact on the delivery of police services to the development and the immediate area.

George T. Koury II is requesting a zoning amendment from Medium Density Residential (MDR) to High Density Residential (HDR) as same relates to approximately 6.5 acres located at 31 Clinton Road. After re-zoning, Mr. Koury would develop and construct a 4 building apartment complex with 6 units per building. Additionally, parking lots and driveways will serve the proposed development. This writer has reviewed the "calls of service" from three similar complexes on Clinton Road, Cardinal Estates, Lewiston Apartments and Swiss Garden Apartments to better understand the potential need for police services. Also, motor vehicle crash statistics were reviewed to determine service impacts.

While this writer did take into consideration that the proposed project would generate additional traffic and additional calls for police services, this developmental project will have a minimal impact on our ability to deliver police services to the area.

Sincerely,

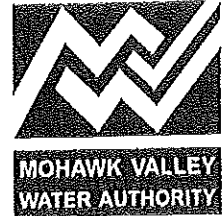
Michael S. Inserra  
Chief of Police

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#### Mission Statement

"Our mission is to promote a sense of safety and quality of life in New Hartford by providing police services with integrity and commitment to excellence in partnership with our community. We view the people who live in and visit New Hartford as our customers who deserve our concern, care and attention."

Mohawk Valley Water Authority  
One Kennedy Plaza  
Utica, NY 13502  
Telephone (315) 792-0301  
Fax (315) 792-4722  
[www.mvwa.us](http://www.mvwa.us)



February 25, 2014

Gail Wolanin Young  
Town Clerk  
Town of New Hartford  
48 Genesee Street  
New Hartford, NY 13413

RE: 31 Clinton Road, New Hartford, NY

Dear Ms. Young:

The following is our review of the SEQR submission dated February 19, 2014:

1. The Mohawk Valley Water Authority does have water main that front both road frontages on Merrit Place (40 psi) and Clinton Road (80 psi). Therefore this parcel qualifies for water from wither location and can support this development.
2. There are no details for the intent of the water utilities plan therefore this review will be handled directly with the Developer once the MVWA receives more detailed plans. At that time we will review if backflow will be required, size of service, and meters.

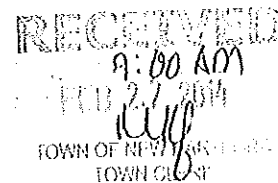
Should you have any questions please feel free to contact me at (315) 792-0326 or email at [djones@mvwa.us](mailto:djones@mvwa.us).

Sincerely,

David R. Jones  
Senior Engineer

DRJ/jm

cc: Richard Goodney, P.E., MVWA Director of Engineer



**New York State Department of Environmental Conservation**  
**Division of Environmental Permits, Region 6**  
207 Genesee Street, Room 1404, Utica, New York 13501-2885  
Phone: (315) 793-2654 • FAX: (315) 793-2748  
Website: [www.dec.state.ny.us](http://www.dec.state.ny.us)



Joe Martens  
Commissioner

February 21, 2014

Gail Wolanin-Young  
Town of New Hartford  
48 Genesee St  
New Hartford NY 13413

**RE: 239 Review Project Name: Zone Map Amendment**  
**Town of New Hartford, Onelida County**

Dear Mrs. Wolanin-Young:

The Department of Environmental Conservation (DEC) has received the above-referenced submittal dated 2/19/2014. The DEC has no objections to the Town of New Hartford being Lead Agency for this project. The DEC has no comments of the zone map amendment. However, the applicant will need to resubmit project plans for the proposed apartment complexes prior to Planning Board Approval.

If you wish further assistance in this matter, please call me at (315) 793-2740

Sincerely,

Rosa Howard  
Environmental Analyst

Cc: Richard Coriale

RECEIVED  
9:00 AM  
FEB 27 2014  
TOWN OF NEW HARTFORD  
TOWN CLERK



**\*\*\*CSO OFF-SET LANGUAGE:**

**For new lateral connections:**

The proposed project includes a new connection to a municipal sanitary sewer system tributary to the Sauquoit Creek Pump Station owned and operated by Oneida County. Oneida County is under a Consent Order with DEC to bring overflows from the Sauquoit Creek Pump Station into compliance with the county's State Pollutant Discharge Elimination System (SPDES) Permit. A condition of the Consent Order is that new connections made to sewers tributary to the pump station must be offset by the removal of 5 gallons of infiltration and inflow for every 1 gallon of wastewater added before the connection is made. The project sponsor must ensure the offsets have been obtained by submitting the attached "Application for New Sewer Permit". Any project application that does not include the completed form will be declared incomplete and returned to the applicant without further processing. Connection of a new source of wastewater without obtaining the necessary offsets is a violation of the Consent Order.

**For sewer extensions:**

The proposed project is an extension of a municipal sanitary sewer system tributary to the Sauquoit Creek Pump Station owned and operated by Oneida County. Oneida County is under a Consent Order with DEC to bring overflows from the Sauquoit Creek Pump Station into compliance with the county's State Pollutant Discharge Elimination System (SPDES) Permit. A condition of the Consent Order is that new connections to sewers tributary to the pump station must be offset by the removal of 5 gallons of infiltration and inflow for every 1 gallon of wastewater added before the connection is made. The project sponsor must ensure the offsets have been obtained by submitting the attached "Application for New Sewer Permit". Any project application that does not include the completed form will be declared incomplete and returned to the applicant without further processing. Connection of a new source of wastewater without obtaining the necessary offsets is a violation of the Consent Order. Construction of a sewer extension without DEC approval of the plans and specifications is a violation of Environmental Conservation Law.

**For Subdivisions in Marcy only:**

"Although the Marcy sewer line directly discharges to the Oneida County treatment plant headworks, those works have limited capacity. Adding flow to this line results in the County having to reduce flows coming into the headworks from the Utica line during wet weather in order to protect the headworks. This in turn results in an increased discharge of untreated sewage from Utica's combined sewer overflows. This discharge of untreated sewage contributes to the impairment of the Mohawk River, which is listed on the State's 303d list of impaired waters.

We request that Lead Agency inform us of what provisions are being made to ensure that these increased sewage flows do not add to the frequency, magnitude and duration of Utica's combined sewer overflows."

**OR**

In recent years, DEC has experienced periodic overloading of the Oneida County Sewer District's Sauquoit Creek Pumping Station. This has resulted in not only the discharge of untreated wastewater onto the surface of the ground and to the Mohawk River but in basement flooding in the villages of Whitesboro and Yorkville. Also, the sanitary sewer serving this project is tributary to an active overflow at the Sauquoit Creek Pumping Station. We question what

# ONEIDA COUNTY HEALTH DEPARTMENT

*Adirondack Bank Building, 5<sup>th</sup> Floor, 185 Genesee St., Utica, NY 13501*

ANTHONY J. PICENTE, JR.  
ONEIDA COUNTY EXECUTIVE



PHYLLIS D. ELLIS, BSN, MS, F.A.C.H.E.  
DIRECTOR OF HEALTH

## ENVIRONMENTAL HEALTH DIVISION

*Phone: (315) 798-5064 & Fax: (315) 798-6486*

February 24, 2014

Gail Wolanin Young, Town Clerk  
Town of New Hartford Clerk's Office  
48 Genesee Street  
New Hartford, NY 13413

RE: SEQR Lead Agency  
Zone Map Amendment Application  
George T. H Koury II, Owner  
31 Clinton Road  
New Hartford, NY

The Oneida County Health Department endorses the Town of New Hartford serving as the Lead Agency on the above referenced SEQR.

### Health department comments:

- Drinking water will be provided by the Mohawk Valley Water Authority.
- Approval of waste water disposal connections is under the jurisdiction of the Town of New Hartford.

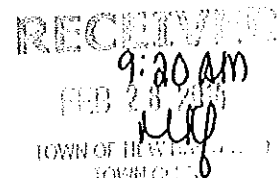
This is the extent of Health Department comments at this time.

Please feel free to contact this office if you have any questions or concerns.

Sincerely,

Daniel W. Gilmore, Ph.D.  
Environmental Health Director

c: file





## NEW HARTFORD FIRE DEPARTMENT

P.O. Box 328, 4 Oxford Road  
New Hartford, New York 13413-0328

Thomas A. Bolanowski  
Chief

March 1, 2014

Mrs. Gail Wolanin Young  
Town of New Hartford Clerk  
48 Genesee Street  
New Hartford, NY 13413

RE: Zone Map Amendment  
-changing from MDR to HDR

Dear Mrs. Wolanin Young:

In regards to the request to amend the Town Zoning as it relates to 31 Clinton Rd., and changing from Medium Density Residential to High Density Residential.

To determine if there would be an impact on the Fire Department based on the proposed rezoning, writer used similar existing areas with similar type structures in the Town for a comparison. It was determined after a review of the FD Records Management System that there were not an above average number of calls for service at these sites. It is reliably assumed that there will not be a major increase in calls of service at this site should it be rezoned as requested.

Sincerely,

RECEIVED  
9:15 AM  
MAR 11 2014  
TOWN OF NEW HARTFORD  
TOWN CLERK



STATE OF NEW YORK  
DEPARTMENT OF TRANSPORTATION  
REGION TWO  
207 GENESEE STREET  
UTICA, NEW YORK 13501  
[www.dot.ny.gov](http://www.dot.ny.gov)

JOHN R. WILLIAMS, P.E.  
INTERIM REGIONAL DIRECTOR

REGIONAL PLANNING & PROGRAM MANAGEMENT  
FAX (315)793-2719  
(315)793-2450

JOAN McDONALD  
COMMISSIONER

March 4, 2014

Ms. Gail Wolanin-Young  
New Hartford Town Clerk  
48 Genesee Street  
New Hartford, NY 13413-2397

RE: SEQR Lead Agency - Zone Map Amendment Application  
Location: 31 Clinton Road, New Hartford

Dear Ms. Wolanin-Young:

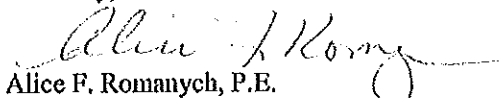
We have reviewed your request for the town of New Hartford to serve as Lead Agency for purposes of the State Environmental Quality Review Act (SEQRA) in relation to the proposed Zone Map Amendment for the rezoning of 6.5 acres located at 31 Clinton Street.

Upon review of the information provided, the New York State Department of Transportation (NYSDOT) concurs with this request, but offers the following comments pertaining to the proposed future construction of four (4) apartment complexes, each with six (6) apartments.

1. A NYSDOT Highway Work Permit will be required for any work performed within the highway right-of-way.
2. Access to the subject property will require that the entrance conform to NYSDOT standards for a Minor Commercial Driveway.
3. A Stormwater Management Plan will be required as part of the highway work permit application.
4. All proposed signage will need to be located on private property and not on NYSDOT right-of-way.

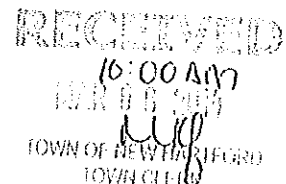
Thank you for the opportunity to comment.

Sincerely,

  
Alice F. Romanych, P.E.  
Regional Planning and Program Manager

AFR:SH:kr

cc: Linda Lubey, Regional Traffic Engineer  
Ken Andela, Regional Permit Coordinator



ANTHONY J. PICENTE JR.  
County Executive

DENNIS S. DAVIS  
Commissioner



DIVISIONS:  
Buildings & Grounds  
Engineering  
Highways, Bridges & Structures  
Reforestation

## Oneida County Department of Public Works

6000 Airport Road, Oriskany, New York 13424  
Phone: (315) 793-6235 Fax: (315) 768-6299

March 6, 2014

Gail Wolanin Young  
Town Clerk  
Town of New Hartford  
48 Genesee Street  
New Hartford, NY 13413

RECEIVED  
MAR 11 2014  
TOWN OF NEW HARTFORD  
TOWN CLERK  
9:20 AM  
at

Re: SEQR  
Zone Map Amendment  
31 Clinton Road Property – Four (4) Apartment Complexes Each Comprising of Six (6) Units  
Medium Density Residential (MDR) to High Density Residential (HDR)  
Applicant: George T. Koury II  
31 Clinton Road (NYS Route 12B)/Merritt Place (Town), Town of New Hartford  
Tax Map #: 328.016-4-62

Dear Ms. Wolanin Young:

The Oneida County Department of Public Works has received the Environmental Assessment Form (EAF) and related documents (incl. 6/29/13 map) for the above mentioned review in accordance with the State Environmental Quality Review Act (SEQRA) regulations. As an interested agency, we offer the following comments:

- This department has no objection to the New Hartford Town Board assuming Lead Agency status.
- Section 136 of the NYS Highway Law requires a permit to be obtained for any access, construction, or reconstruction within the right-of-way of a County highway. Any above recommendation given by this department will be a required action for any permit approval. The permits are obtained through our Division of Highways & Bridges.

Questions regarding this review should be directed to James Bartkowiak of our office at (315) 793-6220.

Sincerely,

Mark E. Laramie, PE  
Deputy Commissioner  
Division of Engineering

By, *James D. Bartkowiak*

James D. Bartkowiak  
Associate Engineer

MEL/jdb

cc: O.C. Planning Dept.  
Highways & Bridges

239f file  
Commissioner RF



**Oneida County Department of Planning**  
Boehlert Center at Union Station, 321 Main Street, Utica, NY 13501

**GENERAL MUNICIPAL LAW, SECTIONS 239-l, -m, or -n**  
**NOTICE OF COUNTY RECOMMENDATION**

Oneida County Referral Number: OC 239-14-020  
Local Project Identification Number (if applicable): N/A  
Applicant: George T. Koury II Location: 31 Clinton Road (NYS Route 12B),  
New Hartford (T)  
Subject Action: Proposed zoning map amendment: Rezone 6.5 acres from Medium Density  
Residential (MDR) to High Density Residential (HDR) for apartments.

☒ **NO RECOMMENDATION AS TO FINAL ACTION (See attached comments)**  
Reason: No significant County-wide or inter-community impacts have been identified with  
this proposal.

Date: March 11, 2014

John R. Kent, Jr.  
John R. Kent, Jr.  
Commissioner of Planning

NOTE: Section 239-m of the General Municipal Law of the State of New York requires that the municipal agency having jurisdiction over this matter, shall, within thirty (30) days after its final action, file with this Department a report describing the final action.

The "NO RECOMMENDATION" only states that significant County-wide or inter-community impacts have not been identified. There may be significant local impacts or controversy. This statement does not address the proposed action's compliance with all applicable local regulations; or with any other county, state, or federal requirements, including the provisions of the New York State Environmental Quality Review Act (SEQRA).

RECEIVED  
9:10 AM  
MAR 12 2014  
TOWN OF NEW HARTFORD  
TOWN CLERK

OC239-14-020  
March 11, 2014

COMMENTS:

The town should be aware that the New York State Department of Environmental Conservation has created new Environmental Assessment Forms. The effective date of the new forms was October 7, 2013. The town should ensure that the new forms are used from this point forward. We have attached a copy of the new forms.

GRAY|ROBINSON  
ATTORNEYS AT LAW

SUITE 2700  
401 E. JACKSON STREET (33602)  
P.O. Box 3324  
TAMPA, FLORIDA 33601-3324  
TEL 813-273-5000  
FAX 813-273-5145

BOCA RATON  
FORT LAUDERDALE  
JACKSONVILLE  
KEY WEST  
LAKELAND  
MELBOURNE  
MIAMI  
NAPLES  
ORLANDO  
TALLAHASSEE  
TAMPA

813-273-5161

ANGELA.ROTELLA-GARZON@GRAY-ROBINSON.COM

April 14, 2014

**VIA FEDERAL EXPRESS**

Gail Wolanin Young, Town Clerk  
Town of New Hartford  
48 Genesee St, Butler Hall  
New Hartford, NY 13413

Re: NYSLA 30-Day Advance Notice to Municipality for Change of Licensed Entity  
for Liquor License Serial No. 2607223  
Red Lobster Hospitality, LLC d/b/a Red Lobster #489  
4573 Commercial Drive, New Hartford, NY

Dear Ms. Young:

Our office represents Darden Corporation and all of its subsidiary corporations with regard to the transfer of their Red Lobster liquor licenses from their current corporate entity licensee to a new subsidiary entity, Red Lobster Hospitality, LLC ("RLH"). The upstream corporate structure has not changed and there are no structural or employee changes being made. Said change of licensee is scheduled for on or about June 30, 2014. Therefore, enclosed please find a signed 30-Day Advance Notice advising of the application that will be filed with the New York State Liquor Authority to change the licensee name to Red Lobster Hospitality, LLC.

I would like to request a waiver of the 30-Day Notice in order to provide ample time for our client's transfer application to process. If you would be so kind as to agree to a waiver of the Notice, please sign the enclosed copy of this letter at the bottom where indicated and return it to my office in the self-addressed, stamped envelope.

If you have any questions, please contact our office. Thank you.

Sincerely,

  
Angela Rotella-Garzon, FRP  
Licensing Specialist

Encs.

RECEIVED

9:50 AM  
at



## Young, Gail

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**From:** Young, Gail  
**Sent:** Tuesday, April 15, 2014 4:21 PM  
**To:** Booth, Joe  
**Cc:** Town-Board; Cully, Herb  
**Subject:** LL Int C.2014.Electrical Standards  
**Attachments:** LL Int C.2014.Electrical Standards.docx  
  
**Importance:** High

Joe:

Attached is the draft local law (introductory) to amend the Electrical Standards section of the Town's Code.....adding one inspection agency.....deleting two agencies no longer in business.

Please review and offer any comments or changes. This will be on the agenda for introduction at the April 23<sup>rd</sup> Town Board meeting.

Gail

TOWN OF NEW HARTFORD, NY

LOCAL LAW INTRODUCTORY "C" OF 2014

A Local Law to amend the Code of the Town of New Hartford, Chapter 59 thereof entitled ELECTRICAL STANDARDS in the Town of New Hartford.

BE IT ENACTED by the Town Board of the Town of New Hartford as follows:

Section 1. Chapter 59 of the Code of the Town of New Hartford is hereby amended by adding the following to Section 59-4, Electrical Inspectors and Section 59-6 Violations:

ADD: The Inspector, LLC

Section 2. Chapter 59 of the Code of the Town of New Hartford, Sections 59-4 and 59-6, are further amended by deleting the following companies that are no longer in business:

DELETE: New York Board of Fire Underwriters and the Allied Electrical Inspection Agency, Inc.

Section 3. All other provisions of Chapter 59 of the Code of the Town of New Hartford, and amendments thereto, are hereby affirmed except to the extent that this Local Law shall modify or amend.

Section 4. This Local Law shall become effective immediately upon its filing with the Office of Secretary of State.

## Young, Gail

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**From:** Young, Gail  
**Sent:** Tuesday, April 15, 2014 4:07 PM  
**To:** Booth, Joe  
**Cc:** Town-Board; Cully, Herb  
**Subject:** Telecommunications; Code Chapter 107B  
**Attachments:** LL Int B.2014.Telecommunications.docx

**Importance:** High

Joe:

I've typed in local law (introductory) format the information you provided. Please be sure that I have it marked in the specific Section that this is needed.

Since this refers to zoning, isn't this subject to SEQR? If so, the Town Board would need to declare itself as Lead Agent and the 30-day time period for agencies to review it would fall into place. A hearing wouldn't be able to be held until either May 28 or June 11.....thoughts please

Gail

TOWN OF NEW HARTFORD, NY

LOCAL LAW INTRODUCTORY "B" OF 2014

A Local Law to amend the Code of the Town of New Hartford, Chapter 107B thereof entitled TELECOMMUNICATIONS FACILITIES in the Town of New Hartford.

BE IT ENACTED by the Town Board of the Town of New Hartford as follows:

Section 1. Chapter 107B of the Code of the Town of New Hartford, Section 107B-5 is hereby amended by adding the following:

E. Collocated/existing structure antennas.

An antenna that is to be attached to an existing communications tower is a permitted use in all zoning districts. An antenna that is to be attached to any other structure in any zone, other than a residential zone or within 750 feet of a residential zone, is a permitted use. These antennas are permitted upon the issuance of a building permit. The building permit application will include a structural analysis/report verifying the ability of the structure to support the antenna while also deeming the structure to be capable of supporting the additional loads. The height of the antenna shall not extend above the height of the existing structure by more than 50 feet.

Section 2. All other provisions of Chapter 107B of the Code of the Town of New Hartford, and amendments thereto, are hereby affirmed except to the extent that this Local Law shall modify or amend.

Section 3. This Local Law shall become effective immediately upon its filing with the Office of Secretary of State.

Comprehensive Plan

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Zoning Law &  
Map

on [www.newhartfordtown.com](http://www.newhartfordtown.com)

### National Grid Small Business Program Overview

**Customer Name:** TOWN OF NEW HARTFORD-POLICE  
**Customer Address:** 32 KELLOGG RD, NEW HARTFORD, NY 13413  
**Application Number:** 3802590

### National Grid Small Business Program Overview

Total National Grid Small Business Program Cost:	\$ 10,429.04
*Prevailing Wage:	\$ 2,959.18
National Grid Small Business Program Incentive:	\$ 5,055.23
<b>**Total Out of Pocket Customer Contribution:</b>	<b>\$ 5,373.81</b>
<b>National Grid Contribution Percentage:</b>	<b>48.47 %</b>

### Value Analysis

Estimated Annual Energy Savings:	\$ 3,908.00
Estimated Monthly Energy Savings:	\$ 325.67
<b>Simple Payback Period (months):</b>	<b>16.50</b>

### National Grid Program Cost Payment Options

*Lump Sum Payment (15% Discount):	\$ 5,048.83
<b>Payback with Lump Sum Option (months):</b>	<b>15.50</b>
*12 Monthly Payments (Interest Free):	\$ 447.82
<b>Estimated Profit/Month During Payment Plan:</b>	<b>-\$ 122.15</b>
*24 Monthly Payments (Interest Free):	\$ 223.91
<b>Estimated Profit/Month During Payment Plan:</b>	<b>\$ 101.76</b>

### Non-Incentivized/Price Adjustment Cost

This cover's all cost outside of the standard cost for material and labor which is generated for work scope outside of a standard 1 for 1 lighting replacement for items such as aerial lifts, additional wiring, tube guards, revised layout requests & customer specific requests, etc. This cost is not incentivized by National Grid and cannot be financed on your National Grid Bill.

<b>***Price Adjustment Cost:</b>	<b>\$ 0.00</b>
<b>Simple Payback Period w/Price Adjustment Cost (months):</b>	<b>16.50</b>
<b>Simple Payback Period w/Price Adjustment Cost using Lump Sum (months):</b>	<b>15.50</b>

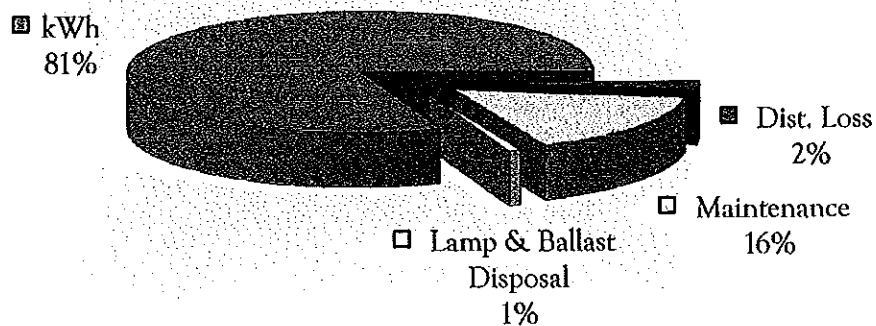
\*Prevailing Wage required or requested is not incentivized by National Grid or eligible for Lump Sum Discount.  
\*\* 1st invoice will be on National Grid Bill on 1st or 2nd Electric Bill AFTER project is complete  
\*\*\*Invoiced after completion of project by installation contractor, SmartWatt Energy Inc.

## NOI (Net Operating Income) Payback

Turn Key Energy Efficient Lighting Upgrade :	\$9,165.13
National Grid Grant:	<u>-\$6,415.59</u>
Net Turn Key Project Cost	\$2,749.54
<u>1st Year Estimated Savings</u>	
kWh Savings in \$'s :	\$3,036.67
Est. Distribution Loss	\$151.83
Est. Maintenance Savings	\$1,040.06
Est. Lamp and Ballast Disposal	\$52.00
Total 1st Year Estimated Savings	\$4,280.57
Estimated Monthly Savings	\$356.71
Actual Estimated NOI Payback	7.71 Mo.

\*The Sales Required to Generate Similar Profit to Your Bottom Line at a  
10% Profit Margin is: \$42,805.68

### Overall Cost of Lighting



**Young, Gail**

**From:** Darlene Abbatecola  
**Sent:** Tuesday, April 15, 2014 4:06 PM  
**To:** Young, Gail  
**Subject:** RE: Agenda for April 23, 2014 Town Board meeting

*Agenda 4/23/14.  
Gail, I've  
typed this on  
already.  
Gail  
4.15.14*

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**From:** Young, Gail  
**Sent:** Tuesday, April 15, 2014 2:51 PM  
**To:** Booth, Joe; Cully, Herb; Darlene Abbatecola; Dreimiller, Dan; Inserra, Michael S.; [james.messa@yahoo.com](mailto:james.messa@yahoo.com); Jeffery, Mike; M. Eileen Spellman; Miscione, Paul; New Hartford Supervisor; O'Sullivan, Janice; Reynolds, David M.; Richard Woodland Jr. (E-mail); Schwenzfeier, Barb; Sherman, Richard C.; Tyksinski, Patrick M.  
**Subject:** Agenda for April 23, 2014 Town Board meeting

In order to prepare the agenda for the April 23, 2014 Town Board Meeting, it will be necessary that I receive from you any matter(s) which you feel should be discussed at that meeting.

Please check applicable statements:

☐ No matters to be considered

☒ Place the following on the Agenda:

Paul to have board approve assessor to attend required schooling located in New Windsor, NY. On Condo's

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This information must be received in my office no later than 4:00 P.M. on Thursday, April 17, 2014. [NOTE: We are closing at 12 Noon on Good Friday, April 18<sup>th</sup>, using personal or vacation time for hours not worked.]

IN ADDITION, DUE TO CHANGES IN STATUTE THAT BECAME EFFECTIVE FEBRUARY 2, 2012, REQUIRING THE POSTING OF THE AGENDA AND SUPPORTING DOCUMENTS ON THE TOWN'S WEBSITE, IT WILL BE NECESSARY FOR YOU TO FURNISH ME WITH BACKGROUND INFORMATION RELATED TO THE SUBJECT(S) YOU ARE PLACING ON THE AGENDA, INCLUDING BUT NOT LIMITED TO PROPOSED LEGISLATION, COMMUNICATIONS, ETC. IF YOU HAVE ANY QUESTIONS IN THIS REGARD, PLEASE CONTACT ME AT YOUR EARLIEST CONVENIENCE. I MUST ASK FOR YOUR COOPERATION IN SUPPLYING ME WITH THE DOCUMENTS BY THE THURSDAY DATE NOTED ABOVE, AS THIS CAN BE A TIME-CONSUMING TASK AND MUST BE ON THE WEBSITE PRIOR TO THE TOWN BOARD MEETING.

Thank you!

GWY:s