

# Village of Herkimer Planning Board

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## Meeting Notes

**Purpose:** Planning Board Site Plan Review Meeting  
MVCAA Daycare Facility; John Ave Site

**Date:** February 10, 2020

## Attendees

### Members:

**Attending:** Chairman Brion Carroll  
Members Adam Hutchinson (Vice Chairman - drafted minutes)  
Becky Cristman  
Chris Lotey  
Howard Quick

**Absent:** Village Board Liaison: Virendranath Dhaniram

**Non-Members:** See Meeting Sign-in Sheet below

## Discussion Notes:

1. The meeting was called to order at 7:00PM and the Pledge of Allegiance was recited.
2. Project Overview:
  - a. Jeremy Fennell of Delta Engineers, Architects, and Land Surveyors DPC and Richard Dowe, Executive Director of the Herkimer Housing Authority (HHA) provided an overview of the project. HHA purchased a plot of land in the village of Herkimer on John Ave. The plot was sub-divided into two lots. The northern lot is being developed for the construction of a Day Care Center to serve 53 children.
  - b. It was noted that all property abutters were provided with the Site Plan Review Packet and invited to attend the meeting. Only Richard Dowe (east boarder plot abutter) attended.
3. SEQR:
  - a. As required by NYS, as a condition of funding, a SEQR was conducted.
  - b. HHA does not have any detailed numbers for the traffic impact of utilizing John Ave as the access to the Day Care Center. It is expected that children will be dropped off and picked up during two main periods of the day, and any overall impact in traffic will be negligible.

- c. If any archeological artifacts are uncovered during Site Work, work will cease to minimize their disturbance. NYS will have someone onsite during construction.
4. Sub-Division:
  - a. The lot was sub-divided as a requirement of the project's funding. The southern portion of the sub-division will be developed at a later date.
  - b. The southern portion is planned to be developed into a multi-unit residential facility. The Day Care Center's parking lot will extend through both lots and eventually provide access to East Steele Street.
5. Misc. Discussion:
  - a. Herkimer Police Chief Michael Jory was present and express that there were no law enforcement concerns around the Day Care Center.
  - b. No illuminated signage will be included with the Site Development and all exterior lighting will be mounted to the exterior of the building and directed downward.
6. Planning Board Action:
  - a. **Motion** made by Chris Lotey, seconded by Howard Quick, with **all** in favor and none opposing or abstaining to **approve** the submitted Site Plan Review with the following **conditions**:
    - i. Zoning Board of Appeals review that current Zoning Classification for the Site supports a Day Care Center and issue a variance, if needed and/or not already done.
    - ii. Zoning Board of Appeals is a setback variance for the southern border of the property.
  - b. **Motion** carried.
7. Meeting was adjourned at 7:47PM

Follow-up Actions:

1. Ralph Franco addressed the open **conditions** by providing a Nov 30, 2018 signed letter to Richard Dowe confirming that the proposed plot use and proposed design/profile was unanimously approved (on Nov 29, 2018) by the Zoning Board of Appeals. (see scanned images below)

**Site Plan Review Meeting: MVCAA Daycare Facility    Delta Engineering**  
**February 10, 2020**



**Village of Herkimer Planning Board – Sign In Sheet**

NAME	ADDRESS	REASON FOR ATTENDING
Mike Jory	Herkimer Police Dept 120 Green St, Herkimer, NY 13350	Police Chief
Ralph Franco	Herkimer Police Dept 120 Green St, Herkimer, NY 13350	Codes Officer
Donna Thompson	Times Telegraph Utica, NY	Reporter – Cover meeting
Mark & Ann <del>Gaworecki</del>	107 East Street, Herkimer, NY 13350	Information
Jeremy Fennell Delta Engineering	4873 State Route 5 Vernon, NY 13473	Site Plan Review Presenter
Richard <del>Dowe</del>	Herkimer Housing Authority	Abutter; Preconstruction – Daycare - SRDI

Village of Herkimer  
Municipal Hall  
120 Green Street  
Herkimer, N.Y. 13350  
(315) 866-3303 • Fax (315) 717-0415  
Site of Historic Fort Dayton  
Settled 1725

November 30, 2018

Richard Dowe, Executive Director  
Herkimer Housing Authority  
315 N. Prospect Street  
Herkimer, NY 13350

Re: Eastern Gardens – 229 Harter Street site (parcel ID: 113.81-2-47) and John Avenue site (parcel ID: 120.26-3-42), Village of Herkimer, NY 13350

Dear Mr. Dowe:

I am pleased to provide this letter in connection with your application to NYS Homes and Community Renewal.

The Herkimer Housing Authority is proposing the rehabilitation of Eastern Gardens, an occupied 50-unit property located on Harter Street in the Village of Herkimer. The proposed project involves the rehabilitation/new construction of approximately 63 apartments across 9 buildings at the Harter Street site. Work scope will focus on extending the useful life of the property, increasing accessibility, and upgrading overall energy efficiency. The development also involves the construction of a new non-residential building on the above captioned John Avenue site for the purposes of housing a Daycare center. Schematic drawings for these development plans were submitted to the Village, and – after review by the Village staff and board – found acceptable. More specifically, on November 20<sup>th</sup>, 2018, the Village of Herkimer Zoning Board of Appeals issued the following approvals to allow development of the sites as proposed:

1. New Early Childhood Education/Daycare facility located on the site with associated driveway and drop off/loading zone on the John Avenue site.
2. Area variance for a new residential fifteen (15) unit apartment building which will be located within the 25' front yard setback requirement on the Harter Street site.
3. Variance for new parking that will result in one space to one apartment unit ratio at the Harter Street site.

With the above approvals in place, the site is currently zoned to permit construction as proposed. Excepting a building permit, no further local approvals are required to start construction.

Additionally:

- The subject parcel is not located in a flood plain
- There are no State nor Federally designated wetlands on-site
- Utilities such as public water, sewer, electricity, and gas are already located on-site

If there are any questions, I can be reached at (315) 866-3303 or via email at [codes@village.herkimer.ny.us](mailto:codes@village.herkimer.ny.us). We look forward to a successful project.

Sincerely,

*Ralph Franco*

\*This institution is an equal opportunity provider, and employer. To file a complaint of discrimination, write: USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W. Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).\*



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**VILLAGE OF HERKIMER ZONING BOARD OF APPEALS**  
**Village of Herkimer, New York**

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DECISION

RE: John Ave.  
The Herkimer Housing Authority

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The Herkimer Housing Authority is requesting an area variance for a new proposed residential twenty four (24) unit apartment building located on the site with an associated forty two (42) space parking lot.


The Herkimer Housing Authority is also seeking a variance for a New Early Childhood Education/Daycare facility located on the site with associated driveway and drop off/loading zone.

The project is located at John Ave.; parcel ID# 120.26-3-42

CONCLUSION: Approval was granted unanimously.

PRESENT: Steve Gay - yes  
Dan Orcutt - yes  
Richard Risi - yes

IT IS FUTHER DECREED,  
DETERMINED, AND DECIDED  
That the above-rendered Decision is a  
Decision of the Village of  
Herkimer Zoning Board of Appeals

  
Steve Gay, Deputy Chairman

Dated: November 29, 2018

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