

The Planning Board of the Town of Cicero held a meeting on **Monday, February 27, 2012** at **7:00 p.m.** in the Town Hall at 8236 Brewerton Road, Cicero, New York 13039.

Agenda:

- Pledge of Allegiance
- Approval of the minutes from the January 9, 2012 meeting (approved) (1.23.12 & 2.13.12 meetings were cancelled.)
- Site Plan, Proposed McDonald's, 7911 Brewerton Road (to return)
- Site Plan, Roland & Luanne Burke, 9200 Brewerton Road, Proposed expanded warehouse, auto sales and office (to return)
- Zone Change Recommendation, Tocco Villaggio, 5533 NYS Route 31, Multiple Residential to General Commercial (approval recommended to the Town Board)
- Zone Change Recommendation, Group One Development, LLC, Joseph's Landing – 3 Lots, (non-approval recommended to the Town Board)
- Informal Discussion: Lyons Runne

Board Members Present: Mark Marzullo (Chairman), Joe Ruscitto, Pat Honors, Chuck Abbey, Bob Smith and Sharon May

Others Present: Neil Germain (Esquire, Germain & Germain), Mark Parrish (P.E., O'Brien & Gere), Steve Procopio (Code Enforcement Officer), Jim Corl (Town Supervisor), Doug Wickman (Town Engineer), Jessica Zambrano (Town Board Member) and Tonia Mosley (Clerk)

Absent: Greg Card (PB Member)

The meeting opened with the Pledge of Allegiance. The Chairman noted fire exits and asked that cell phones be turned off.

APPROVAL OF THE MEETING MINUTES FROM JANUARY 9, 2012

Mr. Smith made a motion to approve the January 9, 2012 Planning Board meeting minutes.

Mrs. May seconded the motion. The motion was **approved** with the following vote:

Mr. Ruscitto:	Yes
Mr. Honors:	Abstain
Mr. Abbey:	Yes
Mr. Smith:	Yes
Mrs. May:	Yes
Mr. Marzullo:	Yes

**SITE PLAN, MCDONALD'S
7911 BREWERTON ROAD, PROPOSED RESTAURANT & DRIVE THRU
BOHLER ENGINEERING**

Chairman Marzullo announced that the New York State Department of Transportation (NYSDOT) had asked for a little more time to review the applicant's traffic study information. And so, McDonald's asked to be removed from tonight's agenda. The Chairman offered to call the State in an effort to obtain their findings by the next Planning Board meeting.

**SITE PLAN, ROLAND & LUANNE BURKE
9200 BREWERTON ROAD, PROPOSED EXPANDED WAREHOUSE, AUTO SALES AND OFFICE
IANUZI & ROMANS**

Representative: Hal Romans, Surveyor and Planner, Ianuzi & Romans

Mr. Romans introduced himself giving the Board a brief introduction to the project. He reminded the Board that this parcel is a part of the Mid-Country zone change application that changed the area to a General Commercial Plus zone. The business currently located on the site is a mail order packing business. Clients order packing supplies via the internet and Ms. Burke ships out those orders. Currently, she does not have any on site retail where a customer would walk in and buy supplies.

There is an existing curb cut onto Brewerton Road along with existing pavement and drainage. The back of the site is vacant and bisected by National Grid's deeded property.

We are doing a number of things. Off of the east side of the existing building we would like to do a 5,000 square foot warehouse addition. Next to the office would be a retail area of approximately 2,305 square feet for the current internet business and potentially some other small commercial retail use that might want to use that area in the future.

Opposite the existing building we show a proposed 1,500 square foot warehouse. The warehouse area would not be available for someone to rent. All warehouse areas would be used for storage.

Mr. Smith asked if the 1500 square foot building would be large enough to serve as a service facility for cars.

Mr. Romans responded it is, but it would not be used for that. Mr. Burke has his dealer's license. He would like to be able to sell cars here. The office area would include office space for one car sales employee.

Mrs. May asked about the number of cars that would be for sale.

Mr. Romans explained the site's parking plan. I calculated 13 spaces for the office area, 15 spaces for the retail area and 3 spaces for the warehouse area. I show a maximum of 43 spaces for car display. But to begin, Mr. Burke would have a lot less cars for sale.

Mrs. May asked if any detail work, tires or service work would be done on site.

Mr. Romans responded absolutely not.

Mr. Smith noted the existing warehouse and proposed warehouse stating it seems impractical to have all of this warehousing on one side and the proposed warehouse across the way. It will not be easy to move things between the two.

Mr. Romans noted the strip owned by National Grid, the site's topography and how the site drains. Ms. Burke wants to limit her work/expansion to this area. She does not want to get into putting a driveway through National Grid's area to get to her building. She feels that the 5,000 square foot addition and 1,500 square foot new building should be sufficient.

Mr. Smith asked if the Board's approval should include wording regarding the potential for a full service center.

Mr. Germain explained that the approval would be for the site plan as it is.

Mr. Romans offered to add a note to the site plan that states no car service shall be done on

site. He continued stating the intent would be to keep the existing pavement. I show the parking spaces and the re-stripped entrance way. The existing sign is currently located about nine feet off of the road boundary and will be re-located to the correct setback. Some of the parking area will be gravel. There might not ever be 43 cars for sale here. The gravel area also includes the delivery area. The distance from the proposed addition to the car display area is about 79 feet.

Mr. Smith noted the car display area should not be gravel.

More discussion occurred.

Mr. Marzullo asked about driveway cuts.

Mr. Romans noted a 22' drive lane. I do have the ability to take out a 10' spot.

Mr. Smith wondered about lighting changes.

Mr. Romans explained the site would use their existing lights plus two wall packs on the addition and one wall pack in the area above the over-head door of the 1,500 square foot new building. I am proposing shielded wall packs. There would not be any additional parking lot lighting.

Mr. Smith: Nothing on the display cars?

Mr. Romans: There are none proposed.

Mrs. May asked for clarification on signage.

Mr. Romans noted the current sign would have to be moved. I believe that it is a marquee type and will bring in those details along with information on the reader board. I will also bring in building pictures.

Mrs. May explained what was allowed for reader board signage.

Mr. Smith asked if there would be any elevation changes for the current building.

Mr. Romans responded no.

Mrs. May asked about dumpsters at this location. I don't see one here.

Mr. Romans: I will have to check. It is my understanding that Ms. Burke uses a part of the warehouse area for those needs.

Mrs. May: If they do have one it needs to be enclosed with a stockade fence.

The Chairman asked about the road cut and parking areas.

Mr. Romans gave details regarding paved areas, the potential for using posts and chains, striping, etc. He would review those details with the applicants for the next meeting.

Mr. Parrish noted that he would do a detailed review. He suggested sending the application to the County for their review.

Mr. Romans reviewed what was needed for the next meeting: a note for no repairs or detailing on the site plan, a picture of the sign, pictures of the buildings, check on the dumpster enclosure and define the entrance.

**ZONE CHANGE RECOMMENDATION TO THE TOWN BOARD
TOCCO VILLAGGIO, 5533 NYS ROUTE 31, MULTIPLE RESIDENTIAL TO GENERAL COMMERCIAL
CHA, INC.**

Representative: Amy Franco, CHA Inc.

Ms. Franco introduced herself.

Mr. Smith asked if there were a lot of changes from what was presented in the past.

Ms. Franco responded not really. We are here to do a zone change for a small 1.11 acre piece located between Legionnaire and NYS Route 31 that is currently zoned Multiple Residential (RM). The change would be to General Commercial (GC) zoning which is in line with the rest of the zoning along 31.

We are looking to extend Legionnaire. Right now we have these three apartment buildings with 36 units each. In the back would be townhouse style apartments with garages. This section was changed to PUD.

Mr. Smith made a motion to make a positive recommendation to the Town Board on the re-zoning as presented. **Mrs. May seconded the motion.** The motion was **approved** with the following vote:

Mr. Ruscitto:	Yes
Mr. Honors:	Yes
Mr. Abbey:	Yes
Mr. Smith:	Yes
Mrs. May:	Yes
Mr. Marzullo:	Yes

**ZONE CHANGE RECOMMENDATION, GROUP ONE DEVELOPMENT, LLC
JOSEPH'S LANDING 3 LOTS, NEIGHBORHOOD COMMERCIAL AND GENERAL COMMERCIAL
TO MULTIPLE RESIDENTIAL, IANUZI & ROMANS**

Representative: Hal Romans, Surveyor and Planner, Ianuzi & Romans

Mr. Romans introduced himself noting that the Joseph's Landing subdivision was located off of South Bay Road. The bulk of the residential houses are located in this area back here, Jane Lane. Originally, the subdivision was set-up with single family detached houses back here, this area would be Neighborhood Commercial (NC) and the area out front would be General Commercial (GC).

Mr. Smith asked if the site plan for Lot 28 was something that the Board approved last time. It currently has a commercial use?

Mr. Parrish responded yes.

Mr. Romans explained that the intent is to re-zone this portion here to Multiple Residential (RM) to allow two unit townhouses. We are talking about 7 units, 14 townhouses on approximately 3.88 acres. These townhouses would have access to Wayfarer Drive and these two would have access off of South Bay Road. I sent a copy of this to Terry Morgan at the Onondaga County Department of Transportation (OCDOT) for review. They were the ones who suggested this driveway configuration.

Commercial in this area has been relatively slow. Group One Development is hoping to gain a better use for this section by changing its zoning to RM.

Mr. Smith: When the developer came in previously, the combination of GC and NC was a good idea. It still is. I am remembering the approval process. We are being asked to make a recommendation to the Town Board. They have the final decision.

I do not believe it is good planning to put driveways out onto South Bay Road. In an area where everything is basically zoned commercial and/or has the potential to be, it is not good planning to have a residential area--especially for the Units 1-5 here.

The Town currently has situations where residential properties are stuck in the middle of commercial areas. People can't get mortgages and they can not sell their homes. From a planning perspective, that does not make sense.

It does not make much sense from a public safety perspective for traffic. Backing out onto South Bay Road can not be safe. This does not seem to correspond with this intersection which was designed for commercial use.

It does not make sense from the zoning perspective. You are going to have commercial properties and put residential properties back in place?

I don't see how this makes sense from planning, zoning or public safety perspectives.

Mr. Romans explained that the South Bay Road driveways would have turnarounds so that vehicles would never have to back out onto the Road.

Mr. Smith noted that South Bay Road has a lot of traffic.

Mr. Parrish was fairly certain that the subdivision was conditionally approved with all of the access points coming from Wayfarer Drive---with no access to South Bay.

Mr. Smith agreed adding there was also a discussion about sidewalks. I don't think that it is good planning for us to ignore the fact that this was a good commercial idea and that it still is a good idea. And it will be. There is so much residential development. There is a good chance that you are going to need commercial property.

Mrs. May noted her concerns for the proposed townhouses and their access points. At the time, we asked this developer to put in sidewalks but he refused.

Mr. Smith added we recognized the fact that these residential areas would need sidewalks for access to the commercial areas.

Mrs. May explained that this forces us to be concerned about where people would be forced to

walk. I would recommend that the developer be asked to put in sidewalks. This also feels like spot zoning to me.

Mr. Germain explained to the Board how almost any type of re-zoning could be considered spot zoning.

Mr. Parrish thought there were sidewalk provisions for the commercially zoned areas.

More discussion occurred.

Mr. Romans: I understand what the Board is saying. Perhaps we can modify the application. I know that RM zoning is typically used as a transition from single family locations to commercial locations. I will definitely take the Board's comments back to the developer.

Mr. Smith made a motion to make a recommendation to the Town Board from the Planning Board that the Town Board **turns down** Group One Development's the zone change request for 3 lots in Joseph's Landing as presented tonight. **Mrs. May seconded the motion.** The motion was **approved** with the following vote:

Mr. Ruscitto:	Yes
Mr. Honors:	Yes
Mr. Abbey:	Yes
Mr. Smith:	Yes
Mrs. May:	Yes
Mr. Marzullo:	Yes

Mr. Romans thanked the Board.

INFORMAL DISCUSSION: LYONS RUNNE

Representatives: Hal Romans, Surveyor and Planner, Ianuzi & Romans
Tom Woznica, Applicant

Mr. Romans introduced himself. If the Board remembers, when Lyons Runne was originally approved there were Sections 1, 2, and 3. We are asking tonight if we can split Section 2 into Sections 2A and 2B. Sales go at a certain pace. We feel that by splitting that section, we can sell them over a year to year and a half period.

There would be no need for a temporary turnaround. Section 2A would have Josette Junction Road and Angus Path put in so that the section goes back down to Jersey Path and then goes out to Cicero Center Road.

Mr. Romans showed the Board various details from each proposed section. The Board told the applicants to proceed.

Mr. Smith made a motion to adjourn. **Mrs. May seconded the motion.** The motion was **approved** unanimously.

IN AS MUCH AS THERE WAS NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 7:45 P.M.

Tonia Mosley, Clerk