

The Town of Cicero Planning Board held a meeting on **Monday, March 28, 2011 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 March 14, 2011 meeting (**approved**)
- Site Plan, Taste of Boardwalks, 7851 Brewerton Road, Proposed Food, Ice Cream & Retail Store (**to return**)

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

Others Present: Jim Corl (Town Councilman), Wayne Dean (Director of Planning & Development), Neal Germain (Esquire, Germain & Germain), Mark Parrish (P.E., O'Brien & Gere) and Tonia Mosley (Clerk)

The meeting was opened with the Pledge of Allegiance. Mr. Marzullo noted the three emergency exit locations and asked those present to turn off their cell phones. The Chairman also welcomed Councilman Jim Corl who was in the audience to the meeting.

**APPROVAL OF THE MARCH 14, 2011 PLANNING BOARD MINUTES**

**Mr. Marzullo made a motion** to accept the March 14, 2011 Planning Board minutes. **Mrs. May seconded the motion.** The motion was **approved** with the following vote:

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

**SITE PLAN, TASTE OF BOARDWALKS  
7851 BREWERTON ROAD, PROPOSED FOOD, ICE CREAM AND RETAIL STORE  
SCOTT MURRAY & GLEN ZINSZER**

Representatives: Glen Zinszer, Applicant  
Jerry Zausmer, Zausmer-Frisch

Mr. Zausmer introduced himself. The site is the old Hollywood Video store on U.S. Route 11. We have received questions from O'Brien & Gere and highlighted those changes in red.

Exterior renovations would include the exterior's finish, additional awnings, window changes and the re-pavement and re-striping of the parking lot. The interior work is basically mercantile with an assessor's use for ice cream service on the northern corner. This would be an improvement to the site. We are asking for permission to proceed.

Mrs. May asked about the proposed LED message center sign. What do you plan on putting on the sign and how often would it circulate?

Mr. Zausmer introduced Mr. Zinszer, the tenant, to the Board.

Mr. Zinszer noted he had done some research on signage. From what I understand we are going to keep it a single color so that it is not a distraction. The idea is to continually promote what we are trying to do at the facility. If I understand that the sign should have 15 second increments; nothing scrolling, nothing crazy, no neon colors. We wanted to go with a multi-color sign but if it is recommended by the Board that we do a single red, that is fine with us. We will abide by the rules of what you expect. The double-sided Taste of Boardwalk sign will be the same as the previous sign. I believe that it was internally lit. We will use it as it stands. All of the signage is set up to be less than 120 square feet. That includes the wording on each shop.

Mr. Parrish noted that should be clarified on the site plan for both the free standing sign and whatever is on the building. The architectural elevations should be dimensioned.

Mr. Zinszer described the types of foods to be served. The soft ice creams would be supplied by

Turkey Hill. It will be nice to have a year-round ice cream shop. The food truck has an east coast recreation/vacation theme. It is designed so that families can get high quality food for under \$30. You would be able to bring it with you. We have some benches on site plus some seating inside. Inside we would have wall murals from different boardwalks across the east coast along with some live feeds.

In the middle we would have a couple of retail store settings. We are working on getting Life Is Good. There would also be S.U. sports, different major league stuff, NBA gear etc.

There would be awnings on the food truck that tie it into the building. That cart is 8' x 28' and amazingly equipped. It would just be designated for the three or so good months that we have in the summer.

Mr. Zausmer described the building's colors as dark greens and browns. The entire building would be re-painted. There would not be signage on the sides.

Mr. Zinszer noted they would keep the existing maple trees on the site. We would fix the grass and add two more trees to each green area. We want to keep it simple. We are not changing any of the parking. We were able to work out a deal where the parking lot will be re-paved and re-stripped. We would keep the same number of parking spaces.

Mr. Abbey asked about the restaurant's seating capacity.

Mr. Zausmer noted the 640 square foot area would have a counter area with 6-8 stools, but the number of tables has not been determined. The site plan shows some benches outside near the ice cream side with some small tables outside on the north side of the building. That area would have a white vinyl picket fence.

Mr. Parrish asked for clarity on the number of tables inside the building.

Mr. Zausmer responded no more than eight.

Mr. Smith asked for the standards set for food cart seating.

Mr. Dean responded there is a seasonal food vender permit, but no set standards for seating. Venders don't come before this Board.

Mr. Parrish: I think vending is different from this.

Mr. Smith: It is out door dining. I think they are licensed through the County Health Department.

Mr. Parrish: It is, but this is part of their operation. I believe that seasonal food venders are licensed through the Town Board. I don't believe that they get site plan approval.

Mr. Dean: They get a permit from the County. They are reviewed by Joe and me to make sure there is enough parking and that they aren't creating any problems. If we feel that it is okay, the food vendor goes back to the Town Clerk for a permit.

Mr. Marzullo: Would this one require a permit?

Mr. Dean: No because it is part of the other operation and is undergoing site plan approval.

Mr. Marzullo asked the applicant to bring in a visual of the food cart the next time they come before the Board. Will it have signage on it?

Mr. Zinszer agreed. It will have signage on it, including our logo. The idea is to eventually bring the food cart to the N.Y.S. Fair. We will keep it within code.

Mr. Marzullo asked the Board's professionals if food cart signs need to be included in the site's signage calculations. They responded yes because it was a part of the site plan.

Mr. Smith: It is a part of the site plan but you do know, within this community, the dirty little secret is that when you worry about your LED sign and how it is going to look—there is at least two or three in this community that are not compliant. They are not going to be. We have no enforcement. We have to approve it according to the site plan, but the truth of the matter is that there is no enforcement.

(Mr. Smith continued.) I think that you have a great project here and that we should do everything we can to help you get it off the ground. A LED board makes sense for you. I hate to see someone come into this community who wants to spend the money and put people to work and give people jobs and try to take over a property and (me) stand here and try to cut down on what you are trying to do to your business.

I am just telling you that you've got to do it according to what we want for the site plan. But you should know that there is a ton of signs and that there is no enforcement. And if they come down and try to enforce it on you they better explain why they did not enforce it on any body else. You need your business to run.

More discussion occurred.

Mr. Card: What type of exterior lighting do you have?

Mr. Zausmer: The existing parking lot light stays. There are major wall packs on the building now that will be removed for the awnings. There will be standard lighting under those awnings to light the side walk. Lighting over the building's signs is directed back at the building. There is one wall pack on the north end and the south end.

Mr. Parrish: As far as the site's lighting goes I think that previously the majority of the parking lot was lit by lights on the building. The light pole shown on the north edge of the parking lot currently has a couple of flood lights on it that are directed down at a 45 degree angle. On the free standing sign in the middle of the parking lot there are a couple of other flood lights. One of them is pointed up in the air. Absent any other adjacent lighting perhaps from street lights, there is not a lot of lighting on the parking lot itself.

I don't know what your hours of operation are going to be or what you are anticipating relative to having your parking lot lit, but it won't be well lit unless there is lighting from either the adjacent roads or the lights from the free standing sign. You might want to take a look at that.

Mr. Zinszer agreed to take a look at that. If we can improve upon that we will.

Mr. Parrish: If you do decide to add more lighting be sure to add it to your site plan along with cut sheets, photometrics, etc. If you decide to remove the existing wall packs show that on the plan also.

Mr. Dean suggested reviewing lighting on the site before the parking lot was re-paved to save money.

Mr. Marzullo: Can you talk about the traffic flow and if there are any changes there?

Mr. Zinszer: There are none proposed.

Mr. Marzullo: Typically, how does that work?

Mr. Parrish: The drives along Brewerton Road are basically set up as right-in entrance only at the north end of the property and right-out exit only at the south end of the property. I believe there are do not enter signs on the site.

Mr. Marzullo: Because they are existing drives we don't have to deal with the State?

Mr. Dean: This has been submitted to the County. We will get their comments back I believe around April 6.

Mr. Parrish: They do have an entrance onto West Circle Drive which comes out to a signalized inner section to the left. If you do need to go north from the site you are able to do it there. If you are going north to the site you are able to enter the site from there as well.

I would also like to discuss sidewalks. Generally the policy has been for the Board to promote the installation of sidewalks along Brewerton Road. I think for consistency you should have some discussion about that. If you had a chance to look at my notes, my personal opinion is that it probably would not be advantageous to have sidewalks on the site at this point because there are some grade issues. And, if you want to continue sidewalks north, there is a creek. There are no opportunities for a side walk to continue past the creek until there is a major re-do of Route 11.

(Mr. Parrish continued.) Again, my personal opinion is that sidewalks are not warranted here. But for consistency it would be good to get your decision on record. If you decided sidewalks are not warranted you have a good basis for that decision.

Mr. Marzullo: Will there be a dumpster on site?

Mr. Zinszer: There will be a fully enclosed dumpster on the site. We are working with Syracuse haulers. I can get you that design once we get it. Per their recommendations, I think it would probably be two large 72 gallon wheel jobs. The location will be on the left side of the building.

Mr. Parrish: You will need to show that on the plan along with any screening.

Mr. Zinszer: We are working with Metro Fence to design the screening. The cans are scheduled to be picked up 2-3 times per week. We can do more if necessary.

Mr. Card: Are you concerned for the safety of your customers while they are standing in line for the food cart in the parking lot?

Mr. Zinszer: We took that into consideration. That is why we are adding the fence along the side. The trailer's ordering stations are towards the building away from the actual parking area, which is a different location from what we originally planned. We are trying to divert people away from vehicles.

Again, we are tying the cart into the building better with the awnings etc. Being right next to the building keeps people from straying. The trailer will be registered.

We are looking to open in June with approximately 25 employees. Some would be part time.

More discussion occurred.

**Mr. Marzullo 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 7:43 P.M.

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Tonia Mosley, Clerk