

The Planning Board of the Town of Cicero held a meeting on **Monday, May 13, 2013** at **7:00 p.m.** in the Town Hall at 8236 Brewerton Road, Cicero, New York 13039.

Agenda:

- Pledge of Allegiance
- Notes from the Chairman
- Approval of the Minutes from the April 22, 2013 Meeting (**approved**)
- Site Plan, General Electric, 7400 Round Pond Road, Proposed Stone Storage Lot (**approved**)
- Zone Change Recommendation, Kevin Atkins, Lakeshore Road, Tax Map # 082.-05-02.0 (**recommended to the Town Board**)

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

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

Absent: Mark Marzullo (Planning Board Member)

Chairman Smith opened the meeting by noting the three emergency exits in the room. He asked that all cell phones be silenced. Mr. Abbey led the Pledge of Allegiance.

#### **NOTES FROM THE CHAIRMAN**

Tocco Villaggio: Mr. Smith explained that the Town had received a letter from the County Waste Water Environmental Protection Department. They have determined that Tocco Villaggio has met the criterion for their sewer connections and are grandfathered in.

Interstate 81 Challenge: The final public input portion is May 21, 2013 from 3:30 until 8:30 in the Oncenter Ball Room. After that meeting the project will move from the Syracuse Metropolitan Transportation Authority's hands into the NYSDOT's hands. The NYSDOT has issued Requests for Proposals (RFP) for engineering. The State is projecting it will be a three year design process. NYSDOT will do the environmental issues, hold public hearings, etc. ---but the discussion is moving away from just conversation within the community. Possible action could be running a boulevard through Syracuse and moving that portion of I-81 to I-481. Through traffic would be diverted around the City. The project cost of this option is 500 million dollars. Another option is tunnels or below grade or re-building the viaducts. The project cost of that option is 1.9 billion dollars. If 481 is turned into 81 changes would need to be made to 81 in Cicero. It would behoove us to stay on top of what is happening. If you have some input it would be good to get it into the record. It was made very clear that the State has to do something.

Ms. Zambrano added: That whole road becomes obsolete, expires in 2017. After that it can no longer be certified as safe so they have to do something.

**APPROVAL OF THE MEETING MINUTES FROM APRIL 22, 2013**

**Mr. Abbey made a motion** to approve the Planning Board meeting minutes from April 22, 2013. **Mr. Honors seconded the motion.** Chairman Smith asked for a vote.

*Ayes: 4      Nays: 0      Abstained: 0      **Approved***

**SITE PLAN, GENERAL ELECTRIC, 7400 ROUND POND ROAD  
PROPOSED STONE STORAGE LOT, DEPENDABLE PAVING  
(SEE ATTACHMENT A: OBG LETTER DATED APRIL 16, 2013)**

Representative: Gary Prochna, Dependable Paving

Mr. Prochna: We have changed things per your engineer's recommendation.

Mr. Parrish: They are proposing a storage lot on the north side of the building for trailers and other things they currently have around the site. There is not an impact to drainage, lighting or those types of things. Unless the Board has any questions, I think that it is pretty straight forward.

Mr. Smith: Does the map include a notation about trailers not being stuck in the parking lot in the future.

Mr. Parrish: There is a note in the top right corner which states all trailers, containers etcetera will be removed. No storage will be permitted out side of the storage areas. They are not proposing any new lighting or signage.

Mr. Smith: And they were removing some pavement?

Mr. Prochna responded yes. We will also be leaving a lot of trees.

Mr. Parrish: Those trees will supply some screening. They are also fencing that area in.

There were no other questions from the Board or the Board's professionals.

**Mr. Ruscitto made a motion** regarding SEQR. He read: Be it further resolved that the Planning Board of

The Town of Cicero hereby determines that the proposed action will not have a significant effect on the environment and that this resolution shall constitute a negative declaration for the purposes of Article 8 of the Environmental Conservation Law of the State of New York. **Mr. Smith seconded the motion** and asked for a vote.

*Ayes: 4      Nays: 0      Abstained: 0      **Approved***

**Mr. Smith moved** for the adoption of a resolution approving the application of GE, 7400 Round Pond Road for site plan approval, said site plan being last revised April 9, 2013. This approval is contingent upon the applicant obtaining a building permit, if required, on or before September 9, 2013. Is a building permit required?

Mr. Procopio responded we are going to have him submit a building permit so that we can give him a certificate of compliance for his site.

**Mr. Honors seconded the motion** and the Chairman asked for a vote.

*Ayes: 4      Nays: 0      Abstained: 0      **Approved***

**ZONE CHANGE RECOMMENDATION  
KEVIN ATKINS, LAKESHORE ROAD, TAX MAP # 082.-05-02.0  
R-10 TO NEIGHBORHOOD COMMERCIAL (NC)**

Representatives: Michael J. McDermott, Attorney for Kevin Atkins  
Judy Boyke, Representative for Kevin Atkins

Chairman Smith explained that a zone change is the only thing that we make a recommendation on. They will be back for site plan approval if the zone change is approved by the Town Board.

As the Board remembers, this has been before us several times. The applicant has cleaned up a number of environmental issues on the site. The building was entirely reconstructed before we discovered that it was just over into the residential lot. I believe this is an attempt by the applicant to prepare for site plan review.

Mr. McDermott introduced himself and gave a brief history of the project. This corner was a gas station for many years. When that stopped operating it became very unsightly. A lot of environmental issues came up.

Kevin Atkins purchased the property in 2007 with the idea of trying to improve the appearance of the area by making this a functioning site again. He has spent a lot of money doing that. The location of

Cicero Center Road and Lakeshore Road changed over the years from repaving. The original gas station turned out to be very close to the current road line. One of the buildings and most of the parking lot were in the road line. Kevin decided to tear down the building and reconstruct a new one with the same historic appearance. He discovered an underground tank and corrected those issues with the Town and the DEC. As Mr. Smith stated, Kevin also discovered that the two lots that he purchased had different zoning designations.

The residential lot is needed to meet current zoning requirements. Without it the site is too small. Traditionally it was always used commercially.

We are looking to straighten out the remaining legal issues. The first is to change the zoning of the eastern most lot from R-10 to Neighborhood Commercial (NC). Secondly, the two lots would be joined together into one lot. The two lots were on one deed, but they have two descriptions. So, we are looking for the zone change, but that is in conjunction with a subdivision joining the two lots.

Mr. Smith noted the subdivision would be taken care of in the Zoning Office if the zoning is corrected.

Mr. Procopio and Mr. Germain agreed. Mr. Germain noted this would clean up the existing zone requirements.

Mr. Abbey asked for the clarification on entrances.

Mr. Smith noted that would be determined during site plan review.

**Mr. Ruscitto made a motion** regarding SEQR. He read: Be it further resolved that the Planning Board of the Town of Cicero hereby determines that the proposed action will not have a significant effect on the environment and that this resolution shall constitute a negative declaration for the purposes of Article 8 of the Environmental Conservation Law of the State of New York. **Chairman Smith seconded the motion** and asked for a vote.

*Ayes: 4      Nays: 0      Abstained: 0      Approved*

**Mr. Smith moved** for the adoption of a resolution recommending the application of Kevin Atkins for the proposed zone change of Lakeshore Road, tax map # 082.-05-02.0, from the current zoning of R-10 to Neighborhood Commercial to the Town Board. **Mr. Abbey seconded the motion.** Chairman Smith asked for a vote.

*Ayes: 4      Nays: 0      Abstained: 0      Approved*

**Mr. Ruscitto made a motion** to adjourn. **Mr. Abbey seconded the motion.** The motion was **approved** unanimously.

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IN AS MUCH AS THERE WAS NO FURTHER BUSINESS BEFORE THE BOARD THE MEETING WAS  
ADJOURNED AT 7:30 P.M.

Submitted by,  
Tonia Mosley, Planning Board Clerk

ATTACHMENT A: PAGE 1

April 16, 2013

**Planning Board**

Town of Cicero  
8236 Brewerton Road  
Cicero, New York 13039  
Attention: Robert Smith, Chairman

RE: GE Aeroderivative Storage Yard Site Plan Review

FILE: 0101/25439.451

Dear Board Members:

We have reviewed the following in regard to the above referenced project for compliance with Town Code requirements relative to Site Plans and effect on Town utilities and roads:

- 1) Topographic Map dated March 11, 2013
  - 2) Grading Plan dated March 29, 2013 revised April 9, 2013.
- Phillips & Associates Surveyors, P.C. prepared the above items.

The 4.5-acre site is located on the southeast corner of the intersection of Running Ridge and Round Pond Road in Beacon North. The site contains an office and storage facility along with associated parking, utilities, landscaping, lighting and other site improvements. It is proposed to construct a storage yard on the north side of the site. The site is zoned General Commercial Plus. Our comments are as follows:

- 1) The site is located within the Town South Sewer District. A 10-inch Town sanitary sewer located along Round Pond Road provides sewer service to the site. A note on the Plan states no changes are proposed to the sanitary sewer service.
- 2) Stormwater runoff from the site generally sheet drains to drainage facilities located along the adjacent roads. As less than 1-acre of land is to be disturbed a NYSDEC SPDES Permit for Stormwater Discharges from Construction Activities is not required for the project. The project includes the addition of 19,500 square feet of gravel storage area. Existing grades and drainage patterns are generally maintained by the project.
- 3) The site has frontage on Running Ridge and Round Pond Roads, which are Town highways. No significant modifications are proposed to the site access, circulation or parking. A note on the Plan states adequate parking is available on the site. A note on the Plan states all containers, trailers, etc. outside of the proposed storage area will be removed and no storage will be permitted outside of the proposed storage area.
- 4) The site is within the Taft Road Water District. A water main is located along Round Pond Road providing water service to the site. A note on the Plan states no changes are proposed to the water service to the site.
- 5) The Board should review the landscaping, lighting, signage and buffering with the Developer. The following are some comments regarding these and other miscellaneous issues:
  - a) A note on the Plan states no additional lighting or signage is proposed.
  - b) A wood fence is to be provided around the perimeter of the storage area and a note has been placed on the Plan indicating the trees and vegetation outside of the fenced area will be maintained.

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- 6) The site does not contain a State Wetland as identified on the New York State Freshwater Wetland Map or a Federal Wetland as identified on the National Wetland Inventory Map.
- 7) The site is not located within a 100-year floodplain as identified on the 1994 FEMA Flood Insurance Rate Maps.

Please do not hesitate to contact the undersigned if you have any questions or comments.

Very truly yours,

O'BRIEN & GERE ENGINEERS, INC.

A handwritten signature in black ink, appearing to read 'M C Parrish', written in a cursive style.

Mark C. Parrish, P.E.  
Managing Engineer