

The Town of Cicero Planning Board held a meeting on Wednesday, August 18, 2009 at 7:00 p.m. The meeting was held in the Town Hall at 8236 South Main Street, Cicero, New York 13039.

Agenda:

- Approval of the Planning Board minutes from August 5, 2009 (approved)
- Sign, Splash'N Dash, 7940 Brewerton Road (to return)
- Site Plan, Proposed Bank/Credit Union (Previously Germania Property Group/Pathfinder Bank), 6194 Route 31, Proposed bank and drive-thru window, CHA/Dunn & Sgromo Engineers (to return)
- Site Plan, Dr. Thomas Carroll, 9651 Brewerton Road, Proposed addition to existing building, L.J.R. Engineering P.C. (approved)
- Site Plan, Parks Storage, 8822 Brewerton Road, Proposed expanded self-storage, Ianuzi & Romans (to return)
- Site Plan, SEFCU, 8086 Brewerton Road, Proposed new branch office, Barton & Loguidice, P.C. (to return)

BOARD MEMBERS PRESENT: Patrick Leone (Chairman), William Purdy, Robert Smith, Sharon May, Jason Mott and Christopher Rowe

OTHERS PRESENT: Wayne Dean (Director of Planning & Development), Heather Cole (Esquire, Wladis Law Firm), Mark Parrish (P.E., O'Brien & Gere) and Tonia Mosley (Clerk)

BOARD MEMBERS ABSENT: Richard Cushman and Scott Harris (Ad-Hoc Member)

The meeting was opened with the Pledge of Allegiance.

The Chairman noted the locations of the three fire exits and that there were no formal public hearings tonight. He acknowledged the importance of public input encouraging audience participation regarding agenda items.

APPROVAL OF THE PLANNING BOARD MINUTES FROM AUGUST 5, 2009

Ms. Cole noted that the narrative from All Custom Log Cabins which described the site's operation should be added to the minutes. Mr. Smith made a motion to approve the August 5, 2009 Planning Board meeting minutes with the addition noted above. Mr. Mott seconded the motion. The motion was approved with the following vote:

Mr. Smith:	Yes
Mr. Rowe:	Yes
Mrs. May:	Yes
Mr. Mott:	Yes
Mr. Purdy:	Yes
Mr. Leone:	Yes

SIGN, SPLASH'N DASH, 7940 BREWERTON ROAD
I FOR IMAGES

Representatives: Ron Silver, I for Images
Doug Bell and Bill Burkinsher, Proposed Property Owners

The representatives introduced themselves noting that Mr. Bell and Mr. Burkinsher were in the process of buying the property. They have received authorization from the owner, Mr. Russo, to proceed with the sign permit.

Mr. Silver explained the proposal was to resurface the existing sign. The sign's image would change. We would like to go with an LED message center instead of the changeable copy portion. The changeable copy portion is old, unsightly and looses letters. The LED sign would be easier to change within the confines of the campus for price changes, etc.

Mr. Leone: What ever is there has existed for many years. We need to assure that the proposed sign is within the limits that regulations allow—one square foot per linear foot of building frontage. I assume that the building's frontage which faces Route 11. Are there any other signs on the building?

Mr. Silver noted signs throughout the campus.

Mr. Leone: We would need to know the total square footage of signage on the building plus these two signs. You can only count one face. We would also need to know if the sign would be lit internally, or face out to make sure that there is no glare to the road. The Board requires certain details for the reader board. It should not change more than every 15 seconds. There should not be any flashing or scrolling to distract drivers.

Mr. Smith asked about the stone at the base of the sign.

Mr. Silver noted that the masonry would be painted. The top sign would have the same square footage as exists now. We are just changing the face material on that one.

Mr. Leone: You have 64 sq. ft. on top and 25 on the bottom. If the building's frontage is 30' wide, you are three times the amount required by code. That might have been approved by a previous site plan or variance. If it is grandfathered that is fine. We still need to know the entire square footage of sign for the site.

Mr. Mott asked if there was an existing variance.

Mr. Dean noted that he would check the records. He stated that although the building was 98' long, the frontage would still be considered the portion that faces Route 11.

Mr. Leone: If there was not variance or site plan approval, you need to work toward going to the ZBA. Otherwise I think that you are here to see if this Board will allow your reader board.

Mr. Smith: There is another reader board right up the street at Northside Collision. I don't see a problem with it.

Mr. Parrish: I want to point out the difference between the proposed reader board and other reader boards in the area. This is a full color LED digital display unit. It is more similar to the reader board at Barone's. It is not the red light LED type that was just referenced at Northside Collision. It is essentially a video screen.

Mr. Bell explained the purpose is to display a message. We do not want to have graphics or bouncing things.

Mr. Silver added any flashing or scrolling would not be allowed. That is easily controllable.

Mr. Leone asked if the applicant could use something less flashy.

Mr. Bell: I think it has a lot to do with how it is controlled. The sign comes with a lot of different functions. Basically, we just want to get a message across. It would be a little nicer than a red LED.

Mr. Silver added it would not be a Vegas act.

Mr. Smith: That is good for you but what about the next owner?

Mr. Bell: Our question was if we stay within the guidelines—the message can not be changed until after 15 seconds, there isn't any moving or flashing---basically what we want is something a little bit nicer than the red LED. I would describe it as more colorful, more descriptive than the red LED. It would have lettering and colored text.

Mr. Smith: You are not talking about a big splash of water coming out?

Mr. Bell: We are not talking about bouncing balls, etc.

Mr. Smith: Wayne, how difficult would it be if the Board restricted this to text only?

Mr. Dean responded I don't have a problem with pictures. I can't see spending the money on the functionality if you can't use it.

Mr. Silver: There is another car wash just up the road. We would love to give the competition a run for their money. We have no affiliation with Northside Collision. We would love for them to wash their cars there, but we are not going to be performing any detailing or service for them.

Mr. Smith asked about the colors on the posts.

Mr. Silver: The pictures are close to the color. This is a little brighter than what the color really is. It is really beige.

Mr. Bell: We would like to keep it more earth tones to blend in with the Plaza.

Mr. Smith: If we could come to an agreement with the flashy sign, maybe we could keep the stone looking nice, blending it in with the surrounding buildings.

Mr. Bell: We are more than agreeable to do that.

Mr. Leone: Let's try to find out the rest of the information needed for approval. You can expect the 15 second limit to be enforced. We do not want to see any sandwich boards out front.

Mr. Silver: That is the beauty of the reader. You will not need to put all of that nonsense up front.

SITE PLAN, PROPOSED BANK/CREDIT UNION
(PREVIOUSLY GERMANIA PROPERTY GROUP/PATHFINDER BANK)
6194 ROUTE 31, PROPOSED BANK AND DRIVE THROUGH WINDOW
CHA/DUNN & SGROMO ENGINEERS

Representative: Amy Franco, Clough Harbour Companies

Mrs. Franco introduced herself as the representative for the Hart Lyman Companies. As mentioned, this was originally proposed to be a Pathfinder Bank but at this time we are just proposing it as a pad site for a bank/credit union. The proposed building is 3,914 sq. ft. It would have 23 parking spaces, two handicaps. There would be drive-thru canopies in the back. We have addressed your engineer's last set of comments.

Mr. Leone: So the bank/credit union would have the same pad as originally proposed, building shape,

etc?

Mrs. Franco responded yes.

Mr. Leone: Did site visits take place by the engineer, zoning officer, applicant, etc?

Mr. Parrish noted that he had gone out to the site. Wayne has also gone out independently. I have satisfied myself with what is happening with drainage. I have attempted to convey those comments to the developer and their consultants. I do have a drainage report here that I have not had an opportunity to review yet that I think addresses those comments. If it does not we will have to continue to refine the storm water plan. I think that we have a good handle on what is happening with the storm water. But, I have not had a chance to review these plans to make sure that everything is okay.

Mr. Leone: A traffic count or study was provided originally. I am assuming that still accurate.

Mr. Parrish: I don't think that anything has changed.

Mrs. Franco agreed it was the same.

Mrs. May: Has the drive-thru in the back changed?

Mrs. Franco did not believe so.

Mrs. May: Do you have a prospective tenant for this pad?

Mrs. Franco responded not at this time.

Mr. Leone asked if the lighting situation was addressed with the drive-thru. We addressed fencing.

Mrs. Franco: Yes that was included in the comments.

Mr. Smith asked about the façade and architectural details. We had already reviewed Pathfinder's. Will you be changing materials?

Mrs. Franco: I think once they know who the tenant will be, they will return to the Planning Board with elevations to make sure that they are inline with what the Board is thinking. But, it will probably be along the same lines.

Mr. Leone: I think that they would like to get some kind of approval for the bank/credit union on the pad and then they would deal with the rest of the details. It is not quite the same as approving a normal site plan. It would say that we agree with the use, the things that are laid out, some landscaping, signage, etc.

Mr. Smith: As long as they come back in to give us an opportunity to review it.

Mr. Leone: I think that we were about done the last time. We were not satisfied with a couple of details like drive-thru lighting. We were told the higher lighting levels were not actual lighting standards. We had the fencing issue along the south side of the property where the storm water pond is located. There was a question with the garage toward the sheet metal place. I thought that we addressed all of those issues.

Mr. Smith: What was the disposition with the shared driveways? Did that work out?

Mr. Leone: Because of the whole Bernie Madoff thing, the sheet metal people could not move forward. I think that this Board and the DOT was adamant about getting a shared driveway.

Mrs. Franco: Cross access—yes. And then it lines up across the street.

Mr. Leone: I believe that is still valid.

Mrs. Franco agreed. We show that on the plan.

Mr. Leone: I was told this group had an offer in for a piece of property that leads to the site from Thompson Road. This Board has been fairly adamant stating we did not want access from Thompson Road to this property. As of a month ago, I thought that option was still in place.

Mrs. Franco: I am not aware of that, but I can always make sure.

Mr. Dean: The building would have to come back before the Planning Board.

Mr. Leone: Absolutely.

Mr. Mott: And Mark needs time to go through the drainage report.

Mr. Smith: Does the applicant agree with that?

Mrs. Franco: Yes, I think that you would have to anyway. I expect it.

Ms. Cole: Can you get me the cross access easement, what ever it is going to be used for?

Mrs. Franco agreed. So are we just waiting for Mark's comments for the next meeting?

Mr. Leone: I would say so. I want to make sure that we do what ever we can to address the storm water issues out there. Then we will deal with your signage, lighting, etc.

Mrs. Franco: Right. We will include as much as we know.

SITE PLAN, DR. THOMAS CARROLL
9651 BREWERTON ROAD, PROPOSED ADDITION
L.J.R. ENGINEERING P.C.
(SEE ATTACHMENT A: OBG LETTER DATED AUGUST 17, 2009)

Representatives: Alex Wisniewski, P.E., L.J.R. Engineering, P.C.

B. Dean Johnson, Architect

Dr. Thomas Carroll, Applicant

Mr. Wisniewski noted all of the site architectural issues were resolved. The Board did request one change—to extend a sidewalk along the Guy Young Road frontage from the intersection of Route 11 back to the proposed access drive. Dr. Carroll is agreeable to that. We show that modification on this latest plan.

Mr. Smith: That sidewalk was requested by the Onondaga County Planning Board.

Mr. Wisniewski: It was referred to and was discussed with this Board. We assessed the need to approach the ZBA for variances related to the setback requirement differential between the current Town Code and the Brewerton Form Based Code. Those variances were obtained in July.

Ms. Cole noted that the Brewerton Form Based Code went into effect at the end of last month.

Mr. Smith: In reading the Town Board's minutes, I understand there was some concern on Dr. Carroll's part that this Board was treating him unfairly by requiring a front entrance. The Town Supervisor had apparently agreed with that. You do understand that the Town Board's regulation that they put in place

requires a front entrance? This Board is charged with enforcing those regulations. The Chairman of this Board did not put those regulations in place. I just wanted to make sure that the applicant understood that before he took our Board and our Chairman to task for enforcing regulations that were not ours. I would just like to know that you are aware of that regulation.

Dr. Carroll: (response not audible)

Mr. Smith: Thank you very much.

Mr. Wisniewski: Thank you

Mr. Leone: The original building is changed a little bit but the front entrance's appearance is still there? It still addresses that issue?

Mr. Wisniewski: Not to speak for Tom, but I think that his main issue was from an operational point and how that front entrance impacted his layout. He and Mr. Johnson worked together to come up with a new floor plan that would be mutually agreeable. I think this latest revision reflects that.

With that said we ask that you would consider site plan approval.

Mr. Leone: I do think that it addresses the issues very well. I have no problem with the design. I think that it balances without from the visual to the road.

Mr. Smith: Heather, I understand that the building is not completely in compliance, but it is within our latitude to accept it, correct?

Ms. Cole: Yes. For the record I would like to make sure that is clear. The new regulations do allow the Planning Board to grant site plan approval for the construction, re-construction, enlargement, extension, moving and/or structural alteration of buildings and structures on the lot having existing site development which fails to conform to the standards of the Code. If certain criteria are met, there are four of them and I think that this property in this project meets all four, and if you are going to approve the project tonight, I would ask that you consider doing so under that particular provision of the new Form Based Code which is Section 10.5. Technically, this property is not going to have two stories which I believe is required. But, I think that the Planning Board and the applicant have worked together to find a middle ground on that issue.

Because this is the first time that we are dealing with the Form Based Code and applying it to a particular project, we should be clear that if there happened to be any non-conformities with this

project, we are accepting them as is. We might not realize what they are yet because this is the first time we are dealing with the Code.

Mr. Leone: The point I am trying to make is you are better off working under the new Code for what you have designed now.

Mr. Smith: Is the clock tower internally lit?

Mr. Johnson: The tower itself is not. Just the clock face is lit.

Dr. Carroll: I have not settled on the company that will provide the clock yet, so I can't answer that question right now. I believe the clock I am looking at is not back lit.

Mr. Smith: I do not have a problem with lighting it up, unless it is with flood lights. I wondered what your choice was. It would be a great way to identify your location. If you want lighting now would be the time to ask for it.

Mrs. May felt back lit would be nice.

Ms. Cole suggested at this time maybe if the applicant wanted to, he could come back to Wayne for approval of that. That is assuming that it is minimal and within the parameters of the Form Based Code.

The Board agreed feeling that it was a great project that would look nice lit.

Mr. Parrish: I hope that the Board had a chance to review the letter I sent to Pat. Does anyone have any questions?

Ms. Cole noted that the Town Board would have to deal with the abandonment of the easement on the site. If you would like to have your attorney call my office, I can explain how that is done.

Mrs. May made a motion regarding SEQR. She 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. Mott seconded the motion. The motion was approved with the following vote:

Mr. Smith:	Yes
Mr. Rowe:	Yes
Mrs. May:	Yes

Mr. Mott: Yes
Mr. Purdy: Yes
Mr. Leone: Yes

Mr. Leone made a motion to approve the site plan as presented tonight for 9651 Brewerton Road with a revision date of August 10, 2009 in compliance with the Form Based Code Section 10.5 (page 47) Subsection A with the contingency that site plan approval requires the removal of a lot line from the two tax parcels combining them into one. If the clock tower is going to be lit it must be approved by the Zoning Office. Mrs. May seconded the motion. The motion was approved with the following vote:

Mr. Smith: Yes
Mr. Rowe: Yes
Mrs. May: Yes
Mr. Mott: Yes
Mr. Purdy: Yes
Mr. Leone: Yes

SITE PLAN, PARKS STORAGE, 8822 ROUTE 11 LLC
8822 BREWERTON ROAD, PROPOSED EXPANDED SELF STORAGE
IANUZI & ROMANS
(SEE ATTACHMENT B: OBG LETTER DATED AUGUST 17, 2009)

Representatives: Art Helmbold, Ianuzi & Romans
Richard Parks, Applicant

Mr. Leone noted the giant strides made on this application. How far have you gotten on addressing the engineer's concerns?

Mr. Helmbold: The first concern was the layout of the parking for emergency access to the buildings, the paved perimeter. The Fire Department had some concerns. They wanted to widen the access between the climate controlled building and the rectangular buildings. We have addressed that and have received an email from Richard Carvel. He felt the access was adequate.

The Town's engineer wanted to know the number of parking spaces. We have delineated that in the notes. There are seven parking spaces with one for an employee.

Mr. Parrish: The seven parking spaces are delineated prior to the gate used to enter into the rear of the site. That space is empty and can be utilized for the office or the storage area. It seems reasonable.

There are other spaces on the site beyond the gate where customers are more likely to park to get into their storage units.

Mr. Smith asked if the spaces would be filled with rentable U-Hauls.

Mr. Parks responded these are customer spaces. I am not in the rental truck business. We are tearing down the house that is in the front.

There was more discussion on the number and location of the parking spaces.

Mrs. May: Are you going to be doing any shipping out of this facility? Some storage facilities have a place where customers ship things in the front.

Mr. Parks responded no. We are not doing any shipping with UPS or FEDEX.

Mr. Leone noted the updated plan was presented at this meeting. He asked Mr. Parrish if he had time to review it.

Mr. Parrish: The majority of the comments are minor. It looks like they have addressed most of them.

Mr. Helmbold offered to review those responses. Number 2 has to do with storm water management. Sheets 3 and 4 were done by an engineering firm. Mark would need to get together with them to address those comments. If necessary, we would ask for site plan approval based upon that contingency.

Mr. Parrish: Again, there is nothing here that can not be fairly easily addressed, so let's continue.

Mr. Helmbold: For question #3 I have copies of the wall packs if you would like to see what they would be. I also have copies of the elevations and colors.

Mr. Parrish asked for the wattage on the wall packs.

Mr. Helmbold: Probably the 60 watt.

Mr. Parks added they would be identical to the ones we already have up there in height, structure and color. The front building will be the same color scheme and design, but the front would be dressed up with windows, etc.

Mr. Leone noted the Board would need the architectural features of that building.

Mr. Parks asked if that was a minor issue that could be approved with a contingency.

Mr. Leone responded I don't think that is a minor issue. I don't think that the storm water issues are a minor issue. The engineer needs a little more time to deal with that.

Mr. Parks: The storm water was already done. The concerns of the Fire Department were recently done when the curb work was done.

Mr. Parrish: We gave other comments that have not been addressed. I submitted the comments to them last Tuesday or Wednesday in a separate note.

Mr. Mott: I have seen a cut sheet on this wall pack. I would like to find out which one you have. You have cut sheets here that run from a 50 watt metal high light to a 150 high pressure sodium. Those are clearly day and night in intensity. I would like to know the wattage.

Mr. Helmbold: You want the wattage written on the site plan? We will probably use 70 watt. There is one on each building's face.

Mr. Parks added the ones we have now are staggered.

More discussion occurred.

Mr. Leone: The sign does not have the 20' setback.

Mr. Parks presented the Board with the sign permit he had obtained two years ago for the sign. We rebuilt the sign, placing it higher in the air because it was not in compliance.

Mr. Leone: This is a new site plan. Your sign is a part of the site plan. According to Code it needs to be moved.

Mr. Dean agreed.

Mr. Parks questioned how far the sign was off.

Mr. Parrish: It looks like it is about 8-9' from the setback. I am assuming that it is shown at the proper location on the site plan. This is off the right-of-way line. It needs to be 20'.

Mr. Parks: I don't know how it can be that far off with a permit.

Mr. Helmbold noted the sign location was shown correctly on the site plan.

Ms. Cole: I think that the Chairman is saying we don't know why or how the sign was allowed to be placed where it is, whether it was properly done or not. But at this point because you are looking for site plan approval, everything on your site needs to come up to code. If the sign is not consistent with the Code as it reads now, it needs to be. Otherwise this Board can not approve it. The only other way to get approval would be to get a variance to have the sign closer to the right-of-way than the Code allows.

Mr. Parks: I understand that. But I am also saying two years ago I was misled. I have a sign permit here that says it was approved, within compliance. I came up here to make sure that it was done properly.

More discussion occurred.

Mr. Parks: No more variances. I will change the sign on the site plan.

Mr. Parrish: Will this property have water and sewer services?

Mr. Parks: There is water service to the existing building. They will need a toilet and sink. The septic system is already approved.

Mr. Parrish: The County recommends getting approval for the use of the existing septic system. That could be a condition of approval, but it does need to get done. We commented that the laterals and septic tank location should be shown on the plan along with the water service location. I do not think that those have been added to the plan.

I do not believe that there are any wetlands. All of the issues from #8 appear to have been addressed.

Mr. Leone: There are some outstanding issues that need to be addressed. I don't think that there is problem with the use. You have addressed all of the turning radii for the Fire Department. Your lighting plan and sign need some adjustments. Storm water issues need to be addressed. You also need to bring in architectural drawings for all of the buildings, certainly that first building.

Mr. Dean asked how people load/unload their trucks from the first building.

Mr. Parks: Because it is climate controlled there will not be large overhead doors on the outside. The doors are all inside. You go into a hallway where individual units are located off said hall way. It could hold 10-15 storage units, but we have not laid that out yet.

Mr. Leone questioned the number of parking spaces that would be needed.

Mr. Parrish gave suggestions on how the parking could be increased. It looks like they can re-configure the spaces a little for more parking.

SITE PLAN, SEFCU, 8086 BREWERTON ROAD
PROPOSED NEW BRANCH OFFICE
BARTON & LOGUIDICE, P.C.

Representatives: Chuck White, Barton & Loguidice, P.C.

Dan Clune, Director of Branch Operations Albany Office, SEFCU

Dan Keleher, Regional Director of Branch Administration, SEFCU

Pat Donegan, Rocklyn

Mr. White noted that since the last meeting we have gone back and forth with the engineer. We do have a few revisions to the July 20th submission not yet seen by the Town's engineer. At the request of the Board we have reduced the amount of parking. We are now down to 30 spaces. We have chosen not to pursue the right-in turn from Route 11. That has improved our internal circulation, minimizing some of the potential for traffic conflicts the Board commented on.

Mr. Leone asked why.

Mr. White: We looked at the reduction in parking and the conflicts created by the right-in driveway. We decided the benefit gained was not worth continuing. The benefit gained by the newer circulation pattern made up for that. We have excellent access from the internal road to the north and south.

We have addressed the side walk ramp as well as picking up the crossing traffic from the north as requested. We also have changes to the site's signage. The proposed monument sign at the rear driveway access has been removed. A third sign would be placed on the rear of the building instead. The last meeting confirmed that we were allowed to include the width of the canopy towards our sign calculation. We are proposing 74 square feet. The current width fronting Route 11 is 75 linear feet putting us within your requirements.

Mr. Leone asked about directional signs at the entrance.

Mr. White responded not currently. At this time it would only be an entrance for SEFCU. The sign on the rear of the building should be highly visible.

Mr. Leone asked about lighting along that service road.

Mr. White noted there is some lighting along the service road. We did take photometric readings of the existing conditions. The existing light measurements at the ground are extremely low. There is little or no spill onto the existing site. We walked the perimeter fence along the exterior taking readings. We will be lighting the service road entrance along here.

We focused our parking closer to the entrance of the building for SEFCU customers.

Mr. Leone: Could you remind us of what is going on with the land that you are giving away?

Mr. White: One effort that needs to be completed is the re-subdivision. The proposal has not changed. (Mr. White showed the Board the areas to be re-subdivided.) There is a land swap proposed that would acquire this triangle in trade for the lands necessary for the widening of the turning lane from Route 11 as well as widening of another lane to accommodate that right-turn lane into the site for the future.

On this north side the Town has requested an easement that would allow the future side walk up the north side of the property. That easement would be 5' wide. That would ultimately be confirmed with the subdivision of the property, to be done by Rocklyn. Per Mr. Dean that would be an administrative subdivision.

Mr. Leone: Are you planning on building the sidewalk?

Mr. White: Not at this time.

Mr. Leone: What if the developer does not put the sidewalk in? How do we get the sidewalk?

Mr. Donegan: When the future site plan is approved.

Mr. Smith: We can not require a developer to come onto your property to put a side walk in.

Mr. Dean: Even if you got an easement?

Mr. White: At the last meeting the discussion I recall was that the Planning Board would be happy to at

least have an easement in place to allow the construction of that in the future. The intent is to provide that easement for the purpose of sidewalk construction should the additional space be needed beyond what would actually be the right-of-way of the SEAYCO owned property to the north.

Mr. Leone: I believe the sidewalk would be needed.

Mr. Smith: We required it at Widewaters.

Mr. Leone: I am not telling you who should build the sidewalk right now. I do not want to get into a situation where this Board has a problem because we didn't get that sidewalk built by the other developer. We need a contingency.

Mr. Smith asked for the attorney's advice. We want the sidewalk built. If they give an easement on their parcel can we force SEAYCO to put a sidewalk on their property? It is not site plan approval because it is a different parcel.

Mr. Leone: Do we have a design of that entrance that we might have already approved under site plan?

Mr. Smith: Have we had any communications from the State? I still believe that the State would allow that south entrance with the idea that as soon as the land was available, this had to be built. SEAYCO agreed to that.

Mr. Dean: I have a letter prepared to the State which asks that question. It also asks for their understanding of when that would be.

Mr. Leone: I think that is what the minutes suggest, but there has been some contention about whether or not that was correct.

Mr. White: We have been actively coordinating with the State. They have indicated no intention of having this project construct that.

Mr. Leone agreed. It is not this Board's intention to have you construct the roads as a part of this project. I am concerned that this Board can not get a better answer regarding the sidewalk for the road. We heartedly agree that SEAYCO, the developer of the site, is required to put in the road.

Ms. Cole: My suggestion is that you require the sidewalk as a part of the site plan and that you require that the sidewalk be constructed at such a time as the road is constructed. Then you would leave it between this property owner and SEAYCO to determine who is going to put it in. You would leave who

does it and what it costs up to them.

Mr. Smith: Why wouldn't we install the sidewalk now?

Ms. Cole: Perhaps we are not sure exactly how that road construction is going to be. We need to know the details on that and whether that is exactly the right location. We want to be clear. An easement is a transfer of ownership rights to a particular piece of property. I am not sure if this property owner is going to actually grant an easement to SEAYCO for the sidewalk or whether we are just reserving space where a sidewalk is going to be constructed in the future.

Mr. Leone: How are we going to get from the property line further to the east since it is no longer their property? They are giving us an easement to get to that property line. We have to continue that sidewalk.

Mr. Donegan: The rule of thumb is to have sidewalks on public roads. That would be a public road. You would saddle us with their sidewalk.

Mr. Leone: The issue is public safety.

More discussion occurred.

Ms. Cole: Are they giving an easement or are they reserving space for a sidewalk on the site plan? That is two different things. If that is what you are going to do, you are going to transfer interest to SEAYCO that might be a different set of facts and circumstances. I would like to see in any easement agreement that is recorded is language stating that when that road is built that SEAYCO is going to be responsible for constructing the sidewalk.

Board members agreed.

Ms. Cole: I am suggesting this. That is not to say that SEAYCO will agree, which is a whole other can of worms so to speak.

Mr. Smith: They have other site plans coming.

Ms. Cole: But now is the time that we have to deal with it.

More discussion occurred.

Mr. Leone: We want you to come up with a condition for that. One way or other a sidewalk is going to be built. That will be a part of your site plan approval. You have to tell us how you want to handle that.

Mr. Donagan: It is unfair to burden a .96 acre parcel with a 45+ acre parcel's sidewalk responsibility.

Mr. Leone: It is what is on our plate now. We have a Planning Board that wants a sidewalk in.

Mr. Smith: It is a part of SEQR.

More discussion occurred.

Mr. Leone: I want to know if there has been a previous site plan approved for that entrance. If there is not we have a chance to give some approval as to how that entrance will layout.

Mr. White: That entrance as constructed was approved by this Board and the State. It was already approved.

Mr. Smith: That site was approved to allow a development. The driveway was not approved because it was a good working plan. It was a temporary fix because the people who are selling the land now—there was no way to get it properly built. So there was an accommodation made. You are acting like it is a great entrance and like it is the way that it should be. Everyone here knows that it was not. Now we are stuck with it.

Now you are coming in. The property is for sale. The property is available. The intent always was that we would get an entrance that was working properly when the land became available. It is available now.

We have compromised. This Town has compromised. The DOT has compromised. You are asking us to compromise again. I think we have given enough. The traffic pattern there is horrible. The Chairman is right. We should see if there is a site plan for that entrance. That is our obligation. It is our duty to ensure that these things work. It does not work.

Mr. White: I understand your request. We are actively coordinating with the DOT per SOCPA's recommendation. We would expect that any site plan approval would be contingent upon DOT approval for both drainage and traffic concepts for this site.

Mr. Parrish: Does the Board want to see that the minimum traffic approval prior to approving the site plan or are you willing to give the condition that they get the approval from the DOT?

Mr. Leone: We want a letter or something. It is probably under SOCPA's requirements.

Mr. White: We would certainly provide a letter as soon as that department gives it to us. We would forward it right on to you if it is not already copied to the Town.

Mr. Leone: Mark's question was does that letter need to be in hand.

Mr. White: Could that be a condition of approval?

Mr. Leone: I think at this point we are going to want to see that it has been taken care of for both traffic and drainage, that they accept both the traffic and drainage plans.

Mr. White: We have provided an updated application with drainage notes.

Mr. Parrish: We will look that over.

Mr. White: I will note that our discussion with the DOT was supportive of our methods for looking at traffic. They have given us a verbal yea on this. I expect a letter as a formality.

For turning templates, we acknowledge that the site is tight and subject to congestion. The template provided by the Town does have the Fire Truck front end crossing the stall lines on a few of the parking spaces. We have had a verbal discussion with the Fire Chief. He noted they would not actually access the site to fight fires. They would fight fires from Route 11 a distance of 100 or so feet beyond.

Mr. Leone: That does not surprise me. I would suggest getting that in writing.

Mr. White: We have had meetings with Dave Pengara. I expect to have a sign-off letter this week. There is a note added to the utility plan that will require that sanitary manhole to be raised to finished grade. We have revised the site's lighting significantly in an effort to lower the light readings. There is a new photometric plan that has been submitted, new as of today. The light levels in the range of the ATMs are within the 5' range of 10.9 to 42.6. Again, that is measured 5' off the ground. The readings under the canopy are in the mid twenties. The overall light levels for site parking area were in a 1-8 foot candle range. The average is approximately 3.7.

The bright areas are immediately adjacent to the ATM and/or immediately beneath the canopy.

More discussion occurred. The Board felt those levels were high.

Mr. Hanson, an audience member, asked about keeping certain trees on the property.

Mr. White: Is it within the fenced area?

Mr. Hanson replied yes.

Mr. White: That is very likely to be removed. We have a curb line and paved drive lanes in that area with drainage systems as well. Those would interfere with that tree remaining. To support the site plan there is a significant amount of drainage that will be installed above and beyond what is there today. I am fairly sure that tree is encumbered.

Mr. Leone asked Mr. Donegan to see what he could do about the sidewalk.

Mr. Donegan agreed to try.

Mrs. May made a motion to adjourn. Mr. Smith 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 9:17 P.M.

Dated: August 29, 2009

Tonia Mosley, Clerk



August 17, 2009

Planning Board
Town of Cicero
P.O. Box 1517
Cicero, New York 13039-1517

Attn: Patrick Leone, Chairman

Re: Dr. Thomas Carroll Family Dentistry
Building Addition Site Plan Review

File: 0101.25439.339

Dear Board Members:

We have reviewed the following materials 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. Existing Conditions & Demolition Plan dated March 30, 2009 revised August 10, 2009
2. Layout & Landscaping Plan dated March 30, 2009 revised August 10, 2009
3. Grading & Utility Plan dated March 30, 2009 revised August 10, 2009
4. Site Lighting dated February 9, 2009
5. Signage Lighting dated March 25, 2009

L.J.R. Engineering, P.C. prepared items 1 to 3, Gardco Lighting prepared item 4 and Day-Brite Group prepared item 5.

The 0.57-acre site, which is comprised of two tax parcels is located at the southwest corner of the intersection of US Route 11 and Guy Young Road. The site contains an existing 1,140 square foot dental office with associated parking, landscaping, and other site improvements. It is proposed to construct a 1,330 square foot addition to the office building along with associated improvements to the parking, landscaping, lighting and other site improvements. The site is zoned General Commercial and is also within the limits of the recently adopted Brewerton Downtown Core district. Our comments are as follows:

1. The site has frontage on US Route 11, which is under the jurisdiction of the New York State Department of Transportation and Guy Young Road, which is a Town highway. Access to the site is currently from a wide, uncontrolled driveway onto Guy Young Road. It is proposed to narrow and curb the driveway to provide a more defined access point to the site. The Board should review the site circulation and basis for the number of parking spaces provided for the site. The Plan provides for sidewalks along Route 11 and along Guy Young Road from Route 11 to the site driveway.
2. Stormwater runoff from the site is tributary to a Town storm sewer that bisects the site and stormwater facilities along Route 11. As the project disturbs less than 1-acre of land a NYSDEC SPDES Permit for Stormwater Discharges from Construction Activities is not required for the project. The project will result in a minimal change to existing stormwater runoff patterns and rates. The Town storm sewer that crosses the site will need to be relocated to accommodate the

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propose addition. Contract Drawings and a Petition Plan have been provided for review and will need to be approved by the Town Board along with abandonment and acquisition of easements. Detailed review of these materials will be completed after the Site Plan process has been completed. It is noted that rain gardens are proposed adjacent to the northwest and southwest corners of the building that will accept stormwater runoff from the roof drains

3. The Board should review the landscaping, lighting, signage, buffering and architectural elevations with the Developer. The following are comments regarding these and other miscellaneous issues:
 - a. The Site Plan has not been reviewed for strict conformance with the recently adopted Brewerton Downtown Core District because it was reviewed for general conformance with the draft standards available at the time the project was submitted.
 - b. The lighting appears reasonable for a site of this nature. The signs provided along Route 11 and on the building are to be lit by externally mounted lights directed toward the sign. The lights should be directed so as not to create glare on the adjacent highways.
 - c. Signage is to consist of a 21 square feet free standing sign located along Route 11 and a 22 square feet building mounted sign facing Guy Young Road. For the Board's information the maximum building frontage is approximately 72 feet.
4. The site is located within the Brewerton Sewer District. No modifications to the sanitary sewer service to the site, which is provided by a lateral from the 8-inch Town sanitary sewer located along US Route 11 are shown on the Plan.
5. The site is located within the Brewerton Water District. No modifications to the water service to the site, which is provided by a service from the 8-inch water main located along US Route 11 are shown on the Plan.
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.
8. The two tax parcels comprising the site should be combined utilizing the Town's simple subdivision process.

If you have any questions or comments, please do not hesitate to contact us.

Very truly yours,

O'BRIEN & GERE ENGINEERS, INC.



Mark C. Parrish, P.E.
Managing Engineer

cc: Town Board – Town of Cicero
Wayne Dean, Director of Planning and Development - Town of Cicero
Toni Mosley, Code Enforcement Office - Town of Cicero
Heather Cole, Esq. – Wladis Law Firm, P.C.
Dr. Thomas Carroll
Alex Wisniewski, P.E. – L.J.R. Engineering, P.C.
Gary D. Cannerelli, P.E. – O'Brien & Gere Engineers, Inc.



August 17, 2009

Planning Board
Town of Cicero
P.O. Box 1517
Cicero, New York 13039-1517

Attn: Patrick Leone, Chairman

Re: Parks Storage Site Plan Review

File: 0101.25439.351

Dear Board Members:

We have reviewed the following materials 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. Existing Conditions dated October 16, 2003 last revised August 3, 2009
2. Proposed Features dated October 16, 2003 last revised August 3, 2009
3. Drainage and Water Quality Details dated November 17, 2008 revised July 15, 2009
4. Grading and Erosion Control Details dated November 17, 2008 revised July 15, 2009
5. Stormwater Pollution Prevention Plan (SWPPP) revised July 2009.

Ianuzi & Romans Land Surveying, P.C. prepared items 1 and 2 and W-M Engineers, P.C. prepared items 3 to 5.

The 2.718-acre site is located on the east side of US Route 11 approximately 1,000 feet south of Sneller Road. The site contains an existing residence and two 4,500 square feet storage buildings with associated parking, landscaping, and other site improvements. It is proposed to demolish the residence and construct six additional storage buildings with a total area of 18,900 square feet along with associated improvements to the parking, landscaping, lighting and other site improvements. The site is zoned General Commercial. Our comments are as follows:

1. The site has frontage on US Route 11, which is under the jurisdiction of the New York State Department of Transportation. It is proposed to utilize the existing driveway with no modifications for access to the site. The Board should review the site circulation, emergency access and basis for the number of parking spaces provided for the site along with the County Planning Board's recommendation relative to access along Route 11. It is recommended the basis for the number of parking spaces be noted on the Site Plan.
2. Stormwater runoff from the site is tributary to stormwater facilities along Route 11. As the project disturbs more than 1-acre of land a NYSDEC SPDES Permit for Stormwater Discharges from Construction Activities is required for the project. The SPDES Permit requires stormwater quantity and quality and sediment and erosion control measures be provided. Stormwater management facilities consisting of an infiltration area and detention basin provide the required

stormwater quantity and quality mitigation. Approval for the storm sewer discharge from the site to the Route 11 right-of-way should be obtained from the NYSDOT. The SWPPP and plans provide details relative to sediment and erosion control and appears to generally be in accordance with the required standards subject to the comments herein. In accordance with the Town Local Law for Stormwater Management and Erosion & Sediment Control a Stormwater Control Construction and Maintenance Agreement should be executed with the Town for the stormwater facilities. The following are items that should be addressed relative to stormwater management:

- a) A plan showing the location of the proposed sediment and erosion control measures should be provided.
 - b) The underdrain for the dry swale should extend the length of the swale. The inverts of the underdrain and rim of the 18-inch riser should be provided.
 - c) It is recommended the cap be moved to the upstream end of the outlet pipe from the detention basin to facilitate access for maintenance.
 - d) The following are comments relative to the Notice of Intent:
 - i) The existing impervious area in Item 7 appears high.
 - ii) Item 36 should be answered as "None".
 - iii) Item 39 should be answered as "Yes". An electronic version of the SWPPPAF should be provided with Section I and II completed.
 - iv) The Owner/Operator Certification should be signed.
3. The Board should review the landscaping, lighting, signage, buffering and architectural elevations with the Developer. The following are comments regarding these and other miscellaneous issues:
- a) The lighting is proposed to consist of wall packs mounted on the buildings and appears reasonable for a site of this nature. Cut sheets of the wall packs should be provided.
 - b) The existing 60 square feet free standing sign located along Route 11 is to be utilized for the site. It is noted the sign does not have the 20-foot setback required by the Town Code.
 - c) Architectural elevations of the buildings including color samples should be provided and reviewed with the Planning Board.
4. The site is located within the Lakeshore Sewer District but there are no Town sanitary sewer facilities available to provide service to the site. If sanitary sewer service is to be provided the location of the lateral and septic tank should be shown on the Plan. Also, approval for use of the existing septic system should be obtained from the Onondaga County Health Department as noted in the Onondaga County Planning Board resolution on the project.
5. The site is located within the Brewerton Water District. Water service is available for the site from the 12-inch water main located along US Route 11. If a water service is to be provided for the office this should be shown on the Plan.
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.
8. The following are other miscellaneous comments on the Site Plan:
- a) The site has received a use variance for public self storage in a General Commercial district. A note should be provided on the Site Plan noting the use variance has been obtained.
 - b) The location of the electric and telecommunication services to the site should be shown.
 - c) A summary of the required and provided setbacks should be provided on the Site Plan.
 - d) Details of site improvements such as paving and fencing should be provided.

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If you have any questions or comments, please do not hesitate to contact us.

Very truly yours,

O'BRIEN & GERE ENGINEERS, INC.



Mark C. Parrish, P.E.
Managing Engineer

cc: Town Board – Town of Cicero
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Heather Cole, Esq. – Wladis Law Firm, P.C.
Hal Romans, L.S. – Ianuzi & Romans Land Surveying, P.C.
William Morse, P.E. – W-M Engineers, P.C.
Gary D. Cannarelli, P.E. – O'Brien & Gere Engineers, Inc.