

PLANNING BOARD MEETING
SEPTEMBER 1, 2010

Town of Cicero

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The Planning Board of the Town of Cicero held a meeting on **Wednesday, September 1, 2010 at 7:00 p.m.** in the Town Hall at 8236 South Main Street, Cicero, New York 13039.

Agenda:

- Approval of the 8/16/2010 Planning Board minutes (**approved**)
- Minor Subdivision, Preliminary & Final Plan, Public Hearing, Elta Business Park 2nd Amended, Southside of Route 31 at Elta Drive, 2 Lots, Ianuzi & Romans (**approved**)
- Minor Subdivision, Preliminary & Final Plan, Public Hearing, Lands of Bell, Bear Springs Road, 2 Lots, Ianuzi & Romans (**to return**)
- PUD Review and Recommendation, The Landings at Maple Bay (MLSC Development), 8514-8518 Lakeshore Road, Proposed 13 Units Residential PUD, Ianuzi & Romans (**to return**)
- Site Plan, Cafua Management Company (Dunkin Donuts), 5865 Route 31, Proposed Drive Thru & Site Improvements, CHA(**to return**)
- Site Plan, First Niagara, 7950 Brewerton Road, Proposed First Niagara Bank, Carmina Wood Morris, P.C. (**approved**)
- Discussion: Resignation Letter from Planning Board Member Christopher Rowe

Board Members Present: Mark Marzullo (Chairman), Chuck Abbey, Robert Smith, Richard Cushman and Sharon May

Board Members Absent: Christopher Rowe and Scott Harris (Ad-Hoc)

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

The meeting opened with the Pledge of Allegiance. The Chairman noted emergency exit locations.

APPROVAL OF THE AUGUST 16, 2010 PLANNING BOARD MINUTES

Mr. Smith made a motion to approve the August 16, 2010 Planning Board minutes. **Mr. Cushman seconded the motion.** The motion was **approved** with the following vote:

Mr. Abbey:	Yes
Mr. Smith:	Yes
Mr. Cushman:	Yes
Mrs. May:	Yes
Mr. Marzullo:	Yes

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**MINOR SUBDIVISION, PRELIMINARY & FINAL PLAN, PUBLIC HEARING
ELTA BUSINESS PARK 2ND AMENDED, 2 LOTS
SOUTHSIDE OF ROUTE 31 AT ELTA DRIVE
IANUZI & ROMANS**

(SEE ATTACHMENT A: OBG LETTER DATED AUGUST 31, 2010)

Representative: Hal Romans, Surveyor, Ianuzi & Romans

Mr. Romans noted the only thing we were waiting on was the County's referral. They determined that the project would have no significant community or county-wide implications and could be acted upon solely by the referring Board. We have the existing ingress/egress easement and utilities. There is no direct access to Route 31.

Mr. Parrish asked Mr. Romans what the latest modification was to the revised plan dated July 27th.

Mr. Cushman added at the last meeting the Lots were noted as 6A and 7.

Mr. Romans clarified that the lot is 6 now instead of 6A.

Mr. Marzullo opened the public portion of the meeting. (*The public hearing was opened at 7:06 p.m.*) He asked if there was any one who wanted to address the Board on this issue. (There was no response.) He closed the public hearing. (*The public hearing was closed at 7:07 p.m.*)

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. Smith seconded the motion.**

The motion was **approved** with the following vote:

Mr. Abbey:	Yes	
Mr. Smith:	Yes	
Mr. Cushman:		Yes
Mrs. May:	Yes	

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Mr. Marzullo:	Yes
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Mr. Smith made a motion to approve the Elta Business Park 2nd Amended subdivision as presented with a last revision date of July 27, 2010. **Mr. Cushman seconded the motion.** The motion was **approved** with the following vote:

Mr. Abbey:	Yes	
Mr. Smith:	Yes	
Mr. Cushman:		Yes
Mrs. May:	Yes	
Mr. Marzullo:	Yes	

**MINOR SUBDIVISION, PRELIMINARY AND FINAL PLAN, PUBLIC
HEARING
LANDS OF BELL, BEAR SPRINGS ROAD, 2 LOTS
IANUZI & ROMANS**

Representative: Hal Romans, Surveyor, Ianuzi & Romans

Mr. Romans gave a brief review stating this is an 8.47 acre parcel that was a part of the old Bear Creek Subdivision that involved a preliminary plan to subdivide this parcel and a parcel to the east into R-12 lots---12,000 square foot lots. That subdivision has passed away. This subdivision would be divided into two residential lots.

Plumley Engineering has submitted septic drawings to the County Health Department. They have received a review letter and there are a couple of things that need to be changed. We expect that approval to come quickly.

Nothing has changed on the plan. The septic systems sit on the back of the properties, about halfway from Bear Springs Road and the NY Telephone easement/lines. The proposed houses would sit in front of that. There would be two driveways coming out to Bear Springs Road.

Since the last meeting my client has paid the appropriate fees. We are now waiting on the public hearing portion of this process.

Mrs. May asked if there was an entrance into Bear Creek.

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Mr. Romans responded no. We are not showing any access easement or anything.

Mr. Marzullo referenced the public hearing scheduled for this evening by noting that Mr. Parrish has not had a chance to review the plan. It is my recommendation that we open the public hearing, leave it open and then address this issue on the 20th. (*The public hearing was opened at 7:11 p.m.*) Is there anyone who would like to address the Board on this issue? (There was no response.) Are there any more questions from the Planning Board? (Board members responded no.) We will continue the public hearing at the next session.

Mr. Romans asked Mr. Parrish if he anticipated any areas of concern.

Mr. Parrish responded that he wanted to look at drainage. I believe that there is a fairly significant area upstream from this that drains from the south to the north across this property. The area in the front is potentially an area where drainage comes through. I want to take a look at that. We had a similar situation on a subdivision off of Bull Street which turned into quite a mess. We took a drainage easement there but it was not appropriately addressed.

So, I want to take a look at that to see if we should be taking an easement through the area or if some other accommodation should be made for drainage. It could be in the location where you are talking about putting a house. I want to make sure that we are not impacting upstream or downstream properties.

PUD REVIEW AND RECOMMENDATION
THE LANDINGS AT MAPLE BAY, 8514-8518 LAKESHORE ROAD
PROPOSED 13 UNITS RESIDENTIAL PUD
IANUZI & ROMANS

Representative: Hal Romans, Surveyor, Ianuzi & Romans

Mr. Romans stated Sheet 1 shows the existing topographic survey of the site. Sheet 2 is a demolition plan as requested by Mr. Parrish. It shows all of the items what would be demoed as a part of this project.

I had a meeting with Fire Chief Purdy to review the plans. There is an existing utility pole that sits here which contains an electrical panel and fire horn. Chief Purdy asked that it be removed

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and returned to the South Bay Fire Department. I have added a note to the plan stating that. Chief Purdy was also concerned with making the access road that goes to the Marina on the northeast side as wide as possible. We have increased that to 9 feet and added a turnaround area here. The Chief wanted that road available for ambulance use. I explained this was a seasonal road and not something that would be plowed in the winter.

Mr. Smith agreed that the road would not be used in the winter. But the reason the road was proposed was so that the proposed homes across the way would have access to this facility. They would drive their snowmobiles there. Are there any provisions for signage or anything on Lakeshore Road to warn people?

Mr. Romans responded that could be added. The property across the street that you are referring to has not come to fruition as far as any kind of deal or anything. As far as I know the negotiations have not gone well.

Mrs. May asked who was responsible for people using the Marina in the winter. There would be snowmobilers, ice skaters, etc.

Mr. Romans explained that there would be a formal Home Owners Association (HOA), with defined rules regarding what you can and can not do. I don't picture it being used as an ice skating rink or anything like that. I will ask my client to address it in their HOA documents.

Mrs. May suggested putting up signs stating no ice skating.

Mr. Romans agreed. I will find out about snowmobiles.

Mr. Smith: I don't see a reason to have this access out to Lakeshore Road. If the road is for marina access for Lots 1 and 2 we should end and remove that road. There should be no roadway or path going out to Lakeshore Road because it would be an invitation for public use.

Mr. Romans: It would not just be for Lots 1 and 2. If any of the lots need to drive something down to their boats, the idea is to have a way to drive down to that side of the marina.

Mr. Parrish asked why they could not come down internally by using the private road. You have a sidewalk shown there. Why can't that be improved to provide the same?

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Mr. Romans: Width is one reason, coming through where the stormwater management area is.

Mr. Parrish: There is a lot of room there.

Mr. Smith: There is no reason to invite public access to this area if there is not going to be something on the other side. That would cut down one more access from Lakeshore Road.

Mr. Marzullo reminded the Board that the fire Chief wanted that road for access.

More discussion occurred regarding the legal use of the access road, gating, the topography there, emergency access, etc. Mr. Marzullo asked for clarification from the Fire Department regarding what they would prefer.

Mr. Romans agreed to look at gating the access road and/or using the other access.

The building footprints shown are close to what would actually be on the property. I made sure that there was room for a deck or enclosed porch. Sheet 3 shows the setbacks for the overall HOA lot and the individual building lots. These are 2 story units, where a part of your basement is the garage at ground level. The balance of the basement area is livable space. The maximum height of the building would be 49.5'.

The setbacks for buildings along Lakeshore Road are 30' as it is for any residential area. But, technically you could build right to the edge of the envelope. You are sharing a common wall. I also show the minimum side distances north and south of the HOA lot.

Mr. Smith asked about the impact on the County line.

Mr. Romans noted the riprap shown currently exists. The proposed beach does not. Sand would be brought in. On tax maps the County line follows the shore line. I looked at the old abstract to see how the shoreline went before the marina was cut in. The marina area is still in Onondaga County. If you cut a marina into a shored area, the marina does not then become a part of Oswego County. The underlying land was in Onondaga County at that time.

So, from a county ownership standpoint, the marina proper is still Onondaga County property.

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Any dredging or repair work will have to be done under a permit from the Army Corps of Engineers. We have started getting the information needed to do that. We are going to get some test boring done in the marina to see what the material to be dredged looks like there. We have a wetland specialist that will go out and verify wetlands, if any, along the marina.

Our company along with CHA was involved in a marina project in Madison County (Fisher Bay). When that marina was dredged the entrance to the marina was sheeted off. The marina was pumped out and then dredged. That was done before the March 15th deadline. The sheeting was removed and the marina filled back up. That process cuts down on silt and contamination.

Again that process would be fully reviewed by the Army Corps of Engineers. We are hoping that the materials will at least be good enough to use for topsoil on our project.

Mr. Smith asked that copies of those approvals to be given to the Planning Board.

Mr. Romans agreed.

Mr. Smith: We looked hard at the silt management program for another project along the lake. We will need some extra protection there.

Mr. Parrish: These plans were submitted not long ago and so we are still doing our review. A sediment erosion control plan is a part of that. I already have a comment about doubling up the silt fencing they are providing.

Mr. Smith: We had some very specific requirements for that project. I believe our engineer did some inspections as a part of the process.

Mr. Parrish: We did it while we were watching the public utility installation, but the developer is responsible for hiring a certified professional as a part of the SPEDES permit process to inspect those facilities. This will be a little different because there are no public roads or storm sewer systems on this project. Those are all going to be private facilities. So our office would not necessarily be out there during that process.

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Mr. Smith: Can we ask for a requirement that the engineer inspect the silt management system at least once---to make sure that it is in place? A couple of major thunderstorms on a weekend when this is being built could have a significant impact on the lake.

Mr. Romans: I am sure that we would, but I must verify that with the client. Obviously, if there is an issue we want to take care of it.

More discussion occurred.

Mr. Parrish: Site plans are different from subdivisions and here you have a PUD. The Town has obligations to inspect sedimentation and erosion control underneath their MS4 Permit---their SPEDES permit with the DEC. So, the Town already has certain obligations related to that. The applicant has those obligations under their SPEDES

construction permit. So, there are procedures and responsibilities in place to make sure that the sediment and erosion plans are implemented properly.

Mr. Germain: One of the things that you might do when you make your recommendations to the Town Board is to note your concerns asking them to take that up at the Town level. Remember this is a PUD and we are just going to make a recommendation for disapproval/approval to the Town. You could voice your concerns through the recommendation process. It would really be handled more at the Town Board level, then at this level.

Mr. Smith: Would we receive the SWPPP before our recommendation? We've added things to a plan before because we had a chance to review it.

Mr. Romans: A copy has been sent to Mr. Parrish. I have spoken with our engineer, asking him to get copies to the Town. They should be here tomorrow.

Mr. Germain: As far as your concerns for monitoring it and the issue that you rose, you would raise that as a recommendation to the Town, so that they could maybe act on that at their end.

More discussion occurred.

Mr. Abbey: Would an area like this be involved in the archeological review?

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Mr. Romans: I checked the DEC website about that. There is nothing along that area because the marina was cut in. We are not looking to disturb anything. Realistically the only thing that we are looking to do to the marina is to dredge out silt and repair the baskets and storm wall where we cut through for storm water. They have given us a list of what we should provide to them.

Mr. Smith: Do we have an obligation to make Oswego County aware of the project?

Mr. Germain: You are required to give them notice. You are defiantly within 500 feet of their border. You are touching their border. It's the lake.

Mr. Dean: I don't think that it is a requirement, but we will check on that. They have not sent anything to us before.

Mr. Romans asked that if it was required that it be done soon to give Oswego County time to respond before the project goes to the Town Board. If it is a question as to whether it should or should not go, I would prefer that it go.

Mr. Marzullo agreed. We should just do it.

Mr. Parrish: Does the applicant intend to rent out marina spaces or slips to parties outside of this site?

Mr. Romans: No, it is only for people who are members of the HOA. There is an abundance of slips because that is the number currently there. We don't know if someone will have a couple of jet skis, boats, etc that they want to leave out.

Mr. Parrish: If this is not going to be as big as the applicant originally intended, it opens up an opportunity for him to rent those spaces out. I want to make sure that this does not turn into something inadequate.

Mr. Marzullo noted the concern for Cooper's Landing and the noise from there. In my experience 2x6 constructions are quieter than 2x4. Do you know what these will be? Is that something that we can request? It would be good planning.

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Mr. Romans offered to find out.

Mr. Germain: You bring up a legitimate point. I am sure that the applicant will look at it and when they come back if they want to propose a 2x6 construction on their own to address that point, I am sure that they will.

More discussion occurred.

Mr. Smith: As a part of the PUD process the Town can require certain things in the construction of the buildings. We can recommend certain things to the Town.

Mr. Germain: You can recommend it at the Town level and the Town Board could act on it. You would be talking about a mandate to the developer.

Mr. Romans offered to take a look at this.

Mr. Smith: Has the HOA application been filed with the attorney general? Can you provide us with a copy of what the HOA services will be and what their responsibilities are?

Mr. Romans: The note on Sheet 3 describes the HOA and its responsibilities. I am not sure what has been decided as of this date. The applicant was probably going to submit that to the Town Board. I will try and get copies for you. I understand that you will not be making your recommendation tonight.

More discussion occurred regarding the building of the private road, lighting, landscaping, the planting schedule, fencing, signage, etc.

Mr. Smith asked that the signage include private road wording.

Mr. Abbey: Do you have any idea as to what these units would be selling for?

Mr. Romans was unsure. Lakefront property is valuable. The marina adds value and there are only 13 lots.

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I did show the floodplain according to the old floodplain maps. I noted the need to be accepted by FEMA. It looks like they follow the 373.2 elevation. Mark, I did not know if you wanted me to change it.

Mr. Parrish: I think that you need to show it per the current map. Whatever other regulations you need to meet is really up to the Codes Office. They are the floodplain administrators.

Mr. Romans: We were hoping to get to the Town Board at their October meeting. We would like to begin construction in the fall and constructing units next spring.

More discussion occurred about retaining walls.

**SITE PLAN, CAFUA MANAGEMENT COMPANY (DUNKIN DONUTS)
5865 ROUTE 31, PROPOSED DRIVE THRU & SITE IMPROVEMENTS**

CHA

Representative: Brian Bouchard, CHA

Mr. Bouchard introduced himself and gave a brief review of the application. The existing site has multiple accesses to Route 31. Currently the site has 33 parking spaces and a 1900 square foot building. Changes to our previous site plan include a 15' drive isle width which we accomplished by cutting off a corner of the building. There is also room for a 6" curb, a guardrail and a retaining wall.

We also addressed the Board's concerns about the internal traffic circulation on the site. We closed off one of the entrances. Now when you enter the site you can only go to the parking area or the drive thru area.

We received comments from the NYSDOT. Per their request we reduced the curb cut width. It is now a 40' width. The drive lanes are a little less than 15', one in and one out. There is a 5' hatch on either side. I have an email copy of their approval of the plan.

Other changes to the plan include a correction to the zoning regulation table. Also the area for the loading space was added.

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Mr. Smith asked about the retaining wall.

Mr. Bouchard responded the retaining wall needs to be interfaced with a guardrail. There is a certain setback from the block wall for the guardrail because of the impact force from a car hitting it. Those details are forth coming.

Mr. Smith: That retaining wall will be important. I would like our engineer to review it.

Mr. Parrish: It is important but we will not review it from a structural standpoint. We will review it relative to the code aspects for the site plan approval but we are not going to be signing off on the structural design. We will ask that the plan come from a licensed, professional engineer and that they are stamped and signed. They would be responsible for it. We will look at it, but I want to be clear what it is we would do.

We have not had a chance to review the lighting plan that was recently submitted.

Mr. Smith: Some people say that the current stormwater system is not working, that water runs down the road at the entrance off the driveway.

Mr. Bouchard: We are trying to preserve the existing run off pattern at the back of the site. There is an easement to the east. There are portions of the curb that will allow the pavement to sheet flow in the existing pattern. There is a catch basin out front on state property. We have provided this as a sort of swale with rock riprap to direct the flow in a safe, stable manner to the catch basin.

Mr. Parrish: I was not aware that there was an issue and will take a look at it to make sure that it is acceptable.

Mr. Bouchard: The total number of parking spaces is now 28. It is a larger site that accommodates the drive thru better than the current location. We have submitted the proposed signage. There is a 40 square foot pylon sign, a 35' gable wall sign along Route 31 and a 17 square foot wall sign over the existing entrance on the west side of the building. The building's coloring will be typical of the franchise.

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Mr. Parrish: it looks like they have 32.5' of frontage. The Board typically allows twice that which would give them 65 square feet of signage. They have about 92 square feet now.

Mr. Bouchard: I was also given an alternate gable end sign that is 22 square feet.

Mr. Dean noted the application has not been sent to the County yet.

SITE PLAN, FIRST NIAGARA, PROPOSED BANK
7950 BREWERTON ROAD, CARMINA WOOD MORRIS, P.C.
(SEE ATTACHMENT B: OBG LETTER DATED AUGUST 31, 2010)

Representatives: Chris Wood, Carmina Wood Morris P.C.
Laurie Hauer-LaDuca, Architect

Mr. Wood introduced himself noting at the last meeting the Board asked us to look at possibly reducing the parking and adding more greenspace. We have eliminated the eight spaces on the east side in the back and added greenspace there. We have also added a sidewalk to the frontage. That alignment was approved by the DOT. We provided the Board with copies of that email.

This is a leased lot. We are putting the sidewalk along the property line. We have also adjusted some of the light fixtures, lowering the levels around the ATM. There are details for the enclosed dumpster. Those materials will match the building. We have adjusted the landscaping along the south property line. We were able to keep a couple of the existing trees.

Mr. Parrish: The biggest issue is the sign. The building's frontage here is about 58', giving us 106 square feet as the typical rule. They are around 297 square feet at this point. The monument sign would be calculated at about 50 sq. ft. Wayne suggested the calculation would include the entire sign, not just this area. They have three signs on the building, each at 82.4 sq. ft. for a total of 247.2 sq. ft. This does not include the sign going on the common shared sign.

Mr. Wood: I figured that sign was included in the original Widewaters application.

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More discussion occurred.

Mr. Wood: I think that we could live without the sign on the back, the elevation that faces the Plaza.

Mr. Parrish: If you loose two of those you would be at 132.4---which is still a little over. We typically do not count the directional signs.

So, we are down to one sign on the building, which would be on the frontage, facing Route 11?

Mr. Wood: Route 11, the middle elevation.

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

resolution 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.**

The motion was **approved** with the following vote:

Mr. Abbey:	Yes	
Mr. Smith:	Yes	
Mr. Cushman:		Yes
Mrs. May:	Yes	
Mr. Marzullo:	Yes	

Mr. Smith made a motion to approve the site plan as presented with a last revised date of August 20, 2010 and the following change: two of the building signs are to be removed as presented leaving the monument sign and the sign facing Route 11. **Mrs.**

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

Mr. Abbey:	Yes	
Mr. Smith:	Yes	
Mr. Cushman:		Yes
Mrs. May:	Yes	
Mr. Marzullo:	Yes	

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DISCUSSION: LETTER OF RESIGNATION FROM CHRISTOPHER ROWE

Mr. Marzullo: I just want to mention that Chris Rowe has submitted his letter of resignation. Unfortunately he has a conflict with his employment that does not allow him to be here. The Town Board has not acted upon it yet, but it has been submitted.

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

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ATTACHMENT A:

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August 31, 2010

Planning Board

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

Attention: Mark Marzullo, Chairman

RE: Elta Business Park 2nd Amended Preliminary and Final Plan Review
FILE: 0101/25439.389

Dear Board Members:

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

- 1) Preliminary Plan dated May 22, 2010
 - 2) Final Plan dated May 23, 2010.
- Ianuzy & Romans Land Surveying, P.C. prepared the above items.

The site is located on the south side of New York State Route 31 between Button Road and South Bay Road and is the Elta Business Park. It is proposed to subdivide Lot 6, which is located along the west side of the site into two lots 0.882 and 0.951 acres in area. The site is zoned General Commercial. Our comments are as follows:

- 1) The site has frontage on New York State Route 31, which is a State highway under the jurisdiction of the New York State Department of Transportation (NYSDOT) and Elta Drive, which is a Town highway. Access is provided to the lots via an ingress and egress easement to Elta Drive across Lots 4 and 5. There is no direct access to Route 31 from the lots.
- 2) Stormwater runoff from the site is tributary to a stormwater management area constructed as part of the development of Marra Meadows Section No. 1. The stormwater management area was designed to accept stormwater from the lots. Details relative to stormwater management will be reviewed during Site Plan review for the lots.
- 3) The site is located within the Cicero Sewer District Extension No. 3. Sanitary sewer service is provided by an 8-inch Town sanitary sewer constructed as part of Elta Business Park. A 20-foot wide private sanitary sewer and drainage easement is provided across Lot 6A to allow for extension of a sewer lateral to Lot 7.
- 4) The site is located within the Cicero-Oneida Lake Water District Extension No. 5. Water service is provided by an 8-inch water main located along the east side of Elta Drive. A 30-foot wide ingress & egress and utility easement is provided across Lots 4 and 5 to allow for extension of water services to the lots.
- 5) 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.
- 6) The site is not located within a 100-year floodplain as identified on the 1994 FEMA Flood Insurance Rate Maps.

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ATTACHMENT A: (CONTINUED)

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

Very truly yours,

O'BRIEN & GERE ENGINEERS, INC.

A handwritten signature in black ink, appearing to read "M C Parrish".

Mark C. Parrish, P.E.
Managing Engineer

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ATTACHMENT B:

August 31, 2010

Planning Board

Town of Cicero

P.O. Box 1517

Cicero, New York 13039-1517

Attention: Mark Marzullo, Chairman

RE: First Niagara Widewater Commons Site Plan Review

FILE: 0101/25439.384

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) Demo & Erosion Control Plan dated June 20, 2010 revised August 20, 2010
- 2) Demo & Erosion Control Details dated June 20, 2010 revised August 20, 2010
- 3) Site Plan dated June 20, 2010 revised August 20, 2010
- 4) Site Details dated July 2010 revised August 20, 2010
- 5) Grading Plan dated June 20, 2010 revised August 20, 2010
- 6) Storm Drainage Plan dated June 20, 2010 revised August 20, 2010
- 7) Storm Details dated July 2010 revised August 20, 2010
- 8) Utility Plan dated June 20, 2010 revised August 20, 2010
- 9) Utility Details dated July 2010 revised August 20, 2010
- 10) Site Lighting Plan dated June 20, 2010 revised August 20, 2010
- 11) Landscape Plan dated June 20, 2010 revised August 20, 2010
- 12) Landscape Notes and Details dated June 20, 2010 revised August 20, 2010
- 13) Stormwater Pollution Prevention Plan dated August 2010.

Camina, Wood, Morris prepared the above items.

The 1.25-acre site is a lease parcel within a 2.6 acre lot located at the southeast corner of the intersection of Route 11 and the Widewater Commons (Wegmans) site driveway. The lot is currently vacant and consists of grass, trees and landscaping. It is proposed to construct a 3,037 square feet building for a bank along with associated parking, landscaping and associated site improvements. The site is zoned General Commercial. Our comments on the Site Plan are as follows:

- 1) The site has frontage on U.S Route 11, which is a State highway. Access to the site is to be via a driveway onto the internal roads within the Widewaters Commons. It is our understanding the lease agreement for the property addresses the agreements necessary for access to the site. The Board should review the site circulation and parking with the Applicant.
- 2) Stormwater runoff from the site is tributary to drainage facilities located within Widewaters Commons. 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. The drainage facilities discharge to the retention pond located behind the Wegmans building that provides the required water quantity mitigation. A manufactured stormwater treatment unit located on the site provides the required water quality.

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ATTACHMENT B: (CONTINUED)

mitigation. The SWPPP and plans provide details relative to sediment and erosion control and appears to generally be in accordance with the required standards. 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 treatment unit.

- 3) The site is located within the Cicero Sewer District. Sanitary sewer service to the site is to be provided by extension of a lateral from an 8-inch Town sanitary sewer main located along Route 11. A note has been placed on the Utility Plan indicating the Contractor is to contact the Town of Cicero to coordinate installation of the lateral.
- 4) The site is located within the Cicero Water District. Water service is to be provided by extension of a water service from a 12-inch water main located along Route 11. The Applicant should coordinate with OCWA relative to provision of the water service.
- 5) The Board should review the landscaping, lighting, signage, buffering and architectural elevations with the Developer. The following are comments regarding these issues:
 - a) The proposed lighting generally appears reasonable for the site and its use.
 - b) The signage consists of a monument sign located along Route 11, building mounted signage and signage on the shared monument sign for Widewaters Commons. The total area of the signage is approximately 297 square feet. This does not include the area of the sign on the shared monument as it is not specified but does include 50 square feet for the onsite monument sign, which is noted as only 28.6 square feet on the Signage Summary. For the Board's information the frontage of the building is approximately 58 feet.
- 6) The site does not contain a Federal Wetland as identified on the National Wetland Inventory Map or a State Wetland as identified on the New York State Freshwater Wetland Map.
- 7) The site is not located within a 100-year flood plain or floodway as identified on the 1994 FEMA Flood Insurance Rate Maps.

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

IN AS MUCH AS THERE WAS NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 8:45 P.M.

Dated: September 11, 2010

Tonia Mosley, Clerk