

The Planning Board of the Town of Cicero held a meeting on **Monday, September 24, 2012** at **7:00 p.m.** in the Town Hall at 8236 Brewerton Road, Cicero, New York 13039.

Agenda:

- Pledge of Allegiance
- Approval of the Planning Board Minutes from September 10, 2012 (**approved**)
- Notes from the Chairman
- Site Plan, 5641 Bear Road LLC (Coppertop Tavern), 5641 Bear Road, Proposed Parking Lot Expansion (**approved**)

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

Others Present: Robert Germain (Esquire, Germain & Germain), Steve Procopio (Code Enforcement Officer), Steve Snell (P.E., O'Brien & Gere) and Tonia Mosley (Clerk)

Chairman Smith noted the emergency exits and asked that cell phones be silenced. Mrs. May led the Pledge of Allegiance.

APPROVAL OF THE MINUTES FROM SEPTEMBER 10, 2012

Mrs. May made a motion to approved the September 10, 2012 Planning Board meeting minutes. **Mr. Smith seconded the motion** and asked for a vote.

*Ayes: 7 Nays: 0 Abstained: 0 **Approved***

NOTES FROM THE CHAIRMAN

Mr. Smith announced that the County will present its' Sustainable Development Plan at the Cicero Town Board's October 10, 2012 meeting at 5:00 p.m. He asked all Planning Board members who could attend to do so.

The Chairman discussed a change to work session meetings. If we have a workshop meeting where no applicants are scheduled, Mark Parrish will set up a conference call to review and set the agenda. Notices would be sent out the previous evening. Anyone who wishes to sign on to the agenda conference call can do so.

Mr. Smith noted the Town Board has hired a consultant to go over the Code Office. If Planning Board members have concerns/issues they would like to address, they should speak to the Town Board. Items discussed include a cut and fill permit, deadlines for variances and site plans, giving the Code Office tools for enforcement, fence permits, stream-lining the permit process---all things that give better enforcement options for the community.

SITE PLAN, 5641 BEAR ROAD LLC (COPPERTOP TAVERN)
5641 BEAR ROAD, PROPOSED PARKING LOT EXPANSION
SCHOPFER ARCHITECTS LLP
(SEE ATTACHMENT A: O'BRIEN & GERE LETTER DATED 9/19/12)

Representative: Dave Schlosser, Schopfer Architects LLP

Mr. Smith noted Coppertop Tavern's successful business in the area and its desire to expand to accommodate more customers and employees. They have received a building permit for their addition with the idea that they would need Planning Board approval to expand their parking facility.

Mr. Schlosser explained that the Coppertop Tavern sits on a 1.5 acre parcel. As Mr. Smith noted, they are currently in construction and expanding. When the expansion is complete there will be an approximately 7500 square foot restaurant that seats 270 and has 135 parking spaces. Because of this expansion, my clients have acquired an approximately 2.6 acre parcel that adjoins the site to the east. This parcel will expand parking from 135 spaces to 162 spaces.

We have received comments from the Planning Board, the Planning Board's attorney and the Planning Board's engineer and have submitted supplemental drawings addressing each question.

We have an easement agreement which was sent to Mr. Germain. Basically, the agreement grants parking privileges and development privileges between the two properties. This agreement stays with the property.

There were two parking spaces of concern to the Town's engineer. We have eliminated those two spaces.

We identified snow storage areas on the drawings. We submitted a report on storm water to address run-off. We do not expand any curb cuts, which was one of the County's concerns.

The disturbance area under the SWPPP requirement was posted on the drawing. We moved the location of the new 6 inch water line to avoid the stormwater detention area. We have also contacted OCWA. They will provide the boring across the road to provide us with water for the sprinkler system. That sprinkler system should be up and operating before we occupy the addition.

We added site lighting which was a concern of the Planning Board's.

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. Marzullo seconded the motion.** The Chairman asked for a vote:

*Ayes: 7 Nays: 0 Abstained: 0 **Approved***

The Chairman asked the Board and its' professionals if they had any concerns.

Mr. Procopio responded it looks fine.

Mr. Snell noted he had no concerns.

Mr. Germain responded that he had reviewed the easement agreement as presented by the applicant's council. It was adequate.

Mr. Card asked about the County's concerns for stormwater noting you will have run-off from the pavement.

Mr. Schlosser responded the run-off would be stored on site. The County was concerned that run-off would go into the 100 year floodplain. It does not. It stays on site and dissipates. The system has a combination underground storage and collection area.

Mr. Germain read the proposed resolution stating move for the adoption of a resolution approving the site plan application known as 5641 Bear Road, LLC (Coppertop Tavern) last revised August 24, 2012. **Mr. Marzullo made the motion** as stated by Mr. Germain above. **Mr. Ruscitto seconded the motion.** The Chairman asked for a vote:

*Ayes: 7 Nays: 0 Abstained: 0 **Approved***

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 7:15 P.M.

Tonia Mosley, Clerk

ATTACHMENT A: OBG LETTER DATED 9/19/12

September 19, 2012

Planning Board

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

RE: Coppertop Parking Expansion 5641 Bear Road Site Plan
FILE: 0101/25439.432

Dear Board Members:

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

- 1) Title Sheet dated July 12, 2012 revised August 20, 2012
 - 2) Topographic Survey Map dated February 10, 2012 last revised August 15, 2012
 - 3) Proposed Site Plan dated July 12, 2012 last revised August 24, 2012
 - 4) Site Details dated July 12, 2012 last revised August 24, 2012
 - 5) Parking Lot Expansion Grading and Drainage Plan dated August 20, 2012 revised August 24, 2012
 - 6) Details dated August 20, 2012 revised August 24, 2012
 - 7) Letter Report on Stormwater Management dated August 22, 2012.
- Seguin Land Surveying, P.L.L.C. prepared Item 2, Schopfer Architects LLP prepared Items 1, 3 and 4, and Dunn & Sgromo Engineers prepared Items 5 to 7.

The 0.26-acre site is located on the north side of Bear Road and is currently vacant. It is proposed to construct a parking lot for the Coppertop Tavern located at 7777 Brewerton Road along with associated improvements to the stormwater facilities, lighting, and other miscellaneous site features. The site is zoned G-C, General Commercial. Our comments on the Site Plan are as follows:

- 1) The site has frontage on Bear Road, which is a County highway. The parking lot expansion will be connected to the existing parking lot for the Coppertop Tavern, which has curb cuts onto U.S. Route 11 and Bear Road. The curb cuts are to remain unchanged but modifications and additions to the onsite parking areas are proposed as part of the project. The Board should review the access, parking, and site circulation with the Applicant. In particular it should be confirmed that a lease agreement/cross access easement allowing for the use of the property for the parking area have been provided and reviewed by the Planning Board Attorney.
- 2) Stormwater runoff is tributary to drainage facilities along Bear Road. As the project results in disturbance of less than one acre of land a NYSDEC SPDES Permit for Stormwater Discharges from Construction Activities is not required. It is proposed to provide a sand filter stormwater quality treatment system along with an underground detention system to provide mitigation for water quality and quantity impacts from the project. Approval for connection to the storm sewer system along Bear Road should be obtained from the Onondaga County Department of Transportation.
- 3) The site is located within the Cicero Sewer District. Sanitary sewer service for the Coppertop Tavern is provided from a Town sewer main located along Route 11. No modification to the sanitary sewer service is proposed for the project.

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- 4) The site is located within the Cicero Water District. Water service for the Coppertop Tavern is provided from a water main located along Route 11. It is proposed to extend a fire service to the site from a water main located along Bear Road. The Applicant should coordinate with OCWA for provision of this service.
- 5) The Board should review the landscaping, lighting, signage and architectural elevations with the Developer. The following are comments regarding these and other issues:
 - a) The lighting for the new parking area appears reasonable.
 - b) The parking lot expansion does not include outdoor storage areas, dumpsters, or other exterior equipment.
 - c) No modifications to the site signage will result from the parking lot expansion.
- 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.

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