

The Planning Board of the Town of Cicero held a meeting on **Monday, July 25, 2011** at **7:00 p.m.** in the Town Hall at 8236 Brewerton Road, Cicero, New York 13039.

Agenda:

- Pledge of Allegiance
- Approval of the minutes from the June 13, 2011 meeting and the July 11, 2011 meeting **(approved)**
- Site Plan, The Canteen, 6046 Route 31, Proposed Addition **(approved)**
- Site Plan, Nice N Easy Bartel, 5565 Bartel Road, Proposed convenience store **(approved)**
- Site Plan Amendment, South Bay Fire Department, 8819 Cicero Center Road, Proposed building **(approved)**
- Site Plan Amendment, HMT, Inc., 6268 State Route 31, Proposed expansion **(approved)**

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

Others Present: Judy Boyke (Town Supervisor), Neal Germain (Esquire, Germain & Germain), Mark Parrish (P.E., O'Brien & Gere), Steven Procopio (Code Enforcement Officer) and Tonia Mosley (Clerk)

Absent: Wayne Dean (Director of Planning & Development)

The meeting opened with the Pledge of Allegiance. The Chairman noted emergency exits and requested that all cell phones be turned off.

**APPROVAL OF THE PLANNING BOARD MINUTES FROM  
JUNE 13, 2011 AND JULY 11, 2011**

**Mr. Smith made a motion** to approve the Planning Board meeting minutes from June 13, 2011 and July 11, 2011. **Mrs. May seconded the motion.** The motion was **approved** with the following vote:

Mr. Ruscitto:	Yes
Mr. Card:	Yes
Mr. Honors:	Yes
Mr. Abbey:	Yes
Mr. Smith:	Yes

Mrs. May: Yes  
Mr. Marzullo: Yes

**SITE PLAN, THE CANTEEN, 6046 ROUTE 31  
PROPOSED ADDITION, FRIENDS OF THE CANTEEN/JODY ROGERS**

Representatives: Jody Rogers, Cicero Youth Bureau, Parks and Recreation  
Toni' Lyn Brauchle, Youth Services Coordinator

Mrs. Rogers noted she had reviewed the information and minutes from the last meeting. I believe that it came down to a discussion about sidewalks, access and safety. We have worked with the school district and believe that we have reconciled that. We will be putting in approximately 60' of sidewalk from the service road to the edge of our property and 100' across the front of our property. The cement sidewalk would be 5' in width. I also have the highway work permit from the DOT. This would get kids approximately 15' off of the edge of Route 31. We will maintain the sidewalks. The Friends of the Canteen and the school district's Wayne Bleau and John Ward are satisfied with that. I believe that we have complied with all of your requests.

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

**Mr. Smith made a motion** to approve the site plan as presented by the Friends of the Canteen

dated July 2, 2011. **Mrs. May seconded the motion.** The motion was **approved** with the following vote:

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

**SITE PLAN, NICE N EASY BARTEL**  
**5565 BARTEL ROAD, PROPOSED CONVENIENCE STORE**  
**J.S. HAGAN ARCHITECT, P.C.**  
(SEE ATTACHMENT A: OBG LETTER DATED JULY 20, 2011)

Representative: J.S. Hagan, Architect, P.C.

Mr. Hagan introduced himself. I believe that the Board has copies of the most recent plan dated July 19<sup>th</sup>. We have made some revisions to our plan and to the stormwater pollution plan.

We have completed an archeological study on the site retaining the services of the Rochester Museum & Science Center (RMSC). They did a series of test trenches and test pits that were also observed by representatives from the Onondaga Indian Nation. The RMSC did not find anything of significance and filed a report with the New York State Historic Preservation Office (SHPO) along with a recommendation that the site has on-going monitoring---specifically of the deep excavation areas for tank holes, foundations, and storm water retention areas. We intend to comply with that request. We have a letter from Nancy Herter at SHPO which states that the project will not have any adverse impacts.

I believe that we have reached an agreement with what is required for the stormwater pollution plan. We have also revised our lighting plan, reducing spillage from the site's perimeter. We have submitted information in regards to the lighting of the canopies that is consistent with other facilities within the Town.

We have clarified the square footage for signage. The monument sign located on the south east corner of the site will now meet the required setbacks: 20' from the street line of Kathan Road, and 20' from the street line of Bartel Road. We now have a total of 161.1 square feet. That compares to existing signage on the site of 126 square feet. Based upon how the ordinance is written we would be allowed 70 square feet as determined by the building's frontage but, we understand that there is some room to waive that requirement. We are talking about a larger structure that is setback further from the road. In our judgment, the portion increase of signage is not that great.

While looking at the construction drawings, we originally showed 4 units on the roof for heating/air conditioning. This building is different due to it's' pitch and metal roofing and presented some service and access concerns for that equipment. As a result, we have now located one unit on the ground off the northwest corner of the building and one unit on the northeast corner at the rear of the building. Those units will sit on a concrete pad. They would be 5-6' above grade. We have extended the 6' chain link fence that was going to enclose the outside roof storage area to encompass those HVAC units. It would be totally screened and protected.

More discussion occurred regarding HVAC unit locations.

The underground storage tank for gasoline located along the front of the property along Bartel Road will now be located off of the west end of the canopy. Now a delivery truck can pull in, park along side the pad, unload and then maneuver around the site without interfering with normal, daily operations. There will also be a buried tank off the east end of the diesel line.

I had a brief discussion with Ron DeTota last week about the relocation of the drainage easement. He did not seem overly concerned about it, but we do have to work those details out with him.

Mr. Smith: Did you include the color scheme, the pallet with your submission?

Mr. Hagan: I did not re-submit it, but it is our intention to use that same color scheme.

Mr. Marzullo noted there was a copy for the file.

Mr. Marzullo: Do you know that you need Town Board approval for the sewer easement?

Mr. Hagan: I did not realize that.

Mr. Parrish: They should execute a maintenance agreement for the stormwater facilities with the Town in accordance with the Town's stormwater management, erosion and sediment control law. They do not necessarily need to do that for your approval but prior to issuance of a CO we recommend that it be executed.

The SWPPP talks about the fact that the future development is going to be considered re-development for the purposes of the SPDES permit. We discussed that last time and agreed that the site will not be re-development. I discussed it with the engineer preparing this. He wants to reserve the potential for that site to be conserved re-development in the future. I do not necessarily agree with that, but neither do I disagree with the fact that they can place that statement in their SWPPP with the understanding that when we come to the point where we have to actually provide stormwater management for that site they are going to need to show that criteria is being met. I wanted to get that in the record. Our letter reflects that.

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

**Mr. Smith made a motion** to approve the site plan with a last revision date of July 19, 2011 as presented by the applicant Walrus Enterprises LLC for the Nice N Easy at 5565 Bartel Road.

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

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

Mr. Card asked for the projected opening time.

Mr. Hagan responded we are looking at the first or second week of October. Sam's Lakeside is 80% down.

**SITE PLAN AMENDMENT, SOUTH BAY FIRE DEPARTMENT  
8819 CICERO CENTER ROAD, PROPOSED BUILDING  
KEPLINGER FREEMAN ASSOCIATES  
(SEE ATTACHMENT B: OBG LETTER DATED JULY 21, 2011)**

Representative: Scott Freeman

Mr. Freeman introduced himself. We have correspondence dated July 21, 2011 to the Planning Board from Mark Parrish. There were seven items on that list to be addressed. Item 1 asked for a note on the plan regarding the Town's sewer connection. Item 2 accepts our submittal of the SWPPP and SPDES permit based upon the fact that we have reduced the impervious area. We have a copy of the stormwater agreement and are prepared to execute that.

We have some correspondence dated May 4, 2009 from Jim Stelter with access/drainage acceptance.

We discussed possibly subdividing the site down the middle of the access drive. We are

presenting one project to you now, with two facilities. There is one set of parking tabulations to address the needs of the banquet hall and another set to address the needs of the Fire Depart. Everything down the center drive to the left is parking for the proposed Fire Department and everything to the right of the center drive would be parking allocated for the existing banquet hall.

Mr. Smith: What is your legal limit for occupancy?

Mr. Freeman: I don't have that with me, but it is what we based the parking calculations on.

Mrs. May: Will the building have drive through bays or will trucks have to back in?

Mr. Freeman: They will back in.

More discussion occurred.

Mr. Smith: Can you give us an idea of the construction schedule? Is this the final plan?

Mr. Freeman: They are definitely going with this site plan. Finger Lakes Construction asked me to distribute plans to several site work contractors. My advice to them was to not bid what they see until I am done with the Town. They are anxious to get started this year.

We are in the process of writing a contract with the South Bay Fire Department to provide a provision for water services with OCWA. During construction we will be out there performing the SWPPP inspections and will coordinate that with OCWA. There is a note on the plan that addresses that.

We are not changing anything with signage.

Mr. Smith asked about the temporary topsoil stockpile. What is temporary?

Mr. Freeman: During construction. We have added a note that states if we do have a surplus the stockpile will be limited to a certain height and width. After construction it would be blended and seeded. Our office will monitor that.

We are not introducing any pole lighting to the site. The proposed wall mounted lights would have shields. I do not project any off site illumination.

Mr. Parrish: They did provide cut sheets for lighting. There are shields. Our letter notes that there are not any photometrics so I can not tell you one way or the other if it is good or bad.

Mr. Freeman offered to forward that information to Mark.

More discussion occurred.

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

**Mr. Smith made a motion** to approve the amended site plan for South Bay Fire Department at 8819 Cicero Center Road as presented with a date of July 1, 2011 Revision One. **Mrs. May seconded the motion.** The motion was **approved** with the following vote:

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

**SITE PLAN AMENDMENT, HMT, INC. (PAUL WELLS)**  
**6268 STATE ROUTE 31, PROPOSED EXPANSION**  
**HARMONY ARCHITECTURAL ASSOCIATES**  
(SEE ATTACHMENT C: OBG LETTER DATED JULY 21, 2011)

Representative: Jason Lamanna, Harmony Architectural Associates

Mr. Lamanna introduced himself. The prior approved plan consisted of a separate warehouse and modifications to the existing office/warehouse space. The new plan consists of a 1600 square foot warehouse addition onto the existing building, plus a 1692 square foot office addition. With those changes comes a reduction in parking and hard surface area. Parking is now 35 spaces. We have also included some paving for a truck turn-around.

The previously approved stormwater retention area remains unchanged. I believe Mark Parrish commented that was adequate.

There was a comment regarding a plumbing easement to the left as our addition comes close to that. The building structure would not encroach on that easement. It would be more or less revising a connection to that sewer line from our existing structure.

Dumpsters would be enclosed with a wooden fence with dog ears and metal posts. We show details for that on page S1.

Mr. Smith: Could you point out the cross access easement between Lots 1A and 2A?

Mr. Lamanna: The access easement that was previously approved was drawn up by an attorney. If and when there is any type of development on the second lot we would make accommodations to remove that parking and accommodate that parking else where on the site.

Mr. Germain: A proposed easement was submitted. I am not sure if it was recorded but it was submitted. Their attorney drew it up something based upon the previous plan.

Mr. Smith: So we should be all set?

Mr. Germain: Yes.

Mr. Smith: If Lot 2A is developed they were supposed to close the drive off of Route 31. Is that correct?

Mr. Parrish: That is the understanding.

Mr. Lamanna: I believe they would re-locate the current curb cut across from Button Road. The easement would actually give more access to the lot.

Mr. Smith: If Lot 2A is developed access would line up with Button?

Mr. Lamanna: Correct.

Mr. Parrish agreed that was a good idea.

Mr. Marzullo: Are there any other questions? We went through the site plan thoroughly the last time around. This is a smaller addition.

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

**Mr. Smith made a motion** approve the amended site plan for HMT, Inc at 6268 State Route 31 with a last revision date of June 15, 2011. **Mrs. May seconded the motion.** The motion was **approved** with the following vote:

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

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

IN AS MUCH AS THERE WAS NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 7:45 P.M.

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Tonia Mosley, Clerk

ATTACHMENT A

July 20, 2011

**Planning Board**

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

Attention: Mark Marzullo, Chairman

Re: Nice N' Easy Brewerton Site Plan Review

File: 0101/25439.405

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. Survey dated December 9, 2009 last revised January 12, 2010
2. Overall Site Plan dated May 31, 2011 last revised July 19, 2011
3. Site Plan dated May 31, 2011 last revised July 19, 2011
4. Detailed Site Plan dated May 31, 2011 last revised July 19, 2011
5. Site Details dated May 31, 2011 last revised July 19, 2011
6. Demo Plan dated July 5, 2011 last revised July 8, 2011
7. Elevations dated May 31, 2011 last revised July 19, 2011
8. Lighting Plan dated July 7, 2011
9. Stormwater Pollution Prevention Plan dated June 2011 last revised July 11, 2011.

Ianuzi & Romans prepared Item 1, J.S. Hagan Architect, P.C. prepared Items 2 to 7, RedLeonard Associates prepared Item 8 and Dunn & Sgromo Engineers, PLLC prepared Item 9.

The 4.06-acre site, which is comprised of three tax parcels, is located on the northwest corner of the intersection of Bartell Road and Kathan Road. The site contains a restaurant and a Nice N' Easy convenience market and gas station along with associated parking areas, utilities, and other site improvements. It proposed to demolish the existing buildings and construct a 6,715 square feet Nice N' Easy convenience market and gas station along with associated parking, utilities, landscaping, lighting, signage and other site improvements. The western portion of the site is to be maintained as grass at this time and may be developed in the future. A majority of the site is zoned General Commercial with a small portion of the site zoned R-10 Residential. Our comments are as follows:

- 1) The site is located within the Brewerton Sewer District. An 8-inch Town sanitary sewer main located along the north side of Kathan Road provides sanitary sewer service to the site. It is proposed to utilize the lateral serving the restaurant to provide service to the new building. The sewer lateral to the existing Nice N' Easy will be abandoned.
- 2) Stormwater runoff from the site is generally tributary to drainage facilities located along the adjacent roads. 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 developed area of the site is tributary

ATTACHMENT A CONTINUED: PAGE 2

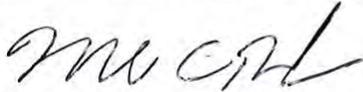
- to bio-retention areas along the north and east side of the site that provide the required stormwater quantity and quality mitigation. The SWPPP and plans provide details relative to sediment and erosion control and appears to generally be in accordance with the required standards. The following are other comments relative to stormwater management.
- a) 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 management area.
  - b) Approval for the discharge to the storm sewer facilities along Bartell Road should be obtained from the Onondaga County Department of Transportation (OCDOT).
  - c) A storm sewer located within a Town easement crosses the site. It is proposed to modify the easement to accommodate the proposed development. Approval for this will need to be obtained from the Town Board.
  - d) The SWPPP indicates the future development will be considered redevelopment for the purposes of the requirements of the NYSDEC SPDES Permit. Our office does not necessarily agree with this statement and the application of this criteria will need to be addressed when a SWPPP is developed for the future development.
- 3) Access to the site is proposed via entrances onto Kathan Road, which is a Town highway and Bartell Road, which is a County highway under the jurisdiction of the OCDOT. The proposed access to the site will include a single curb cut onto Kathan Road and two curb cuts onto Bartell Road. Information has been provided indicating the OCDOT has approved the location of the entrances. The Board should review the site circulation and number of parking spaces provided with the Developer.
  - 4) The site is within the Brewerton Water District. It is proposed to utilize the existing service to the restaurant for the new building. The service to the existing Nice N' Easy is to be abandoned. The modifications to the water service should be coordinated with OCWA.
  - 5) The Board should review the landscaping, lighting, signage and architectural elevations with the Developer. The following are some comments for the Boards consideration regarding these and other miscellaneous issues:
    - a. The lighting generally appears reasonable and is consistent with previous projects of a similar nature.
    - b. The total signage area is approximately 161 square feet (not including the existing free standing sign located on the portion of the parcel located across Kathan Road) and the maximum frontage of the building is approximately 70 feet. The Town Code allows for 1 square feet of sign area per linear foot of building frontage. The Planning Board can approve more than this but has typically allowed sign area up to twice the building frontage.
    - c. The New York State Office of Parks, Recreation and Historic Preservation has indicated the project will have No Adverse Impact upon historic properties with the conditions noted in their July 20, 2011 letter.
  - 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.

ATTACHMENT A CONTINUED: PAGE 3

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". The signature is written in a cursive, flowing style.

Mark C. Parrish, P.E.  
Managing Engineer

ATTACHMENT B

July 21, 2011

**Planning Board**

Town of Cicero  
P.O. Box 1517  
Cicero, New York 13039-1517  
Attention: Mark Marzullo, Chairman

RE: South Bay Fire Department Amended Site Plan Review

FILE: 0101/25439.408

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. Overall Site Plan dated July 1, 2011 with Revision 1
  2. Site Preparation Plan dated July 1, 2011 with Revision 1
  3. Grading, Drainage and Utilities Plan dated July 1, 2011 with Revision 1
  4. Layout Plan dated July 1, 2011 with Revision 1
  5. Planting Plan dated July 1, 2011 with Revision 1
  6. Erosion and Sediment Control Plan dated July 1, 2011 with Revision 1
  7. Site Details (2 sheets) dated July 1, 2011 with Revision 1
- Keplinger Freeman Associates prepared items 1 to 7.

The 5.9-acre site is located on the southwest corner of the intersection of Lakeshore Road and Cicero Center Road. The site contains the South Bay Fire Department along with associated parking areas, utilities, and other site improvements. The Planning Board approved a Site Plan for the site in 2010 that included a 4,900 square foot building located south of the existing building along with associated modifications to the parking, landscaping, lighting and other site improvements. The current submittal is for an approximately 7,800 square foot building located in approximately the same location as the previous building along with similar modifications to the parking, landscaping, lighting and other site improvements. The site is zoned Neighborhood Commercial. Our comments are as follows:

1. The site is located within the Lakeshore Sewer District. An 8-inch Town sanitary sewer main located within an easement located along Cicero Center Road provides sanitary sewer service to the site. It is proposed to extend a lateral to the new building from the sanitary sewer and it will be necessary to modify the rim elevation of an existing manhole. A note has been placed on the Plan indicating the Town should be contacted to coordinate work to be completed by the Town Sewer Contractor.
2. Stormwater runoff from the site is generally tributary to a wetland located south of the site, the adjacent property west of the site and drainage facilities located along Cicero Center Road. 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. A majority of the disturbed area will be tributary to a stormwater management area consisting of a dry swale located along the south side of the site that provides the required stormwater quantity and quality mitigation. A Stormwater Pollution Prevention Plan (SWPPP) for the project was reviewed and found to be acceptable as part of the review of the original Site Plan. No modifications to the stormwater management are proposed and since less impervious area is provided by

ATTACHMENT B CONTINUED: PAGE 2

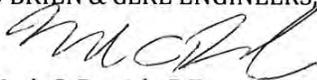
the amended Site Plan these facilities are still adequate. It is noted that the project does not provide for the Runoff Reduction Volume (RRV) required by the current SPDES Permit. However, as the original application for the project was submitted prior to March 1, 2011 and the application included a SWPPP in accordance with the 2008 Stormwater Management Design Manual these requirements can be waived. 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 management area. Approval for the modifications to the storm sewer facilities along Cicero Center Road should be obtained from the Onondaga County Department of Transportation (OCDOT).

3. Access to the site is proposed via entrances onto Lakeshore Road, which is a Town highway and Cicero Center Road, which is a County highway under the jurisdiction of the OCDOT. The proposed improvements to the entrances will reduce the existing uncontrolled access onto the roads with a single curb cut onto Lakeshore Road and four curb cuts onto Cicero Center Road with more appropriate widths and radii. A letter has been provided indicating the OCDOT has approved the location and configuration of the entrances. The Board should review the site circulation and number of parking spaces provided with the Developer.
4. The site is within the Cicero Oneida Lake Water District. Water service is provided by an 8-inch water main located along Cicero Center Road. Water service to the new building is to be provided by extension of a service from the existing water main. The provision of the water service should be coordinated with OCWA.
5. The Board should review the landscaping, lighting, signage and architectural elevations with the Developer. The following are some comments for the Boards consideration regarding these issues:
  - a. The Plan shows a number of existing light poles on the site are to be maintained and a July 19, 2011 letter from Keplinger Freeman Associates describes the lighting to be provided on the new building. The Board should confirm this is adequate as the locations of the lights are not shown on the Plans and no information on photometrics has been provided.
  - b. The Plan does not show any additional signage beyond the existing sign located at the corner of Lakeshore Road and Cicero Center Road.
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 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

ATTACHMENT C

July 21, 2011

**Planning Board**

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

Attention: Mark Marzullo, Chairman

RE: HMT Building Addition Amended Site Plan Review  
FILE: 0101/25439.407

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) Proposed Site Plan dated December 16, 2010 last revised June 15, 2011
- 2) Proposed Grading Plan dated December 16, 2010 last revised June 15, 2011
- 3) Proposed Site Plan dated July 2010 last revised November 18, 2010
- 4) Erosion and Sediment Control Plan dated July 2010 last revised November 12, 2010.

Harmony Architectural Associates prepared Items 1 and 2 and PLS Engineering, P.C. prepared Items 3 to 4.

The 3.93-acre site is located on the south side of New York State Route 31 across from Button Road and is Lot No. 1 of the HMT Business Park. The lot contains an existing 4,518 square feet building along with associated parking, landscaping and associated site improvements. The Planning Board approved a Site Plan for the site in 2010 that included a 5,764 square feet building south of the existing building along with improvements to the parking and other site features. It is now proposed to construct a 1,692 square feet addition on the west side of the existing building and a 1,600 square feet addition on the south side of the existing building. There are also modifications to the previously approved improvement to the parking and other site features. Our comments on the Site Plan are as follows:

- 1) The site has frontage and an existing curb cut onto on New York State Route 31, which is a State highway. Information has been provided indicating the modifications to the curb cut, which is to be moved to the east, have been approved by the New York State Department of Transportation (NYSDOT). The following are additional comments on site access, parking and site circulation:
  - a) The location of a future access onto the adjacent Lot 2 is shown on the Plan. When Lot 2 is developed the curb cut on Lot 1 is to be abandoned and combined with a single access located across from Button Road. It should be confirmed an easement for this was provided with the recent subdivision of the property.
  - b) The basis for the number of parking spaces required for the site is provided on the Plan and can be reviewed with the Applicant. It is noted additional spaces can be provided on the west side of the site should they be required by a change of use or loss of spaces when the connection to Lot 2 is provided.
  - c) A 5-foot wide sidewalk has been provided along the Route 31 right-of-way.

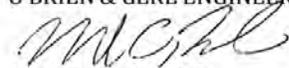
## ATTACHMENT C CONTINUED: PAGE 2

- 2) Stormwater runoff from the site is tributary to a drainage easement located on the south side of the site and drainage facilities located along Route 31. 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. Stormwater mitigation is to be provided by a stormwater management area located on the central portion of the site. The stormwater management area is a pond and provides the required stormwater quantity and quality mitigation. The stormwater management area has been designed to provide stormwater mitigation for the adjacent lot. A Stormwater Pollution Prevention Plan (SWPPP) for the project was reviewed and found to be acceptable as part of the review of the original Site Plan. No modifications to the stormwater management are proposed and since less impervious area is provided by the amended Site Plan these facilities are still adequate. It is noted that the project does not provide for the Runoff Reduction Volume (RRV) required by the current SPDES Permit. However, as the original application for the project was submitted prior to March 1, 2011 and the application included a SWPPP in accordance with the 2008 Stormwater Management Design Manual these requirements can be waived. In accordance with the Town's 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 management area.
- 3) The site is located within the Cicero Sewer District, Extension No. 3 and the Cicero-Oneida Lake Water District Extension No. 5. It will be necessary to relocate a portion of the private sanitary sewer lateral located on the west side of the building to accommodate the proposed addition. No modifications to the water service is noted on the Plan.
- 4) 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 consists of the wallpacks on the buildings and appears reasonable.
  - b) The Plans indicate the existing sign is to be relocated to conform to Town Code setback requirements.
- 5) 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.
- 6) 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