

Agenda:

- Approval of the April 2, 2008 Planning Board Meeting's Minutes
- Preliminary Subdivision Plan, Sketch Plan, Shiva Estates, Guy Young Road, 14 Lots, Fisher Associates
- Site Plan, Clinton's Ditch Cooperative Company, 8478 Pardee Road, Proposed Building Expansion
- Revised Preliminary Subdivision Plan, Island Hollow, Island Road, Island Road Associates
- Final Subdivision Plan, Carmel Runne, Section 1, 3rd Amended, East Side of Pardee Road, 8 Lots, Ianuzi & Romans, P.C. (Corrected to 4th Amended 5/7/08)
- Site Plan/SEQR, Comfort Suites, Carmenica Drive, Proposed Hotel, Alestalo & Etzel Architects
- Final Subdivision Plan, Carmel Runne Section 3, North of Lakeshore Road, 6 Lots Ianuzi & Romans, P.C.
- Site Plan, Sketch Review, Cicero Baptist Church, 6319 Lakeshore Road, Proposed Community Church

PRESENT:

Patrick Leone, Chairman
Richard Cushman, Board Member
William Purdy, Board Member
Christopher Rowe, Board Member
Sharon May, Board Member
Jason Mott, Board Member
Robert Smith, Board Member
Wayne Dean, Director, Planning & Dev.
Heather Cole, Esquire, Wladis Law Firm
Mark Parrish, P.E., O'Brien & Gere
Vern Conway, Town Board Liaison
Chief Carvel, Cicero Fire Department
Tonia Mosley, Clerk

ABSENT:

Scott Harris, Ad Hoc Board Member

The meeting was opened with the Pledge of Allegiance.

Mr. Leone noted the locations of the three fire exits. There are no formal public hearings tonight, however this Board recognizes the importance to public participation and encourages anyone who would like to speak about an agenda item to do so. Please raise your hand to be recognized by the Chair. You must use the microphone in the front of the room. If you can not hear us, please raise your hand.

**APPROVAL OF THE APRIL 2, 2008
PLANNING BOARD MEETING'S MINUTES**

Mr. Smith made a motion to approve the minutes. **Mr. Mott seconded the motion.**
The motion was **approved** with the following vote:

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

**PRELIMINARY SUBDIVISION PLAN, SKETCH PLAN
SHIVA ESTATES, GUY YOUNG ROAD, 14 LOTS, FISHER ASSOCIATES**

Representatives: Mark Grovanz, P.E., Project Manager, Fisher Associates
Barbara Bratt and M. Marvasti, Owners of the Property

Mr. Grovanz introduced himself and his clients while reviewing the previous meeting. The overall subdivision consisted of 62 lots. We have revised the layout with some significant improvements. Phase 2 consists of 14 lots and is an extension of Bratt Lane. Phase 1 already exists and contains 12 lots on Guy Young Road. We have moved some of the lots away from the buckeye power line which runs north and south. We have also improved the lots that were adjacent to the wetlands by eliminating the cul-de-sac. We have re-aligned the future extension of Bratt Lane to the south. We have improved the access to the Town's property to the east by extending this roadway. The new layout you see on the left consists of 53 lots where 62 were previously proposed.

Mr. Leone asked about the access to Lot 12.

Mr. Grovanz explained that Lot 12 would be an unapproved, vacant parcel. It is not a building lot. It would contain the storm water pond and the wetlands which will be noted on the plan.

Mr. Leone asked for an explanation of the phases. You go from Phase 2 to Phase 5 which has only two lots.

Mr. Grovanz noted the extension of Bratt Lane. In order to facilitate a turn-around here for an emergency vehicle or snow plow, we need to build the hammerhead that you see here. But, if we were to extend the road all the way down for the two lots in Phase 5, we

would have to have some kind of turn-around down here at the property line which would require a turn-around or cul-de-sac itself. That would take up some land area. We did not want to have to build a temporary turn-around just for those two lots. Phase 5 will be the last two lots that would occur when and if the property to the south is developed.

Mr. Leone referred to Lots 18, 19 and 20 as flag lots. That will be a private drive going back?

Mr. Grovanz responded correct. There would likely be one driveway for those three lots. It is probably about 500' from Kian Lane. The driveway would be 15'-16' wide.

Mr. Leone noted the driveway might need to be wider for emergency vehicles. You show the park connection in Phase 3. Your intent is to make the connection to the park's property. Will that be paved? It can be paved as a driveway. We will have to talk about the width of that driveway as well. We anticipate that your extension of utilities will happen to the property line. There would be a park fee adjustment.

Mr. Grovanz noted those issues would have to be discussed.

Mr. Parrish stated this plan seems to address the concerns the Board previously had.

Mr. Leone asked if the turn-around would work for Cicero's plows.

Mr. Parrish thought they looked reasonable. We can review those details when we get to the contract drawings and look at each phase as to what the turn-around would be.

Mr. Leone noted Lots 1 and 35 were shallow. But, they are wide. I believe that you could build a house on them with all of the pertinent accessories. They have addressed the issue with the buckeye pipeline and have done a good job doing so. I would like to think about the phasing.

Mr. Parrish stated that Phase 3 does not provide for your loop roads. You end up with a lot of lots with a dead end and only one access point.

Mr. Leone stated you may have to build out Shiva Drive if you are going to go in that direction, so that you have a complete loop in there.

Mr. Grovanz asked if there were any guidelines in the zoning code for the maximum length of roadways, etc.

Mr. Parrish thought that the maximum length of a cul-de-sac was 500 feet.

Mr. Dean noted that was also a fire code.

Mr. Leone and others complemented the applicant on the revisions done for the pipe line and wetland issues. The park entrance is suitable and should work out great. Can you give us an idea of your timeline?

Mr. Marvasti stated that depended upon the market.

Mr. Leone: I want to make sure you are aware of the timeline for subdivision approval.

Ms. Cole thought the timeline for approval was two years.

Mr. Parrish noted this was an R-12 zone.

Mr. Leone asked with all of the wetlands if there was 12,000 square feet of continuous, buildable space on each lot.

Mr. Grovanz responded correct.

Mr. Smith asked if this needed to go to the County.

Mr. Leone asked Mr. Parrish and Mr. Dean if any traffic information was needed.

Ms. Cole and Mr. Parrish noted this was already sent to the County.

Mr. Leone: This is a whole different layout, completely different from the first one. You have a reduced number of lots. It will have to go again. It is in the applicant's best interest. We will see you back again after the County's response.

SITE PLAN, CLINTON'S DITCH COOPERTIVE COMPANY
8478 PARDEE ROAD, PROPOSED BUILDING EXPANSION
(SEE ATTACHMENT A: O'BRIEN & GERE LETTER DATED 4.21.08)

Representatives: Dave Mosher, Project Manager, Edwin I. Harrington III, Architect P.C.
Tom Miller, Plant Manager

Mr. Mosher introduced himself and Mr. Miller. We were here previously with a sketch plan review. We are proposing a 35,000 square foot addition on the east end of the existing building. Currently, pellet racks are stored outside in the weather. The intent is to provide a covered, heated storage for those.

Mr. Leone stated this applicant is here because of the size of the proposed addition as

compared to the existing building. It requires site plan review. Our basic understanding of the project is that you are expanding the warehouse/cold storage space. There would not be any additional employees, parking or signage. I believe there is some additional lighting on the side of the building. The color scheme is the same. There will be no additional traffic generated and no additional storm water. Mark has reviewed several issues and you have addressed them. He has said that your lighting shields appear to be fine. The County's Planning Board had noted some issues; mainly traffic, employees and truck trips that you have also addressed. Does the Board have any other issues they would like to discuss? (There was no response from the Board, Zoning, Legal or Engineering). They have done a pretty good job, quickly.

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

Mr. Smith made a motion to approve the site plan with a revision date of April 15, 2008. **Mrs. May seconded the motion.**

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

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

**REVISED PRELIMINARY SUBDIVISION PLAN
ISLAND HOLLOW, ISLAND ROAD, ISLAND ROAD ASSOCIATES**

(SEE ATTACHMENT B: O'BRIEN & GERE LETTER DATED APRIL 21, 2008)

Representative: Art Dempsey, Ianuzi & Romans

Mr. Leone noted this was a previously approved subdivision plot located on Island Road. It was an RM district. It was a group of town homes with some apartments. There has been an addition or change to a new access drive. Primarily, an additional lot or two is being added.

Mr. Dempsey introduced himself. We are here for a revised, preliminary approval of the preliminary plan for Island Road, Island Hollow. The developer was able to acquire a parcel of land along Island Road which allows them to make an access road out to Island Road. This was originally requested by the Planning Board.

Mr. Leone stated that was correct.

Mr. Dempsey continued. With that revision we picked up four more units along that access road. Those are the only revisions.

Mr. Leone asked if the applicant was changing a driveway that was an access point for the apartments.

Mr. Dempsey: Yes.

Mr. Leone: And you are adding an access road to the west? This is where the Planning Board wanted the drive to be. The applicant had to go back to the DOT because of the length of the site distance from Joss Farm Way.

Mr. Dempsey: Correct.

Mr. Leone noted a letter from the County. You have the County's approval. We are adding a couple of lots. I think it is a better flow of traffic for the site. Are there any more comments? Lots 19-22 have to be added to. Is there a change to the storm water?

Mr. Parrish responded nothing significant.

Ms. Cole noted for the record that the developer did obtain a zone change.

Mr. Leone stated that was our suggestion and recommendation. That section of property went from Industrial to RM. The core or center is still zoned Industrial.

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. Leone seconded the motion.**

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

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

Mr. Leone made a motion to approve the revised preliminary subdivision plan for Island Hollow with a date of January 9, 2008 and a revision date of March 26, 2008.

Mr. Parrish stated basically there are sanitary sewer facilities that need to be added. We can take care of that during contract drawings and reflect that upon the final plan.

Mr. Mott seconded the motion.

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

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

**FINAL SUBDIVISION PLAN, CARMEL RUNNE, SECTION 1, 3RD AMENDED
EAST SIDE OF PARDEE ROAD, 8 LOTS, IANUZI & ROMANS, P.C.**

(SEE ATTACHMENT C: O'BRIEN & GERE LETTER DATED APRIL 15, 2008)

(Corrected to 4th Amended 5/7/08)

Representative: Robert Ventre, Esquire

Ms. Cole noted that there was a simple subdivision filed for this which I believe Jay Seitz took care of administratively. It had to do with the other hotel on the site and dealt with

the adjustment of a lot line. I believe that simple subdivision was approved by the Town but that map has yet to be filed. When I spoke with Mr. Romans there were some questions as to whether this was Amendment 3 or Amendment 4. I think we still need to consider this as Amendment 3 because that previous simple subdivision has not been filed with the County yet.

Mr. Ventre introduced himself. This is Carmel Runne Section 1, 3rd Amendment. (Corrected to 4th Amended 5/7/08). The only change has been the division of Lot 1 into Lots 1A and 1B. Lot 1A is the lot on which the hotel, the subsequent site plan on the agenda, is located. If you have questions on the measurements, Mr. Helmbold is the man to talk to.

Mr. Ventre reviewed the County's referral agreeing with those conditions. He noted that the County and Mr. Parrish recommended that any future development plans for the subdivision required an updated, original traffic study or new traffic study based upon full buildout of the development in its entirety to meet NYSDOT and Onondaga County DOT requirements. This should be submitted to them for approval where upon the applicant must complete any mitigation required. The Board should consider making this a condition of approval of the final plan.

The applicant recognizes this original plan was done 10 years ago and that this would be required on future developments. When the next project comes up, this would be taken care of accordingly. Ms. Elaine Mufale understands that. As long as it does not stop us from the filing of the final plan, we agree. I understand that the site plan for the hotel took place.

Mr. Leone clarified. It will be conditioned for future subdivision or site plan approvals on any of the existing lots for the remainder of the entire site, not just section one. We will make that clear as part of our approval.

Mr. Ventre responded that is okay because in 3 I was concerned because it did not say future development. That will solve my problem with 3. We should get through that quickly.

Mr. Leone noted the intent is to get an updated traffic study for the complete buildout.

Mr. Ventre stated I understand.

Mr. Leone continued. I guess it was understood by both DOT departments and the Town that the original traffic study by C&S took into consideration a certain number of trips in and out of this site. That was before a lot of the problems now associated with those intersections.

More discussion occurred. Mr. Leone asked if there were any other comments.

Mr. Parrish responded no. We can address the comments in the letter and any other things that need to be taken care of we can certainly take care of.

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

Mr. Leone made a motion to approve the final subdivision plan for Carmel Runne Section 1, 3rd Amendment (**Corrected to 4th Amendment 5/7/08**) with a revision date of January 31, 2008 with the following conditions: that there is no further subdivision or site plan approvals without a full buildout of the traffic study for complete development for the remainder of Carmel Runne and for the remaining two sections and for any lots in Section 1, except for the Comfort Suites.

Ms. Cole added no direct access is allowed to Pardee Road from Lots 34 and 35. The access easement that was provided across Lot 4 to Lot 5 as part of the approval for the Holiday Inn Express on Lot 5 must be shown on the final plan.

Mr. Leone added a condition. No buildout on the 99 wide water easement. No building over the water line. **Mrs. May seconded the motion.**

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

Mr. Cushman:	Yes
Mr. Purdy:	Yes
Mr. Rowe:	Yes
Mrs. May:	Yes
Mr. Mott:	Yes

Mr. Smith: Yes
Mr. Leone: Yes

**SITE PLAN/SEQR, COMFORT SUITES, CARMENICA DRIVE
PROPOSED HOTEL, ALESTALO & ETZEL ARCH.**
(SEE ATTACHMENT D: O'BRIEN & GERE LETTER DATED APRIL 15, 2008)

Representative: Rod Etzel, Architect, Sun Hotels, LLC

Mr. Etzel noted that the Board has seen this project before. You have two packets of information. The first packet has Mr. Parrish's review comments from March 17th. After his comments from March 22nd we issued a supplement to that which includes lighting fixtures not in the initial package, some minor changes to site grading, a revised photometric plan, and a revised storm water management plan. I also have copies of letters from OCWA approving the proposed hydrant location which would be in the right-of-way and a letter regarding sewer capacity. We have conformation from the NYSDOT that they have reviewed the project.

Mr. Leone stated there should also be a letter from the County DOT. He asked if the applicant had seen the State's comment about the sidewalk across the front. Mr. Greiner, from the State, was fairly strong on his position that it would be in our best interests to take a sidewalk across the front of the property. Someday sidewalks could connect, on one side, from Pardee to Lakeshore.

Mr. Smith noted the Board could have the same situation here as we have on Route 11. As we have discussed, everyone including the Federal government is looking for ways for people to walk. It is not unconceivable for people who stay at the Comfort Suites to want to walk down to the restaurants.

Mr. Leone asked if there was enough room in the easement for a sidewalk.

Mr. Parrish: Within the Town's right-of-way?

Mr. Leone stated it would have to be private land. Is there enough room off the easement?

Mr. Alestalo responded yes. I think the developer does not have an objection if we could build a sidewalk to one that was there, instead of building a sidewalk to nowhere only to see it decay.

Mr. Smith: We have a number of these. This Board has been proactive with putting in sidewalks. We have the idea that if we do not get them built, they will never get done.

Mr. Leone: We would condition the sidewalk. He is questioning when we would make him build it.

Mr. Smith: During buildout so that it could be inspected.

More discussion occurred.

Mr. Leone: I see where you have plenty of sidewalk space on your site. We are asking that it be extended out towards the road and then across. I would guess that it would end up being on the private property. It would be your client's responsibility to maintain it.

Mr. Alestalo: We would run it parallel to the road from border to border, to connect with a future sidewalk.

Mr. Leone: We are in the process of getting sidewalk specs together.

Mr. Smith: Four feet wide, concrete.

Mr. Leone asked if storm water issues have been addressed.

Mr. Parrish believed everything had been addressed satisfactorily. They should execute a siltation area/storm water maintenance facility agreement with the Town.

Mr. Leone: Is that holding water or is it a dry facility? Do we need a fence?

Mr. Parrish: It will hold water temporarily, but is designed to normally be dry. I believe the maximum depth would be around 3'.

Mr. Leone: Does anyone see a need for commercial fencing for water that stands for a short period of time?

The Board responded no.

Mr. Leone asked if the storm water area would be used for snow storage.

Mr. Parrish believed it could be used for that.

Mr. Leone noted we have gone back and forth on the number of parking spaces. Can you bring us up-to-date on what you finally got and how you got there?

Mr. Etzel responded that number is the amount that was asked for which I believe is 167. If you take out 65 for the hotel, that leaves 102 for the banquet facility which has seating

for 96.

Mr. Leone asked how many rooms the hotel had.

Mr. Etzel: 65. Parking takes employees, etc. into consideration. If you use the seated dining paragraph from the New York State Building Code, which is 15 square feet per person, the area of the dining room would seat 192.

Mr. Leone: That is actual seating area within the banquet hall, without the kitchen, foyer, etc?

Mr. Etzel: Correct.

Mr. Smith asked about the certificate of occupancy. Will yours be around a 200 maximum capacity?

Mr. Dean and Mr. Etzel agreed that it would.

Mr. Leone inquired about the DOT's response on traffic. They accepted.

Mr. Alestalo noted that there would be some induced delay, but the DOT felt that the delay did not require further comment.

Mr. Leone explained that means that some people are going to be sitting at some of the lights a little longer as a result of this project. The DOT accepts the fact that this project will induce a longer delay time. They are not asking Comfort Suites or the developer to do any mitigation.

More discussion occurred.

Mr. Leone: That is with the understanding of traffic at this level of running a buffet banquet hall and not a restaurant. If it gets converted to a restaurant someday, it must come back before this Board first. A new traffic study would be required of that parcel. If mitigation is required, the developer will have to address that.

Mr. Smith: Can we ask the developer's representative to put into the minutes his definition of a banquet hall and what he sees as the scope of service? That is material to the decision of this Board. We want it understood that this Board does not anticipate and does not accept a full restaurant. What do you envision the operation of the banquet hall to be?

Mr. Etzel: There is no retail food service or at table service. It will be banquet groups.

Mr. Smith: All prearranged?

Mr. Etzel: Correct.

Mr. Smith: There will not be cash taken on the premises by a person?

Mr. Etzel: Correct.

Mrs. May: There will be no waitresses per say?

Mr. Etzel: Taking individual orders? No. It is not retail food service.

Ms Cole noted the code. This is not a restaurant which is defined in your code as an establishment primarily engaged in the sale of food and beverages including alcoholic beverages for on premises consumption with patrons seated inside the building. The definition of restaurant does include establishments whose primary business is of a take-out nature. That is not what we are talking about.

Mr. Smith: That is absolutely not what this Board is considering approving. We are considering approving someplace for you to hold meetings, maybe some wedding receptions and stuff like that.

Mr. Leone: That is what the developer understands. We need to discuss the emergency access. Do we have the appropriate turning radii?

Mr. Etzel responded on the site plan drawing you see some dashed lines which indicate turning radii of fire trucks. Our site designer worked with your Fire Chief who has reviewed those and accepted them.

Chief Carvel stated that is true for the placement of the fire hydrant and the turning radii. The only thing that could be a problem is in the northeast corner going around the back of the building. That one parking spot has not been changed.

More discussion occurred.

Mr. Smith suggested using signs stating compact car parking only.

Chief Carvel noted the request for standpipes in the north and south stairwells was not addressed. There are only two major stairwells in the building.

Mr. Etzel felt that was part of the building plan and therefore could be addressed at that time. Ordinarily we would not have done that because it is not required for this

building type.

More discussion occurred.

Mr. Leone stated landscape and lighting is here. There was a question about how much greenspace we wanted on the eastern side, but the parking there is very important.

They are within 500' of Route 81. They are allowed a 50' sign.

Mr. Etzel stated the total square footage of signage is 292 square feet.

Mr. Parrish noted there was about 170' of frontage.

Mr. Etzel: The first sign is 14 high x 13 wide.

Mrs. May requested that landscaping be placed around the sign.

Mr. Smith requested that the resolution contain a note regarding architectural renderings so that we do not get a color change like they had in Liverpool. Like we discussed at pre-agenda.

Mr. Parrish read: No sign or portion thereof shall be higher than the building on which it is located or more than 24' from the ground, whichever is greater. So, it can be as high as the building.

Mr. Leone asked for the location of the signs.

Mr. Etzel: It is at the south west corner of the banquet hall. There is no separate wall signage for the banquet hall. However the monument sign has two signs on it. The smaller one is for the banquet hall.

Mr. Etzel showed the location of the monument sign.

Mr. Leone: We have a requirement for posting inspection fees on site plans which was not part of your original application. Typically it is done case by case. Recently, we have decided that all minor and major site plans for commercial developments will have a post inspection before occupancy is allowed.

Mr. Dean noted that is correct.

Mr. Etzel asked if that would be carried out by the building inspector.

Mr. Leone responded that will be carried out by the building inspector and/or the Planning Board's engineer.

Ms. Cole added that the Town Board approved an additional fee schedule for that to cover the cost of that expense.

Mr. Parrish stated that fee would be \$500 for a medium site plan.

More discussion occurred. The Board agreed the project would be a great asset to the community.

Ms. Cole asked that the developer contact her office to get a copy of the storm water control construction and maintenance agreement which they will need to execute with the Town.

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

Mr. Leone made a motion to accept and approve the site plan with a revision date of April 4, 2008 and the following conditions: a 4' concrete sidewalk is placed parallel to Carmenica Drive on the developer's property, not within the Town's right-of-way. That sidewalk is to be maintained by the developer. Maintaining is both its acceptance and its appearance, safety and cleanliness. Removing snow is part of that. The next condition is that a restaurant is not approved. It is a banquet hall. There will be no restaurant activity as such and/or subdivision of this specific parcel without the owner coming back to this Board with a full traffic study for the subdivision or change of use. They will be required to mitigate whatever needs to be mitigated by the County DOT, the NYSDOT or the Town. The last five parking spaces on the northeast corner of the site should be signed appropriately for compact cars based upon the ability and ease for fire safety

access. Standpipes are to be put in the north and south stairwells for fire safety. We are approving, as presented, 292 square feet of sign. One will be 50'high. The other is to be approximately 36 and will be located on the building. The last is a monument sign which is to be shared by the banquet hall and the hotel. The architectural rendering shown tonight as presented, is the acceptable color scheme for the banquet hall and the hotel. The developer agrees to a post-construction inspection fee of \$500.

Ms. Cole added that the developer will also execute a storm water control construction and maintenance agreement with the Town for the storm water quality facility as required by Chapter 179 of the Town Code. **Mrs. May seconded the motion.**

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

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

The Board thanked the developers and welcomed them to Cicero.

**FINAL SUBDIVISION PLAN, CARMEL RUNNE SECTION 3
NORTH OF LAKESHORE ROAD, 6 LOTS, IANUZI & ROMANS, P.C.
(SEE ATTACHMENT E: O'BRIEN & GERE LETTER DATED APRIL 15, 2008)**

Representative: Robert Ventre, Esquire

Mr. Ventre noted that this was the same Section 3 from the preliminary plan. The plan was held up by drainage problems which have been resolved. I understand that the entire drainage system has been placed in advance of this approval.

Mr. Leone stated that it was and that the developer has done a nice job. They could attend to their soil piles more and put in some silt fencing. Some planting might be needed for erosion control.

Mr. Parrish noted that was planned. It is just a matter of starting.

Mr. Ventre thought that was underway. I am sure that they will take care of it.

Mr. Leone: I know the developer is having some problems with the site due to four

wheeling trucks, kids bicycling, and trash. Is Pasubio a Town Road?

Ms. Cole: It is a non-dedicated road at this point.

Mr. Leone asked Mr. Ventre to look at the State's letter. There is an issue that we have been trying to get addressed which deals with an easement. It is an easement that transverses the water line and its access for a piece of property that is owned by the Pardees. They have been denied access to Route 31 and to Lakeshore Road. We have a piece of property that is 30' away from Pasubio. It is not like the Mufales to not cooperate. There is something bigger behind this that this Board does not understand. How long is the easement we asked for, 24-26 feet wide for a commercial driveway?

Mr. Parrish stated we have suggested a 30' wide easement. It would be 50 feet long, plus or minus.

Mr. Smith added it would provide access and help with traffic. You could bring the traffic out and do right-hand turns. It would serve the Carmel Runne project by helping the Town move traffic. We would require the Pardees to give the Town an easement to put a road in there. It would help with the traffic off of Lakeshore and Pardee.

Mr. Ventre: It is a fact that it is not a part of our subdivision. It has not contributed monies to the mitigation. We do not know what would go in there. We are now putting a 30' driveway in next to two of our lots that may diminish the value of our lots. You are talking about requiring. Nothing was said about asking. I hate to put it this way, but you can not require it. It is illegal. That is why the State of New York said that the Town should do it. It is not part of the subdivision. You can not ask them to give land to an adjacent owner. Lysander tried that and it was rejected in the courts.

Mr. Leone suggested designing the road differently and making a connection there. Maybe we can say that this plan does not fit well and maybe we need to make a larger swing of Pasubio? I understand that Pasubio is currently not in the greatest shape.

Mr. Ventre: They bought the land, I believe, from the Pardees. No one gave them the land. It is a very important issue. We are talking about future mitigation plans. Where do they fit in? Where will they fit in? Who knows where they will fit in?

Mr. Leone: The issue really is the legality and whether or not this Board has the right to ask for or require an easement to be given.

Mr. Smith asked Ms. Cole if the Board has that right and for a written opinion on this before the next meeting.

Ms. Cole: I would be happy to tell you right now that I agree with Mr. Ventre. I do not think that the Board has a legal right to require Carmel Runne and the developers of Carmel Runne to give over this easement because it is not needed for the Carmel Runne subdivision.

Mr. Leone: I accept that response. I don't know how to address the issue. I think that it is an issue that needs to be worked out between developer and developer. For the record, I would strongly suggest, as the State has done, that this gets completed and that the developers have some sincere discussions on how this can be achieved.

More discussion occurred.

Mr. Ventre reviewed Mr. Parrish's comments.

Ms. Cole clarified another question. The Town has an easement but the owner is responsible for maintaining the storm water management area.

Mr. Parrish agreed. As long as that is the case, I don't have a problem with it.

Mr. Leone agreed. This is a commercial piece. If we don't have an easement and we have to go in and maintain the easement, it is added to the developer's tax roll.

Ms. Cole: These new agreements that are now required of the Town get filed and recorded in the County Clerk's office. It will be a legally binding document that is on notice to all future land owners.

Mr. Leone: What did we decide to do about fencing? We put a stockade fence across the back section. How much water is being held in there?

Mr. Parrish: They did come back to the Board with a storm water modification. I think that the fencing they have provided is consistent with the recommendations that the Board gave at that time. The basin that is over by the apartments is fully enclosed with a fence. The deep water pool is fully enclosed. The whole basin by the apartments, according to the Board's direction, has a fence provided between the residential area and the commercial area. Further fencing was to be addressed when site plans came in for the lots.

More discussion occurred.

Mr. Smith: Is this an opportunity to get some traffic control devices put up? There are no stop signs, speed limit signs or any traffic control signs whatsoever. If you remember we approved in the last section of Wallington, a number of stop signs. None of those

stop signs have been put in place. This is the same developer. They have not met their obligations.

Mr. Ventre: Mr. Chairman I can not answer that but I will relay that to the developer. If it is their obligation, I am sure they will be put in.

Mr. Leone: The traffic issue is the same here. Before you can move forward with any additional buildout, any new site plan, etc, you will need a traffic study.

Mr. Ventre: Again we ask that those stipulations be on future projects.

Mr. Smith asked for suggested stop sign locations from Mr. Dean.

More discussion occurred regarding securities for stop signs, putting stop signs on roads not owned by the Town, speeding signs and no dumping signs.

Ms. Cole asked for a clear direction on stop signs to relate to the Town Board for a public hearing. She also read the following conditions for approval: As required by the County Planning Board, prior to any further subdivision or site development, the developer shall provide an update to the original traffic study, or a new traffic study, based upon the full buildout of the development in its entirety, to meet the NYSDOT, the Onondaga County DOT and the Town of Cicero's requirements. The study must be forward to the NYSDOT, the Onondaga County DOT and the Town of Cicero for approval and the applicant must complete any mitigation required by those three. The final plan must note that Lots 17 and 18 shall not have direct access to Lakeshore Road. The developer must execute a storm water development control construction and maintenance agreement with the Town for the storm water quality facility as is required by Chapter 179 of the Town Code.

Here is what I have for stop signs. A stop sign on Carmenica where it intersects with Pasubio. At the end of Carmenica where it intersects with Pardee. At the end of Pasubio where it meets Carmenica. And then on Carmenica where it meets Lakeshore.

Speed limits maybe set by the Town Code. Include final engineering and legal approvals.

Mr. Pardee introduced himself as the owner of the adjacent property. We did have a meeting with Mr. Mufale. He only stayed about two or three minutes.

Mr. Leone explained his understanding of the meeting. I agree you have an easement for the driveway to the State road, to Route 31. It is my understanding that you have a right to access Route 31 through that easement for what you are currently doing today. The State can condition any type of access. You do not have the right to put a hotel in there

with x number of trips.

Mr. Pardee noted he spoke with Mr. Greiner asking him what could be done there. Mr. Greiner stated anything that pertains to a business like what we had before. We did service work for automobiles. He said that was fine. But he does not want a hotel which is only 70 trips.

Mr. Leone recommended if Mr. Greiner stated that you can access a State highway with that number of trips, I would suggest to you to get that in writing.

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. Leone seconded the motion.**

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

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

Mr. Leone made a motion to approve the final subdivision plan for Carmel Runne Section 3 with the following conditions as detailed by Heather previously. I will highlight them. The details can be found in what Heather stated earlier in the minutes. A traffic study for the full buildout will be required before any other subdivisions or site plans are approved for any of the Carmel Runne lots that exist. The four stop signs are to be located at the intersection of Carmenica to Pardee, Carmenica to Pasubio, Pasubio to Carmenica, and Carmenica to Lakeshore Road. It is recommended that you look at Lots 17 and 18 that are now listed as Agricultural as to whether you are going to make them a zone change to General Commercial. We would encourage further communication between the Mufales and the Pardees on the easement issues relative to Pasubio. Maybe that is something that is maybe addressed as one of their traffic study conditions. The storm water easements and management issues are addressed accordingly. Siltation and erosion are addressed accordingly. I will leave the fencing issue as we approved the

conditions on the storm water without the fences on the north boundary. I would suggest, for the developer's liability, and encourage them to take a strong look at that issue. **Mrs. May seconded the motion.**

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

Mr. Cushman:	Yes
Mr. Purdy:	Yes
Mr. Rowe:	Yes
Mrs. May:	Yes
Mr. Mott:	Yes
Mr. Smith:	Yes, reluctantly because it is to the benefit of the people of Cicero to get this traffic thing fixed. Maybe we can not require it. This developer has a history of working with this community to try and improve it. This is a stain on that record.
Mr. Leone:	Yes

Mr. Ventre thanked the Board.

**SITE PLAN, CICERO BAPTIST CHURCH
6319 LAKESHORE ROAD, PROPOSED COMMUNITY CHURCH**

Representative: Alex Wisniewski, P.E., LJR Engineering
Pastor Carl Novak, Cicero Community Church

Mr. Wisniewski introduced himself. I am here on behalf of the Cicero Baptist Church to ask you to consider the site plan application for the Community Church. The proposed location is zoned AG along with the two adjacent parcels. This is a couple hundred feet east of the Button Road intersection. It is currently a log house with 2.2 acres located on the north side of Lakeshore Road. It is comprised of a single family residence, a single story ranch with about 1800 square feet. There is also an approximately 2,000 square foot garage that is connected with a breezeway. There is a looped driveway with some parking area.

Mr. Leone noted it was a residential driveway at this point.

Mr. Wisniewski responded correct with two connection points at Lakeshore Road. Button Brook flows northerly along the east side of the site. The garage would be converted into the sanctuary portion of the church. The home portion would be for small gathering spaces with some bathroom facilities.

Pastor Novak explained there would be small class groups of 5-10 people. We have been meeting on the backside of the Burlington Coat Factory building for about 5 years. The congregation averages about 50 on Sunday mornings.

Mr. Leone: I am sure that you hope for growth. What type of growth are you anticipating? Do you have a one-year or five-year projection?

Pastor Novak: We obviously have hopes for growth. It is difficult to project because we are going from a store front building to a building of our own. We don't perceive having a lot of people. We see having an activity in the auditorium for worship. Afterwards we usually have some small group meetings.

Mr. Leone: You have picked a location in the heart of a residential area. Based upon our code you could be there or in an Industrial area. We don't necessarily control where people worship. But there are some issues that people are accustomed to including privacy issues, lighting issues and noise issues. You will have more traffic going in and out of the driveway, headlight issues and parking issues. We are here for all of the residents of Cicero. What is your total number of parking spaces?

Mr. Wisniewski: 35 spaces. We have planned for a 40% increase in what is currently needed.

More discussion occurred.

Mr. Leone: You mentioned you have 102 seats. You would need 50 something parking spaces.

Mr. Wisniewski: Not with the current attendee count of 50.

Mr. Smith: I have been at the site. There can be no parking on the road. Hopefully you grow. At the very least we have to know that more parking can be built and that it meets environmental concerns.

Mr. Leone asked why the applicant would need to come back for additional site plan approval for parking. We should address those issues now and assure that the site can handle it appropriately. Whether or not we want them to phase the building of more parking is something totally different. I did not hear anyone say that they were going to put 50 seats in today and put another 50 in next year. I think that we should treat the site as a work in progress. If you are asking for 102 seats, let us assure that you have the parking for those patrons.

Mr. Wisniewski: I don't know if we are asking for that many seats. I think this is more a

function of the existing footprint.

Mr. Leone: We need to ask Codes how many square feet are needed per person in a church. How did you come up with the 102? Was it based upon fire safety?

Pastor Novak: That was done by the architect, Dick Wicks.

Mr. Dean explained that in a church or anything with fixed seating, you use the seating. You measure it and you divide. When I looked at it I figured for 3-4 people per car.

Mr. Leone: I guessed two to one. That is what they have designed.

Mr. Rowe: What could happen in terms of possibly renting out the hall? Would you rent the hall out? That would create a problem with parking.

Pastor Novak: The number of cars that would be there for most any activity would be less than the number that would be there for a worship service. I understand if the building holds a certain number; you would have to consider the parking somewhere near that number.

Mr. Leone noted you have another building, where people can be at the same time. You could have two things functioning at the same time. I am not trying to determine how you are going to appropriate. But, we have to determine from a Planning standpoint, a site's expectations. It is not any different building a superstore.

Mr. Smith: Would you be holding pre-school like some of the other churches in the area, with classes during the week?

Pastor Novak: No. We have no thoughts of that. We have no plans for daycare or anything like that.

Mr. Leone asked for the definition of a religious institution. What rights do they have?

Ms. Cole read: A religious institution includes church, temple, parish house, convent, seminary and retreat.

Mr. Wisniewski: We do not have a lot of site width to work with. We are trying to minimize how far the development encroaches upon the road. We are trying to stay away from Button Road as well. We felt that this was a good projection of the applicant's parking needs. There are cost considerations. We are also trying to minimize the development impact for what we felt was a reasonable amount of parking with the 40% leeway.

Mr. Smith: What type of parking surface are you projecting for the site?

Mr. Leone asked if storm water was being impacted.

Mr. Wisniewski: These are impervious surfaces. We are not disturbing more than an acre. I am about at 6/10 of an acre.

More discussion occurred.

Mr. Leone: We are suggesting that the parking be at least 2 to 1. We would need at least 56 parking spaces.

Mr. Wisniewski: Is that based upon the number of seats?

Mr. Leone: Absolutely. You came up with the seating capacity in your application. It goes without saying that the other building could hold 30-40 people. We could get to the point where you have storm water issues. I hope that you are not trying to avoid additional parking because you are trying to avoid additional storm water issues.

Mr. Wisniewski: The one acre threshold has significant cost implications. There is a budget here. The parking field itself has cost implications. They are not proposing to build more than they need.

Mr. Leone: Under SEQR we have to understand the complete buildout. We are forced to by the State. We need to look at the whole thing. You have a brook and a pond next to you. You are going to be parking 50-60 cars that were not there before. You have run-off and treatment issues.

Mr. Wisniewski: I did submit a storm water analysis to Mark. I don't know what his opinion is yet. My position is given the site's size; there is a fairly negligible impact. Keep in mind that it is at the bottom of a watershed immediately adjacent to a floodplain. Practically speaking there is not a lot of merit in providing on site detention in this location.

More discussion occurred. Mr. Wisniewski discussed the structure locations on the property and on the adjoining the property.

Mr. Smith noted the swimming pool has to be close to the property line.

Mr. Leone discussed trip generations.

Pastor Novak stated that there will be days when no cars go in or out. It would be less

than a normal residence.

Mr. Leone noted the need to design for peak flow. We should be able to get through the process. I am trying to layout the ground rules before we get too far.

Mr. Wisniewski: Pastor Novak would like to gage the Board's reception to the project before we invest too much into the project.

Pastor Novak: I think I have counted over twenty properties that we have investigated and attempted to figure out a way to put up a church facility there. It is very difficult around here, cost wise. We are just looking for a home and a place to serve from.

Mr. Leone: This Board is not in a position to deny you that. We are in a position to control the site plan the best that we can for all of the parties involved. I can not tell a resident that there are only 30 cars when a year from now there is 55.

Mrs. May: We have rules and regulations we have to abide by and that we have to advise you on. This is what we are told that we have to do by the State.

Pastor Novak: We really need to know if there is going to be a deal breaker here. We have already invested a lot of money into this.

Mr. Leone: I believe I have laid out some of the ground rules the best that I can.

Mr. Smith: I can tell you that I have significant concerns about the parking. I will have to be convinced that there is adequate parking. Lakeshore Road can not have a car parked on it.

Mr. Leone: You need to buildout the parking space for the congregation. Like any business you have to at least look at a five year plan. Why would you invest in something where you could not handle the next five years of growth? Alex, you can't come back in and say I need another 25 cars now and have that trip you over into the next level.

Mr. Smith: You may have a driveway permit, but this still needs to go to the County. That is required.

Mr. Wisniewski: The County requested a traffic analysis based on the trip generation. Based upon the parking lot you can assume what the peak will be on Sunday.

More discussion occurred. Mr. Leone requested that the applicant go back to the drawing board and then come back to the table. There is no deal breaker where you don't have a right to do this.

Mr. Wisniewski: In addition to what you are looking for, I think you are probably going to ask for some buffering.

Mr. Leone: Berms, fencing or plantings.

Mrs. May added snow storage.

Mr. Wisniewski: We do not have a lot of flexibility with the driveway.

The Board discussed visibility along Lakeshore Road. They were not comfortable with sending the plan to the County for a referral at this time.

A representative for John and Elizabeth Thomas, owners of the 6319 Lakeshore Road property, explained to the Board the problems Mr. and Mrs. Thomas have had selling the property. She noted it has been a long 5 month process where the sale of this property was the determining factor in the purchase of another home.

The Board explained the site plan process and the normal length of time the process takes.

Mrs. May made a motion to adjourn. **Mr. Cushman 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 9:55 P.M.

Date: April 20, 2008

Tonia Mosley, Clerk

