

The Town of Cicero Planning Board held a meeting on **Wednesday, October 1, 2008** at **7:00 p.m.**, in the Town Hall at 8236 South Main Street, Cicero, New York 13039.

Agenda:

- Approval of the minutes from September 15, 2008 (**approved**)
- Site Plan Sketch Review, SAI Hotels, Route 31 & Route 11, proposed hotel and restaurant, Clough Harbour & Associates, LLP (**to return**)

PRESENT:

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

ABSENT:

Christopher Rowe, Board Member
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 and that there are no formal public hearings tonight. He acknowledged the importance of public input and encouraged those in attendance who would like to speak about the agenda items to do so by raising their hand and being addressed by the Chairman.

**APPROVAL OF THE PLANNING BOARD MINUTES
FROM SEPTEMBER 15, 2008**

Ms. Cole noted a correction on page 3 in paragraph 7. Out fit should be changed to out put. Mr. Leone noted a correction on page 7 regarding the walking trail. The references to boulders in the trail should be changed to bollards. **Mr. Smith made a motion** to accept the Planning Board minutes from September 15, 2008 with the corrections noted above. **Mr. Mott seconded the motion.** The motion was **approved** with the following vote:

Mr. Cushman: Yes
Mr. Purdy: Yes

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

SITE PLAN SKETCH REVIEW
SAI HOTELS, ROUTE 31 & ROUTE 11, PROPOSED HOTEL &
RESTAURANT, CLOUGH HARBOUR & ASSOCIATES, LLP

Representatives: Amy Franco, Clough Harbour & Associates, LLP
Curtis Patel, Developer

Mrs. Franco introduced the proposed project as a 12,656 sq. ft., 4 story hotel identical to the hotel on Erie Boulevard with proposed restaurant. The type of restaurant has yet to be determined. There are 189 parking spaces including four extended spaces for trailers, boats, etc. I do have some DOT comments. The hotel would be approximately 50' high.

Mr. Dean noted the parcel was zoned General Commercial.

Ms. Cole: The new building height regulations do apply to General Commercial zones.

Mrs. Franco explained that the site drains toward the center. The storm water pond is in the center between the two buildings. The flow will outlet from the pond towards an existing drainage ditch on and under Route 11. The proposed facilities would also go to Route 11. We are not proposing aeration for the pond at this point.

Mr. Leone noted the pond in the front is designed as a standing water pond, a deep water basin. He asked about the back basin.

Mrs. Franco responded the forebay would be standing water. That is the main pond for the entire site. It is designed to be at least 6' deep. Because the property to the north drains towards our site, the back basin would collect that water. That water would then go through a storm pipe to the pond. It would all be treated.

Mrs. Franco gave further details of the drainage plan.

Mr. Leone referred to an existing drainage problem in the area which was brought to the Board's attention by neighbors of the project.

Mrs. Franco noted sidewalks along Routes 31 and 11. There are no sidewalks going into the site.

Mr. Leone requested that the applicant look at adding sidewalks into the site from both routes. How will you move patrons from the hotel or restaurant without walking the driveways? There needs to be some pedestrian connections.

Mrs. May asked for the distance between the hotel and restaurant.

Mr. Parrish responded approximately 300 feet.

Mr. Leone thought the 4 parking spaces for trailers would not be enough.

Mr. Dean noted the applicant could enlarge all of the parking spaces in the proposed trailer location to 16 total.

Mr. Leone questioned if the trailers could pull up and back out there. They show a 26' wide drive aisle. The location is good.

Mrs. May asked if the proposed snow storage was large enough.

Mrs. Franco noted three areas for snow storage.

Mr. Smith asked about ownership of adjacent properties. We want to find out where residents are for our discussion on lighting, etc.

Mr. Dean responded.

Mr. Leone requested that the letter from the DOT be added to the minutes. (SEE ATTACHMENT A)

Mr. Parrish discussed the letter from the DOT noting there were comments about sidewalks, cross access with other parcels such as the M&T Bank, the stop sign at the Route 31 entrance, and the detention pond in the middle of the site suggesting breaking it up in smaller ponds or under ground storage. I am not sure that is an issue within their jurisdiction. I don't know that breaking it up into smaller ponds is a good idea. They also suggested the number of parking spaces for trailers is not adequate, just as this Board has discussed. They also talk about traffic studies, which have been submitted and are still under review. These appear to be preliminary comments. I suspect that the real issues relative to potential mitigation are still under review.

Mr. Leone: The primary entrance will be Route 11?

Mr. Parrish: They show a full access entrance onto Route 11 with a right-in, right-out onto Route 31. The Route 11 entrance appears to be right at the end of the merging lane

portion. Widening for the turn lanes at the intersection are to the south of the entrance beyond. That entrance looks like it is almost across from the dentist office's entrance. It does not look like it would line up directly with that driveway.

Mr. Leone asked if there would be a problem with stacking and the merge. More discussion occurred.

Mrs. Franco responded to Mr. Leone's question about site circulation and turning radii for fire trucks. We have run our auto-turn program. It works.

Dumpsters for the hotel are in the back right corner. The restaurant's dumpsters are on the backside.

The Board returned to the discussion about parking spaces agreeing that the amount of spaces for the site seem reasonable. Mr. Smith noted the Board should be consistent with other proposed and/or approved hotel sites.

Mrs. Franco discussed cross access/cross connection points for contiguous properties while showing those locations on the screen. Our easement allows us access through this property. We have provided access to the doctor's office here and he will no longer use his curb cuts on Route 31. We would also provide access if and when development occurs in these areas.

Mr. Leone: We have to assure ourselves that you are going to provide access. It is not something we want negotiated afterwards. You need to show access points along there.

More discussion occurred about easements, sidewalk locations and the building requirements for sidewalks.

Mr. Leone discussed the restaurant. If we are going to make this a 7,000 sq. ft. building with enough parking for 200 patrons that could grow to 300-400 patrons because of the code for occupancy, I don't want this to be in a situation where the size is over-built and/or parking with traffic flow is under-built.

Mr. Dean: We can handle that when the restaurant opens by only allowing 200 seats. If that is what is agreed to, that is what can be done.

Mrs. Franco noted the traffic report is geared to a sit down style restaurant similar to a Olive Garden. Hours of operation would include lunch and dinner and not breakfast.

Mr. Leone: A restaurant that is designed today to be a dinner spot could easily become a breakfast spot in the future. You have to pay attention to that. We already have a hectic

intersection that could take on additional off hour traffic which it does not currently see.

Mrs. May: Will the hotel have a kitchen area inside for a breakfast menu?

Mr. Patel responded the breakfast menu would be of a continental type for hotel guests only. It is not cooked to order. There would not be a full kitchen, but would be a small pantry area. We are required to sell whatever the Hampton requests.

The Board discussed pedestrian movement across Route 31 to the Red Apple, McDonalds, etc.

Mr. Leone requested the developer look at and define pedestrian access points. The Route 31 right-in, right-out only entrance must be shaped as a forced right turn with an island that forces traffic right. We do not want cars crossing to get to Route 81 or to go east on Route 31. It must be some type of raised median to force the movement.

Are you providing a connection to the property to the north?

Mrs. Franco: No.

The audience noted that is more of the church's parking lot.

Mr. Leone requested a cross access be shown. We are not asking them to buildout access across the property line. We are asking them to preserve that access point for future use. If for some reason the church decides to sell the property in the future, they would not have to try and re-negotiate an access point. The church might have an interest in a pedestrian walkway to the restaurant or hotel. You need to take that easement today under site plan, whether it is ever used on not.

Mrs. Franco: What about the other properties? How do we define where an easement is needed?

Mr. Leone: I know you need to be able to move to the north. The question is does this throat here require the same as this throat here with access east and west. I don't think that it is a bad idea. Again, it is access to a property that may never be used. But, the value of having that access may be huge someday. It would eliminate driveway cuts to Route 11. It would make the next parcel or parcels that get built out east and west connect off the interior road.

Mr. Patel: I have no objection as long as it is for a meaningful purpose and at their cost, not mine.

Mr. Leone: You are right. I do not have a problem with the fact that the easement is afforded. Because it exists does not mean that it has to have a curb break in it today, unless Mr. Dean or Mr. Parrish feel differently. That is an access driveway. We would not take it as a Town road. I think you need to make it defined to the parcel east and west.

Mrs. Franco: Is it possible to do a blanket access easement?

Ms. Cole: At this point it would not actually be an easement because it is not to the benefit of anyone in particular. What we would do is preserve access points. You would indicate on the site plan that in the future when there is an ability to cross connect, this developer would be willing to do that.

Mr. Leone: Legally, however you get this Board there; we need the legal right to take it, if it is needed for future development.

More discussion occurred.

The Board discussed drainage and the creek with members of the audience.

Mrs. Franco discussed signage. It is tough because we don't know what the restaurant will be. We do have information about the Hampton Inn sign.

Mr. Leone: Are you putting any signage along Route 81?

Mr. Dean: What is the address for the property? If is Route 11 you are only allowed signage per the square footage of the end of your building.

Mr. Leone told Chief Carvel what ever your standpipe requirements are and your engineering issues are for water or pressure---you should talk to Clough Harbour. (The Chief was given a set of plans for the site).

Mr. Parrish discussed the site address. We are looking at two separate tax parcels, one being the parcel for the restaurant.

Mr. Dean thought the hotel might have a Route 31 address and the restaurant a Route 11 address. The issue can be resolved in the future with the County.

Mrs. Franco: We have a proposed 20' pylon sign on Route 31. We were going to use the same sign for Route 11. But, I have not looked at the square footage yet. The hotel and restaurant would be shown on the same sign.

Mr. Patel noted signage would be on the back and front of the building, similar to the hotel on Erie Blvd.

Joan Kessel introduced herself. My husband David and I reside at 8406 Brewerton Road. Our home will be in front of the detention basin. The crosswalks at Routes 31 & 11 are a nightmare. It is easier to drive to Byrne Dairy than to walk. No one walks there because it is too difficult. There must be a way to rectify that for hotel guests and clients.

The other issue is the lanes. If you are traveling north on Route 11, it merges back down to two lanes. Drivers must be careful when merging. That might be an issue with the DOT. It is a tough spot for us and would be a tough spot for patrons.

If the developer does not have a deal for the restaurant now, if it does not get built now, what would be there?

Mr. Leone: We will ask them for phasing. If they do not build a restaurant we would ask them what they are going to pave until the time that they do build it. We can approve the pad, but we can not approve a building. They are telling us they will build a restaurant that is 7,000 sq. ft. with some approximate dimensions. We will approve that square footage at site plan approval. Before it gets built out, we want to see what it will look like with landscaping, sidewalks, etc.

Before it gets built out it will be the entrance road, the drive aisle.

Mr. Parrish: The phasing plan will show what they are proposing.

More discussion occurred.

Mrs. Kessel: No one has mentioned that Route 81 South drains into the creek. There is a pipe shown on the plan. The engineering firm has not made allowances for the water coming off Route 81. Will that go into their detention?

Mr. Leone: That is what they were showing in the back. They will have to look at that flow in the back, north, south, east and west. That is the engineer's role, what Clough Harbour is doing for the developer. That is also what we have a Planning Board engineer for.

Do you visualize your drives being lit? (Mr. Patel responded yes). That has to be architecturally pleasing. And the lights should not shine beyond your property line. It has to be focused to light the drives but not neighbor's homes.

Mrs. Kessel: We are hoping for the best. It is not our intention to say that we do not

want this.

Mr. Leone: You should be here to project your property and to discuss the issues relative to the Town. We try to do our best to protect the people of the Town.

Mr. Cushman: I believe the Board would agree that the drainage in the area will be improved between the storm water detention pond, the underground piping, etc.

Mr. Patel stated he is willing to work with the site's neighbors.

Chief Carvel asked about the location of the western conductor lines relative to the site.

Mr. Parrish noted they were close to the property line.

Chief Carvel: Along the eastern boundary of the development, will there be fencing or some physical boundary? We talked about trailers. We all know what happens in the winter. There is a snowmobile trail right there.

Mrs. Franco: We had no plan to fence along that side, but that is a good point. There would be a fence on the other side.

Mrs. Kessel: Will there be fencing along the Route 11 entrance? How far down would it come?

Mrs. Franco showed the fence location. We will be doing a full landscape plan.

More discussion occurred regarding the snow mobile trail and the need for a managed entrance point. More discussion occurred regarding fencing and trailer space. Mr. Patel clarified that there is not a bar in the Hampton Inn.

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

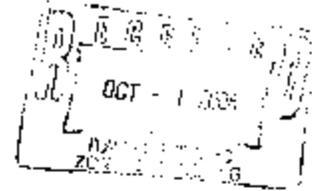
IN AS MUCH AS THERE WAS NO FURTHER BUSINESS BEFORE THE BOARD,
THE MEETING WAS ADJOURNED AT 8:05 P.M.

Dated: October 14, 2008

Tonia Mosley, Clerk

Jensen, Seth

FILE COPY



From: Patti Williams
Sent: Tuesday, September 30, 2008 2:40 PM
To: Jensen, Seth
Cc: Mark Grainer
Subject: Cicero Hotel & Restaurant

Seth,
The traffic study is still undergoing review in conjunction with the one for the Best Western on the east side of I-81. My comments on the preliminary site plan submission:

- ◆ Driveway curb does not extend through the sidewalk. The sidewalk should be continuous across the driveway, and does not require a ramp and detectable warning surface. Normal sidewalk thickness is 4", and 6" across a driveway. We don't use mesh any more, just class "D" concrete.
- ◆ Are there any other cross access proposals to parcels besides the one shown off the Route 31 entrance? I understand that the M&I Bank on the corner is closing in October. Any idea what's going on there?
- ◆ The Route 31 entrance has a stop sign for entering traffic. I think this area needs more controls. Consider stopping the internal traffic instead of the entering traffic. Better yet, think about making the area around the restaurant one-way traffic going counter-clockwise because of the angle the driveway makes with the parking lot.
- ◆ Do you really want to put the detention pond right in the middle of the site? Think about breaking it up into several smaller ponds or even underground storage.
- ◆ As this is likely to be a destination for fishermen, especially during the bass tournaments, I think 4 spaces for vehicles with trailers is not enough. You only have a dozen spaces over by the restaurant that are back-to-back and could be utilized for boat trailers. Those pros have over \$100K invested in their rigs and gear, and I'm sure they want safe, close parking spots for them. (I fish a lot, and so I tend to think about this kind of stuff. Just something to consider...)

When we've finished with the traffic studies, we'll have a meeting to discuss the results of our findings with you (CHA) for both projects.

Talk to you soon,
Patti

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