The Town of Cicero Planning Board held a meeting on **Wednesday, October 3, 2007** at **7:00 p.m.**, in the Town Hall at 8236 South Main Street, Cicero, New York 13039.

Agenda items
-Approval of the Planning Board Minutes from September 17, 2007
-Subdivision, Preliminary/Final Plan, GA Braun, Inc., General Irwin Blvd., Hancock Field, VIP Architectural Assoc., 2 Lots, Public Hearing
-Subdivision, Preliminary/Final Plan, Pyramid Taft Land Subdivision, East Taft Road, 3 Lots, Public Hearing
-Subdivision, Lakeshore Plaza, Route 31 and Torchwood Lane, HDL Property Group, LLC, 2 Lots, Public Hearing
-Site Plan, A. Sangani, 6175 Route 31, North Star Cleaners, Addition
-Site Plan, Northern Nurseries, Inc., 8633 Brewerton Road, Storage Barn, Ianuzi & Romans
-Site Plan, Lakeshore Road Apartments, South Bay and Lakeshore Road, A. Avraham, Walton Architectural Group

IN ATTENDANCE:

Patrick Leone, Chairman
Richard Cushman, Board Member
Christopher Rowe, Board Member
Robert Smith, Board Member
Sharon May, Board Member
Lloyd Moncrief, Board Member
Vern Conway, Board Member

OTHERS PRESENT:

Scott Harris, Ad Hoc Board Member
Jay A. Seitz, Director of Planning & Dev.
Heather Cole, Esquire, Wladis Law Firm
Mark Parrish, P.E., O'Brien & Gere
William Purdy, ZBA Board Member
Chief Carvel, Cicero Fire Department
Tonia Mosley, Clerk

The meeting was opened with the Pledge of Allegiance.

Mr. Leone addressed the students in the audience. He noted the locations of the 3 fire exits and announced there would be 3 formal public hearings. He acknowledged the importance of public input and encouraged those who wanted to speak about an agenda item to do so by raising your hand and being recognized by the Chair. Please use the microphone in the front stating your name and address for the record. Please turn off all cell phones and raise your hand if you can not hear the Board.

OCT 12

APPROVAL OF THE PLANNING BOARD MINUTES FROM SEPTEMBER 17, 2007

Mr. Smith requested an addition to page 3 paragraph 2. His statement should include: I want to reduce the number of trips through a heavily trafficked area. And, reducing the number of trips will be better for the environment. **Mr. Moncrief made a motion** to approve the September 17, 2007 Planning Board minutes with the above addition. **Mrs. May seconded the motion.**

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

Mr. Cushman:	Abstain
Mr. Rowe:	Abstain
Mr. Smith:	Yes
Mrs. May:	Yes
Mr. Moncrief:	Yes
Mr. Conway:	Yes
Mr. Leone:	Yes

SUBDIVISION, PRELIMINARY/FINAL PLAN
GA BRAUN, INC., GENERAL IRWIN BLVD., HANCOCK FIELD
VIP ARCHITECTURAL ASSOC., 2 LOTS, PUBLIC HEARING
(SEE ATTACHMENT A)

Plans were shown on the overhead.
Representatives: Joel Cheely, VIP Architectural Assoc., Lori Dietz, Hancock Field Development Corp.

Mr. Cheely introduced himself and reviewed the project. Since the last meeting we have addressed some of the Town Engineer's concerns. We have added an easement around the detention pond which is adjacent to Taft Road. We have identified the ingress/egress easements along General Irwin, Stewart and Bangor.

Mr. Leone asked if the easements were in place because those roads would not be turned over to the Town.

Ms. Cole stated yes, that was her understanding. Portions of Stewart Drive are Town road.

Mr. Parrish did not believe that was anything adjacent to this site. The contract drawings have been approved for the upgrade of Stewart Drive and Bangor but not for General Irwin. Studies have not been made yet as to whether General Irwin needs to have the

sub-base improved, repaved, etc. Improvements, as far as it meeting Town width, having proper entrances, etc, do need to be made. The developer has provided a letter with the proposed schedule of when they would have some of these improvements done.

Ms. Dietz: My engineering firm is putting together now the documents for Stewart Drive, west of the part owned by the Town and coming east. I plan to have that portion and I think as far as General Irwin coming east, done. We should be bidding that this winter with construction to start as soon as they can get out there next year. The engineer is doing the design work for General Irwin now. I do not have funding in place yet to do the actual work but we are pursuing IAP funding and New York State in connection with the GA Braun project. We have been told it is eligible for that funding but I can not say that I have it.

Mr. Leone noted the importance of addressing the roads in the entire Park. He also stated we basically agree there is no need for the parcel to the north to be part of your buildout.

Mr. Cheely agreed. We don't need that area for what we plan to do.

Mr. Leone: You just need it for the storm water. If we get an easement for the storm water we are okay. We are going to get an easement to the storm water that is not a part of this parcel.

Mr. Parrish stated that was correct.

Mr. Cushman asked for an outline of the property lines where the subdivision was going to be.

Mr. Cheely described that outline. That would leave a lot at the corner of Irwin and Taft plus a portion to the east of the detention pond for future development. This is a two lot subdivision. We are not physically creating a lot.

Mr. Leone noted the need to not create a lot that could not be used in the future. He **opened** the meeting up for a **public hearing at 7:12 p.m.** asking if there was anyone here to speak in favor of the project. (No response.) Is anyone opposed to the project? (No response.) The public hearing was **closed at 7:13 p.m.**

We did the SEQR as a Type One action when we approved the Type One Neg. Dec. That included the subdivision and the site plan.

Ms. Cole asked if her office had seen the proposed easement language.

Mr. Cheely: It is very possible you have not seen it yet.

Mr. Parrish: Relative to the drainage easement we are still going through a final review of the design of that facility. You may need to modify the boundaries somewhat. You are approving the subdivision. If the easement has to change it should be reflected on the plan.

The bearings and distances of some of the lot lines are missing from the plan particularly on the west side of the Bangor Drive cul-de-sac. The radii and length are missing from that curb along with the curb at the northeast corner of Stewart and General Irwin.

The plan should include the limits and show the property lines/boundaries of all of Lot 1C. Lot 1C includes all of the property on the eastside of the site. There is a portion of that which is segregated by Lot 1B, which was the Kinney property, which should also be shown on the plan. They are not showing the complete limits of Lot 1C. This would keep a confusing parcel clearer. I would ask that you condition your approval on that being completed.

Ms. Cole asked that any approval be conditioned on provision and review of the proposed easements by our office. It might be a good idea to make sure that the existences of those easements are noted on the plan itself. That includes access and drainage.

Mr. Leone: We can move this forward by making this contingent upon legal and engineering. You are on record with the issues that you want addressed. **He made a motion** to approve the subdivision for the GA Braun parcel, for the parcel as proposed by GA Braun, contingent upon attorney and engineering review of the subdivision. **Mrs. May seconded the motion.**

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

Mr. Cushman:	Yes
Mr. Rowe:	Yes
Mr. Smith:	Yes
Mrs. May:	Yes
Mr. Moncrief:	Yes
Mr. Conway:	Yes
Mr. Leone:	Yes

SUBDIVISION, PRELIMINARY/FINAL PLAN
PYRAMID TAFT LAND SUBDIVISION, EAST TAFT ROAD
3 LOTS, PUBLIC HEARING (SEE ATTACHMENT B)

Plans were shown on the overhead.
Representatives: Charles H. Grundner, Esquire, Tim Faulkner, P.E., Clough Harbour

Ms. Cole noted the property is located in the Town of Cicero and the Village of North Syracuse. The Town and the Village have entered into a municipal agreement where by the Town of Cicero Planning Board is going to have exclusive jurisdiction over the review and approval of this project including those portions of it that lie within the boundaries of the Village of North Syracuse.

Mr. Grundner introduced himself. I am here for the applicant Pyramid Taft Land Company. We are proposing a 3 lot subdivision. We have made some changes in the plan. We have shifted the lot line of Lot 2 southward to provide for additional acreage to Lot 2. It now consists of approximately 10 acres of land. The retention basin that will service Furniture Row store on Lot 2 will be within the boundaries of Lot 2.. That reduced the size of Lot 1 which my client is retaining to about 19 acres. The third lot is further north. We are making that a separate lot. We have signed a contract for the sale of Lot 3. It will be conveyed to the owner of Lot 39 of the Taft Tract. One of the adjacent residential lot owners will be buying all of Lot 3.

Mr. Leone asked they have a sale pending for Lot 3. Do they need an easement access agreement? Are we making that lot inaccessible?

Mr. Seitz responded I am going to defer to legal. In my opinion if they have an agreed sale that coincides with the closing of the program, we should be able to move ahead.

Ms. Cole noted if the potential sale goes forward, it is my understanding that whole triangle piece of Lot 3 is going to be combined with Lot 39. Presumably Lot 39 already has access and will continue to have access when that triangle is joined to it.

Mr. Grundner stated there is a billboard on the corner of Lot 2. My client currently has a lease with Lamar. That lease provides for access to the billboard. Furniture Row has agreed to honor that right of access. Depending upon how the site plan for Furniture Row is finally approved, we would enter into an access agreement that would pin down the access to that billboard.

Mr. Leone asked if the information that the Board wanted regarding traffic had been addressed.

Mr. Grundner noted Clough Harbour, the consultant for Furniture Row, has prepared a traffic study. It has been updated and submitted to Mr. Parrish.

Mr. Faulkner stated we did an initial study of the Furniture Row store that included Furniture Row and the proposed office buildings by Benderson. From discussions with Mr. Parrish we included Lot 1. Our initial study did not include that lot.

Mr. Leone questioned if the study included the DMV building, Deluxe Check and Wynit.

Mr. Faulkner responded yes. We did initial traffic counts out there that included the intersection of Taft Road and the existing driveway, which included the development already in there.

Mr. Leone asked wasn't Wynit designed to increase employees. It is going up to 300 employees and has 125 there now?

Mr. Seitz was not sure how many employees were there now. I know it has increased and the ballpark number was 300.

Mr. Leone asked what was used for employee counts.

Mr. Faulkner noted we used the existing traffic volumes that were actually in the site during p.m. and Saturday peak hours entering and exiting the site. We talked to the Onondaga County DOT. Their plans for Taft Road include putting in a 5 lane section, two lanes in both directions with a center turn lane and a new traffic signal at Church Street.

The existing traffic signal at the end of our driveway is under plans to be removed. We are in discussion with the DOT about that now. We are trying to get a meeting with them. I believe the decision to remove that signal was made without considering what else would be going on here. I don't think they realize the additional development of Lot 2, the office buildings and the possible development of Lot 1.

Mr. Smith: Did we receive a copy of the traffic study?

Mr. Faulkner responded we just finished the revised one on Monday. Most likely you do not have it yet. Our study indicates with the proposed improvements along Taft Road, with just the development of the Furniture Row store and the office building, the only movement that will fail would be the right turn exiting the driveway. There is very little traffic that goes left out of that driveway.

Mr. Parrish: Did the left turn have an acceptable level of service?

Mr. Faulkner: With the improvements that are proposed by the County.

Mr. Parrish: The people going to the right—that's a failing level of service.

Mr. Faulkner stated most of the traffic that exits that driveway is going toward Route 81. The existing counts for traffic exiting during the p.m. peak hour are 134 cars going right

with 2 going left.

Mr. Parrish stated you see quite a bit of development within there now with the Chase building and Wynit. Anyone who exits the Plaza is using another exit if they are going to travel east.

Mr. Leone: That's with your development?

Mr. Faulkner responded no, that's just what exists today.

Mr. Leone: Is that from a count?

Mr. Faulkner: Yes.

Mr. Parrish explained that is actually observing the traffic patterns at the intersection.

Mr. Smith: Mr. Chairman, the Board asked for this traffic study at the last Board meeting. There was plenty of time for us to be able to read it. I for one read the stuff you give us.

Mr. Leone: We did not get it. Mark just got it. I understand the basis of the numbers. We are not in any way, shape or form able to make a decision tonight. We have to wait for the County's response. The count is surprising. Where do the rest of the cars go?

Mr. Moncrief stated most of the cars going east will go to Church Street or Kreischer.

Mr. Seitz: If all of those cars go to the west in the evening, how do they get to the left when they come in the morning?

Mr. Faulkner noted our traffic study only looked at p.m. and Saturday morning hours because those are the hours the store will be open. The store won't be open in the morning.

Mr. Smith: Did the traffic study take into account the proposed…

Mr. Leone: He said his traffic study only took in the Furniture Row buildout. You asked earlier, at the last meeting, for the entire buildout.

Mr. Smith: ...the entire buildout. And did your traffic study include the proposed changes to the Taft Road area, including the proposed closing of Kreischer Road that is currently on the board? There are some proposed changes, I'm not sure where they are but did your study take into consideration those changes?

Mr. Faulkner responded no, I was not aware of any changes...

Mr. Smith: There are Federal funds that have been approved to make changes on Taft Road. The County is working on that intersection at Church and Kreischer. Those changes should have been incorporated. We discussed that last time to at least take a looked at it. This is a Planning Board. We are looking at what is coming. The County has applied, money has been lent. I don't know if we have seen the plans yet, but we know there is going to be changes.

My question would be, in as much as I do not have a copy of your traffic study, did it take into account that project?

Mr. Faulkner: It took into account the improvements that are going to be made on Taft Road.

Mr. Seitz: There is a Taft Road plan, but the removal of that very important light must have been buried in the report because we were not aware of it.

Mr. Leone: Did your report take into consideration a new light at Church Street?

Mr. Faulkner: No, it did not. The light at Church Street would only help our intersection because it will allow the metering of traffic.

Mr. Seitz: Mr. Chairman, you are not going to get a light at Church and a light at the Plaza. They are a few hundred feet apart. The County will not do that. The important thing, which I stressed to Mr. Stelter last week—we have a meeting coming up next week-- is the need to discuss that issue. The County did not look at this future buildout for the Plaza.

Mr. Leone: This just got sent down to the County so we don't have the referral back. I think that is going to trigger more County questions.

Mr. Parrish: Can you advise the Board of what your plan is now that you have done this and seen that you have a failing level of service at this intersection?

Mr. Faulkner: There are two things. With the study that we have done, not including the development on Lot 1 but including the Furniture Row store and the Benderson Development for the office buildings, the right turn is going to fail. We anticipate that will operate better then what we are showing because of the light at Church Street. That light will help meter the traffic and allow that right turn to occur more freely than it would with just the free flow of traffic like it is today.

Other than that we are proposing to meet with the County over the light issue, stressing

the importance of the light to this development and the future development of Lot 1. The buildout of Lot 1 was included in our traffic study.

Mr. Parrish: They have revised the study to include that. Obviously with that additional traffic it does not get any better.

Mr. Faulkner noted we assume Lot 1 would have 75,000 sq. ft. of retail space, which is the highest and best use. We will submit the revised traffic study to the Town.

More discussion occurred regarding traffic studies and the use of the entire site.

Mr. Grundner noted there is an existing cross easement where any traffic from Furniture Row could go through the Benderson site out to Church Street. It runs across the entire site.

Mr. Leone asked if there was some encumbrance in the easement that was given.

Mr. Grundner responded it is a recorded cross easement. It allows traffic from either development to go over all undeveloped areas of the other tract that are not occupied by buildings.

Mr. Leone noted it was all encumbered with either buildings or parking spaces.

Mr. Smith asked if that could be shown on plan.

Ms. Cole noted it was a blanket access between parcels. It is not as if it says for example there is specific 20' strip going across.

Mr. Grundner: It is worded as any existing or future driving lanes through either tract can be used by the owner and the tenants of the other tract. It is a blanket easement.

Mr. Conway: Didn't we request that they put the driving lane back in that was taken out when the parking was changed? The one that went east and west? That is not shown on the plan. There should be something east/west on the south side of the property.

Mrs. May and Mr. Cushman agreed.

More discussion occurred regarding expanding the traffic study.

Mr. Parrish stated they still have not shown how they are going to get public sewer service to Lot 2. They have not shown if there is any need for easements to get to the billboards. There is a billboard on Lot 1 and on Lot 2. Those issues should be resolved.

Mr. Grundner: My client is prepared to give what ever easements are required.

Mr. Smith asked about the engineer's comment on grading.

Mr. Parrish: That requirement is not a subdivision regulation. Typically on commercial subdivisions we wave that and you see that information when the site plan is provided.

There is an issue with some off site storm water coming from the Benderson site through a storm sewer on I believe Lot 1. I don't know if there is an agreement in place for that. That should be clarified also.

Mr. Grundner noted both billboards have gravel drives going back to them. We could create easements right along those gravel drives and then sift them when the Furniture Row site plan is approved. Mr. Faulkner has said they would immediately work on the revisions to the traffic study.

Mr. Leone stated we will continue the hearing.

Mr. Parrish noted if the study continues to show there is a failed level of service we will need some input from the County or mitigation will need to be proposed.

Mr. Smith: Mark will you have time to give us written comments on the traffic study once you get it?

Mr. Parrish: I suppose.

Mr. Leone **opened the public hearing at 7:56 p.m.** Would anyone like to speak in favor of this project? (No response.) Would anyone like to speak in opposition to the project?

Tim Murphy, Noel Road thanked the Board for requesting the traffic study and for leaving the public hearing open giving the public time to address the issue.

Mr. Leone: We will continue the public hearing and not vote on this tonight. We will schedule a continuation for October 15th.

SUBDIVISION, PUBLIC HEARING
LAKESHORE PLAZA, ROUTE 31 & TORCHWOOD
HDL PROPERTY GROUP, LLC, 2 LOTS
(SEE ATTACHMENT C)

Plans were placed on the board.
Representative: Ric Maar, Dunn & Sgromo Engineers

Mr. Maar introduced himself. This is a two lot subdivision on the corner of Torchwood and Route 31. It is presently the Lakeshore Plaza. Last summer you approved a site plan for the Walgreen's drug store. They are now open and have requested that they own the parcel that they are on.

Mr. Leone stated when your client came in they asked for a specific number of parking spots. When you showed us the subdivision there was a weird outline that did not follow parking spaces, but followed the curb line.

Mr. Maar agreed. On the east side it does follow the curb line.

Mr. Leone: Based on your original request under site plan for the buildout of the Walgreen, they specified 60-70 parking spaces. Do they have that number in this subdivision process?

Mr. Maar stated they do. They are comfortable with the buildout. Your engineer asked for some comments. One of the comments was about access to the site for Walgreen because they don't have a direct driveway on their property. The other comment was about parking. A statement on the drawing says that the parking on Walgreen's parcel is adequate for parking. They have accepted and are aware of that.

Mr. Leone: We approved a plan with a requested number of parking spaces. I want to make sure that we didn't give you for example 60 and now you only need 50 because they want less property.

Mr. Maar: That has not happened. We submitted an agreement last month to your attorney to review for the easement access.

Ms Cole: I agree. We are comfortable with it.

Mr. Maar: The only other issue was some sandwich board signs that some of the occupants of the Plaza had put out along Route 31. I have been assured by the client that those have been removed.

Mr. Leone: They are ugly and illegal.

Mr. Smith noted the subdivision plan does not indicate the sidewalk you have in place. Does Walgreen understand that the sidewalks adjacent to their property are their responsibility and must be maintained by them?

Mr. Maar: Yes, Sir.

Mr. Smith asked if the Board needed a response from the County.

Mrs. May responded yes and noted that the Board had not received that response yet.

Mr. Leone asked if Zoning, Engineering, Legal or the rest of the Board had any other questions. The sidewalks don't show up on this plan because they are in the State's right-of-way?

Mr. Maar responded yes.

Mr. Leone: When they subdivide that parcel, should the sidewalk be shown? It is in the State's right-of-way but if it is an easement on that property is that...?

Mr. Parrish stated I am not aware that it is an easement on that property. It is not uncommon to do the subdivision plan and to not necessarily show every survey feature on the plan, particularly on final plans which are more for the conveyance of property, etc.

Mr. Smith: It is just that someone has to maintain those sidewalks. If/when Jay has to go up there and say they are not shoveled I want to make sure that Walgreen does not have the ability to say they did not know because it was not part of the plan.

Mr. Maar asked if the Board would like them to show the sidewalks on the plan.

Mrs. Smith responded yes and thanked Mr. Maar.

Mr. Maar: Done. Do you know when you can expect a response from the County? I thought I would get an approval tonight.

Mr. Leone noted they have 30 days to respond. It appears the Town never sent it out until the 27th of September. Legally, they have until the 27th to send it back.

Ms. Cole thought the meeting was yesterday, but I don't think it met the dead line for that meeting. I would keep the public hearing open just in case.

Mr. Leone noted the County has already responded to the site plan. Is it just a formality to respond to the subdivision of a parcel that already exists and is already built out?

Ms. Cole responded it is more than a formality. It is the law.

Mr. Leone **opened the public hearing at 7:56 p.m.** asking if there was anyone who would like to speak in favor of the project. (No response.) Is there anyone who is opposed to the project? (No response.) We will keep the public hearing open.

Ms. Cole noted the Board could tentatively schedule the applicant for the next meeting. If it comes up that the response is not back yet, there is not much you can do.

SITE PLAN, A. SANGANI, 6175 ROUTE 31
NORTH STAR CLEANERS, ADDITION

Plans were placed on the board.
Representatives: Theresa Sangani, Mr. Seve Genilla

Mrs. Sangani introduced herself.

Mr. Genilla noted he was a friend of Mr. Sangani and was familiar with the plan. I think the three things Mr. Sangani needed to rectify were moving the dumpsters, moving an overhead light and putting a no left turn sign at the exit onto Route 31.

Mr. Leone reviewed the project's history. Basically the expansion moves further north. We decided the building fronts onto Route 31 which answered the question of the rear yard setbacks. The questions you addressed with the engineer was the location of the dumpster in an easement area and the need to get relief from that party that controls the easement to place those there or they need to be moved.

Mr. Genilla noted the sheds would be taken off the property, removed. The dumpster will be moved. It will be gated on both sides.

Mr. Leone asked if it was in front of the building.

Mr. Genilla noted it could not be put in the easement. He showed the Board where Mr. Sangani elected to put the dumpster.

Mrs. May questioned the dumpster's fencing on two sides.

Mr. Genilla noted it would be fenced with a gate facing Torchwood and fenced in the back also.

Mr. Seitz stated there is not a requirement to enclose dumpsters on four sides. Its purpose is to block the view from the public.

Mr. Genilla noted there is a fence on this wall, a stockade fence. I suggested to Neal that he might be better off moving the dumpster further from the building. It would be out of the drive. He wanted to at least get it out of the easement.

Mrs. May thanked him for that clarification.

Mr. Seitz: It is possible to get approval to have it in the easement. I think to expedite this he needs to come up with a location. He will have to move the dumpster out at least 15' from the building because of what it is.

Mr. Smith noted the County's response. He read: the applicant must close the existing driveway on Route 31 due to safety and operational concerns resulting from the proximity of the driveway to the intersection of Route 31 and Torchwood/Thompson Road as per the NYSDOT.

Mr. Leone stated I would have liked to have seen an exit only sign on the Route 31 part and a right out only sign on the inside part of that drive. I don't think you have enough room to modify the drive itself. I think from the standpoint of signage that would work.

Mr. Seitz: I have spoken to Mr. Sangani at length. He met with the NYSDOT. He said there seems to be some discrepancy. I think the County is taking editorial privilege with their report. The report as I have it from the State, recommends the driveway be modified. It was not a requirement.

Mr. Leone: Even if they came back with a modification, it would still take a super majority vote.

Mr. Seitz: I think there is a different inference here. We have talked about modification to the driveway to a right-out. I have not problem with that. Mark has met with Mr. Sangani as I have, about the sidewalk. I will let him address that.

Mr. Parrish: There is currently a wood fence or guard rail along the edge of the property. There is a break in that fence that is shown, where the sidewalk meets the driveway. That will continue to the east and then it can hook around some existing trees, landscaping and come out directly across from the Walgreen sidewalk, just in front of the stop where it would be appropriate.

Mr. Leone: Are you in agreement with the sidewalk location?

Mr. Genilla agreed. The left out restriction is not a problem. Most drivers go to the light because it is so close. Neal said he would put a no left turn sign there.

Mr. Leone: We would like to see an exit only sign.

Mr. Smith: It is not noted on the plan, but you understand that the sidewalk would be concrete. It there a reason it does not go to the Damian property line?

Mr. Parrish: There is a deep ditch there. The drainage easement on the north side of the property cuts to the south and goes along the property line. There is an easement. At this point in time I don't think it makes much sense to disturb that area.

Mr. Smith: Eventually, if Damian comes in for approval, we can look at that.

Mr. Leone: I don't think the applicant would have a problem agreeing to that.

Mr. Smith: Our goal is to eventually have the sidewalk extend all the way down, especially with the number of high school kids walking down through there.

Mr. Genilla: The other issue was the light post. Currently it is right in the middle of the driveway. He is proposing to move it here.

Mr. Parrish: The light is semi-down cast. The fixtures are good. They are tilted slightly. They are recessed fixtures but they are tilted up at about a 45 degree angle. I have spoken to him about that. He will direct them towards the building away from the adjacent residential properties.

The landscaping is mostly lawn. He has some nice landscaping with some existing trees which will remain on the corner.

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. Moncrief seconded the motion.**

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

Mr. Cushman:	Yes
Mr. Rowe:	Yes
Mr. Smith:	Yes
Mrs. May:	Yes
Mr. Moncrief:	Yes
Mr. Conway:	Yes
Mr. Leone:	Yes

Mr. Leone made a motion to approve the site plan as presented tonight with the following modifications identified by Mr. Parrish and the Board. They include signage

for the driveway. They include the proposed extension of the sidewalk to the west. They also include the movement of the light and adjusting it to act as a downcast light system. It includes the relocation of the dumpster and its enclosure. It includes concrete sidewalks which are to be maintained by the owner. **Mrs. May seconded the motion.**

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

Mr. Cushman:	Yes
Mr. Rowe:	Yes
Mr. Smith:	Yes
Mrs. May:	Yes
Mr. Moncrief:	Yes
Mr. Conway:	Yes
Mr. Leone:	Yes

Ms. Cole noted for the record the Board does have the super majority vote that was required because you went against County Planning.

SITE PLAN, NORHERN NURSERIES, INC.
8633 BREWERTON ROAD, STORAGE BARN
IANUZI & ROMANS

Plans were shown on the overhead.
Representatives: Hal Romans, Surveyor and Planner, Ianuzi & Romans, Floyd Appleby, Operations Manager, Northern Nurseries, Inc.

Mr. Romans introduced himself. Northern Nurseries Inc. is a wholesale nursery that is currently located and doing business on this parcel that is approximately 63 acres plus or minus. The front portion of the property was surveyed. That is the only portion that is developed. The rest is undeveloped as it heads to the Town line. It is on the west side of Route 11 about 2000-3000 feet from Route 31.

You see a proposed pole barn here that is approximate 4800 sq. ft. There are two existing barns and an old foundation that is about 4600 sq. ft. They are in disrepair. There is also a silo. It works out to almost an even swap of square footage.

There is no change in operation. There are not any sales to the general public.

Mr. Leone asked if it would be a metal, butler type building.

Mr. Romans noted he had emailed a copy of this to Mark Greiner from the NYSDOT, because I know it is going before the County. He asked if we were doing any work in the

right-of-way. I said no and will touch base with them before the County meeting to make sure there are no issues.

The existing drainage sheet drains out in this direction from the existing buildings. The proposed building is going in right over the footprint of the old building. Drainage will be maintained in the same way.

Mr. Leone asked if the driveway going into the drainage was completely wide open across the site or is there a defined entrance.

Mr. Romans responded the darkened area is the gravel area. The actual entrance is right in here. It goes into the yard back here. The employees park along here and here. There is green area here and landscaping on the other side.

Mr. Smith noted it was a defined driveway off the road. It is not an open parking lot.

Mr. Romans agreed. There is a chain link fence going from the existing building across here, with a defined gate.

Mr. Leone noted that is to get in the back. It is not to get into the facility.

Mr. Romans assured the Board that there is a defined driveway there.

Mr. Cushman wondered if there was going to be any additional paving.

Mr. Romans answered no paving. All of the dark shaded areas are existing gravel lanes for storing nursery stock. The gravel up to the building currently exists. They go over the grass area here to get to the buildings here.

Mr. Leone asked if the applicant has to do anything about storm water based on the size of the building.

Mr. Parrish responded no.

Mr. Leone noted the Board does not have the County's response. Jay, they are basically replacing a structure. That is not something you could have done without the Board?

Mr. Seitz: It is a 100% replacement. We could handle it administratively if that was the Board's wish. I thought with the size of the project that the Board might want to know what was going on.

Mr. Smith asked for a legal opinion.

Ms. Cole stated the initial determination is by Mr. Seitz. His determination was that he would like the Board to review it.

Mr. Leone noted the applicant must come back. This was sent out 9/27. I don't expect a response from the County until the first meeting in November. If you are going to add lighting or anything like that, you need to make them low color.

Mr. Romans: It will not be lit. It will blend with the existing buildings, matching. Thank you.

The Board took a break to sign student forms.

SITE PLAN, LAKESHORE ROAD APARTMENTS
SOUTH BAY AND LAKESHORE ROAD, O. AVRAHAM
WALTON ARCHITECTURAL GROUP

Plans were placed on the board.
Representatives: William Walton and Bob Garner of Walton Architectural Group, Mike Gridley, Landscape Architect.

Mr. Walton introduced himself. I am here representing the owner Ovi Avraham. We are here for the development of proposed apartments on the 9 acre plus triangular site located on the corner of South Bay Road and Lakeshore Drive. We are proposing a 3 story 72 unit apartment development project.

Mr. Leone asked for the height.

Mr. Garner asked for the zoning. (The Board responded 35'.) I think we are at 35' 4". That is typical.

Mr. Leone: You said you will be at 35' correct?

Mr. Garner agreed.

Mr. Leone: Not 35' something because 35' something suggests a variance. If I heard 35' we don't have to send you in that direction.

Mr. Garner asked the average of the building has to be 35 also, correct?

Mr. Leone clarified. The maximum height of any portion of that building has to meet Town code. I'm not sure how an average can meet Town code.

Mr. Walton introduced Mike Gridley a landscape architect that has done some site planning work for this project.

Mr. Leone: If I could back up for a moment; we talked about 75 units. Our Code has very specific coverage requirements based on the size of the parcel and the number of units allowed on it. Is that how you came up with 75 units?

Mr. Gridley noted 8 units per acre with about 9 acres for 72 units.

Mr. Leone noted we also have coverage, entire lot coverage. I believe it is 40%. That is building coverage not including driveways.

Mr. Gridley described the site plan concept. Basically we have a building with two wings. There is parking on both sides of the wings. The access to the units is on the first floor. There are also a couple of entrance points at the ends of each of the building. There is lower level parking on the large curved building. That is the piece of asphalt coming adjacent to the building. That is underground parking that is covered by the first floor.

Mr. Leone: Are you saying there are two levels to that?

Mr. Gridley responded yes. The grade drops down behind the building, so there is covered parking under there.

Mr. Leone: Like a walk out basement.

Mr. Gridley responded right but I don't think that there is any access to the building from there. It is just covered by the building structure. The main access to the site will be off of South Bay Road. We have already met with the County Highway Department. They did not seem to have any problems with that location. There is an issue with providing additional emergency access. So, we are showing an access point on Lakeshore Road. But, it is our understanding that there maybe sight distance problems there so it will probably have to be controlled in some way. It would be emergency or service access only.

Mr. Leone: What are the sight distance issues?

Mr. Walton noted there is a curb here. You can not really see until you are almost on the curb.

Mr. Leone asked if this had been sent to the County.

Mr. Seitz responded I do not believe so. All application fees are paid.

Mr. Leone asked about the units.

Mr. Walton stated they are two bedroom apartment units. They will be built out with some flexibility for example the second bedroom could be office space, a den, a study or left open. He will develop this with a definite one bedroom, master bedroom suite, with an additional bedroom option.

Mr. Leone: Are they two floors each or single level?

Mr. Walton noted they are flat with the exception of the end units here. That will be a townhouse unit.

Mr. Smith: Do you have any architectural drawings you could give us that indicate what the outside of the building would look like?

Mr. Garner responded he did not but could bring something in the future.

Mr. Leone: This is the first pass at it. Apparently you have your storm water issues addressed. You have at least one of your entrances addressed by the DOT. I agree that the secondary entrance is probably needed for emergency purposes. The issue of full sided access to the Fire Department is important. We will let the Fire Chief weigh in.

Apparently you have your storm water areas addressed here. The next thing we will want to see is the building. We will want to see the landscaping, lighting plan, signage, dumpster storage, etc. I think from a code standpoint parking underneath requires something special for fire, etc.

Mrs. May: I would like to see what the façade is going to look like.

Mr. Leone asked if there was an issue with height and houses in the back being impaired by the structure.

Mr. Walton responded no. (The rest of his response was not audible.)

Mr. Smith noted the site is close to the lake. How much of this will be opened up? Which way will the storm water run off, etc? Do we need to be concerned during construction? I know we were with the Bluffs project. What can we do to make sure there are no incidents during construction that allow for silt deposits in the lake, etc?

Mr. Leone: I think he has already addressed the issue because he has been stockpiling soil and cutting and clearing. He has silt fences up now after a discussion with Mr. Seitz. You are right. He does have the whole project to deal with.

Mr. Smith noted as part of SEQR we are supposed to make sure certain things get done.

Mr. Parrish: We have not started our review but this is labeled grading and sediment control plan. We have not reviewed the details. I don't have the storm water pollution prevention plan but whatever measures are required to project the lake we will make sure gets done.

Mr. Smith: We will need the plan.

Mr. Gridley: I know to get our permits from the DEC we will have to do a full storm water pollution prevention plan.

Mr. Parrish: You will need that to get site plan approval also. We will also need to see your storm water calculations, etc. I don't see any information on your utilities and such.

Mr. Leone: I think what Mr. Smith would like to see, and the Board will be supportive on this, is the storm water erosion control plan. The Bluffs required double fencing. We were very specific about the way they opened the site, if they were going to do it step by step. This is very similar.

Chief Carvel asked some questions about the site and the emergency access. Part of the problem with access is that it becomes encumbered by parked vehicles.

Mr. Leone noted snow storage could not be in the drive isle, because it starts to impede the drive isle. He recommended that the applicant review the site's snow storage needs.

Mr. Walton noted all of the drives are two way widths. He asked about signage.

The Board noted signage should be included in this plan

More discussion occurred regarding storm water, possible fencing and other items the Board would be looking for.

Mr. Parrish asked is this the set of plans you would like us to review, or would you be submitting a more complete set for us to review with the storm water report?

Mr. Walton responded this was the design. If you want to see the drainage calculations behind this we could provide that. We could provide a draft of the SWIPP.

Mr. Parrish: We will need a notice of intent. We will need the SWIPP. There is no information on utilities on the plan. Is there any lighting proposed? We will need that. If you like I can give you a list of items that are missing from this along with some comments on what has been provided.

More discussion occurred.

Mr. Leone: Do you want any traffic information from this? It is pretty straight forward.

Mr. Smith responded no.

Mr. Parrish: It is not going to generate over a hundred per hour so it is not going to be required from the County. That is typically their threshold.

Mr. Smith: We decided not to do it when we did subdivisions of 78 houses, so I don't think we will need it here.

The Board briefly discussed possible permitting for cut and grading.

Mrs. May made a motion to adjourn. **Mr. Cushman seconded the motion.**

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

Mr. Cushman:	Yes
Mr. Rowe:	Yes
Mr. Smith:	Yes
Mrs. May:	Yes
Mr. Moncrief:	Yes
Mr. Conway:	Yes
Mr. Leone:	Yes

IN AS MUCH AS THERE WAS NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 8:43 P.M.

Date: October 8, 2007

Tonia Mosley

Tonia Mosley,
Clerk

O'BRIEN & GERE

ATTACHMENT A

2-13.

September 26, 2007

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

Attn: Patrick Leone, Chairman

RE: Hancock Airpark 5th Amended, Part of Section B Final Plan Review

FILE: 0101/25439.301

Dear Board Members:

We have reviewed the Final Plan dated August 7, 2007 last revised September 12, 2007 prepared by D.W. Hannig, L.S., P.C. for the above referenced project relative to Town Code requirements for Final Plans and effect on Town utilities and roads. The amendment to the Final Plan consists of the subdivision of Lot 1C in Section B into Lots 1C and 1D. Lot 1D is to contain the proposed Braun office and manufacturing facility that has a Site Plan application under review by the Planning Board. The Final Plan appears to be in general conformance with Town Code requirements for Final Plans subject to the following comments:

1. The Plan does not show any improvements to the roads, storm sewer or sanitary sewer facilities and subsequent dedication to the Town of these facilities that would typically be completed for subdivision. A September 5, 2007 letter has been provided from the Hancock Field Development Corporation that outlines a schedule for proposed improvements. The Board should review this and determine if it is sufficient for approval of the Final Plan and consider if any conditions relative to improvements should be placed on further subdivision.

2. It is proposed to provide access to Lot 1D via private roads within Hancock Airpark. An ingress & egress easement for Lot 1D is shown along General Irwin Boulevard, Stewart Drive and Bangor Street. Future improvements will be made to convert the private roads to Town roads. It should be noted that these improvements may result in temporary disruption of access to the site and also may require some modifications to the site. The Preliminary Plan and Contract Drawings that have been approved for the Stewart Drive and Bangor Street area did not include improvements to General Irwin Boulevard. The Developer should confirm that adequate right-of-way is provided to maintain adequate area from the edge of the future road for utilities and snow storage.

   Traffic impacts from Hancock Airpark were addressed during review of the Preliminary Plan for the project. However, the Traffic Report was prepared in 2000 with a 2005 buildout date. A September 12, 2007 letter from the Onondaga County Department of Transportation indicates the Traffic Study is sufficient and the project will not significantly impact the level of service at the involved intersections on Taft Road.

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3. Sanitary sewer service to Lot 1D can be provided from a Town sanitary sewer located along General Irwin Boulevard.

4. Stormwater from Lot 1D will be directed to a stormwater management area located on Lot 1C. An easement on Lot 1C for use of the stormwater management facility for the benefit of Lot 1D should be provided and shown on the Final Plan.

5. The Town Code require grades be provided at a minimum of a 1-feet interval from an actual survey, which is not shown on the Plan. The Planning Board will need to waive this requirement.

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

Very truly yours,

O'BRIEN & GERE ENGINEERS, INC.

Mark C. Parrish, P.E.
Managing Engineer

cc: Town Board – Town of Cicero
Jay Seitz, Director of Planning and Development – Town of Cicero
Chris Woznica, Superintendent – Town of Cicero Highway Department
Barb Soulier, Code Enforcement Office – Town of Cicero
Heather Cole, Esq. –Wladis Law Firm, P.C.
Lori Dietz – Hancock Field Development Corporation
David Hannig, L.S. – D.W. Hannig, L.S., P.C.
Gary D. Cannerelli, P.E. – O'Brien & Gere Engineers, Inc.

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ATTACHMENT B

7AD

September 26, 2007

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

Attention: Patrick Leone, Chairman

Re: Pyramid Taft Land
Final Plan Review

File: 0101/25439.299

Dear Board Members:

We have reviewed the Final Plan dated July 10, 2007 last revised September 18, 2007 prepared by Ianuzi & Romans, P.C. for the above referenced project for conformance with Town Code requirements for subdivisions and effect on Town utilities and roads. The 29.735-acre site is located on the north side of East Taft Road and east side of Interstate Route 81 adjacent to the Benderson plaza. The western portion of the site is located within the Village of North Syracuse, which has indicated the Town of Cicero has jurisdiction to review the project. The site is comprised of a mixture of brush and woods. It is proposed to subdivide the site to create three lots from 0.276 to 20.397 acres in area. The site is zoned Regional Commercial in the Town and Commercial C-2 in the Village. A Site Plan application has been submitted for a Furniture Row retail store on Lot 2, which will be reviewed separately. The Plan is in general conformance with Town Code requirements for Final Plans subject to the following comments:

1. Lot 1 has access to East Taft Road, which is a County highway via an existing entrance. Lot 2 has access to the entrance via an ingress/egress easement across the Benderson site. It has been recommended a traffic study be provided analyzing the full build out for the site and identifying any necessary traffic mitigation. The study should also include the proposed buildings on the Benderson site. Lot 3 is to be combined with Lot 39 of the adjacent residential subdivision. This will need to be completed for the lot to have access to a public highway and meet bulk regulations.

2. The site is located within the Taft Road Sewer District. An 8-inch sewer located on the south side of Lot 1, which is a private facility can provide service to this lot. An 8-inch sanitary sewer is located on the north side of Lot 2 but is a private facility. This sewer probably cannot provide service to the lot, as the Onondaga County Health Department typically does not allow two properties to be provided service from a private sewer. The Plans should indicate how public sanitary sewer service would be provided to Lot 2.

3. Stormwater runoff from the site is generally tributary to adjacent properties and drainage facilities along Route 81. Details relative to stormwater management will be reviewed during Site Plan approval for the lots. It is noted there are a number of relatively large diameter storm sewers on Lot 1 that convey stormwater from the adjacent properties to Route 81. The need to provide easements for the properties benefiting from these facilities should be discussed with the Applicant.

4. The site is located within the Taft Road Water Supply District No. 3 and the Bellinger-Church Street Water Supply District. There are numerous water mains and associated easements on the site that are available to provide water service. The Applicant should coordinate provision of water service with the Onondaga County Water Authority (OCWA).

5. The site is not located within a flood plain as identified on the 1994 FEMA Flood Insurance Rate Maps.

6. There are no wetlands located on the site according to the National Wetland Inventory Map and New York State Freshwater Wetland Map.

7. The following are miscellaneous comments on the Plan:
   a. There are billboards located on Lots 1 and 2 but it is noted no access easements are shown. Access to these facilities should be discussed with the Applicant.
   b. The Town Code require grades be provided at a minimum of a 1-feet interval from an actual survey, which is not shown on the Plan. The Planning Board will need to waive this requirement.

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

cc: Town Board – Town of Cicero
Jay Seitz, Code Enforcement Office - Town of Cicero
Barb Soulier, Code Enforcement Office - Town of Cicero
Charles Grunder, Esq. – Shulman Curtin Grunder & Regan, P.C.
Hal Romans, L.S. – Ianuzi & Romans, P.C.
Gary D. Cannerelli, P.E. – O'Brien & Gere

O'BRIEN & GERE

ATTACHMENT C

September 26, 2007

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

Attention: Patrick Leone, Chairman

Re: Lakeshore Plaza Subdivision
Final Plan Review

File: 0101/25439.302

Dear Board Members:

We have reviewed the Final Plan dated May 18, 2007 last revised September 21, 2007 prepared by Cloough Harbour & Associates LLP for the above referenced project for conformance with Town Code requirements for subdivisions and effect on Town utilities and roads. The 6.489-acre site is located on the northeast corner of the intersection of New York State Route 31 and Torchwood Lane. The site contains an existing strip mall and Walgreens drug store along with associated parking, utilities, landscaping and other site improvements. It is proposed to subdivide the site to create two lots, one of 5.19 acres containing the strip mall and the other of 1.299 acres containing the Walgreens. The site is zoned General Commercial. The Plan is in general conformance with Town Code requirements for Final Plans subject to the following comments:

1. Lot 2 has entrances onto Route 31 and Torchwood Lane. A note has been placed on the Plan indicating a reciprocal ingress/egress easement will be provided for each lot to allow access to the entrances. A note on the Plan indicates the parking provided on Lot 1 is sufficient for Walgreens. For the Boards information there are 67 parking spaces provided on Lot 1.

2. The site is located within the Lakeshore Sewer District. An easement has been provided on Lot 2 along the private 8-inch sewer that serves Lot 1. Lot 2 is served by a Town sewer located within an easement along the north side of the site.

3. Stormwater runoff from the site is tributary to existing drainage facilities on the site and along Route 31. Details relative to stormwater management were reviewed during Site Plan approval and no modifications are necessary for the subdivision.

4. The site is located within the Cicero-Oneida Lake Water District Extension No. 5. Water service is provided from existing Onondaga County Water Authority (OCWA) facilities and no modifications are necessary for the subdivision.

5. The site is not located within a flood plain as identified on the 1994 FEMA Flood Insurance Rate Maps.

6. There are no wetlands located on the site according to the National Wetland Inventory Map and New York State Freshwater Wetland Map.

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Very truly yours,

O'BRIEN & GERE ENGINEERS, INC.

Mark C. Parrish, P.E.
Managing Engineer

cc: Town Board – Town of Cicero
Jay Seitz, Code Enforcement Office - Town of Cicero
Barb Soulier, Code Enforcement Office - Town of Cicero
Ric Maar – Dunn & Sgromo Engineers, Inc.
Gary D. Cannerelli, P.E. – O'Brien & Gere