

The Planning Board of the Town of Cicero held a meeting on **Monday, August 26, 2013** at **7:00 p.m.** in the Town Hall at 8236 Brewerton Road, Cicero, New York 13039.

Agenda:

- Pledge of Allegiance
- Notes from the Chairman
- Approval of the Planning Board Meeting Minutes from August 12, 2013 **(approved)**
- Minor Subdivision, Preliminary and Final Plan, Public Hearing, Section 277 Park Fees, The Landings at Maple Bay, 8514 and 8518 Lakeshore Road **(approved)**
- Minor Subdivision Preliminary and Final Plan, Set Public Hearing, Smith Estates, Southside of Fergerson Road **(public hearing set for September 9, 2013)**
- Minor Site Plan, Sketch Plan Review, 7561 East Taft Road, 7561 East Taft Road LLC, Proposed Pole Barn **(to return)**

Board Members Present: Bob Smith (Chairman), Joe Ruscitto, Chuck Abbey, Pat Honors and Sharon May (Ad Hoc Board Member)

Others Present: Neil Germain (Esquire, Germain & Germain), Lynn Jennings (Town Board Member), Mark Parrish (P.E., O'Brien & Gere), Steve Procopio (Code Enforcement Officer), Douglas Wickman (P.E., C&S), Jessica Zambrano (Town Board Member) and Tonia Mosley (Planning Board Clerk)

Absent: Mark Marzullo (Planning Board Member)

Chairman Smith opened the meeting by noting the locations of the emergency exits. He asked that cell phones be silenced.

Mrs. May led the Pledge of Allegiance.

NOTES FROM THE CHAIRMAN

The Chairman welcomed Mrs. May to the meeting. He thanked Town Counsel members Lynn Jennings and Jessica Zambrano for their attendance.

The Chairman asked that copies of the cut and fill permit to be sent to each Board Member when that permit form is established. He noted the Town Board has not set fees yet, but that the law is in place. They will do that fairly soon and a cut and fill procedure will be implemented.

APPROVAL OF THE PLANNING BOARD MEETING MINUTES FROM AUGUST 12, 2013

Mr. Abbey made a motion to approve the Planning Board's meeting minutes from August 12, 2013. **Mr. Honors seconded the motion.** The Chairman asked for a vote.

In favor: 5 *Opposed:* 0 *Abstained:* 0 **Passed unanimously**

**MINOR SUBDIVISION, PRELIMINARY & FINAL PLAN, PUBLIC HEARING, SECTION 277 PARK FEES
THE LANDINGS AT MAPLE BAY, 8514 AND 8518 LAKESHORE ROAD, 14 LOTS
IANUZI & ROMANS**

(SEE ATTACHMENT A: OBG LETTER FOR THE LANDINGS DATED AUGUST 26, 2013)

Representative: Hal Romans, Surveyor and Planner, Ianuzi & Romans

Mr. Romans explained that this application went through the Planned Unit Development (PUD) process. As part of that process we have always shown that there would be 13 residential lots and one Home Owners Association (HOA) lot. This subdivision map is an exact copy of that. We do have a road name now: Birdsong Lane. That name was approved by the County's 911 Department.

Other than that, it is exactly like the PUD map. There have not been any changes.

Chairman Smith: With that I will open up the public hearing. ***(The public hearing opened at 7:05 p.m.)*** Would anyone like to speak for the project? (There was no response.) There being no one, would anyone like to speak against the project please come forward? (There was no response.) There being no comments I will close the public hearing. ***(The public hearing closed at 7:05 p.m.)*** With the public hearing closed can we do SEQR?

Mr. Ruscitto made a motion regarding SEQR. He 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** and called for a vote.

In favor: 5 *Opposed:* 0 *Abstained:* 0 **Passed unanimously**

Mr. Germain read: You are going to **move** for the adoption of a resolution approving the Minor Subdivision Preliminary and Final Plan application known as The Landings at Maple Bay, 8514 & 8518 Lakeshore Road, 14 lots. This approval is contingent on the following:

1. The Planning Board notes that subsequent to approval of the PUD herein the Onondaga County Department of Health required that the sanitary sewer serving the site be a Town facility, accordingly this approval is contingent on the review and approval by the Town engineers to

determine that the sewer layout and any easements shown on the plan are consistent with the Contact Drawings approved by the Town Board for the project.

2. This approval is conditioned on the applicant complying with any undertaking and/or bonding as may be required by the Town.
3. In accordance with Section 277 of the Town Law the Planning Board hereby assesses a Park Fee in the amount of \$6,175 in lieu of Park and Recreation lands for the statutory fee of \$475 per lot on said subdivision. Mr. Procopio clarified that this fee does not include the HOA lot.

The applicant is hereby notified that the Chairman of the Planning Board will delay signing the final plan until the Chairman verifies that the applicant has made all necessary submittals in accordance with this application. **Mr. Smith made this motion** as clarified by Mr. Germain above. **Mr. Abbey seconded the motion.** The Chairman called for a vote.

In favor: 5 *Opposed:* 0 *Abstained:* 0 **Passed unanimously**

**MINOR SUBDIVISION, PRELIMINARY & FINAL PLAN, SET PUBLIC HEARING
SMITH ESTATES, SOUTHSIDE OF FERGERSON ROAD, TAX MAP #060.-01-01.1
2 LOTS, IANUZI & ROMANS**

Representative: Hal Romans, Surveyor and Planner, Ianuzi & Romans

Chairman Smith introduced the project, noting the only action taken tonight would be setting up a public hearing. Mr. Romans is the representative.

Mr. Germain: Right, I think that he is going to request that a public hearing be set.

Mr. Romans: With that I am requesting the public hearing be set for this application.

Mr. Germain: The next date would be September 9, 2013. You would **move** for the adoption of a resolution calling for a Public Hearing in the matter of the Minor Subdivision, Preliminary & Final Plan application known as Smith Estates. This public hearing shall commence at 7:00 p.m. at the regular scheduled meeting of the Planning Board on September 9, 2013. **Mr. Smith made the motion** as read by Mr. Germain above. **Mr. Ruscitto seconded the motion.** The Chairman called for a vote:

In favor: 5 *Opposed:* 0 *Abstained:* 0 **Passed unanimously**

**MINOR SITE PLAN/SKETCH REVIEW
7561 EAST TAFT ROAD, 7561 EAST TAFT ROAD, LLC
PROPOSED POLE BARN, IANUZI & ROMANS**

Representative: Hal Romans, Surveyor and Planner, Ianuzi & Romans

Mr. Procopio: This is a non-residential use in an Agricultural District (AG) that is subject to site plan approval. This would allow enclosed storage in that District.

Mr. Romans explained that the site is on the north side of East Taft Road about 1,000 feet west of Route 298. It is approximately 4.96 acres to the center line of the road. To the road right of way it is about 4.73 acres. The site is currently vacant. It does have an old dirt/gravel driveway that shows up right here.

The proposal is for a 5,000 square foot pole barn. We show it as 50' x 100'. The shady area you see back here are Army CORPS and DEC wetlands. The area here is the 100' adjacent area, buffer area for the DEC wetland. We are outside of that adjacent area.

The site is encompassed with a floodplain. The flood elevation is 391'. We show the proposed finished floor at 393.5'---2.5 feet above it. My client is talking about eventually building a home for himself here. Once he did that, the possibility exists for a septic system and/or service.

The pole barn would hold my client's toys.

We show the area of disturbance is 0.61 acre. We would come in off the roadway and maintain the existing drainage pattern. The driveway would continue to slope towards East Taft Road. We would put in silt fencing during construction, until the site is stabilized. But basically, it would continue to sheet drain the same way that it does today.

The Onondaga County Department of Transportation has approved the driveway's location. The length of the driveway is about 160 feet. So you have about a 2.5% slope on the driveway which is minimal.

There is existing water on the south side of East Taft Road along with existing power lines. My client would be able to bring power and eventually water, to the site. Again, that would be if or when he builds a house.

Mr. Smith: Mr. Procopio and I discussed this when it came in. I think that use has to be on the site plan: what it is going to be used for, what we are approving, what utilities will be in the building, etc. This Planning Board needs to know exactly what we are approving this pole barn for so that there are no questions. If for example 10 years from now the property is sold; someone will not use it for something else without coming in and modifying this agreement with the Town.

Mr. Procopio agreed. The applicant intends to use the pole barn for his personal and private property with the intent of building a home there later. If the home doesn't get built or if he sells the property, the new owners know what is approved and if they should come back in before the Planning Board.

Mr. Romans: If I put a note on the plan that storage is for personal property is that sufficient?

Mr. Germain: Yes that would cover it as long as the notes are on the site plan that is being approved.

Mr. Smith: We also need to know if there is going to be HVAC and what utilities will be connected. Will water be brought in?

Mr. Romans: I will check with my client. He was talking about that as a possibility. I know that power would be brought in. I will also verify if there is natural gas.

Mr. Smith: Not long ago we had someone put up one of these pole barns. When the Code Officer went out for a inspection, there was an expanded use. So, whatever we approve must be documented so that the Zoning Office has something to work with.

Mr. Romans agreed.

Mr. Procopio: This was sent to the County Friday. We will have to wait for their response.

Mr. Parrish: We will do our review and send it out.

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 7:15 P.M.

Submitted by,
Tonia Mosley, Clerk

ATTACHMENT A

August 26, 2013

Planning Board

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

RE: The Landings at Maple Bay Preliminary/Final Plan

FILE: 0101/25439.460

Dear Board Members:

We have reviewed the Preliminary/Final Plan dated July 23, 2013 prepared by Ianuzi & Romans Land Surveying, P.C. in regard to the above referenced project for conformance with Town Code requirements for subdivision plans and effect on Town utilities and roads. The 2.68-acre site is located on the east side of Lakeshore Road approximately 200 feet north of West Murray Drive. The Town Board recently approved a Planned Unit Development (PUD) zone change for the site. The purpose of this application is to obtain subdivision approval to create the lots for the site, which include 13 lots ranging from 1,710 square feet to 1,800 square feet and a 2.15 acre lot that includes the remainder of the site that will be owned by the homeowner's association for the project. Detailed comments on the project were provided during review of the PUD. The Plan is in general conformance with Town Code requirements for subdivision plans subject to the following comments:

- 1) Subsequent to approval of the PUD the Onondaga County Department of Health required that the sanitary sewer serving the site be a Town facility. It should be confirmed that the sewer layout and easement shown on the Plan is consistent with the Contract Drawings approved by the Town Board for the project.
- 2) The Board should identify appropriate park fees for the project.

Upon approval of the Final Plan by the Planning Board, it is recommended the Chairman delay signing the Final Plan until the Town Attorney has verified the Developer has the necessary agreements and securities in place.

Please do not hesitate to contact the undersigned if you have any questions or comments.

Very truly yours,

O'BRIEN & GERE ENGINEERS, INC.



Mark C. Parrish, P.E.
Managing Engineer