

The Planning Board of the Town of Cicero held a meeting on **Monday, December 9, 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 Minutes from the November 18, 2013 Meeting (**approved**)
- Site Plan, Empire Tractor, 5788 Crabtree Lane, Proposed Sales and Service (**approved**)
- Sign Permit Modification, Chandler Automotive (**approved**)

Board Members Present: Bob Smith (Chairman), Joe Ruscitto, Pat Honors and Mark Marzullo

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

Absent: Chuck Abbey (Planning Board Member)

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

Mr. Honors led the Pledge of Allegiance.

NOTES FROM THE CHAIRMAN

Mr. Smith welcomed Don Snyder, ZBA Member and Jessica Zambrano, Supervisor Elect to the meeting. He introduced Richard (Dick) Hooper the Town's newly hired Director of Code Enforcement and asked Board Members to respond to the attendance request for the December 23rd meeting.

APPROVAL OF THE MINUTES FROM THE NOVEMBER 18, 2013 MEETING

Mr. Marzullo made a motion to approve the Planning Board meeting minutes from November

18, 2013. **Mr. Ruscitto seconded the motion.** Mr. Smith called a vote.

In favor: 4 *Opposed:* 0 *Abstained:* 0 **approved unanimously**

**SITE PLAN, EMPIRE TRACTOR, 5788 CRABTREE LANE
PROPOSED SALES AND SERVICE
MARTY MEROLA**

Representative: Jeremy Davidheiser, R.L.A., LEED AP, QPK Design LLP

Mr. Davidheiser introduced himself.

Mr. Smith: We had gone through this rather extensively. We were waiting for a County resolution. Mr. Germain was working on easements. We have worked through a couple of things from Mr. Parrish. Would you like to cover the updates?

Mr. Davidheiser: The latest update, per Mr. Parrish's emailed comments, has to do with the drawing that you see on the screen: two areas that are clouded. One area is out by Crabtree Lane. We were asked to pave out the east entrance; which we did. The second item was the relocation of the previously proposed gravel access.

We have one question this evening. Marty Merola has already installed the gravel drive at the previously drawn location south of the parcel back to the gravel drive. That was his understanding of where the Planning Board wanted it from the last meeting. Since then this adjusted drawing has been completed at the Board's request, showing the easterly location of the gravel drive. Will the Planning Board consider leaving it where it was previously drawn or is this the preferred location?

Mr. Smith: Are we referring to that?

Mr. Davidheiser: We are.

Mr. Smith: I know when we did the site visit, mostly we wanted it connected to the road that goes back to Country Max. They were hoping to share customers.

Mr. Davidheiser: I don't have the benefit of being here the last time.

Mr. Smith: This was during the site visit. We just wanted the connection. Did we feel that it had to particularly be there? Where did you want it?

Mr. Davidheiser: Previously we drew it back here to the existing gravel drive that runs back here.

Mr. Smith: That was not what we had anticipated.

Mr. Davidheiser: Mr. Merola's question was I've already put it here where he understood it had to go. If the Board's preference and insistence in order to get site plan approval is that it goes here, I guess we are not...

Mr. Smith: You see this road right here?

Mr. Davidheiser: I do.

Mr. Smith: That is the one that would take everybody back to Country Max. It should be somewhere along this property line right here and connecting into that road.

Mr. Davidheiser: Okay. It does on this new plan.

Mr. Smith: As to what location along that road we had anticipated that it would be here. Its real purpose is to allow customers to get to Country Max without going back out onto the Town road.

Mr. Davidheiser: Fair enough, I will pass that on. The marching orders that I had tonight were this is the plan that we have submitted and---you know.

That's it. I think that we have addressed all of the comments that the Board had previously. I know that the re-subdivision plan has been submitted as well as the easements.

Mr. Germain: The easement itself has not been submitted. They have submitted the location

of the easement and the legal description of the easement. But the actual easement itself has not been submitted to date---which should not hold off a conditional approval. It would be conditioned on submitting the easement, getting it approved and actually filing the easement. I have not seen the actual underlying easement. What I have seen would be enough to indicate to me that it will be forth coming quickly.

Mr. Smith: Mr. Parrish you had several comments. Have they all been addressed?

Mr. Parrish: Yes all of those items have been taken care of as discussed or by a conditional approval including the easement.

Mr. Smith: Any additional comments?

Mr. Marzullo: The only other thing that I want to address has nothing to do with this particular site application. But, on the adjacent property where the trailers are parked there are those big construction lights. I don't know if anyone has called you yet. I was going south on Route 81 and it was very distracting.

Mr. Honors: Is that only on Wednesdays?

Mr. Smith: Yes. They park there for the auction and the lights are very bright.

Mr. Marzullo: It was a Wednesday night. I saw it during the day too. It is still there and should not be. That is just so the applicant knows and if Codes could address it. Route 81 traffic could get blinded by that. Other than that I have no questions.

Mr. Honors: It is my assumption that is due to it getting darker sooner.

Mr. Smith: They just need to re-adjust them and come up with something. It is a commercial parking lot.

Mr. Germain: You might just want to take that comment back to the applicant.

Mr. Davidheiser: I will. To clarify, which parcel are you talking about that has those lights?

Mr. Parrish: The Country Max place

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. **Chairman Smith seconded the motion** and called a vote.

In favor: 4 *Opposed:* 0 *Abstained:* 0 **approved unanimously**

Mr. Germain: You would **move** for the adoption of a resolution approving the site plan application known as Empire Tractor 5788 Crabtree Lane last dated December 6, 2013. This approval is contingent upon the following:

1. The building elevations as presented by the applicant to the Planning Board are to be incorporated by reference into the site plan and the Board's approval thereof.
2. The applicant shall combine the lots that comprise the proposed site plan into a single lot via the subdivision process.
3. The applicant shall provide an acceptable easement to the Town of Cicero for the purposes of sewer and drainage. Said easement and accompanying recording documents shall be presented to the Planning Board's attorney for approval. This approval is contingent on the applicant filing the approved easement with the Onondaga County Clerk and providing the Planning Board attorney with proof of filing.

Mr. Smith made the motion as stated by Mr. Germain above. **Mr. Marzullo seconded the motion.** The Chairman called a vote.

In favor: 4 *Opposed:* 0 *Abstained:* 0 **approved unanimously**

SIGN PERMIT MODIFICATION: CHANDLER AUTOMOTIVE

Chairman Smith: It is my understanding that we have had a variance granted to Chandler Automotive, as confirmed by Mr. Snyder. But we needed to get a resolution in so that they can get going with their sign.

Mr. Germain: You are going to **move** for a resolution approving the amended sign permit of Chandler Automotive in light of the approval of their variance application. **Mr. Smith made the motion** as stated by Mr. Germain above adding so the placement is now legal and we are all

set. **Mr. Honors seconded the motion.** Mr. Smith called a vote.

In favor: 4 *Opposed:* 0 *Abstained:* 0 **approved unanimously**

Chairman Smith made a motion to adjourn. **Mr. Ruscitto 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 7:20 P.M.

Submitted by,
Tonia Mosley, Planning Board Clerk