



The Planning Board of the Town of Cicero held a meeting on **Monday, March 14, 2016** at **6:30 p.m.** in the Town Hall at 8236 Brewerton Road, Cicero, New York 13039.

**Agenda:**

- ❖ Pledge of Allegiance
- ❖ Site Plan, Sonbyrne Sales Inc., 5717 & 5723 South Bay Road, Proposed retail store and fueling facility, Christian Brunelle (Byrne Dairy) (**Approved**)
- ❖ Site Plan, John Annable (Karate John's), 5686 State Route 31, Proposed Martial Arts Center, Ianuzi & Romans (**To Return**)
- ❖ Minor Subdivision Preliminary & Final Plan, Set Public Hearing, Wysocki Subdivision, 6578 Lakeshore Road, 2 Lots, Ianuzi & Romans (**Public Hearing scheduled for 03.28.16**)
- ❖ Site Plan, Sketch Review, Five Star Equipment, Inc., 6500 E. Taft Road, Proposed equipment sales, rental & service facilities, Ianuzi & Romans (**To Return**)
- ❖ Site Plan, Sketch Review, Town of Cicero, 8819 Cicero Center Road, Proposed site improvements for future Cicero Police Dept., Keplinger Freeman Associates (**To Return**)
- ❖ Minor Subdivision Preliminary & Final Plan, Set Public Hearing, South Bay Fire Department, 8819 Cicero Center Road, 2 Lots, Keplinger Freeman Associates (**Public Hearing set for 04.11.16**)

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

**Others Present:** Neil Germain, Planning Board Attorney, Mark Parrish, Planning Board Engineer and Steve Procopio, Codes Enforcement Officer.

Chairman Smith opened the meeting by noting the locations of the three emergency exits, asked that all cell phones be silenced and noted if anyone had difficulty hearing the proceedings please bring it to the Clerk's attention so the audio system could be adjusted.

Mr. Card led the Pledge of Allegiance.

Chairman Notes: There are some outstanding items on the agenda. The Island Hollow multi-family development is one of those items. The State awards will be given out between March and May and we are waiting for word from the State on the funding. Another item is Peter Talev's site plan. Mr. Germain, will you please make contact with Peter Talev and see if we can reach a solution?



Zoning maps have been proceeding well. Richard Hooper is on vacation. We are hoping to get them down to the county and have the county forward them to each of the planning board members. Town board is looking for our input.

Town board has approved funding for \$225,000 to make I&I improvements in the Brewerton sewer district. We will remove 17 million gallons of fresh water from the sewer system when that project is completed. We need to commend the board on saving 17 million gallons of water in our sewer system.

**SITE PLAN  
SONBYRNE SALES, INC.  
5717 & 5723 SOUTH BAY ROAD  
PROPOSED RETAIL STORE AND FUELING FACILITY  
CHRISTIAN BRUNELLE (BYRNE DAIRY)**

Christian Brunelle: Vice President of Byrne Dairy.

Mr. Brunelle: I was here on February 8<sup>th</sup> and I will go over some outstanding issues now. We are in discussion with the Onondaga County Department of Transportation regarding the driveway on South Bay Road. They issued a letter on February 18<sup>th</sup> granting full access to the driveway. We have to make modifications to the striping and shorten the lane. We have to move the stop bar back 40 feet. It was not put in the proper spot. We took care of the two issues with the lighting plan. There were a couple levels too high and we went from 700 to 350. Subdivision was filed on February 25, 2016 with the Onondaga County Clerk. Our in house counsel is working on the cross easement with Mr. Robert Germain and Mr. Neil Germain.

Mr. Germain: We are ok with it. We will review and approve when the time comes.

Mr. Brunelle: I put all the signage on the site plan. The total square footage of the signs are noted on the site plan. Circle Drive right of way line was not there before and the surveyor put it in the right of way. The traffic light pole is on Mr. Burdick's property. Roger Burdick granted us permission to move forward. We have a fully executed Agreement as of today.

Chairman Smith: The Onondaga County Planning Board referral has been taken care of. All modifications have been addressed. Chairman read through the Onondaga County Planning Board referral letter and noted that all modifications have been made pursuant to the Onondaga County Planning Board. We did give due consideration to the pedestrian sidewalk. The fire department concerns have also been noted and addressed.

Mr. Germain: The two outstanding issues can be taken care of by approval tonight: one is the easement and the other is the agreement with the town.

Mr. Card: The North Syracuse Fire Department asked if you are going to have propane tanks. Are they on the map?



Mr. Brunelle: Yes, they are. Underneath the porch.

Mr. Card: Are you planning on having a drive up ATM?

Mr. Brunelle: Yes.

Mr. Abbey: On the northerly boundary towards the tire store, does the property line run right up to the building?

Mr. Brunelle: Pretty close. Yes, that is correct. The Fallon family owns that as well.

Mr. Abbey: What is the time frame for building?

Mr. Brunelle: I will be moving dirt as soon as Monday or Tuesday of next week. Opening is scheduled for June 15<sup>th</sup>.

Mr. Marzullo: The easement on the north side of Circle Drive – does the agreement cover the striping?

Mr. Brunelle: Yes, we have permission to restripe and move the pole.

Mr. Germain: We need a copy of the agreement for the record.

Mr. Brunelle gave Mr. Germain a copy of the Agreement for the file.

Chairman Smith asked Mr. Germain to construct a motion for the adoption as lead agency.

Mr. Germain: You are going to move for the adoption of a resolution that the Planning Board of the Town of Cicero assume the role of Lead Agency pursuant to the New York State Environmental Quality Review Act.

Chairman Smith put this in the form of a motion. Mr. Marzullo seconded the motion. The Chairman called a vote.

*In favor: 5    Opposed: 0    Abstained: 0    Motion approved unanimously*

Mr. Germain: Be it further resolved that the Planning Board of the Town of Cicero hereby determines based upon the applicant's completed environmental assessment, the information presented by the applicant, the information contained in the Planning Board's Engineer's Review Letter, the information contained in the Onondaga County Planning Board's referral, if any, the Planning Board's personal knowledge of the Site, and all other information presented and proceedings had herein 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. Further the Planning Board Chairman is authorized to complete environmental assessment form in accordance with the findings and proceeding had herein.



Mr. Card put this in the form of a motion. Mr. Abbey seconded the motion.

*In favor: 5    Opposed: 0    Abstained: 0    Motion approved unanimously*

Chairman Smith asked Mr. Germain to construct a resolution approving the site plan.

Mr. Germain: You are going to move for the adoption of a resolution approving the site plan application known as Sonbyrne Sales Inc., 5717 & 5723 South Bay Road said plan last dated March 2, 2016. This approval is contingent on the following:

1. The color schemes and renderings and/or elevations as presented by the applicant to the planning board in regard to this application shall be incorporated by reference into this site plan and the board's approval thereof. Accordingly the actual project must substantially conform to the elevations as presented herein.
2. The Planning Board notes that detailed drawings for the proposed modifications to the traffic signal and East Circle Drive will need to be reviewed and approved by the Town Board. Accordingly this approval is conditioned on the applicant obtaining any further necessary approvals and including any other undertaking the Town may require in regard to the proposed modifications to the traffic signal and East Circle Drive
3. An access easement at the South Bay Road entrance has been provided for the property south of the applicant's site. However the underlying proposed easement has not been presented to the Planning Board attorney for review and approval. Accordingly this approval is conditioned on applicants presenting acceptable easement to the Planning Board attorney. Once approved by the Planning Board Attorney said easement shall be filed with the Onondaga County Clerk and a copy of the recorded easement shall be presented to the Town and incorporated into this approval hereof. Any building permits or a certificate of occupancy shall not be issued until said easement has been filed.
4. The applicant has volunteered and agreed to display Amber Alerts when requested to do so by Town officials. The reader board signage will not display any neon or loud or overly bright colors and no messages will scroll in an interval of less than 15 seconds. There will be flashing, osculating, or scrolling of messages. The sign may be internally but not externally lit.
5. The applicant's site plan indicates a projected average water flow of 1,500 gallons per day. The Planning Board recognizes the need to mitigate or offset the increased stress to the sanitary sewer system and accordance with the Town's policy regarding said offset and/or mitigation requires the payment of \$4 per gallon or in this case \$6,000.00 to be paid to the Town. Said payment shall be due and payable before the earlier of the issuance of any required permit or 30 days from the date of this approval.



6. The Planning Board reserves the right at any time verify the actual average water flow to verify that it conforms to the projections supplied by the applicant. The Applicant, its successors and /or assigns agree as a condition of this approval to cooperate with any reasonable request of the town to verify the applicants water flow and usage. In the event the projections and the amount of mitigation were not adequate based upon verification of the actual flow, the Applicant will pay the Town the Short fall between the projected usage and the actual usage.

Chairman Smith put this in the form of a motion. Seconded by Mr. Card.

*In favor: 5      Opposed: 0      Abstained: 0      Motion approved unanimously*

Chairman Smith: Welcome to Cicero.

Mr. Brunelle: Thank you.

**SITE PLAN  
SKETCH REVIEW  
JOHN ANNABLE (KARATE JOHN'S)  
5686 STATE ROUTE 31  
PROPOSED MARITAL ARTS CENTER  
IANUZI & ROMANS**

Tim Coyer, Representative, Ianuzi & Romans  
John Annable, Applicant

Mr. Coyer: We were here in February for the sketch plan. We are just doing a follow up. There are going to be changes to the grading plan per the engineer's comments. We will be submitting a plan for Mark's review. We added parking. We have copies of the cut sheets for the lights. The proposed signs for the building. It will be LED sign, 6x4, bottom scrolling. The top will not scroll.

Chairman Smith: You know you will have to submit those copies to the Board?

Mr. Coyer: Absolutely. He is going to use his existing sign that he has currently. We do have pictures of it.

Chairman Smith: Please submit those pictures.

Mr. Marzullo: What is the total square footage?

Mr. Coyer: Free standing will be 24 square feet. 75 feet for the other for a total of 99 square feet.

Chairman Smith: That needs to be shown on the plan so that if there is any future enforcement issues. Do we have water usage on the plan?



Mr. Coyer: Average daily water is 60.7 gallons.

Chairman Smith: There is an offset. \$4 times 60 gallons for water usage.

Chairman Smith: Mr. Parrish, do you have any questions? Mr. Germain?

Mr. Parrish: I do not believe we have received architectural designs for the building.

Mr. Coyer: I will do that.

Mr. Honors: Did anything else change for the second floor?

Mr. Coyer: He has changed that to add a full second story floor.

Mr. Annable: We originally were going to just do half of a second floor. Architect changed the plan. I want it built properly in case there is a second floor. 50% of building will have second floor. With full access on both sides. Stairs on both. There is storage on one side.

Chairman Smith: The elevations will have to indicate that. Address the codes office to make sure it meets standards.

Mr. Coyer: We will do that.

**MINOR SUBDIVISION PRELIMINARY & FINAL PLAN  
SET PUBLIC HEARING  
WYSOCKI SUBDIVISION  
6578 LAKE SHORE ROAD, 2 LOTS  
IANUZI & ROMANS**

Tim Coyer, Representative Ianuzi & Romans

Chairman Smith: Have the setbacks been addressed?

Mr. Parrish: Not yet. I have not provided review comments yet. It did not appear that there is an adequate setback for the rear yard. I think you need 30 feet. You will either need a variance or adjust the property line. I have some minor comments that I will pass on tomorrow.

Chairman Smith: Mr. Germain, will you please draft a resolution to set a public hearing for the next meeting?

Mr. Germain: You are going to move for the adoption of a resolution calling for a Public Hearing in the matter of Wysocki Subdivision, 6578 Lakeshore Road, 2 Lots. This public hearing shall commence at 6:30 pm at the regular scheduled meeting of the planning on March 28, 2016.



Chairman Smith put that in the form of a motion. Seconded by Mr. Honors.

*In favor: 5    Opposed: 0    Abstained: 0    Motion approved unanimously*

**SITE PLAN  
FIVE STAR EQUIPMENT INC  
6500 E TAFT ROAD  
PROPOSED EQUIPMENT SALES, RENTAL & SERVICE FACILITIES  
IANUZI & ROMANS**

Tim Coyer, Representative Ianuzi & Romans

Mr. Coyer: This is the existing John Deere dealership on East Taft Road. It is about 3 and ½ acres. 2 existing tax parcels. We will have to combine the two parcels. We are looking to add additional gravel area. We are looking to add a 30 foot addition on the building. There will be 3 light fixtures. We will add a wash area, oil separator and sand separator. The use of the building is not changing and the hours of operation are not changing. We are adding gravel and adding lights. They added a fence to avoid vandalism.

Chairman Smith: Can you provide us with a recent water bill and show the proposed water usage for the new facility? The offset is what the increased capacity will be.

Mr. Coyer: Yes.

Chairman Smith: Any signage changes?

Mr. Coyer: No.

Chairman Smith: If you could take a picture of the existing signage, we will put it in the file and note no changes.

Mr. Procopio: Please mention the square footage of the signage as well.

Mr. Coyer: I will do so.

**SITE PLAN  
SKETCH REVIEW  
TOWN OF CICERO  
8819 CICERO CENTER ROAD  
PROPOSED SITE IMPROVEMENTS FOR FUTURE CICERO POLIC DEPT.  
KEPLINGER FREEMAN ASSOCIATES**

Lisa Weinberg, Representative Keplinger Freeman Associates



Ms. Weinberg: This is the proposed Cicero Police Department. It is going to be a portion of the existing South Bay Fire Department. The corner of Lakeshore and Cicero Center. Proposed improvements are removal of asphalt along the corner to provide an actual ingress and egress on each road. We are adding a curbed island in between the access area and the building. We are going to restripe the parking lot. There are currently 51 spaces. Proposed spaces are 55 and this includes the gravel in the back. The dotted lines will indicate no parking to be across an easement for the South Bay Fire Department and the Cicero Police Department.

Chairman Smith: One of the changes is that the back side is not transferring. It is going to stay with South Bay Fire Department.

Mr. Weinberg: Correct. I have it noted on plan that actual disturbance is .9 acres.

Chairman Smith: What about the corner?

Ms. Weinberg: We are removing the asphalt. It will be lawn, plants and trees with some small plantings. The existing sign is going to stay in same location. Going to add signage on the sign but I don't have that for you yet.

Chairman Smith: As long as they are not transferring that back parking lot. We are not putting any paving back there. It is just going to be gravel.

Mr. Card: Are they going to park their police vehicles in the building?

Ms. Weinberg: Yes. Only 3 bays. The other bays are going to be storage.

Mr. Card: Any servicing in the garage?

Ms. Weinberg: I will ask to make sure they are not intending to service vehicles.

**MINOR SUBDIVISION PRELIMINARY & FINAL PLAN  
SET PUBLIC HEARING  
SOUTH BAY FIRE DEPARTMENT  
8819 CICERO CENTER ROAD, 2 LOTS  
KEPLINGER FREEMAN ASSOCIATES**

Lisa Weinberg, Representative Keplinger Freeman Associates  
Tim Coyer, Representative, Ianuzi & Romans

Ms. Weinberg: This is preliminary. Ianuzi & Romans is working on this plan. Next month, we will have the actual plan. We are proposing to break this into two lots. 1.09 acres approximately. With the area right behind it for proposed access easement. We are just asking to get our public hearing set.



Mr. Card: Lot 2 is to be owned by the Cicero Police Department? Wouldn't the lot be owned by the Town of Cicero?

Ms. Weinberg: You are correct. That needs to state that the Town of Cicero owns the lot.

Mr. Coyer: Just to clarify, you want the final plan to state that the Town of Cicero owns Lot 2 and not the Cicero Police Department.

Chairman Smith: Correct.

Mr. Coyer: I will take care of that.

Chairman Smith: Mr. Germain, will you please draft a resolution setting a public hearing for our April meeting?

Mr. Germain: You are going to move for the adoption of a resolution calling for a Public Hearing in the matter of South Bay Fire Department, 8819 Cicero Center Road, 2 Lots. This public hearing shall commence at 6:30 pm at the regular scheduled meeting of the planning on April 11, 2016 or as soon thereafter as this case may be heard.

Chairman Smith put that in the form of a motion. Seconded by Mr. Card.

*In favor: 5    Opposed: 0    Abstained: 0    Motion approved unanimously*

Chairman Smith: Do any members of the Board have anything additional? The Board did not have anything further.

**Mr. Honors made a motion to adjourn. Mr. Abbey seconded the motion. The motion was approved unanimously.**

**Next Scheduled Regular Meeting: Monday, March 28, 2016 at 6:30 PM**

IN AS MUCH AS THERE WAS NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 7:18pm.

Submitted by Lisa L. Stewart  
Planning Board Clerk