The Planning Board of the Town of Cicero held a meeting on **Monday, March 24, 2014** at **6:30 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 March 10, 2014 Meeting **(approved)**
-Site Plan, Public Hearing, Admar, 7800 & 7802 Brewerton Road, Proposed construction equipment sales, rental & service facility **(tabled)**
Major Subdivision Preliminary Plan, Longeran Subdivision, 5775 Sneller Road, (Tax Map #120.-02-01.3), 6 Lots, **(approved)**
-Zone Change, Carmel Runne, Carmenica Drive &Pasubio Terrace, General Commercial, Agricultural & PUD to General Commercial Plus **(approved)**
-Site Plan, Sketch Review, Contemporary Home Suites, Orangeport Road, (Tax Map #116.-01-05.4), Proposed apartment complex **(to return)**
-Site Plan, Preferred Powersports, Brewerton Road, (Tax Map #120.-02-01.4), Proposed storage building **(approved)**
-Site Plan, A&P Marina, 7512 W. Murry Drive, Proposed new building **(to return)**
-Site Plan, National Grid, Totman Road, (Tax Map #054.-01-15.0), Proposed telecommunications antenna **(approved)**
- Site Plan, Driver's Village, 5857-5927 East Circle Drive, Proposed automotive dealership **(to return)**
-Site Plan – Sketch Review, Panda Express, Brewerton Road (Tax Map#043.-01-16.3), Proposed fast food restaurant **(to return)**

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

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. Abbey led the Pledge of Allegiance.

Chairman Smith recognized Vern Conway, Town Board Member and Richard Hooper, Director of Zoning Enforcement, Jessica Zambrano, Town Supervisor, thank you all for joining us.

Mr. Marzullo made a motion to approve the Planning Board Minutes from March 10, 2014. **Mr. Abbey seconded the motion**. The Chairman called a vote.
In favor: 5 Opposed: 0 Abstained: 0 Motion approved unanimously

SITE PLAN, PUBLIC HEARING
ADMAR, 7800 & 7802 BREWERTON ROAD,
PROPOSED CONSTUCTION EQUIPTMENT SALES, RENTAL AND SERVICE FACILITY
IANUZI & ROMANS

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

Mr. Romans: The changes we made I will go over briefly. The existing site lighting is to be used with fixtures repositioned horizontally but provide full cut off. We listed the total signage as 290.7 sq. feet. And we did change the location of the pylon sign in front from the asphalt to the grassy area and the old sign post will be removed. We added additional landscaping to the front with a note of what will be used. I noted that the boom lifts are not to be extended to over the height of the existing building, which is about 21 feet high and no signs or banners of any kind.
Employee parking will be kept north of the residential property and that fence will be repaired and replaced if necessary. The State DOT sent the email concerning the south driveway here and striped and currently it's an entrance only. There is a note that if the fence along the easement on the north side that the fence will be repaired/replace at the applicants expense should future repair or maintenance be require in the easement. We would like to do that rather than removing the 20 feet of asphalt in that area. We would get a formal agreement to sign off on.

Mr. Honors: Explain the fence issue again.

Mr. Romans: There is an existing wood fence that would be removed and we would be replacing it with a 6 foot high chain link fence. Then 4 foot chain link fence up to here.

Chairman Smith opened the Public Hearing at 6:38pm.
Chairman Smith asked for those who wished to speak for the project. (NONE)
Chairman Smith asked for those who wished to speak against the project.

Themla Rhodes: (103 Cop Avenue) My concern is the fence at my property line, it is falling apart and I worry about my grandkids and other kids in the neighborhood.

Chairman Smith: It is my understanding that the applicant is going to repair any parts of the fence that need to be repaired and do some additional landscaping. The hours of operation are difference from what it used to be from 7am to 5pm and 6am to 5pm on the weekend.
Mr. Romans: There is a note on the plan that we will repair and or replace any part of the fence that needs it.

Chairman Smith asked if there was anyone else who wished to speak against the project.
Chairman Smith closed the Public Hearing at 6:43pm.

Chairman Smith: Asked Mr. Parrish if he had any comments at this time.

Mr. Parrish: The issue of the fence in the easement we suggested move the fence outside the easement remove the pavement along that property line because you might get an agreement but you don't have one in place now and history has shown that when the time comes if something should happen there people forget about the agreement. The other issues is the County planning board suggested the southern driveway must be closed per the DOT but then through some email correspondence that the entrance was approved for a right hand only and should be signed as such. Is there appropriate signage on the site plan for that?

Mr. Romans: We would ask that we get approval subject to us putting two entrance only signs up, it is striped now with an in arrow only. We would restripe what is there now to make it more visible.

Mr. Parrish: Also just to review the equipment display area.

Chairman Smith: Neil do you have anything?

Mr. Germain: We need to look at the equipment display area and I also agree with Mark about the removal of the fence is probably easier than doing an agreement since there is not one in place now and the LED sign an amber alert and the 15 second scroll that the applicant has to follow.

Mr. Ruscitto: The fence repair is not only as needed and necessary but it will be done now repairing what needs to be done now and not waiting, correct?

Mr. Romans: Yes correct, that's the first thing we will do along with installing the gates and put the signage in the southern driveway.

Chairman Smith: Are they going to replace the landscaping along the south boarder that is deteriorating or dead.

Mr. Romans: We can there is a sewer easement there now but we could put some landscaping there but it wouldn't be very big but I thought it was more important to take care of the fences.

Chairman Smith: I thought we were going to do both.

Mr. Romans: Yes we will replace any trees along the property line that are dead.

Chairman Smith: I would like to discuss the removal of the fence that is located in the easement. What about removing 10 foot of asphalt along the property line and then put your chain-link fence along this portion because I understand you want it for security and then don't put any fence in the front section.

Paul Caluchi (applicant): We would prefer to not remove the fence we would like to keep all the asphalt possible because snow removal could become a big issue in doing so. Also we want to be sure that our

equipment in the rear is secure ant that there is a clear delineation of the property lines between our parcel and the neighbors parcel. We can change the style of the fence if that would better. Also I don't want to create an issue with drainage that could potentially be caused in the neighbor's property. But we can look into that.

Chairman Smith: Can we do that, if we have a note on the plan. We are talking about removing the 4 foot high chain-link fence and remove 10 feet of asphalt and replace with grass or if you want you can landscaping the area. And you still have the 6 foot chain-link fence in the back located in the easement that would have to be taken down and replace, if repairs are needed at your expense as noted on the plan.

Mr. Germain: You can but I would suggest if you are going to start making revisions to the plan that you actually have the applicant provide a revised plan and that revised plan is the plan that you vote on rather than trying to craft a resolution that might not accurately reflect what the board and the applicant are discussing. Because right now there is quite a bit of dialogue between the applicant and the board that still isn't completely clear as to what exactly is going to be done and changed.

Mr. Romans: You could approve subject to us noting that on the plan and making todays date the revision date.

Mr. Caluchi noted that the board could make the approval conditional at this time so that work could begin on the property.

Chairman Smith: We are talking about removing the 4 foot high chain-link fence and remove 10 feet of asphalt and replace with grass or if you want you can landscaping the area. And you still have the 6 foot chain-link fence in the back located in the easement that would have to be taken down and replace, if repairs are needed at your expense as noted on the plan.

Mr. Marzullo: Can you talk about the landscaping out front?

Mr. Romans: We're adding additional landscaping all around the property and there is a note labeled on the plan to see what will be put in place. Also all the overgrown areas will be trimmed and removed as necessary.

Chairman Smith: Can you discuss the equipment display areas in the front? Could you remove one display area and just have the larger area for display.

Mr. Caluchi: The equipment in this area would be one item like a boulder wall with a small piece of equipment rolled up on it like a bob cat or something it would be very aesthetic. This other area would be equipment lined up for display.

Mr. Marzullo: I can envision what you are describing will be very nice but I actually asked for a detailed description of the displays at the last meeting. Also is there anything noted about the height of the boom?

Mr. Romans: We have a note on the plan that boom cannot be above the height of the existing building.

Chairman Smith: Could we make a note on the plan that states the booms will not be raised above a certain height in the front 50 or 100 feet of the property?

Mr. Caluchi: The boom lifts are not ordinarily in the front display area there is usually the smaller equipment like a bob cat or something like that.

Mr. Marzullo: But is still is not in writing on the plan as I asked.

Mr. Caluchi: I have no problem noting that on the plan.

Mr. Germain: Can I just comment with a note on the plan thing, because that is not on the plan that you are going to approve. Every time we say we could note it on the plan, it is not on the plan that they are asking you to approve in front of you now.

Chairman Smith: With that in mind, in accordance with our attorney, if you could make the changes to the plan for our next meeting, I don't see any reason why you couldn't get started on getting the place ready now.

Mr. Caluchi again noted the plan could be approved contingent upon the modifications brought up tonight by the board.

Chairman Smith asked the each of the board members if they had anything additional at this time.

Mr. Ruscitto: Can we make a note on the plan for the exact height for the booms in front?

Mr. Romans: 10 feet would work in front and in the rear no booms raised higher than the 20 foot existing building.

Mr. Abbey: I think on the advice of counsel we should have revised plan and provided to the board for a vote.

Mr. Marzullo: I think a note on the plan about the repairs being done inside the facility. I also think there should be an agreement in place regarding the fence. We are not trying to hold you up but there are just so many issues we have discussed tonight.

Mr. Honors: I don't have anything at this time.

Chairman Smith: We have come up with some compromises on some of the issues we have discussed and the Director of Code Enforcement is here tonight and he has heard the board and we want you to be able to move forward and I don't think the town will stand in your way. I think it's important that we list to Mr. Germain, we get the comments on the plan and we get the agreement and we will table this to the next time until the next meeting provided the application is able revise the plan in accordance with what we have discussed tonight.

Mr. Romans: Can I just verify the plan changes with you; 1) the 4 foot chain-link fence being replaced with the ten foot grassy strip and asphalt being removed; 2) entrance only signs at the south driveway; 3) the boom note will be modified to say not in the display area and no equipment over 10 feet in the display area in front and 20 foot in the back; 4) agreement in place regarding the removal of the fence in the easement at applicants expense; 5) replace dead trees; 6) repairs done inside only and 7) detailed description of equipment in the display areas

MAJOR SUBDIVISION PRELIMINARY PLAN,
LONERGAN SUBDIVISION
5775 SNELLER ROAD (Tax Map #120.-02-01.3)
6 LOTS
IANUZI & ROMANS

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

Chairman Smith noted that we held a public hear already on this.

Mr. Romans: The only things we added to the plan was the proposed water, the engineers drawing reflected the 24 foot wide pavement, and the County DOT stated that at the time coming in for the permit for the roadway we would have to verify the stopping site distance and the two way traffic siting to meet their standards. The key thing for you to look at is the cul-de-sac is 593 feet which is over the 500 foot limit. We show 6 lots that would be on private sewer, so as each user comes in, they can design the septic based upon their needs.

Chairman Smith: Neil are the easements in place for this?

Mr. Germain: You don't need the easements, the questions you would have before you proceed would be approval of the waiver of the 593 foot cul-de-sac and the road cross section that is not in accordance with the sign standards.

Chairman Smith: Mr. Parrish

Mr. Parrish: No --- Neil noted that they have a road cross section that is not in accordance with the design standards and also the cul-de-sac design incorporates a center island.

Chairman Smith asked the each of the board members if they had anything additional at this time. The board members had nothing further at this time.

Mr. Ruscitto made a motion regarding the 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: 5 Opposed: 0 Abstained: 0 Motion approved unanimously

Chairman Smith: Neil, would you construct a resolution approving the application.

Mr. Germain: You are going to move for the adoption of a resolution approving the subdivision application known as Lonergan Subdivision, 5775 Sneller Road (Tax Map #120.-02-01.3), 6 Lots; Preliminary Plan dated October 4, 2013 last revised March 18, 2014

This approval is contingent on the following:

1. The Board notes that it has been informed via email from Terry Morgan of the Onondaga County Department of Transportation that the County will approve the location of the entrance onto Sneller Road AFTER the applicant completes a traffic study and the required sight distance is verified – they also need a drainage study. This approval is conditioned on the applicant obtaining approval of the location of the entrance onto Sneller Road from the Onondaga County Department of Transportation. The applicant should be aware that the subdivision map will not be signed until the applicant has presented said proof.

2. The Board notes that the length of the cul-de-sac exceeds the 500 feet design standard in the Town Code and approves a waiver of this standard for this project.

3. The Planning Board further notes that while the application's road design standards including the cross section and proposed cul-de-sac do not meet the Town standards, the Planning Board recommends the standards as set forth in the application.

The applicant is hereby notified that the Chairman of the Planning Board will delay signing of the final plan until the chairman verifies that the applicant has executed any and all necessary agreements with the Town and that all security or undertakings are in place.

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

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

ZONE CHANGE, CARMEL RUNNE
CARMENCIA DRIVE & PASUBIO TERRACE
GERNERAL COMMERCIAL, AGRICULTURAL & PLANNED UNIT DEVELOPMENT
TO GENERAL COMMERCIAL PLUS
IANUZI & ROMANS

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

Mr. Romans: I checked and the PUD portion was originally part of the Rene Gardens Subdivision that subdivision map was filed in 1978 to show that portion was commercial. It stated that any commercial use would come in would have to be approved by the planning board. It didn't get into access or anything just that it would need planning board approval for any commercial use.

Mr. Marzullo: If we change this to general commercial plus we are constrained to consider allowable uses.

Chairman Smith: I agree with Mr. Marzullo

Mr. Germain: That is correct if it was PUD you would an element of control over it where if it went to general commercial plus the applicant would already have an array of uses available.

Mr. Romans: We could leave the PUD but the agricultural portion should not remain agricultural it should be zoned commercial plus.

Chairman Smith: How wide is the piece?

Mr. Romans: Maybe 125 feet, and it is encumbered by power wires and such that I am not sure who would even want it.

Chairman Smith: One thing that I would like to include in the recommendation is that I know that the Pardee, which is adjacent continuance piece of Route 31 has expressed that they would like to also be considered for a zone change from general commercial to general commercial plus, in the interest of consistency. Neil I would ask that you please include as part of the motion a recommendation that the Town Board consider the interest of a continuous piece of general commercial plus. Also I note that this project was subject to a coordinated review between Onondaga County and this Planning Board and this Planning Board has considered the recommendations made by the County as set forth in their resolution.

Mr. Ruscitto made a motion regarding the 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: 5 Opposed: 0 Abstained: 0 Motion approved unanimously

Chairman Smith: Neil, would you construct a resolution approving the application to the Town Board.

Mr. Germain: You are going to move for the adoption of a resolution recommending the application Carmel Runne -General Commercial & Agricultural to General Commercial Plus, to the Town Board.

The Planning Board notes that the application included land currently zoned PUD and the Planning Board **does not** recommend that the land currently zoned as PUD be rezoned at this time.

Also the Planning Board notes that the Pardee who own the adjoining parcel have also has also requested to be rezoned recommends that any adjoining property owner who is similarly situated and wishes to be included in Commercial Plus be rezoned in that manner.

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

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

SITE PLAN, SKETCH REVIEW,
CONTEMPORARY HOME SUITES,
ORANGEPORT ROAD (TAX MAP #116.-01-05.4)
PROPOSED APARTMENT COMPLEX
IANUZI & ROMANS

Representative: Tim Coyer, Ianuzi & Romans

Mr. Coyer: There are two proposed apartments located on Orangeport Road with an entrance off Orangeport Road. This is currently zone appropriately and it is a total of 7.31 acres. Using that acreage we are proposing 49 allowable apartments and about 119 parking spaces. Proposed community office building and parking out front of that. There are garages with possible spacing between that. We do show an entrance to Walnut Hill Road but it would be limited there is a gate that we are showing. There is residential off Whitcome and the total site goes right along a residential area. There is drainage we show for the site and sanitary going through the site as well. There is an existing temporary turn around at the site already that is part of the existing subdivision. We would need to get a variance for the height because it is a 3 story apartments which is allowed but the pitch of the roof would put us over what is allowed by a little bit.

Chairman Smith: We will want to see the outside, the architectural drawings the color scheme and samples, elevations.

Mr. Coyer: Yes we will have all that next time we come in this is just a general sketch plan.

Chairman Smith: The developer would like to get this started in the current year, correct?

Mr. Coyer: Yes, that is correct.

Chairman Smith: Mark anything at this time.

Mr. Parrish: Not at this time

Chairman Smith: Neil?

Mr. Germain: You have a variance that will need to get approved and noted on the plan.

Mr. Ruscitto: The three stories that you mentioned I wanted to clarify that it is two living floors above ground.

Chairman Smith: It is three stories above ground, three full floors above ground. The alternative would be a third building if you couldn't get the variance. Understanding that these are

Todd Loscombe (Developer): This is not subsidized housing we are gearing it towards younger professionals, with nicer amenities, balconies, fireplaces, garages with openers. They will be very nice they will probably be around 1100-1200 sq. feet in size. Also the location really works well with the zoning because there is residential on one side then multifamily then commercial so we are a good buffer between the residential and commercial.

Chairman Smith asked the each of the board members if they had anything additional at this time. The board members had nothing further at this time.

SITE PLAN,
PREFERRED POWERSPORTS,
BREWERTON ROAD (TAX MAP #120.-02-01.4)
PROPOSED STORAGE BUILDING
SHAWN PATANE

Representative: Shawn Patane,

Chairman Smith Noted that this project has been on before but a problem came up when the state would not approve a northern access of the highway so there was some changes that had to be made.

Mr. Patane: Exactly, in the fall we were here and thought we would have that access but it was not approved. After providing an additional drainage studies they still have some drainage concerns. Long-term I am still hoping we will have some resolution but right now I need to move forward with the building for storage that is needed for my business.
We broke the plan into Phase 1 and Phase 2, Phase 1 we took out the north entrance and Phase 2 we added it back in. There were no changes to the drainage infiltration area other than to work up a right away to accommodate the drive. Preferred Powersports is on the side here now. The separate lot has just the storage building we are proposing. The driveway is noted on the plan and the other driveway will be in Phase 2 if approved. But because of that we had to create an easement for egress and ingress on the existing Preferred Powersports parcel. Mr. Germain has had a chance to look at that.

Mr. Germain: I have reviewed the easement and it is acceptable from a legal perspective and it just needs to be recorded.

Mr. Patane: Mr. Parrish had some comments as well that I wanted to address. There is some recessed lighting noted on the covered porch. There is no signage proposed and there is also no dumpsters or outside storage area. Again our purpose is to bring everything we have outside and put in covered storage. The color scheme is identical to the existing Preferred Powersports building that is there now.

Chairman Smith: Mark any engineering comments?

Mr. Parrish: We have this Phase 1 plan and Phase 2 just adds the access drive out to Route 11 and some drainage. At this time the board could approve both Phases understanding that it has to be approved by DOT to construct that so that after if he gets the approval he doesn't need to come back here for approval from this board.

Chairman Smith: Neil?

Mr. Germain: I agree with Mark the idea of approving both the Phase 1 and Phase 2 so he doesn't have to come back in again.

Chairman Smith asked the each of the board members if they had anything additional at this time. The board members had nothing further at this time.

Mr. Ruscitto made a motion regarding the 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: 5 Opposed: 0 Abstained: 0 Motion approved unanimously

Chairman Smith: Neil, would you construct a resolution approving the application.

Mr. Germain: You are going to move for the adoption of a resolution approving the Site Plan application known as Preferred Powersports, Brewerton Road (Tax Map #120.-02-01.4), Proposed storage. The Site plan Site Plan last revised March 5, 2014. This approval is approving both Phase I and Phase II of the proposed Site Plan and is conditioned on the following.

1. The applicant has presented a proposed easement for egress and ingress over the adjacent parcel which has been approved by the planning board attorney, the applicant shall file said easements with the Onondaga County Clerk and provide proof of said filing to the Town of Cicero as a condition of this approval. No permits should be issued by the Town of Cicero until this condition has been met.

2. The color schemes and renderings as presented by the applicant to the planning board in regard to this application including the applicant's assurance that the exterior will be made to match or blend with the existing Preferred Power Sports Building shall be incorporated by reference into this site plan and the board's approval thereof. Accordingly the actual project must conform to the original elevations as modified herein.

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

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

SITE PLAN,
A&P MARINA, 7512 W. MURRAY DRIVE
PROPOSED NEW BUILDING
HARMONY ARCHITECTURAL ASSOCIATES

Representative: William J. Ferraldo, Architect and Owner of Harmony Architectural

Mr. Ferraldo: We are here for sketch plan review. After further discussion with the owner we decided to remove the rain garden from the site plan and the new drive. In our current submittal we developed some elevations that have some more detail. The building would be rendered charcoal gray and slate gray and we added some trim. There is some additional landscaping on the plan and the lighting here is wall mounted cut off wall packs and there is other lighting along the walk way and near the restrooms for after hours. We are still considering doing the recessed lighting under the porch as suggested by Mr. Parrish, but it is not what we would prefer.

Mr. Parrish: Currently they are straight piping the rain water into the lake and we had suggested possibly a rain garden or something to slow it down. We suggested there should be an easement for the sewer lateral and the utility that runs across the separate property. We need a signage detail and a landscaping detail.

Mr. Germain: As far as egress and ingress you went back to the original plan that goes over someone else's property but there is no documentation that allows the applicant legally to do so.

Mr. Farraldo: This road has been used for 40 years and if we do the new entrance we believe it would just end up creating one large entrance.

Chairman Smith: The board cannot grant an easement to an applicant it is beyond the scope of the Boards abilities.

Mr. Ferraldo spoke about the entrance currently being used as egress and ingress and the concerns of those individuals on Boardhead Road already using the current road. He agrees with the comments from the board and he take it back to the applicant.

Mr. Germain: There is an easement on the applicant's property currently that could be used for egress and ingress. The applicant is simply choosing not avail itself of the existing easement.

Mr. Marzullo: You could put a fence or landscaping on your property if you put the new road, to try to cut off the old road from use. You have to either get an easement or use your own property and make the old part unusable.

Mr. Ferraldo spoke about the applicant's reasons for removing the rain garden including the size, the cost and the maintenance necessary. I will discuss all the boards concerns and suggestions with the applicant and try to come up with another solution.

Mr. Ruscitto: I don't feel that the rain garden is necessary due to the high cost and the proximity of the building to the lake.

Mr. Marzullo: The issue is the volume and quality, the water is going to get to the lake no matter what.

Mr. Smith: The intention of the board was to slow it down to the lake give ti a chance to per a little before it gets there.

Mr. Parrish: If the rain garden is sized for a 100 year storm it could be smaller.

SITE PLAN,
NATIONAL GRID, TOTMAN ROAD (TAX MAP#054.-01-15.1)
PROPOSED TELECOMMUNICATIONS ANTENNA
BRANDON NEDDO OF NATIONAL GRID

Representative: Brandon Neddo, National Grid

Mr. Neddo: We wanted to address the concerns that the board had at the last meeting. The first thing was the setback distances, we took measurements that are listed here. To address the issues of potential property damage we are going to install guy wires. And with regards to the antenna we have provided pictures with measurements, it is smaller than what is usually used. And regarding the ascetics I am not sure how to address this because it is a phone pole.

Chairman Smith: It is a phone pole, there is nothing you can do. So you are asking for approval right?

Mr. Neddo: Yes, we are asking for approval.

Mr. Ruscitto made a motion regarding the 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: 5 Opposed: 0 Abstained: 0 Motion approved unanimously

Chairman Smith: Neil, would you construct a resolution approving the application.

Mr. Germain: You are going to move for the adoption of a resolution approving the Site Plan application known as National Grid, Totman Road (Tax Map #054.-01-15.1) Proposed Telecommunications Antenna.

1. The Planning Board notes tower setback distance from the northerly property line appears to be approximately 5 feet but the applicant has provided information including the tower's location and its design to minimize damage to adjacent property in the event of a structural failure which indicates the proposed set back is appropriate under the circumstances.

Chairman Smith made a motion as stated by Mr. Germain above. **Mr. Ruscitto seconded the motion**. The Chairman called a vote.
In favor: 5 Opposed: 0 Abstained: 0 Motion approved unanimously

SITE PLAN,
DRIVER'S VILLAGE,
5857-5927 EAST CIRCLE DRIVE, PROPOSED AUTOMOTIVE DEALERSHIP
IANUZI & ROMANS

Representative: Dave Jones, RLB Development, LLC

Chairman Smith noted that we just received the lighting plan and the engineer has not had time to review it yet and we do not have the easements yet for the subdivision and the subdivision has not been filed and we do not have the easements for the cross section.

Mr. Germain: We do not have the easement for the subdivision or the cross access for this site plan, the actual underlying documents have not been submitted.

Mr. Jones: The lighting plan was submitted originally we submitted an update on it according with Mark's comments. We are prepared to stand on the original lighting plan, this was just revised.

Mr. Parrish: If you ask my opinion on the original lighting plan, I would say it's not acceptable. The new plan was just submitted and I will need to review it.

Chairman Smith: Why have the easements or the subdivision have not been filed? We do not have a drafted easement. I have made phone calls as well as our attorney has made calls.

Mr. Jones: Mr. Romans is very busy.

Mr. Germain: I spoke to the attorney today he is just getting started on it. It is his intention to document the easements when he deeds the property out. But then we wouldn't see the easements until that documentation is drafted. The submittals have not been forth coming.

Roger Burdick (owner/applicant): We have been waiting for the legal descriptions from Hal Romans and he is very busy and he just got them to us a few days ago. We don't want to file the subdivision map until we are certain that the sale goes through, it will almost be simultaneous to the closing. The site plan approval could be subject to the approval and presentation of the written easements.

Mr. Germain: You are asking for approval on site plan for a lot that doesn't exist yet. The board can only take action on the information that is provided to them. At this time the information has not been provided to them.

Chairman Smith: The town has had an ongoing problem with easements not just in your case and we have required that they be filed.

SITE PLAN,
PANDA EXPRESS, BREWERTON ROAD (TAX MAP# 043.-01-16.3)
PROPOSED FAST FOOD RESTUARANT
ROBERT ZIEGENFUSS, PE

Representative: Robert Ziegenfuss

Mr. Ziegenfuss: The site is 1.34 acres we are proposing a 2300 sq. foot fast food restaurant with drive thru facilities. It is a fast food restaurant, standard Chinese fair, upscale Chinese food and quick service restaurant. No new access needed. The sanitary and water facilities will be coming from the existing lines on Brewerton Road. We will need some onsite storm water management. We have submitted elevations and signage plans as well. There is some inside dining and outside dining, somewhere around 30-40 range inside and 16 outside. There are 23 parking spaces required for our size and right now we show 40 spaces on the site plan.

Chairman Smith: How is the building going to be set? Mr. Hooper asked about the front elevations. What will face Brewerton Road?

Mr. Ziegenfuss: The main access is on the south side of the building that faces the parking lot. But both the south facade and the west façade face Brewerton and the drive thru to the north.

Chairman Smith: What is your time table on this?

Mr. Ziegenfuss: As quickly as I can get it approved here. They are hoping to start construction in the fall.

Mr. Marzullo: The drive thru area is there room for a car to go around?

Mr. Ziegenfuss: There is a bypass lane that starts at the ordering station, the single lane is 11 feet then widens to 22 feet.

Chairman Smith: How difficult would it be to widen it by 4 feet, because we require 15 feet?

Mr. Ziegenfuss: Not at all, just like that done.

Chairman Smith: Mark or Neil do you have anything at this time in sketch plan.

Mr. Parrish: Nothing at this time.

Mr. Germain: Nothing at this time.

Chairman Smith asked the each of the board members if they had anything additional at this time. The board members had nothing further at this time.

Next Scheduled Regular Meeting: April 14, 2014 at 6:30 PM.

Chairman Smith asked if the members had anything else to discuss.

Chairman Smith made a motion to adjourn. **Mr. Abbey 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 9:12pm.

Submitted by Kristin Ryder
Planning Board Clerk