



The Planning Board of the Town of Cicero held a meeting on **Wednesday, May 21, 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 May 7, 2014 Meeting (**approved**)
- Amended Site Plan Review, South Shore Veterinary Hospital, 6992 State Route 31, Proposed Veterinary Hospital(**approved**) (**Exhibit 1**)
- Amended Site Plan Review, The Meadows, 5917 NYS Route 31, Proposed food service, retail location & drive-thru coffee shop(**approved**)
- Minor Subdivision Preliminary & Final Plan, The Birches Part of Section 4 Amended Subdivision, 9399 Birch Tree Road, 2 Lots(**approved**)
- Site Plan, Panda Express, Brewerton Road (Tax Map#043.-01-16.3), Proposed fast food restaurant(**approved**)(**Architectural Samples**)
- Site Plan, Family Care of Cicero, 8393 Elta Drive, Proposed physician's office (**approved**)
- Site Plan, Sketch Review, Carm's Dog House, 6256 & 6262 State Route 31, Proposed Dog Day Care and Grooming(**to return**)

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

**Others Present:** Neil Germain, Planning Board Attorney, Mark Parrish, Planning Board Engineer, Richard Hooper, Director of Zoning Enforcement, and Don Snyder, Zoning Board Member, Steve Procopio, Code Enforcement Officer, Vern Conway, Town Board Member and Mark Venesky, Town Board Member.

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. Marzullo led the Pledge of Allegiance.

**Mr. Abbey made a motion** to approve the Planning Board Minutes from May 7, 2014. **Mr. Honors seconded the motion.** The Chairman called a vote.

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

**AMENDED SITE PLAN REVIEW  
SOUTH SHORE VETERINARY HOSPITAL,  
6992 STATE ROUTE 31, PROPOSED VETERINARY HOSPITAL  
DR. HAMMERSCHMIDT**



Representative: Jim Hagan

Mr. Hagan: The only revision to our approved site plan is moving the location of the sign. We realized the house that sits on south west corner of Cicero Center Road and Route 31 would block the view of the freestanding sign until you were almost right in the intersection. We are proposing to relocate the sign to the eastern side of the property near Route 31. It would be set back 20 feet from the State right of way. In addition we have altered the design and the graphics of the sign slightly. The size of the sign is changing from 73.66 sq. foot total(?) to 70 sq. foot total(?), we are allowed 100 sq. foot total(?). We are requesting the removal of the stone base of the sign. We would be willing to put some landscaping there but at this point it would be better financially if we could eliminate masonry around the bottom of the sign.

Chairman Smith: The building is mostly timber construction right?

Mr. Hagan: Yes it is timber with a little bit of stone now we just put in around the front entrance way.

Mr. Germain: Do you have something that shows the location of the new sign?

Mr. Hagan: Yes we do.

Chairman Smith: I have looked at it, it meets the setback requirements and certainly your points are well taken about visibility from the house also having it further away from that intersection will make it easier. Mark do you have anything at this time?

Mr. Parrish: No I am all set.

Mr. Abbey: Will the new sign be lite?

Mr. Hagan: Yes internally.

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 motion approving the application.



Mr. Germain: You are going to move for the adoption of a resolution approving an amendment to the Site Plan application known as South Shore Veterinary Hospital, 6992 State Route 31, Proposed Veterinary Hospital. This resolution shall modify the existing approved site plan as follows:

I have provided the Planning Board Clerk with a copy of the applicant's amended plan which shows the new location and form of the signage (Exhibit 1). The previous approval is hereby amended to provide the amended sign location and form of sign as depicted on said amended plan. All other aspects of the approved site plan not modified pursuant to this resolution shall remain unaffected by the approval of this amendment.

**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, THE MEADOWS, 5917 NYS ROUTE 31,  
PROPOSED FOOD SERVICE, RETAIL LOCATION & DRIVE-THRU COFFEE SHOP  
JEFF COHEN AND JOE DELBIONDO**

Representative: Jeff Cohen and Joe Delbiondo, owner and applicant

Chairman Smith indicated that Mr. Cohen has requested several changes to what we approved and he will cover those changes tonight.

Mr. Cohen: We are asking for two minor modifications. The first being the two parking spots that were asked to be deleted near the garbage container we are asking to leave those parking spots in place and control who parks in them by only being used for parking for employees. There was concern that the fence might swing open and hit a car parked there when putting the garbage away.

Chairman Smith: The parking spaces would be difficult to use if the gates were open, but if the employees park there I suppose they could move their car. However I walked the property with the manager there is a significant area of blacktop next to the dumpsters that doesn't appear to be usable for parking. It appears that if you use the other two spaces you would be blocked in and that area becomes unusable. I understand that you have parking issues but we want to reduce storm water whenever we can, so if it can't be used we would like it removed.

Mr. Cohen: If it can't be used, I will remove the asphalt from that area. I will relook at the area.

Joe Delbiondo (Owner/Applicant): The only way that parking in that area works is that we have been parking our cars there because we are the first ones there in the morning to open and the last ones



there at night to leave. If we did need to get out during the day it would be difficult if those two parking spaces near it are occupied. We are trying to take advantage of every spot we have because things have been so busy.

Chairman Smith: The two spaces next to the dumpster I can see you keeping but I have never seen a car parked in the back. If you are saying you are using it, I understand you need every available parking space.

Mr. Cohen: The second issue was the curbing along Route 31 on the side of the building where you asked us to block off this area so people can't park there. We cut the blacktop with a saw and I installed concrete curbs. Some 7 footers and some 9 footers to make on continuous line and then we filled it with topsoil. The plan called for a concrete curb.

Chairman Smith: The problem isn't the curb. The problem is that the asphalt that was in those areas was supposed to be removed and then landscaped. Putting soil on top of pavement doesn't accomplish the other side of the coin which was we wanted them to drain. You have to remove the asphalt so the water can get into the ground.

Mr. Cohen: OK we will do that.

Chairman Smith: I don't have an issue with the concrete curb. You know you may have an issue with them with plows hitting them. However you can't connect your curbs into the State right of way so I don't know what other solution you have other than using the temporary curbing and trying to fasten it down as best you can. You are never going to get a work permit to hook the curbs in so you can build a continuous curb. But you have to remove the asphalt where ever you landscape.

There is one other issue the corner, not the very point because that is State but around either side of the sign it was indicated to us that you would be removing some of that asphalt and there would be landscaping or grass and that is what your approved plan indicates. Was that work going to be done? I know the Codes Office issued you a temporary CO. Again none of that asphalt serves any purpose.

Mr. Cohen: OK we can pull that up. If it needs to come up we can do that.

Mr. Germain: I would like to point out that the applicant characterized that as an addition to this you want something else, and I think what you are really looking for is conformity to the site plan as it existed and it was approved. You are not asking for anything else you are asking for compliance with the site plan that has already been approved. I don't think this board has made any new requests on the applicant you are already have an approved site plan. The applicant asked for the opportunity to come in and modify his site plan. Because right now it is my understanding that he is not in compliance with his site plan so he is in substantial noncompliance so he is asking that the site plan be modified in certain ways. It is up to you whether or not you grant it is of course a board decision. I was just pointing out that the applicant mischaracterized that you are asking him to do something different but I have not heard the board ask the applicant to do anything different other than to comply with the site plan. The



board is now considering what changes or modifications the applicant might have but the board is not suggesting.

Chairman Smith: The codes office contacting me and said that you were not in compliance. I thought that the board should decide together on the request, if we could take the requests one at a time to make it easier. Does the board approve the request to not have to remove the asphalt near the dumpsters?

Mr. Cohen: It has been like that forever if we could leave well enough alone it would be easier for us.

Chairman Smith: The problem with that is that we are a planning board we are trying to improve your property and the rest of the Town. And there seems to be no functionality for that. This was a very hard approval for this board. We did it without the support of the County and NYS DOT we understand the situation with your property but we had every intention of working with you but we wanted to improve it and storm water concerns have changed since you put that in. It's a great business that is very successful. But to get us to approve it you made certain concessions, to make it look better, to get the storm water to work better. And all we are saying is that we need to continue to do that.

Mr. Cohen: And I appreciate that. I understand that this is the process that we have to go through to make the changes that we are requesting.

Chairman Smith: We can amend the plan to say that the concrete curbs as installed are sufficient. But as far as removing the asphalt that should be done.

Mr. Cohen: That's ok I said on the phone I didn't have a problem taking that up.

Chairman Smith: I make the motion to amend the site plan from poured concrete curb to a precast curb.

**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 motion approving the application.

Mr. Germain: You are going to move for the adoption of a resolution approving an amendment to the Site Plan application known as The Meadows, 5917 NYS Route 31, Proposed food service, retail location & drive-thru coffee shop. This resolution shall modify the existing approved site plan as follows:



The previous approval is hereby amended to approve the form of concrete curbing as installed by the applicant at the site. All other aspects of the approved site plan not modified pursuant to this resolution shall remain unaffected by the approval of this amendment.

**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*

**MINOR SUBDIVISION PRELIMINARY PLAN AND FINAL PLAN,  
THE BIRCHES PART OF SECTION 4 AMENDED SUBDIVISION  
9399 BIRCH TREE ROAD  
2 LOTS  
IANUZI & ROMANS**

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

Chairman Smith indicated the major purpose of this being on the agenda is we need to set a public hearing as required by law. Do you want to briefly cover the subdivision because we will be holding a public hearing?

Mr. Romans: Brian Casey picked up the remaining property at the Birches, it was known as residual lands for Section 4. It is one lot approximately 19 acres, he built his house on the eastern portion and he has someone who wants to build their house on the western portion and would subdivide it into two lots, one lot being 10.36 acres that would be Lot B, that he would sell to the person who wants to build a house. The one on the east that he would retain would be 9.457 acres. There are wetlands that have been flagged by the DEC we have put some notes on the plan that the DEC wanted to see as far as what he could do as far as mowing and maintaining parts of the adjacent area and that's all on the plan. There is existing sanitary sewer and water for the proposed Lot B. The entire 10.3 acres of Lot B there is an unencumbered area that doesn't affect any of the adjacent area or any of the easements that go across the lot that is approximately 12,000 sq. feet so it is right up by where the existing houses are. I showed that there was at least 12,000 sq. feet, it is zoned R10. That is really it, it is a simple two lot subdivision.

Chairman Smith asked the each of the board members if they had any questions before the public hearing was scheduled? The board members had nothing further at this time.

Chairman Smith: Neil, could you give us a resolution?

Mr. Germain: You are going to 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 The Birches Part of Section 4 Amended Subdivision, 9399 Birch Tree Road 2 lots. This public hearing shall commence at 6:30 pm at the regular scheduled meeting of the Planning Board on June 9, 2014.



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

Representative: Robert Ziegenfuss

Chairman Smith indicated that Mark Parrish had some comments that we wanted to review. If you would cover his comments and concerns of the board we can start there.

Mr. Ziegenfuss: The revised memo that Mark sent out we have addressed his concerns and gone over those with Mark. It does clearly outline that we have addressed all those comments. What is outstanding at this point is that we are working on the storm water pollution prevention plan and the NOI that would be required by the State of New York we will receive those, an approval for those obviously through Mark and the State of New York before we begin construction. Other than that in Mark's memo it is also listed that the Board should be reviewing the landscaping and lighting for the project, we have included the plans for that in our submittal and we also have a material and color Board up here, if the board would like to see that, we have that available as well. We have the landscaping plan and the lighting plan. We have photometric and we have kept acceptable light levels throughout the site while also paying attention to the perimeter property lines were staying about a half a foot candle, slightly over .6 -.7 foot candles along some of the property line along the north side of the project but otherwise keeping acceptable site levels around the site itself.

Chairman Smith: The actual land owner, owns all the properties, it's all commercial properties.

Mr. Ziegenfuss: So I am here to answer any questions the board has about the project.

Chairman Smith: I did discuss with Mr. Germain and Mr. Parrish the issue regarding the SWPPP, which is basically a technical document and any approval tonight, would be conditional, saying we are not going to issue any permits from the Codes Office until the SWPPP has been reviewed and approved by the engineer.

Mr. Parrish: The storm water design as far as the site goes is fine, it's not going to change what needs to be done is really the documentation, it's an administrative document with the paperwork and certifications that need to be provided.



Chairman Smith: Mark anything in addition to your comments that they have already addressed?

Mr. Parrish: They did submit a sign package, and there was a plan that showed a pylon sign / freestanding sign on the entrance towards the east side of the project going out into Wegmans, that has been removed, correct?

Mr. Ziegenfuss: Correct, that has been removed from the latest plan.

Chairman Smith: Mr. Germain?

Mr. Germain: I just need to know the latest revised date of the plan.

Mr. Ziegenfuss: On the cover sheet of the plans, you are going to see the project revision log, last revised 5/15/2014.

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 craft a resolution approving the project with the condition of the SWPPP?

Mr. Germain: You are going to move for the adoption of a resolution approving the Site Plan application known as Panda Express, Brewerton Road (Tax Map #043.-01-15.1), Proposed fast food restaurant. The Site Plan last revised 5/15/2014. The Planning Board notes that it has received and considered the County's Referral regarding this matter. This approval is strictly conditioned 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 original elevations as modified herein.
2. The applicant shall provide the Planning Board Engineer for his review and approval a Stormwater Pollution Prevention Plan in accordance with the SPDES Permit including a Notice of Intent, certifications, inspection and maintenance checklists, and all other necessary and appropriate information as may be requested by the Planning Board



Engineer. No permits of any kind or nature shall be issued by the Town until such Stormwater Pollution Prevention Plan has been approved by the Planning Board Engineer.

**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, FAMILY CARE OF CICERO,  
8393 ELTA DRIVE,  
PROPOSED PHYSICIAN'S OFFICE  
MAHONEY DESIGN & BUILD**

Representative: Tim Mahoney, Mahoney Design

Chairman Smith indicated that when this project was previously presented there was major concern about the easement.

Mr. Mahoney: The plan has been modified to maintain the easement in its original and current location. And the access to our proposed project will be through that easement as well as the future access to the adjacent property to the east will also be accessed through that easement.

Chairman Smith: So that other property is owed by Alberici? And you originally you were going to bring the entrance in here and they were going to come down through the parking lot, where the hammerhead is currently located. It looks like you added a little piece here?

Mr. Mahoney: That is correct on the third attempt we found the final piece of property that is actually linked to this and that is this little triangle. When that easement was changed from 15 feet to 30 feet they added that little pie so we could actually get by the transformers, which was our concern as you may recall that we had no access through that 30 foot easement until we found that last piece and then it made sense to leave it and just make it simpler.

Chairman Smith: Have you had time to review that, and as far as the easement does that answer their questions?

Mr. Parrish: Yes, now they are utilizing the existing easement so they are keeping it free of encumbrances so it can be used in the future for access.

Chairman Smith asked the applicant to give a quick review of the project.



Mr. Mahoney: It is going to be a health care facility for Cicero Family Health Care, Dr. Paulo Paso, who has been in the community for 10 years. It's a 5,000 sq. foot first floor building there will be a partial basement, there is parking for the patients as well as the employees. It will be open 5-6 days a week. There is one pedestal sign in the center facing the street and there is an elevation of it in the package and it is a relatively low sign. Elevations and color scheme are the same as presented before.

Chairman Smith: Mr. Germain or Mr. Parrish do you have anything further at this time?

Mr. Parrish: All set

Mr. Germain: All set

Chairman Smith asked the board member if they had anything further to add. The board members had nothing further to discuss 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 craft a resolution to approve the site plan?

Mr. Germain: You are going to move for the adoption of a resolution approving the Site Plan application known as Family Care of Cicero, Family Care of Cicero; Proposed physician's office. The Site Plan last revised 5/5/2014. The Planning Board notes that it has received and considered the County's Referral regarding this matter. This approval is strictly conditioned 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 original elevations as modified herein.

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

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

**SITE PLAN, SKETCH REVIEW,  
CARM'S DOG HOUSE,  
6256 & 6262 STATE ROUTE 31**



**PROPOSED DOG DAY CARE AND GROOMING  
ROBERT ABBOTT, CARMEN CESTA & MIKE CESTA**

Representative: Robert Abbott, Carmen Cesta and Mike Cesta

Chairman Smith wanted to clarify that at the current location they are boarding dogs. And asked if they will be boarding dogs at the new location because it is not included as part of uses.

Mike Cesta: Not at this time, no.

Chairman Smith wanted to make it clear that it has to be an approved use. At the current location you're boarding dogs and it is non-conforming to the approvals. He told the applicant that because of the history, the Board has to have an accurate picture of everything you want to do on the site. You shouldn't assume the Board isn't going to approve a use, but you need to present all the uses you are anticipating occurring at this site so that the board can contemplate them. This process is supposed to be that you give the Board all the information and the Board will share everything with you the idea is that we are going to arrive at a site plan that the Codes Office can enforce and is going to meet your needs and the Town is going to know what is going on there and have approved it.

Mike Cesta: I thought we get the building approved first, I thought it would be in steps?

Chairman Smith: No, the uses of the building also have to be approved and the Codes Office has to know because if you are not in compliance with your site plan Mr. Hooper's Office will be bringing you in. You need to put what you want to do with the site. Because knowing what you were going to do with the other site is probably why we are trying to work with you. You are doing boarding now and I don't think you have seen anybody there but that was with the anticipation you were going to move your operation to a new location in the Town. So should we amend this to include the use of boarding?

Mike Cesta: Yes.

Carmen Cesta asked about the Town noise ordinance is until 9pm.

Chairman Smith indicated that he will have to talk to the Codes Department about that and permits he may need. He indicated to the applicant again that all the uses that you want have to be put in front of the Board.

Mr. Abbott: Now on the site there is two properties we are going for a re-subdivision to combine the sites into one.

Chairman Smith: That can be handled right through the Codes Office and you should accomplish that by the approval.



Mr. Parrish: It pretty much has to be done because the lot line goes right through the building.

Mr. Abbott: We will do that, the site plan wouldn't work without the combination. By placing the building where we did now we are within all our setback requirements and there is a parking lot in the front of the building. Right now we show 14 parking spots, according to the Codes, it is up to the Board.

Chairman Smith: That is correct. You want to figure out how many employees, how many customers you may have at one time, with the idea being. The philosophy of the Board is we want you to have the parking you need to operate your business but we don't want any extra paving.

Mr. Parrish: Lets go over the 14 parking spaces, at Carms Dog House has 3 employees, and how many customers do you expect to be parked at one time? And you have two other buildings on the site so we also have to determine what the parking usage would be for those. What is happening with those other two buildings?

Mike Cesta: One building is a one family rental property. They will probably only need two parking spaces.

Mr. Abbott: The site can accommodate more parking if necessary, we just thought the 14 would be sufficient because of the in/out nature of the customers. The other building is a front office space with two rooms and there is an apartment in the rear.

Mike Cesta: We are planning on making the front an office for an accountant or an attorney and then Carm is going to probably live in the rear apartment.

Mr. Marzullo: You need to put together a plan of what you are going to have in this entire site, if there are offices, how many people are going to be working there, how many customers are there going to be, how many people are going to be living in the apartment and it sounds like you may not have enough parking spots for what you are talking about. But you need to put it in writing to us so we can review all of it.

There was further discussion between the Board members and the applicants regarding the parking spaces and whether the 14 parking spots as shown on the sketch plan are adequate. The Board gave the impression that there may need to be more parking spots.

Chairman Smith: Did you want to touch on the storm water issue?

Mr. Abbott: Because there is a large retention area to the rear of the site that the neighboring properties share with this. We have it laid out where everything drains and takes advantage of that same system.



Mr. Parrish: This project is disturbing an acre of area so it is going to have a SPDES permit. That storm water was not designed for this development so you need to mitigate for your development. There is a drainage easement back there and if you were going to try to modify what is there that is something you would have to get approved by the Town. And I can tell you we would also most likely be looking for some additional easements because that area has always been problematic. There is a very critical swale that runs along the west side of your property which we currently don't have an easement for that we will be requesting an easement for and that is going to need to be maintained, if not improved, as a part of this.

Chairman Smith: So you have storm water issues we know there are storm water issues to see about mitigating them; your engineer needs to communicate with Mr. Parrish. Is there any elevations or color schemes?

Mike Cesta: The building would be a maroon siding.

Chairman Smith: We need to know everything, for instance we need a color scheme, we need elevations, landscaping design and signage package.

Mr. Parrish: What is the construction on the building?

Mr. Abbott: Vertical metal siding with a metal roof and even the interior of the building is vertical metal siding.

Chairman Smith: We typically don't approve full metal building we have required some elevations to make it look better, some stone or some mason. We will need to know what you can do especially with the front elevation so it doesn't look like a shed. The site plan has to include everything you would like to do to all of the buildings on the property. Site plan is the time to ask for everything that you would like to get and then the Board will decide what will be acceptable for the Town.

There was further discussion between the Board and the applicant regarding the site plan and the amount of detail that needs to be included in the site plan for all the different buildings and the uses for the project.

Mr. Germain: I would suggest we have a discussion with the Codes Office at some point in the future to take a look at that to see how far you are from a residential zone and look at the uses to see what you can do and what is and is not acceptable there. That is a discussion we are going to have to have with the Codes Office before you can commit to certain uses. The other thing I would note is that are some uses of the property that are pre-existing non-conforming and you should understand that those cannot be expanded because you cannot expand a pre-existing non-conforming use. For example, if you have a one single apartment non-conforming use and you want three more there, that is prohibited. You cannot expand a pre-existing non-conforming use. And the other uses there we are going to have to have some kind of detailed discussion with the Codes Office.



Mr. Marzullo: How do you handle the dog waste?

Carm Cesta: My father has a company in the City and the waste is removed usually once a week from the building and taken to my father's dumpsters in Syracuse.

Chairman Smith noted that The Town Board will be holding a workshop that will be open to the public and they are looking for us and Gary Natali to come in give a presentation on how the Boards operate and what we do and then the Town Board Members are looking to be able to ask questions. We are looking into dates with the Town and will let you know. And the cut fill permits and fees are going to be addressed soon. We have a couple cut and fill coming in so they are working on that so we can start hearing them.

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: June 9, 2014 at 6:30 PM.**

**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 7:45pm.

Submitted by Kristin Ryder  
Planning Board Clerk