

The Planning Board of the Town of Cicero held a meeting on **Monday, November 18, 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 Minutes from the November 6, 2013 Meeting (**approved**)
- Minor Subdivision Preliminary & Final Plan, Public Hearing, Webb Subdivision, 7473 Bull Street, 2 Lots, Hiscock & Barclay (**approved**)
- Site Plan, Empire Tractor, 5788 Crabtree Lane, Proposed Sales & Service (**to return**)
- Site Plan, Tim Horton's, 6360 East Taft Road, Proposed Building Expansion (**approved**)
- Cut & Fill Permit/Sketch Plan Review, Riccelli Enterprises, Inc., 6131 East Taft Road, Proposed Wetland Remediation (**to return**)

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

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

Absent: Joe Ruscitto (Planning Board Member)

Chairman Smith opened the meeting. He explained that the date of the meeting was changed to a little earlier in the month to accommodate the upcoming Thanksgiving holiday. He asked those present to note the locations of the three emergency exits in the room and that they silence their cell phones.

Mr. Marzullo led the Pledge of Allegiance.

NOTES FROM THE CHAIRMAN

Chairman Smith noted that the Town Board had approved the General Commercial to General Commercial Plus zone change that the Planning Board had referred on Brewerton Road—the

old Sam Dell Automotive/Lucien's Entertainment location. We should expect to receive the site plan for that shortly. The Town Board also approved Riccelli's storage tank. That was a little bit unusual. We put that in for sewage. The Town Board approved it and took a deposit. That is completed.

APPROVAL OF THE MINUTES FROM THE NOVEMBER 6, 2013 MEETING

Mr. Abbey made a motion to approve the Planning Board meeting minutes from November 6, 2013. **Mr. Marzullo seconded the motion.** Chairman Smith called a vote.

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

**MINOR SUBDIVISION PRELIMINARY & FINAL PLAN, PUBLIC HEARING
WEBB SUBDIVISION, 7473 BULL STREET, 2 LOTS
HISCOCK & BARCLAY**

(SEE ATTACHMENT A: OBG WEBB SUBDIVISION REVIEW LETTER DATED 11.14.13)

Representative: Matthew T. Kerwin, Esquire, Hiscock & Barclay

Mr. Kerwin introduced himself noting that he was here tonight representing the owner of the property Richard Webb. It is an approximately 44 acre lot. Mr. Webb would like to carve out the existing home into Lot 1 which would be 5 acres. The remainder, Lot 2, would remain undeveloped. Mr. Webb is not proposing any development on that at all. It is currently used for farming. Mr. Webb lives out of state and has a purchaser under contract to buy the house.

Chairman Smith opened the public hearing *(The public hearing opened at 7:03 p.m.)* for those who wanted to speak against the subdivision. (There was no response.) He then asked if there was anyone who wanted to speak for the subdivision. (There was no response.) There being no one to speak for or against, the Chairman closed the public hearing. *(The public hearing closed at 7:03 p.m.)*

Mr. Marzullo 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**

The Chairman noted this was a new process for the Board. We have not done this in the past, but the Town Board meeting provided an example of why we should. They found that a building lot had been created on a paper street, a street that didn't exist. This Board is doing subdivisions properly now. We give our engineer and our attorney a chance to review these so that they are done the right way. There is real merit to the process. I know that it is cumbersome for applicants---we do a lot of public hearings---but it is a good idea.

Mr. Germain: You are going to **move** for the adoption of a resolution approving the subdivision application known as Webb Subdivision 7473 Bull Street 2 Lots from a plan prepared by Ianuzi & Romans last revised November 13, 2013. **Chairman Smith made the motion** as stated by Mr. Germain above. **Mr. Marzullo seconded the motion.** The Chairman called the vote.

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

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

(SEE ATTACHMENT B: OBG EMPIRE TRACTOR REVIEW LETTER DATED 11.14.13)

Representative: Marty Merola

Chairman Smith: I know Mr. Parrish has gone through and has done a good job with some comments. Could you address his comments?

Mr. Merola: We did and he wrote another letter after that.

Chairman Smith: Mr. Procopio did you have any thing with Codes before we go to Mr. Parrish's portion of the program?

Mr. Procopio responded no, I think Mr. Parrish noted a simple subdivision would be required to join the parcels. I think that there are at least four parcels that would be joined.

Chairman Smith: That is a lot line adjustment that can be handled through the Code Office, correct?

Mr. Procopio: Yes

Mr. Merola: We submitted a plan, a survey.

Mr. Parrish: We have written our letter. I think that everything is pretty much in order, but we have a few recommendations for the Board to consider. The first few are related to site access and parking. For our first recommendation, currently they show that they will have striped parking spaces, handicap spaces, etc. around the building. That area is shown as a gravel area. We recommend that the parking spaces and that the entrances be paved to facilitate the striping of the parking spaces and to prevent gravel, dirt and those types of things from being tracked out onto public roads.

Chairman Smith: Obviously, we can't pave this time of year. I assume Empire Tractor would like to be in before the plants re-open. Mr. Germain, if we come to a resolution can we make a condition that paving be done by a certain time next year? We won't want to hold the project up.

Mr. Germain: Yes. I would have to have a suggestion as to when it would be practical to pave it.

Chairman Smith: Okay, we could put a deadline on it.

Mr. Merola: In by June 1st or something. Perhaps we would have to pave from the Crabtree road line to the front of the building and like Mr. Parrish suggested on the east side, right?

Mr. Parrish: Yes, there is another entrance there. That is fine as long as the Board is able to fashion a motion clearly enough as to what they are expecting to be paved.

Chairman Smith: How many spaces are in the front?

Mr. Marzullo: 3-4

Mr. Germain: How about the entrance and area in front of the building? Would they be paved?

Chairman Smith: Okay and the two entrances. Include the entrance to the east also. Is that an imposition on Codes if we just conclude that they inspect it?

Mr. Procopio: No, I think that we talked to him briefly about this when we met him on site. He is going to need accessibility to the building prior to its occupancy so that would have to be addressed---as far as grading the entrance--even if it is just gravel the that he has at this point.

Mr. Merola: Right now it is all stoned in. We kind of filled in the potholes. We will just stripe the stone and then in the spring we will have to put the blacktop down. We will have to take some of the stone out to be able to get the blacktop level with the street.

Mr. Germain: For that approval, you would look at that before you give the certificate of occupancy.

Mr. Procopio agreed.

Mr. Merola: Maybe the best way for the Town to be happy is maybe we take a highlighter and go around the area that you want paved so that there is zero confusion.

Chairman Smith: We can't. That would not work into a motion.

Mr. Germain: You could if you could mark it. You could use it as an exhibit. But, I think that you have covered if you are saying the entrance and area in front of and east of the building will be paved to facilitate the proposed. I think that is sufficient. You are going to get an inspection. Either you did or you didn't do it. If it is not done it is outside of the site plan.

Mr. Parrish: The next recommendation or item for the Board to consider is that they are striping the pedestrian access on the north and east sides of the building. Our comment there is with the striping, especially in front of the building---by only using striping especially in front of the building---there is the potential for someone to pull right up to the entrance.

Chairman Smith: Like I did the other day.

Mr. Parrish: I don't know if the Board wants to define that striped area better with a sidewalk or wheel stops. Those are not great in this area because of plowing, but again I am just presenting that to the Board for discussion.

Chairman Smith: Obviously, it will be striped when it is paved. Striping will not do us a lot of good with the gravel. Mr. Merola what we are referring to is on the front, the entrance. If somebody pulls right up to that door as I did the other day, you can't go into or out of the entrance. I assume that it would be an emergency exit for the building; there is one on the side and one up front. Our concern is could we get something in there, at least now it is concrete, between now and when you pave?

Mr. Merola: Yes we could certainly pour a sidewalk across the front that would create a buffer.

Chairman Smith: That should protect anyone in case of a fire or something else inside. They would be able to get out. That would be—obviously, you are not going to pour concrete right away.

Mr. Merola: No, I will pour that this year.

Chairman Smith: You will?

Mr. Merola: Absolutely.

Mr. Parrish: The next item is relative to access. In our field visit the other day you mentioned potentially the desire for an interconnection with the access drive to the south.

Chairman Smith: Gravel over to your other road. If somebody wanted to go to Country Max they would not have to go out onto the Town road.

Mr. Merola: That should not be an issue.

Chairman Smith: I think that it is already there. It just has to be established.

Mr. Merola: Yeah I just have to do another truck load.

Mr. Parrish: The last item is they are proposing to use flood lights mounted on the east and south sides of the building for lighting. We have asked for full cutoff type fixtures consistently and that is what we would recommend again.

Chairman Smith: Can you modify your fixtures?

Mr. Merola: Actually I emailed over to Mrs. (Heidi) LaLone and Mr. Parrish this morning a copy of the cutoff that would go over the top of those fixtures.

Mr. Parrish: I have seen that. It is not a full cutoff fixture. It is still a flood light, it is still mounted. It has the ability to be mounted out. It is not a horizontally mounted light facing down, full cutoff. What you are proposing are 1,000 watt fixtures.

Chairman Smith: We have not placed your type of proposed lighting at a site in a long time.

Mr. Parrish: Again, our recommendation would be a more appropriate wall pack type fixture with the full cutoff on the building.

Mr. Merola: Well I was hoping maybe just to interject something, maybe a little leniency. Tim Call from Empire Tractor spoke with National Grid. They have a program to come out and replace older fixtures. They have told him that if we install, they will come out and replace them. So maybe we can put a little thing into our approval that says if the fixtures are not replaced with the newer fixtures by June, we will put the other ones up. But I will put up the other ones with the thing on them. They will be down. They won't be shining. We did a light plan showing what the light would be and it didn't go anywhere that it was going to disturb anything. Would you agree with that Mr. Parrish?

Mr. Parrish: Again, it is not a matter of the light levels, the photometrics necessarily. It is the glare created by the flood lights which would be the concern. It is up to the Board to consider whether they feel that is appropriate or not.

Chairman Smith: So you are saying that if you install the fixtures you have and put this shield on them National Grid...

Mr. Merola: Then National Grid will come in and change them out to the new ones. That is the way that they work.

Mr. Germain: I would just caution the Board that maybe problematic. You also have the situation where you have flood lights which would normally not be approvable, in affect in that interim period of time for who knows how long. The other course of action would be to just require full cutoff type light fixtures and not flood lights.

Mr. Marzullo: You're saying that you have lights now that you would put on?

Mr. Merola: Yes. I have 1,000 to 4,000 watters that I took off of a building. I thought they would work perfectly for that building as long as I bought the little shield for them. That way they can be angled any which way with all kinds of brackets. We could angle them down and put these on there. And then National Grid would come and change them out. They are probably ten year old fixtures but they are free.

Chairman Smith: Leaving Niagra Mohawk out of the equation, how long before you think that you could get those replaced?

Mr. Merola: It is my understanding that once you put in the application that they come and replace them fairly quickly.

Mr. Honors: They do with that program.

Mr. Marzullo: I am not comfortable with it.

Mr. Merola: I mean, if you wish, then tell me. The 400 watt wall packs, is that what you want?

Chairman Smith: I have to agree. We have been fairly consistent as a Board with trying to keep full cutoffs. We had the very difficult experience of the Driver's Village episode which took us a while to fix. This is a high traffic area.

Mr. Merola: I can just mark the plan accordingly. They will be 400 watt wall packs with shields on them, right?

Chairman Smith: Mr. Germain can you incorporate that?

Mr. Germain: Yes

Chairman Smith: Mr. Parrish do you have anything else?

Mr. Parrish: No that was it. I assume that the Board has looked at the rest of the comments associated with the project.

Chairman Smith: Would June 30th be adequate for paving?

Mr. Merola: Absolutely, I'll have it done by then.

Chairman Smith: I would say June 30th as a deadline. I'm sure that Codes will be up there on July 1st with the new MuniCity program. Mr. Abbey, any comments?

Mr. Abbey: On the drawing you have 30-40 tractors on the east side of the building. Do you think that is really the amount that would be stored there?

Mr. Merola: Well I think that he would like to try and get as many there as he can. If he has more he can sell more.

Mr. Abbey: Are there plans for any additional lighting for security in that area?

Mr. Merola: No, just what we have on the building. Some day down the road I would like to do some pole lights as you come down off the main entry, but not today.

Mr. Abbey: Will they be selling sleds also?

Mr. Merola: I don't think that they sell sleds, just the tractors. They sell tractors, backhoes, chain saws, etc.

The Chairman asked if there were any other comments from the Board. Mr. Honors and Mr. Marzullo noted they were all set.

Mr. Procopio: Friday was the earliest that this could be sent to the County. The County's meeting is not until the 27th of this month.

Mr. Germain: You would be acting without a County recommendation.

Chairman Smith: When were they planning on opening?

Mr. Merola: January 1st.

Chairman Smith: I think all of the issues are solved, so we will table it until the first meeting in December, December 9th.

Mr. Merola: Is there any way to approve this subject to the County's response?

Chairman Smith: No, we can't. We have to show that we have considered the County's recommendation.

Mr. Germain: The Board will have the County's recommendation. Then you would do SEQR and your motion.

**SITE PLAN, TIM HORTON'S, 6360 EAST TAFT ROAD
PROPOSED BUILDING EXPANSION
DANIEL BLAMOWSKI, P.E.**

Representative: Daniel Blamowski, P.E., Tim Horton's

Mr. Blamowski introduced himself. This was before you in August of 2012 where we did receive your approval. One part of that approval was the building expansion. The other part was site work with the additional parking lot. That part was done last fall. All of the pavement and parking went in. We did not go forward with the addition because we were in the mist of some brand changing, but now we are before you with the same size expansion, roughly 305 square feet. The addition would add seating into the restaurant along with a restroom in the front.

Again this is the same site plan that we provided last year. Our original approval expired in February. We did do the pavement and parking. We just did not get to the building.

Chairman Smith: This is a new application. Has it gone to the County?

Mr. Procopio: As we discussed last week, we submitted it the first time.

Chairman Smith: There are no changes from when it was reviewed by the County then, correct?

Mr. Procopio: Right

Chairman Smith: Mr. Parrish do you have any comments on the new application?

Mr. Parrish: No, it is the same as last time. All engineering issues were addressed adequately at that time.

Chairman Smith: Anything Mr. Germain?

Mr. Germain responded no.

The Chairman asked for comments from the Board. There were none.

Mr. Marzullo 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

Chairman Smith: When do you propose this would be started and completed this time?

Mr. Blamowski: The drawings are underway for the addition. I will probably bring them in for Code review within a month.

Chairman Smith: Just so that you are aware, the Town has passed new ordinances regarding deadlines. The Code Office should bring you up to date.

Mr. Blamowski: Okay

Mr. Germain: You would **move** for the adoption of a resolution approving the site plan application known as Tim Horton's proposed building expansion 6360 East Taft Road last dated October 16th 2012. This approval is contingent on the following:

1. The building elevations as presented by the applicant to the Planning Board shall be incorporated by reference into the site plan and the Board's approval there of. Accordingly the actual project must conform to these elevations as a condition of site plan approval.

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

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

**CUT & FILL PERMIT, SKETCH REVIEW, RICCELLI ENTERPRISES, INC
6131 EAST TAFT ROAD, PROPOSED WETLAND REMEDIATION
IANUZI & ROMANS**

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

Chairman Smith: There is a consent order and a process to remove 20,000 cubic yards of fill from the Taft Road location. A portion of that, which we are also considering under this permit, will go to the new Riccelli Ready Mix Plant to construct roads, to do grading work, etc over there. The applicant has the two sites close at hand. This is also our first Cut & Fill permit.

Was the SPDES permit emailed out to every body?

Mr. Romans: The parcel that you see here is at the rear of the existing Riccelli Trucking terminal on Taft Road. Riccelli owns a number of tax parcels here. This is a separate tax parcel that goes to the east to Totman Road.

Riccelli has that parking lot. It has been created and filled into a parking lot that has approximately 20,000 cubic yards of material which was used to construct it. They are under a consent order. Spectra Environmental Group is the company that is handling the consent order and over seeing the remediation of the site.

This drawing shows the outline of the parking area. This is the driveway that would connect to the main Riccelli site. This is the parking area that has been filled in. They took fabric, laid it on the ground and built the parking up with approximately 2-3 feet of material. The material is comprised of sand, stone aggregate and other types of aggregate fill. The consent order says that material has to be removed down to the fabric which is the existing contour that you see dashed on this drawing. The DEC will do inspections through out the entire process and confirm that everything is taken down to the original ground level.

Chairman Smith: Is this all being handled by the NYSDEC or is the Army CORPS involved in this also?

Mr. Romans: It's DEC. There is a fairly significant DEC wetland that comes from the north and heads east toward Totman Road.

Mr. Honors: You would be bringing all of this material over to the new Ready Mix site?

Mr. Romans: Correct. They need all of this material. Any extra would be put into their stock pile locations. Then they would either get rid of it as fill, sell it to sites that need fill or use it on site. My understanding is they put down the fabric, then a layer of sand and then started with the stone aggregate and other types of aggregate fill. As you can see by these cross sections, the dark line down here is the original grade and will now be the finished grade. When the process is done you are not going to have a perfectly flat graded site. In theory you would have the old undulations from the existing grade. Sheets 3-5 are typical cross sections that were put together for the SWPPP that was submitted to the DEC and to the Town.

So, this material comes out. It is all being over seen by the DEC. Their biggest concern during remediation is making sure that the material goes some place that has the ability to take it and that it is not going into a wetland. That brings in the Northern Blvd site that has a need for material. It also has the stock pile locations.

Chairman Smith: The stock piles we approved are for stock piling materials used for making concrete.

Mr. Romans: Yes, some of the sand and aggregate can be used for that. But, we also had under uses for use on that site and other sites as needed.

Chairman Smith: Well they need to build the roads but I still have an issue with just taking fill over there and piling up fills of no value.

Mr. Romans: We don't think that there is going to be that much left. It is my understanding that there is about 20,000 cubic yards. The other site needs about 20,000 cubic yards when you look at the stone and everything that is going in there. So, they should be able to use it all up. If there are pockets where it is deeper and there is more material there, they will make sure that it all goes to the Northern Blvd site and would be used for their operations there. It is all going from this site to the Northern Blvd site.

Chairman Smith: However, the aggregate piles, the stock piles were for material to be used for making concrete.

Mr. Romans: Yes. And the bulk of the sand can be used. The aggregate itself can be used. If they have more aggregate than they need, they will get rid of it. And not bring it to the site. The thing is that 20,000 cubic yards---it is my understanding---that the Northern Blvd site needs at least 20,000 if not more. It should be a wash.

Chairman Smith: To be used to make roads and to prepare the site.

Mr. Romans: Yes because they have to have at least a foot of topsoil on the Northern Blvd site. There will be no material coming back to the Taft Road site.

Chairman Smith: We did a Ready Mix plan. I don't want to come down there and see big stacks of millings, etc. We already have a couple of sites that we are trying to get cleaned up now in the Town. Our intent is to have that type of material stock piled in another location.

Mr. Romans: He fully understands that. If you remember the site on Northern Blvd, you don't just have the roadways, but the area in between the roadways all has to have this type of aggregate to support concrete trucks and trucks delivering and taking product off site.

Chairman Smith: Mr. Parrish is it possible for the engineers for the applicant to roughly determine how much fill is actually needed at the Northern Blvd site?

Mr. Parrish: Yes that could be calculated.

Chairman Smith: Could we have that calculation?

Mr. Romans: Sure, I can have them do that.

Chairman Smith: We know that they are going to take 20,000 out. As long as we just approved the site plan and you can get those numbers to Mr. Parrish; I would feel much better knowing that we are going to use that fill to create the concrete site and not store stuff other than for the making of concrete.

Mr. Honors: You're saying if they have estimated the need for 20,000 over at Northern Blvd...

Chairman Smith: If so, we don't have an issue. If it comes back and the calculations show that they only need 10,000 where is the rest of it going? I'm not sure that we would be comfortable just stock piling that material at another location.

Mr. Romans: It is my understanding that a full copy of the SWPPP prepared by the environmental company was given to the Code Office.

Chairman Smith: It is about a 60 page report that should have been emailed to all Board members.

Mr. Procopio noted that it was emailed to Board members.

Mr. Romans: The full package goes into the placing of silk fencing and everything that the DEC is looking at for site remediation. Our company is not doing any of the layout work for the silk

fencing or anything like that. Spectra is going to have people on site to handle all of that. We would probably see what kind of as-built they were doing for the DEC to see if that is acceptable to the Board. If not, we would step in.

Chairman Smith: I'm sure that they have to do an as-built when it is all completed. The DEC is going to want a grading plan.

Mr. Romans: I looked at the abbreviated plan. I did not see where it called for that. I did see where it called for them to inspect the site to make sure that the site was brought back to the original grade. Without taking to Spectra, I'm not sure what kind of documentation the DEC will be looking for.

Chairman Smith: We would like to see an as-built for the concrete plant after all of the fill is brought over—to ensure that the grades are as they were approved.

Mr. Romans: I have told my client that they need as-builts of both sites and that it would be something that the Town is looking for. He has no problem providing what you need. I'm just saying what he provides for the DEC may not be up to what you are looking for.

Chairman Smith: I think that you can work with Mr. Parrish on that. I don't know the technical details but I think what we are trying to establish here---given the history of both sites---is that the Code Office will have a scan of the completed project. We would be able to get that in a resolution or in the approval of the permit, correct?

Mr. Parrish: I will put it in our comments and have them document that for us.

Mr. Germain: If I am interpreting this correctly, I think at the end of the day what you are really looking for is you need to know what both sites are going to look like because you are talking about moving all of the material from one site to a site that already has an approved site plan. You want to make sure that the move does not violate the previously approved site plan or any other recommendation this Planning Board might have in regards to where that is going to go.

Chairman Smith: It is my understanding this is about 1,500-2,000 ten wheeler truck loads of

material.

Mr. Romans: These cross sections are based upon the borings that were taken. In some places there is about 3 feet of material. So that we are clear, the as-built at the end will not be a site that is graded to drain in any way shape or form. It is going to be original ground. You are going to see undulations of original ground.

Chairman Smith: I believe that is what the DEC came to an agreement on, basically restoring it to the way that it was.

Mr. Romans: I will get those numbers to Mr. Parrish and make sure that he has a full copy of the SWPPP.

Chairman Smith: It is good to see that this is finally getting resolved.

Mr. Romans: They are hoping to start immediately. We will try to get everything ready for the December 9th meeting.

Mr. Procopio: As-builts are important. We always get those in for new site plans. It will be one of the requirements for the concrete plant before they get their occupancy certificate.

Chairman Smith: Do we need to establish a secondary inspection fee or anything for when the as-builts come in so that they can be reviewed?

Mr. Parrish: It is doubtful. I think that we are probably fine with the fees that are in place. If for some reason that does not seem to be enough we will address it then.

Mr. Germain: I have no other comments except the ones I already made in regard to site plans.

Chairman Smith: The DEC will over see all of these trucks going in and out and hauling all of this on the roads. Traffic will be predominantly on?

Mr. Romans: Taft Road to Northern Blvd. Riccelli will be using most of his own trucks to do the work. It is also close.

Mr. Marzullo: What about siltation and erosion control?

Mr. Romans: That is covered in the main SWPPP. Those things will have to be in place before they start moving material out.

Chairman Smith: The State has mandated plantings and stuff like that.

Mr. Parrish: We will be taking a look at that as well.

Mr. Marzullo: Is the fee in place?

Chairman Smith: Yes it is all paid, the \$1,600. If it wasn't for the fact that we have a Cut & Fill permit process, we would not have known about this. It is an example of a law that we had asked for, that the Town Board passed in July, which works.

Mr. Romans: Even after the work is done, the site has to be monitored for a period of years after work. We are hoping that once we get the okay, it will take about 6 months to complete.

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 7:50 P.M.

Submitted by,
Tonia Mosley, Planning Board Clerk

ATTACHMENT A: PAGE 1

November 14, 2013

Planning Board

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

RE: Lands of Webb Subdivision
FILE: 0101/25439.473

Dear Board Members:

We have reviewed the following in regard to the above referenced project for conformance with Town Code requirements for subdivision plans and effect on Town utilities and roads:

- 1) Preliminary Plan dated October 9, 2013 revised November 13, 2013
- 2) Final Plan dated November 13, 2013.

Ianuzi & Romans Land Surveying, P.C. prepared the above items.

The 43.767-acre site is located on the north side of Bull Street approximately 1,400 feet east of Eastwood Road. The site is comprised of a mixture of agricultural fields, brush and woods and contains an existing house, barn and associated improvements. It is proposed to subdivide the site to create two lots of 5.00 and 38.76 acres in area. Lot 1, the 5.00 acre lot, will contain the existing house and barn. The site is zoned Agricultural. The Plans are in general conformance with Town Code requirements for subdivision plans subject to the following comments:

- 1) The site is located within the Lakeshore Sewer District but there are no Town sanitary sewers available to provide service to the site. The existing house is provided sewer service by an individual sewage disposal system. A similar system will need to be approved by the Onondaga County Department of Health prior to construction of a house on Lot 2.
- 2) The site has frontage along Bull Street, which is a Town highway. The existing house has access onto Bull Street and no modifications to the site access are noted on the Plan.
- 3) Stormwater runoff from the site is generally tributary to streams and wetlands located on the northerly portion of the site. Determination of the need for a Grading Plan and New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activities should be made when an application for a building permit is made for Lot 2.
- 4) The site is located within the Bull Street Water Supply District and water service is provided from an 8-inch diameter water main located along Bull Street. The Applicant should coordinate provision of water service with the Onondaga County Water Authority.
- 5) The site is not located within a floodplain per the 1994 FEMA Flood Insurance Rate Maps.
- 6) The location of a Federal wetland per the National Wetland Inventory Map is shown on the Plan. The New York State Freshwater Wetland Map does not show any wetlands on the site. The Applicant is responsible for obtaining and complying with any permits that may be necessary.

ATTACHMENT A: PAGE 2

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

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

Very truly yours,

O'BRIEN & GERE ENGINEERS, INC.

A handwritten signature in black ink, appearing to read "Mark C. Parrish". The signature is written in a cursive, flowing style.

Mark C. Parrish, P.E.
Managing Engineer

ATTACHMENT B: PAGE 1

November 14, 2013

Planning Board

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

RE: Empire Tractor 5788 Crabtree Lane Site Plan Review
FILE: 0101/25439.474

Dear Board Members:

We have reviewed the following in regard to the above referenced project for compliance with Town Code requirements relative to Site Plans and effect on Town utilities and roads:

- 1) Site Plan dated November 12, 2013 prepared by QPK Design
- 2) Proposed Lot Consolidation dated November 8, 2013 prepared by Stockwin Surveying.

The 0.8-acre site, which is comprised of three tax parcels, is located on the south side of Crabtree Lane approximately 200 feet east of U.S. Route 11. The site contains a 2,400 square feet building along with associated utilities, landscaping and other site improvements. It is proposed to make modifications to the site and building for display, sales and service of outdoor power equipment. The site is zoned General Commercial. Our comments are as follows:

- 1) The site is located within the Cicero Sewer District. Town sanitary sewers located within an easement in the southwest corner of the site and along Crabtree Lane provide sewer service to the site. No modifications to the sanitary sewer service are shown on the Plan.
- 2) Stormwater runoff from the site generally sheet flows to adjacent properties and drainage facilities along Crabtree Lane. As less than 1-acre of land is to be disturbed a NYSDEC SPDES Permit for Stormwater Discharges from Construction Activities is not required for the project. A note has been placed on the Plan indicating existing grades and drainage patterns are to be maintained.
- 3) Access to the site is from driveways onto Crabtree Lane, which is a Town highway. The existing gravel area on the site is to be used for parking and site access and various gravel and grass areas are shown for equipment display. The project includes the addition of striping to define parking and site circulation along with the addition of landscaped areas to better delineate the entrances onto Crabtree Lane. The Board should review the parking, access and site circulation with the Applicant. The following are comments relative to these issues:
 - a) It is recommended the entrances and area in front of the building be paved to facilitate the proposed striping and prevent gravel and dirt from being tracked into Crabtree Lane.
 - b) It is proposed to stripe a pedestrian access along the north and east sides of the building. The Board should consider if a sidewalk, wheel stops or other means should be provided to better define this area.
 - c) The Board should consider if an interconnection to the adjacent property should be provided.
- 4) The site is within the Cicero Water District. A water main located along Crabtree Lane provides water service to the site. No modifications to the water service are shown on the Plan.

ATTACHMENT B: PAGE 2

- 5) The Board should review the landscaping, lighting, signage, architectural elevations and buffering with the Developer. The following are some comments regarding these and other miscellaneous issues:
 - a) The proposed lighting consists of flood lights mounted on the east and south sides of the building. It is recommended that a full cut off type fixture be provided.
 - b) Signage is proposed to consist of building mounted signs on the north and east sides of the building with a total area of 116.25 square feet. The area noted on the Plan for the signage on the east side of the building should be 50 square feet.
 - c) A simple subdivision should be completed to combine the lots that comprise the site.
- 6) The site does not contain a State Wetland as identified on the New York State Freshwater Wetland Map or a Federal Wetland as identified on the National Wetland Inventory Map.
- 7) The Plan shows the location of a 100-year floodplain on the site as identified on the 1994 FEMA Flood Insurance Rate Maps.

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

Very truly yours,

O'BRIEN & GERE ENGINEERS, INC.



Mark C. Parrish, P.E.
Managing Engineer