



The Planning Board of the Town of Cicero held a meeting on **Wednesday, October 15, 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 October 1, 2014 Meeting (**approved**)

--Site Plan, Minor Subdivision Preliminary & Final Plan, Public Hearing, Sposato Subdivision, 6957 Lakeshore Road, 2 lots,

-- Site Plan, Carm's Dog House, 6256 & 6262 State Route 31, Proposed Dog Day Care and Grooming (**approved**)

-- Site Plan, Uncle Bob's, 8239 Thompson Road, Proposed Site Expansion (**Exhibit "A"**) (**approved**)

-- Site Plan, Minor Subdivision Preliminary & Final Plan, Lands of Essig Subdivision, 7321-7325 Thompson Road and 6083 E. Taft Road, 3 lots (**approved**)

-- Site Plan, Visionworks, 5653 East Circle Drive, Proposed Eye Care Center (**approved**)

-- Site Plan, Sketch Review, Roland Burke, 9072 Brewerton Road, Proposed Storage Warehouse and Driveway (**to return**)

-- Site Plan, Minor Subdivision Preliminary & Final Plan, Buckley Subdivision, 8500 Snowshoe Trail, 6138 Lakeshore Road, 6144 Lakeshore Road, and Lakeshore Road (Tax Map #089.-10-35.0) 4 lots (**approved**)

--Site Plan, Sketch Review, Oil City Customs, 5867 State Route 31, Proposed Motorcycle Garage and Retail Store (**to return**)

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

Others Present: Neil Germain, Planning Board Attorney, Mark Parrish, Planning Board Engineer, Richard Hooper, Director of Codes Enforcement, Don Snyder, Zoning Board of Appeals

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. Ruscitto led the Pledge of Allegiance.

Notes from the Chairman:

All Planning Board Members now will be required to fill out a time sheet each meeting to be signed by Chairman Smith and then returned to the Clerk at the end of the meeting. He also added that each member should consider using direct deposit to save the Town money.

The Goodwill project is generating a lot of fill and the Codes office asked about the Town having to get a fill permit and they do need to get one, the Town is not exempt. There was further discussion the Town needs to get the permit fees established and construct an application or form for the Fill Permits and the possibility of having to call a separate meeting to do so.



This is the time of year where they are accepting proposals on professional services, if there are any requests a RFP form can be completed. The Chairman asked at this time does any of the Board members want to make a motion to put out a request for professional services. There were no motions made by any of the Board Members.

Mr. Marzullo made a motion to approve the Planning Board Minutes from October 1, 2014. **Mr. Abbey seconded the motion.** The Chairman called a vote.

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

**MINOR SUBDIVISION PRELIMINARY & FINAL PLAN
SPOSATO SUBDIVISION,
6957 LAKESHORE ROAD, 2 LOTS
IANUZI & ROMANS**

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

Chairman Smith noted that this applicant also needs a variance from the ZBA, which the next meeting is November 5, 2014.

The Chairman asked Mr. Germain to review the general rules of a public hearing. Mr. Germain stated that anyone wishing to speak for or against the project would be given an opportunity to be heard. Anyone wishing to make any comments would be recognized and asked to approach the podium and provide their name and address for the record. Only the comments from the person recognized to speak at the podium would be considered. Mr. Germain asked that people not simply shout comments from the audience as they are not subject to recording and will not be part of the public record.

The Chairman stated that no action would be taken on this project at tonight's meeting and that the applicant would require a variance from the Zoning Board of Appeals which anyone who was interested in the matter could go to that meeting. The application was forwarded to the County for review.

Mr. Romans: This is a .6 acre lot that is zoned residential. It has a house with two driveways and there is also a pool, a shed that will both be coming down. Mr. Sposato would like to split it up into two lots. The variance is needed for Lot 2 which is 1297 sq. ft. and Lot 1 is 1295 sq. ft. There is existing water on Totman Road and sanitary sewer.

Chairman Smith asked for those who wished to speak against the project.



Ray Miner (7131 Totman Drive): Speaking for the owners of the vacant lot nearby. They are concerned about the drainage the increase in run off that might occur if the property is subdivided and something is built there.

Chairman Smith asked if there was anyone else who wished to speak against the project. (None)
Chairman Smith asked for those who wished to speak for the project.

John Sposato (Owner): I would like to subdivide this lot because it is a big lot that doesn't all get used. If I can subdivide, piece it off and build and make a profit from it that would be great. If a house gets built there it might actually improve drainage.

Chairman Smith asked is there anyone else who would like to speak for the project (None).

Chairman Smith closed the Public Hearing at 6:45pm.

**SITE PLAN, CARM'S DOG HOUSE,
6562 & 6262 STATE ROUTE 31,
PROPOSED DOG DAY CARE AND GROOMING
ROBERT ABBOT, CARMEN CESTA & MIKE CESTA**

Representative: Robert Abbott, Carmen Cesta and Mike Cesta

Chairman Smith asked Mr. Germain and Mr. Parrish where we were at with this application.

Mr. Germain indicated that the outstanding issue of the simple subdivision has been done. The drainage easement has been approved by the Board, the Engineer and himself it just needs to be recorded.

Mr. Parrish indicated that the notes have been added to the plan to indicate there is a maximum of 27 dogs allowed on the premises at any one time.

Chairman Smith asked about the elevations.

Mr. Abbott provided a color rendering showing the change from the red roof to the taupe roof to compliment the taupe brick in the front tying it all together.

Chairman Smith noted that Carm did a great job with everything and his business succeeds.

Chairman Smith asked Mr. Ruscitto to do SEQR.

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

Mr. Germain: You are going to move for the adoption of a resolution approving the Site Plan application known as Carm’s Dog House, 6256 & 6262 State Route 31, Proposed Dog Day Care and Grooming. The Site Plan last revised October 9, 2014. The Planning Board notes that it has received and considered the County's Referral regarding this matter. The Planning Board further notes that there has been a coordinated review of the drainage easement and facilities by both the Planning Board and Town's engineers. Finally the Planning Board notes that the use as applied for herein was specifically approved by a previous Planning Board resolution. This approval is strictly conditioned on the following:

1. The applicant was required to provide a drainage easement in form and substance acceptable to both the Planning Board and Town Engineers. The applicant has presented the easement area and description to both engineers and they have approved of the same from an engineering perspective. The Planning Board attorney has received a copy of the underlying easement and has approved of the same as to form and content. Accordingly this approval is conditioned on the applicant's recording of the required drainage with the Onondaga County Clerk and providing proof of said filing to the Town of Cicero. The Certificate of Occupancy shall not be issued until said easements have been filed.
2. The color schemes and renderings and/or elevations as presented by the applicant to the planning board in regard to this application shall be incorporated by reference into this site plan and the board's approval thereof. Accordingly the actual project must substantially conform to the elevations as presented herein.

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, UNCLE BOB’S
8239 THOMPSON ROAD
PROPOSED SITE EXPANSION
BRYANT ASSOCIATES**

Representative: James Fensken

Mr. Fensken: We received comments from the Engineer and made the revisions they requested.

Chairman Smith: This is zoned industrial?



Mr. Fensken: There were comments regarding the signage and they removed one proposed sign on the building.

Mr. Abbey: Since you have three signs facing the same side, it seems like it might be a better idea to move one sign so it is facing South Bay.

Mr. Fensken: Sure we can do that, we can make whatever changes the Board wants.

Chairman Smith: That makes sense then you have a sign on each side so it looks more balanced.

There was further discussion on the signs placement suggesting two on the tower for balance and removing the sign on the fence, also indicating that the signs will be internally lit. Mr. Germain indicated that the site plan needs to clearly say where the signs are going to be.

Mr. Fensken: We removed the proposed sidewalk from the plan and we replaced the wall with wrought iron fence. We also changed the exterior wall lights to be cut off as suggested.

Chairman Smith asked Mr. Parrish and Mr. Germain if there was anything further. Mr. Parrish and Mr. Germain had nothing further at this time.

Mr. Ruscitto indicated that he liked the idea of changing the placement of the signs but indicated that it is the applicant's choice.

Mr. Marzullo asked how brightly the signs will be lit.

Mr. Fensken indicated he didn't know the exact wattage but he was sure it would be no brighter than Kinney Drugs across the street.

Mr. Honors indicated that he thought the small changes that have been made are good.

Chairman Smith asked Mr. Ruscitto to do SEQR.

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

Mr. Germain: You are going to move for the adoption of a resolution approving the Site Plan application known as Uncle Bob's, 8239 Thompson Road, Proposed site expansion. The Site Plan last revised October 2014. The Planning Board notes that it has received and considered the relevant information



presented in connection with this matter including the comments of the Planning Boards Engineer and the County's Referral, if any, 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 conform substantially to the elevations as presented herein.
- 2 The Clerks has been given Exhibit A which is a revised sign plan dated 5/22/2014. This Site plan approval shall incorporate the sign plan from the Exhibit A presented and deletes the sign plan as last presented by the applicant herein. The sign shall also be of similar character and intensity to those currently at the property. No signage will be permitted on the fence.

Chairman Smith noted that this is a one year approval so the building would need to be constructed within 1 year or the approval expires according to Town Ordinance.

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

**MINOR SUBDIVISION PRELIMINARY & FINAL PLAN
LANDS OF ESSIG SUBDIVISION,
7321-7325 THOMPSON ROAD AND 6083 E. TAFT ROAD,
3 LOTS, IANUZI & ROMANS**

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

Mr. Romans: We received the variances September 3, 2014.

Mr. Germain indicated that the easements have been submitted to the engineers and I believe have been approved. I have seen a copy of the actual easement areas as drafted by Ianuzi and Romans, I have not seen the actual underlying easement. However I did speak today to the applicant's attorney and that will be forthcoming. In any event this could be approved based on the fact that I know where the easements are, it is just a matter of getting the underlying document for approval.

Chairman Smith indicated that we would need to have those before he would sign a map.

Mr. Parrish indicated that he had nothing further after clearing up the drainage easement.



Chairman Smith indicated that the drainage easement was necessary and that the Board appreciates the applicant giving those to the Town so that we have the storm water management issue under as much control as possible.

Chairman Smith asked the Board member if they had anything further and they were all set.

Chairman Smith asked Mr. Ruscitto to do SEQR.

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

Mr. Germain: You are going to move for the adoption of a resolution approving the subdivision application known as Lands of Essig Subdivision Preliminary & Final Plan, 7321-7325 Thompson Road and 6083 E. Taft Road, 3 Lots, plan last dated October 8, 2014. This approval is contingent on the following:

1. The applicant is required to provide a drainage easement in form and substance acceptable to both the Planning Board and Town Engineers. The applicant has presented the easement area and description to both engineers and they have approved of the same from an engineering perspective. The Applicant has not presented the Planning Board attorney with a copy of the underlying document conveying the easement. Accordingly this approval is conditioned on the review and approval of the easement by the Planning Board's attorney. Once approved the applicant shall record the required drainage easement with the Onondaga County Clerk and provide proof of said filing to the Town of Cicero.
2. 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. That includes the recording of the underlying drainage easement as outlined hereinabove.
3. The applicant is hereby advised that Pursuant to Section 185-6 Subsection F of the code the applicant has 90 days from approval to file the map. If the applicant missed the 90 day filing deadline this approval will have expired.

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



**SITE PLAN, VISIONWORKS
5653 EAST CIRCLE CRIVE
PROPOSED EYE CARE CENTER
IANUZI & ROMANS**

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

Mr. Romans: Sheet one is basically the same, that was the existing survey you can see that there is the lot, there are existing curbed islands that are vegetated and then there is stripping and parking throughout the balance of the site it is all a parking lot. Sheet two shows the proposed building and we are adding curbed islands on the north and the south and we are maintaining the existing curbed islands as part of the site plan. We reduced the number of parking spaces that were there from 101 to 76 spaces. This parcel is called an out-lot in the overall mall and it is subject to the reciprocal easement agreement and another agreement with Lowes, which I have provided a copy to the Town attorney and I have also referenced on the plan. What it covers is ingress egress for vehicle traffic, pedestrian traffic, utilities and drainage. This site basically what it does is it sheets drains, there is a ditch along East Circle Drive. There is two places where the drainage water is supposed to go through these rip rap areas here and basically it sheet drains. Sheet 3 shows the grading and pavement that we absolutely have to take out for the site to work. We have a roof drain that is going to come out into that rip rap area. I have looked at the site and it is basically very flat, there is a major drainage way that comes through this area here and heads to that rip rap area. I looked at it again tonight and it appears to me that the bulk of the problem is that this rip rap here is about 2" above the edge of pavement elevation and it silted in and as part of us bringing our roof drain out there we will be redoing the rip rap and bringing that down. There is some patched or uneven pavement that will be repaired as necessary, which I think will reestablish the grade line there. This is the footprint of the asphalt that comes out, there is a little area in the offsite here, in the roadway that does retain a little bit of water, if you look at the existing grades it is pretty flat and it doesn't retain it to that grade of an elevation and the pavement is in good shape, I don't see an easy fix for that. And that is something that the applicant has talked to the mall owner concerning that and they are going to keep an eye on it and this area where the main drainage comes through. We are going to maintain the existing drainage ways here and our roof drain is going to outlet at the pond with an 8" drain through here. We are going to restripe the property. For lighting we have there are pole lights in the plaza itself and there is one pole light that ends up being in our sidewalk, that we are going to take out and we are just going to do lighting on the building, which we have provided the cut sheet to Mr. Parrish. The building elevations show signage and I am providing here color copies, which were provided to the Town. The building itself is going to be of a drivit type material, I know Mr. Parrish brought up the issue about the dumpster enclosure which will be similar to the material of the building. We show the proposed dumpster here. There is a sidewalk on the Advanced Auto and they occasionally they do use some parking spaces here but the overriding agreement with Lowes does really dictate that as much stripped parking spaces is to be maintained for their overall count. So we don't propose ripping any of that out, we show that as being maintained. The signage on the elevations we



passed out, I think is appropriate for the size of the building and the look of it. I show that we are going to landscape around the building pretty heavy and then we show some small trees that I put in some of the islands to provide something in those existing islands. There is existing landscaping that will be maintained and just spruced up as necessary. Our lot has an established reciprocal easement agreement so there is nothing that has to be adjusted for that. So that should cover everything from the Town and the Planning Board Engineer.

Chairman Smith would like to note that we have taken the County's concern into account and addressing it. We have verified that this is the last outparcel in this area and originally was proposed a 10,000 sq. foot building, and this building is under 4,000. The sewer capacities were anticipated and included in the original 10,000 sq. ft. building so this represents a significant reduction of the sq. footage that was previously approved. So therefore this should do nothing but help the County in its capacity issues.

Mr. Romans: Also we are adding more green space than what is there now.

Mr. Parrish asked if there is any notation on any plans about the pavement being repaired, the improvement to the drainage and the detail for the dumpster enclosure.

Mr. Romans said he has not specifically noted any of them on the plan. The plan notes the enclosed dumpster.

Mr. Honors indicated that it should not only show the location of the enclosed dumpster but the material for it as well.

Patrick Donegan (Rockland Developer): I have been in contact with Tom Vetter, with Garfunkle Development Company; they purchased this property from TriLand. A lot of the asphalt issues that you are talking about are off our site but he has told me that he is willing to work with me. We are talking about when we do the new asphalt where we cut and do the building itself is doing some milling work and topping some of the areas that are broken up and that are not doing so well right now. We are going to mill it and level it off there nice.

Mr. Ruscitto: The parking between Advance Auto and the building, the count is for the mall but is the intent that you are going to fix that and then is snow going to be there again. I am a little concerned that you have the water draining toward the rip rap and if that is all filled in with snow and ice that it may not flow through there.

Mr. Donegan: The mall used to store their snow in this pad area because it wasn't developed but they are not going to be able to do that anymore. They will have to store the snow in a different manner.

Mr. Abbey: What is your build out?



Mr. Romans: We would like to start as soon as possible. We would like to start construction immediately.

The remaining Board members were all set.

Chairman Smith asked Mr. Ruscitto to do SEQR.

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

Mr. Germain: You are going to move for the adoption of a resolution approving the Site Plan application known as Visionworks, 5653 East Circle Drive, Proposed Eye Care Center. The Site Plan last revised October 10, 2014. The Planning Board notes that it has received and considered the County's Previous 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 elevations as presented herein.
- 2 The pavement shown on the site plan which is now in disrepair will be repaired or replaced in a timely manner so as to improve the overall drainage at the site.
- 3 The dumpster will be enclosed and the enclosure will be of similar character and material as the main building.

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,
ROLAND BURKE,
9072 BREWERTON ROAD,
PROPOSED STORAGE WAREHOUSE AND DRIVEWAY
IANUZI & ROMANS**

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



Chairman Smith asked if it was a storage facility for the existing business that is located there and not storage for individuals.

Mr. Romans: That is correct, for the growing business.

This is a vacant parcel and what she is looking to do is put in a building for storage of her materials, she runs a packaging business online where she ships out packaging materials to individuals and companies that order packaging materials from her website.

Chairman Smith: There doesn't seem to be a cross connection because if this is going to be a building to serve her business how are they going to get back and forth.

Mr. Romans: You will have to go out onto Route 11. Usually she has delivery trucks that come to her other site, which is south of this. And she stores materials there and then she has materials that go out of her existing site by UPS and FedEx to people that have bought the materials.

Chairman Smith asked if there is a particular reason there isn't cross access between.

Mr. Romans: It is because there is property between this and property she has now. What happens is that this National Grid parcel here is actually owned in fee by National Grid so each property has every right to cross it but not allowing it to use as any kind of cross connection.

The disturbed area is over an acre so we have told the client we need to get a SWPPP and storm water plan in place for the next meeting. But it is basically going to be a 9,972 sq. ft. storage building with a gravel area around it and a couple of parking spaces around it for an employee that might have to show up to make sure that deliveries come in and deliveries go out. We show overhead doors all on the north side of the building and there will be lighting, which is all on the building itself so there will be no spill over off the gravel parking. There is not going to be any bathroom or anything there, it is for packing materials so it will be a cold storage.

Mr. Honors: It is going to be strictly cold storage?

Mr. Romans: I will double check but I am 99 % sure because there is nothing there that would be affected.

Chairman Smith: So there will be no water hook up or sewer?

Mr. Romans: No, it is just that this business has grown substantially.

Mr. Abbey: Will this be a regular steel building?

Mr. Romans: I will check and get an elevation plan so you can see what it is going to be and I will get a color scheme. The idea is not to attract a lot of attention to it.



Mr. Marzullo asked about lighting, signage and landscaping.

Mr. Romans said they will have lighting on the building, they will put some landscaping up near the building and there is one sign on the plan but he will check into it to get more detail.

Mr. Marzullo asked Mr. Parrish if he had any concern about the gravel going right to the road.

Mr. Parrish: Typically we would like to get some kind of apron paved so we are not putting gravel into the road.

Mr. Romans: Probably like 50-75 feet something like that?

Mr. Parrish: Yes, you will need to go to the DOT obviously anyway.

Mr. Romans: For the curb cut?

Mr. Parrish: Yes.

Chairman Smith indicated that we would need the SWPP before our next meeting November 10. If you anticipate Mark having an opportunity to make a recommendation to us you should now we need that ASAP.

Mr. Romans: We should have time to get something in quickly.

Chairman Smith asked Mr. Parrish and Mr. Germain if they had anything from an engineering and legal standpoint at this time.

Mr. Parrish did not at this time.

Mr. Germain indicated that you will want to a detailed use.

Chairman Smith: What utilities are going to be provided, obviously you are going to have electrical?

Mr. Romans: Yes.

Mr. Germain: It is not a retail facility right?

Mr. Romans: No, it is not a retail facility. It is strictly storage for her business.

Chairman Smith: She will not be renting any space or leasing any space. Please make sure that is on the plan.



Mr. Romans: I will make sure that is on the plan. No believe me they need all of it.

Chairman Smith asked Mr. Hooper if he had anything from a Codes perspective. He had none at this time.

Chairman Smith asked the Board members if they had anything further and they had nothing at this time.

**MINOR SUBDIVISION PRELIMINARY & FINAL PLAN
BUCKLEY SUBDIVISION,
8500 SNOWSHOE TRAIL, 6138 LAKESHORE ROAD, 6144 LAKSHORE ROAD,
AND LAKESHORE ROAD (TAX MAP#089.-10-35.0)
4 LOTS, RYAN J. BUCKLEY**

Representative: Ryan J. Buckley

Chairman Smith said most of the questions come down to whether we have the legal issues and things that we needed cleared up.

Mr. Germain: Yes I think he is ready to go and I believe he submitted all the plans he needed to submit and any legal easements or anything complicated like that he is not missing anything.

Chairman Smith asked if the applicant understand the subdivision rule that if this is approved he has 90 days to get the map filed at the County Clerk’s Office or the approval extinguishes. And the Chairman needs the maps to sign them so that the applicant can get them filed before that time runs out.

Chairman Smith asked Mr. Parrish, Mr. Germain and Mr. Hooper if they had anything further and at this time they did not. He also asked the Board members if they had anything further and they were all set as well. He noted that there was a public hearing conducted on this application previously.

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

Mr. Germain: You are going to move for the adoption of a resolution approving the subdivision application known as Beckley Subdivision, 8500 Snowshoe Trail, 6138 Lakeshore Road, Lakeshore Road and Lakeshore Road (Tax Map #089.-10-35.0), 4 Lots,, plan last dated September 25, 2014. This approval is contingent on the following:



- 1 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. That includes the recording of the underlying drainage easement as outlined hereinabove.
- 2 The applicant is hereby advised that Pursuant to Section 185-6 Subsection F of the code the applicant has 90 days from approval to file the map. If the applicant missed the 90 day filing deadline this approval will have expired

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
OIL CITY CUSTOMS, 5867 STATE ROUTE 31,
PROPOSED MOTORCYCLE GARAGE & RETAIL SPACE
LUIGI PASCARELLA & TRACY BUDZIELEK**

Representative: Luigi Pascarella and Tracy Budzielek

Chairman Smith indicated that this is an existing building that has been there for some time but pursuant to the 2013 Code Change, even though it was an existing use it has to come in front of the Planning Board. It has been vacant for some time.

He asked the applicant to go through any changes they are adding to the building.

Mr. Budzielek: The only thing that we are adding is parking spaces and a 6x10 sign in the front of the building to draw attention because we are kind of in the back to show there is a business in the back. It is basically a turnkey, we are moving our business from downtown Syracuse to Cicero.

Chairman Smith: We will need more detail for the record on the sign and your sign company should be able to prepare that for you. Are you changing any of the paving or traffic or anything?

Mr. Budzielek: No, nothing we are so excited it is a turnkey we don't have to do anything.

Chairman Smith: We will need pictures of the building as it exists even though you are not making any changes for the file so that Mr. Hooper's office has them in the file and add them to your file and note on the file that you are not making any changes to the building.

Mr. Honors: If you are planning on making any changes at all make sure that you note them on the plan, now is the time to do that.



Mr. Budzielek: We are just anxious to get in there, even the sign we will be happy right now with just a road side sign.

Chairman Smith: Understand the way signs work in Cicero is if it is not approved by the Planning Board any change you want to make has to go in front of the Codes Office. At that point it is very restrictive, so Mr. Honor's point is very well taken, if you want to have signage this is the place to get it approved. So you want to make certain that you ask for the signage that is necessary for your business to succeed. Also make sure you have pictures of the existing sign.

Mr. Budzielek: There isn't one where we want to put it in front of the building but there is a road side one going into the entrance, that is existing and we would like to use that one, of course. And just the other one we want in the middle would be a 6 x 10.

Chairman Smith asked Mr. Hooper if that would be adequate. Mr. Hooper asked for verification of what sign the applicant was speaking about.

Chairman Smith asked if there is a cross access between this property and McDonalds.

Louis Party (owner): They could walk but there is no driveway. But there is a gate.

Chairman Smith told the applicant they need to provide further information about the signage that they want and the existing so that they will have it for the future should there be issues down the road, or should you decide you want to change any aspect of the building you should ask now. Because these things will be recorded in a file so if there is an issue 10 years from now they will be pulling these photos out, the approval if the Board does one and it would say what was agreed to. SO that is why we are trying to make sure that whatever you need for your business to succeed you bring it in now and get it approved.

Mr. Hooper: Will there be any storage of equipment outside?

Mr. Budzielek: No there won't be any storage, they may be outside during the day while we are working on them but they will not be stored outside.

Chairman Smith: Given the age of the building could you also indicate how you will take care of oil and petroleum.

Mr. Budzielek: We have a person that takes our oil now and he heats his garage with it, which is all set up for that, he said that he would provide a letter if we needed it.

Chairman Smith indicated that Mr. Germain will be considering how we document that you have a method for disposing of any of the petroleum products. And as long as you understand that you can't



dump it on the property.

Mr. Budzielek: No we don't do that, we have people begging us for our oil.

Chairman Smith asked Mr. Hooper, Mr. Parrish and Mr. Germain if they had any comments. Mr. Hooper and Mr. Parrish had nothing at this time.

Mr. Germain: I have no comments other than to say that you keep saying that you are going to do a turnkey operation, which is great, but your representations have to actually be on paper somewhere. So when you talk about there is not going to be storage outside, your oil disposal and you signage whatever you are going to be doing on the property. You can come in and say what you are going to be doing on the property but it has to be noted someplace so the approval has a clear understanding of what is going to be at that property. Like hours of operation, etc. At some point you have to get a site plan that is approvable. There are certain minimum standards that have to be on a site plan for this Board to approve it and those need to be added to the plan. So those are the kinds of items we need to be on the plan.

Mr. Honors: Mr. Parrish and Mr. Hooper can give you a check list of what has to be added to the plan.

Chairman Smith indicated that this is an existing building and the Board members realize that but we need to document what you are going to be doing.

Mr. Marzullo asked why they had to come in front of the Board.

Chairman Smith said it is part of the new Town Code if a property is vacant for more than a year any building has to come in for re-approval.

We are just trying to give you everything so you can bring it back and we can take care of it pretty quickly and get you in there because we would like you to get moved in also.

You can work together with Mr. Hooper if you have question he can help you.

There was further discussion between the Board, Mr. Germain and the applicant about what needs to be provided to the Board to get an approval and Mr. Hooper agreed to help. The applicant agreed to do whatever needs to be done to get in there as soon as possible.

The remaining Board members are all set and had nothing further at this time.

Chairman Smith made a motion to adjourn. Mr. Marzullo seconded the motion. The motion was approved unanimously.

Next Scheduled Regular Meeting: November 10, 2014 at 6:30 PM.



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IN AS MUCH AS THERE WAS NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS
ADJOURNED AT 8:45 pm.

Submitted by Kristin Ryder
Planning Board Clerk