

STATE OF NEW YORK  
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TOWN OF CICERO

SS:

The Cicero Town Board held a **Special Town Board Meeting** on **Monday, July 18, 2016** at 7:00 p.m. at the Cicero Town Hall, 8236 Brewerton Road, Cicero, NY 13039.

Present:

Mark Venesky	Supervisor
Mike Becallo	Councilor
C. Vernon Conway	Councilor
Dick Cushman	Councilor
Jonathan Karp	Councilor

Others Present:

Chris Woznica	Highway Superintendent
Joseph Snell	Police Chief
Richard Hooper	Director of Codes Enforcement
Robert Germain	Germain & Germain, Town Attorney
Stephen Snell	O'Brien & Gere, Town Engineer
Bob Smith	Planning Board Chair
Tracy M. Cosilmon	Town Clerk

Supervisor Venesky opened the Special Town Board of the Town Board at 7:00 p.m. by noting the locations of the three emergency exits, asked that all cell phones or electronic devices be silenced and noted if anyone had difficulty hearing to bring it to the Board's attention.

Councilor Conway led the Pledge of Allegiance and requested a moment of silence for all the victims of violent abuse all over the world.

**Public Hearing Continuation – District Zone Changes**

Supervisor Venesky: This public hearing is to consider the District Zoning Changes for our Comprehensive Plan Updates. We are going to have public input this evening, with no more than 3 minutes per person.

Supervisor Venesky opened the public hearing at 7:00 p.m.

Speaking against –

Tim Murphy: I have a written presentation, no questions, all on topic. (as shown on page 2)

Tim Murphy read the following:

Special Town Board Meeting 7:00pm July 18, 2016  
Public Hearing Continuation District Zone Changes

Zoya Gregory  
5671 Francisco  
Cicero, N.Y.  
31359

Bill Mayes  
5856 Reiss Rd  
Cicero, N.Y. 13039

Betty Berlin  
5800 N. 1st Rd  
Cicero, N.Y.

Linda Hammel  
5811 Noel Rd  
Cicero

Jessica Schuler  
5800 N. 1st Rd  
Cicero, N.Y. 13039

Thank you for your time.

Sharon McEwen  
5813 Noel Rd  
Cicero NY 13039

Jennifer McCook  
5809 Noel Rd  
Cicero NY 13039

Michael Rege  
5810 Noel Rd Cicero

Simply dismissing future transportation pattern that affect public health and safety is egregious at every level, from emergency vehicle accessibility to compounding problems at failing intersections for the traveling public. Respectively request: (detailed Environmental Impact Statement (EIS)), (Corridor Studies), (Positive Declaration SEQR), (detailed analysis of impacts with reasonable evaluation of alternative mitigations), (traffic study on all all affected zone change corridors), (pedestrian accessibility), (demand assessment and intersection capacity analysis with level of service determination).

Open public transparency is severely reduced when the Planning Board meeting are no longer typed, this needs to change.

3) The town's public hearing procedure has been compromised on this zone change issue when the town stopped asking who is for or against this issue to muddle the the reality that will over 90% of the public hearing input has been against this zone change.

4) The question is which zones are they changing these properties to? Rummage sale zoning with unreasonable zoning that ties the hands of the Planning Board with property rights and there will be little room left to protect residents. This is unconstitutional as it does not protect the general welfare of the community.

5) The conflict of fundamental land use policies is not being addressed with orderly growth or density of land use. We may have to accommodate regional planning needs but not at the town's expense with issues such as open space. County planning may want density and not sprawl, but not in this manner. Also there are no sewers on Route 11. The urbanization of Cicero on some allusion of cleaning up zoning to make in more efficient is not in the best interest of residents.

6) We do not agree with the premise of using apartment buildings to buffer residential from commercial; especially now that sixty foot apartment building are allowed in all commercial zones in Cicero. Higher housing density does not help with traffic infrastructure, another false premise. Cicero does not offer adequate buffering between residential and commercial, time to update to 210 codes to protect existing residents quality of life.

Sharon Schuler  
Reiss Dr

Tom DeSela  
1800 N. 1st Rd  
Cicero, N.Y.

Robert McEwen  
5813 Noel Rd  
Cicero NY 13039

Lori Sager: First of all, I want to thank you for this opening meeting tonight. I read on the website, from Supervisor Venesky it says, *On behalf of the dedicated public servants in the Town of Cicero, let me invite you to explore and enjoy our community. Cicero has a lot to offer. With our close proximity to an international airport, our great neighborhoods, our quality of life, and welcoming business climate, I'm confident that you will find Cicero a great place to live, work and raise a family.* I agree with those statements, Supervisor. But with that said, I understand that the Town wants to really change Brewerton from what it is today to something very different and very difficult because of a proposed raceway that isn't even in our county. Years ago, I was on the Planning Board and at that time we did a Comprehensive Study that cost the Town, it was not ordered by the Planning Board, it was the existing Town Board back then. A Comprehensive Plan for the two corridors; Route 11 and 31 and South Bay and 31, on what to do. It was a great plan, but the summation of it said 'it's too expensive'. What it included was having shops all along Route 11, up and down the corridor, especially Route 11 at that time, and then a residential on top. It was a great plan, but it certainly wasn't feasible. Now you want us to change the character of Brewerton totally different from that other plan into something very different and making it as it is on the southern part of Route 11. I don't think that's conducive to the area. There were other items listed on there, which were in the minutes, talking about the Commercial

Corridor Zoning updates and the proposed district classifications. It was all lot gibberish to me. It was very vague; nothing really comprehensive. But then again I hadn't been attending any of these meetings, so I'll let that slide. What I am against is it's almost like a cluster-development with the proposed apartment houses that you want to put in here; whether it's for low income or for more affluent apartments, I don't know what the occupancy will be. But, if it's a low income I am kind of concerned with how that will impact the other residents in this town and our police departments. They are not here, but I want to thank our police department for trying to keep us safe. Regarding the sewers that Mr. Murphy talked about, there is a lot of that area that has no sewers, who is going to pay for the sewer installation, the Developer or the Residents in the Town of Cicero? Does anybody know?

Supervisor Venesky: I do know Ms. Sager. First of all, we are not changing the character of Brewerton. Brewerton is a hamlet. There is an Overlay District there so we can't just go ahead and change anything. We've had meetings. This is our sixth hearing and you are coming in asking questions at the last moment. I'll be happy to take time to answer all of your questions if you will call me, and I will meet with you or speak to you over the telephone, but I am not going to take tonight's meeting when we have had five meetings and dissertations on what we are trying to do.

Lori Sager: Well I explained, and I apologized that I hadn't attended them. That's fine, I'll be glad to speak to you. My other concern is how will all these proposed apartments...

Supervisor Venesky: There are no apartments proposed. We are not proposing any apartments. Here's what we've run into before, a lot of misinformation because there are people that are saying things that are just not true. I will be happy, and anyone on this board will be happy to clarify for you exactly what we are trying to do. But at this point, at meeting number six, I would ask you to call me and I will sit down with you and I will explain and answer any question that you have, but I am not going to do it tonight. This is the sixth meeting.

Lori Sager: That's fine. Also, I read in the minutes from the last meeting in June that one of the residents in the Town of Cicero was given the idea of this proposed race track having an actual near/off 81, to save the Town of Cicero the traffic impact. I think that's kind of a good idea. I'm not sure if it's been discussed with DOT (Department of Transportation) or what their parameters would have been.

Supervisor Venesky: Just to give you an update right now, and I met with one of the investors in that race track today, that race track *will not* be completed in 2016. Right now the plan is (because of the various issues that I was made aware of; some of them have been in the newspaper) the race track will probably/most likely come online in 2017 and be finished in 2018. But from one of the major investors in that project, it is no way dead. I've had Matt Driscoll, who is the New York State Commissioner of the Department of Transportation in this office, as well as Deputy Commissioner David Smith. We've had the State Police. We've had our Police Department. We've had Planning people. We took a proactive approach to looking at what the traffic situation would be, so we haven't been shooting from the hip. We've been trying to be as proactive and as thorough as we possibly can and we have brought in the big dollar people and the smart people to make the decisions, and we've voiced a lot of concerns. So we have them, they know what the issues are, they know what the challenges are that we are facing and I am confident that us, together with them, and the other authorities will meet the authorities.

Lori Sager: I thank you for that information, but I'll just take Walmart as an example; there were a lot of people in this town that didn't want it on the Route 11 side because of the impact that it would have on those residents and it went through anyway.

Supervisor Venesky: We've had six meetings. This is meeting number six. Nothing is going through without full transparency. So people are telling you we are not being transparent. In God's name I don't know how we can be more transparent; we are listening to everything.

Lori Sager: I never said that, nor did I imply it and I apologize if that's how you're taking it. I just wanted to let you know that also, in your last minutes you were kind of perturbed about how the other planning boards in previous years have acted, and let me tell you when I was on that board we followed the Code to the letter; we had Peter Kip to deal with. You may not know him but he was as tough as nails, let me tell ya and after that was Jay Seitz. Now, I'm not with the Zoning officers today, but we followed the letter to the end degree as far as the ordinances that were required in this town and made no exceptions to any developer. I just wanted to put that in the record; we did our job and did it very well for that period of time. Thank you.

Arthur Zacholl: I live at 9430 Brewerton Road. There are four houses right there in a row, and right now we are zoned Agricultural. We are just outside of the Hamlet of Brewerton and the Overlay. My questions are 1. I've been following this track right along and I know some people too that I have talked to that are involved in this, and what I hear from them and my personal opinion is that it's going to be way before 2018 that this track is even going to be done. He's complaining about not getting the money from the Governor, but the Governor just gave Oswego umpteen bucks to fix that up. I heard it on the news tonight that they are going to take that mud that they're bringing up there (that clay) and put it on the track. When they are done they are storing it and covering it behind there because they are going to find out how well that went next year and how much money they want, and they are going to bid for it. I don't think this track is going to make the money that you people think it's going to make in Cicero. 2. I don't know if you were around Wednesday night when Route 81 went down to one lane at Brewerton. Route 11 was backed up well past the light. We tried to get out of our driveway and nobody would let us out, and we were going to go southbound. If you think turning this into a three-lane highway with a center turn... that's not going to work, because when you get to the Overlay it's going back down to two lanes and the bridge is only going to be two lanes, so I think the State, and you people are wasting your money making this into a three-lane highway. You've got to put an exit up there.

Supervisor Venesky: Mr. Zacholl, we are not spending any money. This is the State of New York that's making those decisions.

Arthur Zacholl: Well, I think you ought to fight for us.

Supervisor Venesky: Well, we are fighting to make sure that we don't have a problem.

Arthur Zacholl: Are there people interested in my property up here on Brewerton Road; those four properties because all four of us are in the same boat - if you change it to Commercial we are not going to be able to sell our houses. If you know somebody interested, I don't want to know their names, I'd just like a 'yes' or a 'no' so we can figure out what we are going to do with our houses. I know this is a done deal and you guys are going to change it to Commercial no matter what I say or...

Supervisor Venesky: Well, most of it is Commercial. If you look at it now, it's overwhelmingly Commercial. That whole corridor right now is Commercial already.

Arthur Zacholl: But right now we can sell our house. When it goes to Commercial we are not going to be able to sell it because nobody is going to buy it because they know businesses can move in there. All I am asking is for a 'yes' or a 'no'.

Supervisor Venesky: No, I am not aware of anyone. I don't know if anyone else is, but I am not aware of anyone who is currently interested in your property.

Arthur Zacholl: Okay, thank you.

Richard Barling: I'm sorry, I didn't know about the six other meetings so some of this may be rehashed. A couple of the things that I asked last week... basically, you guys were thrown underneath the bus by the Planning Board. First thing I'd like to know is when Walmart went in they were supposed to mitigate and prepare wetlands over by Northern Boulevard and 481, has that been done?

Supervisor Venesky: Mr. Barling, I can't speak to Walmart and what happened.

Richard Barling: It's your job to follow it.

Supervisor Venesky: First of all, like anyone else, I have to be made aware of a problem and if there is a problem, and I am made aware of it, then I will look into it. But I cannot give you an answer on Walmart. That was done 15 years ago. I can't answer you. What does that have to do with the zoning Mr. Barling?

Richard Barling: It's all part of this system that you have set up. When I was here for Walmart I said that you would put a Target right over on the other side of the road.

Supervisor Venesky: We were not here then.

Richard Barling: 'We were not on the Board at the time', I already heard all that stuff. I told them that they were going to put a Target over there. I had one of your Planning Board Chairs at Home Depot, not poking me in the chest, but as close as he could get telling me I was full of it. I said "Lowe's. One of the projects is going to be Lowe's", and he said "Oh no, you're full of it" and then Lowe's comes up and says we are not going over by Walmart, we are going over by East Circle Drive. The problem that I have is that this Board, and the Planning Board, are doing a lot of smoke and mirrors. Your traffic patterns stink. It stinks that you can't give me an answer. About the track up there, that's dead in the water.

Supervisor Venesky: For this year it is.

Richard Barling: For this year and probably forever because part of the things that people are being brought up on charges for, which I don't know if you knew that, I do. National Grid should have known two years ago about this; he has not submitted his plans. It takes two years for them to develop the power to get it to him because he can't just hook it up off of a line off the street.

Supervisor Venesky: We've had multiple meetings with National Grid here in this building.

Richard Barling: Maybe for stuff that you had here, but not over there; somebody's missing the boat. Traffic patterns. You talk about traffic safety and opening up this road and everything like that, that's not changing the problems that you have in this town. That's not changing the problems that you have on Route 31 and 11. It's creating safety issues for the people in the town. If EMS (emergency medical services) has to try and get through to their house they can't get through there; it's a mess.

Supervisor Venesky: Mr. Barling if you had attended any of the previous meetings you would have known that we've had multiple meetings with DOT (Department of Transportation).

Richard Barling: I don't care about the multiple meetings.

Supervisor Venesky: Well they make the decisions on the traffic, Mr. Barling.

Richard Barling: Have you called them or are you icing it over?

Supervisor Venesky: Absolutely. Let me tell you something, if I tell you something you take it to the bank.

Richard Barling: Well, that's not what I was told by the last zoning board.

Supervisor Venesky: I can't speak to anyone else. I can only tell you about Mark Venesky, this Board, and the future. But, I have sat face-to-face with Matt Driscoll in this building. We have discussed it, there was other people involved in those meetings. The last meeting we had was with the State Police, our Police Department, the Department of Transportation (David Smith was here and all of his folks); we have talked about those things.

Richard Barling: I talked to DOT four years ago, asked them what they were going to do about the congestion problem at Cicero, Brewerton and Central Square. Do you know what I was told, 'It's still in Planning.' It's been in Planning for 15 years.

Supervisor Venesky: I can't speak to what was done prior.

Richard Barling: But this is the same thing we heard last time, 'I can't speak to that'. But you know what, it's not changing the fact that your zoning plans, here, are nothing but smoke and mirrors for stuff that you are trying to do later on.

Supervisor Venesky: Do you have another point to make, because now you are making accusations Mr. Barling, and I think unless you have something substantial to say I think we've heard enough, your three minutes are up.

Sam D'Amico: I got a postcard. This is the first meeting I attended. I happen to own a Commercial piece of property on Taft Road, so this is like all new to me. We are being told there are six meetings that you should have known about. I came here to learn something, and it's awful. I just have a couple of questions, because I am in real estate. I know it's going to affect some people that have residential homes. I don't know the plan; I didn't see it. I'd like for me to meet with somebody another day that can explain it to me. These are my only concerns, maybe they've been addressed and maybe they haven't: Is there anything in the Town where a house catches on fire and is destroyed what percentage of it is destroyed that it can't be rebuilt? Does it have to be at twenty-five percent/ forty-percent? My question is if somebody is living in these houses now, and they want to continue to live in them, and it burns down, and the property is now zoned Commercial, do they have the ability to rebuild it as a residential house? *Somebody in the audience said no.* I don't have the answers to this. All I have are these papers:

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VA Loans: Does Zoning Matter? - VA News Blog Page 1 of 1

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**VA Loans: Does Zoning Matter?**

January 03, 2011 By Joe Wallace [9 Comments \(http://www.vanewsblog.com/2011/01/va-loans-does-zoning-matter/#comments\)](http://www.vanewsblog.com/2011/01/va-loans-does-zoning-matter/#comments)

VA home loans aren't limited to properties in "traditional" house buying areas like suburbs or typical residential streets. Buyers can also purchase properties in urban areas and in city centers where a building might fall into different zoning than a neighborhood in the burbs.

Some VA loan applicants wonder if zoning can affect a VA mortgage loan application; after all, the VA requires the borrower to purchase property intended as a primary residence; is that still possible in an area with commercial zoning?

The short answer is yes. Veterans are allowed to apply for VA loans to purchase mixed use properties that include business spaces as well as living spaces. The basic rule is that the business portion of the property can take up no more than 25% of the entire floor space of the property. In many cases that is enough for a borrower to run a small business and live on the property as a residence.

Some buyers are concerned about purchasing buildings in mixed-zoning areas. They don't want to run a business, they just want to purchase a home that happens to be zoned for both commercial and residential uses.

The rules for purchasing property in such areas differs a bit from buying a home in a residential-only area like a suburb. Because mixed use zoning can indicate a move toward complete commercialization of an area, the VA evaluates the "remaining economic life" of the property in question to make sure it is viable as a residence for at least the lifetime of the loan.

VA rules state that a property must have a remaining economic life as a residence for at least thirty years or more. If the property meets that criteria, the loan can be approved as long as the usual qualifications are met.

Once a loan is approved in a mixed-zoning area, the buyer can do a VA-to-VA refinance loan later with no problem; VA Streamline Refinancing requires no credit check or property appraisal, so there are no re-qualifying requirements to meet.

<http://www.vanewsblog.com/2011/01/va-loans-does-zoning-matter/> 7/18/2016

VA Loans: Does Zoning Matter? - VA News Blog Page 2 of 3

If a borrower wants to get a cash-out refinancing loan, the property must be appraised once more--will it still meet the economic viability requirements if enough time has passed? Every property is different: the building must meet VA minimum property requirements for any cash-out refinancing loan application.

**About Joe Wallace**

Joe Wallace has been specializing in military and personal finance topics since 1986. His work has appeared on Air Force Television News, The Pentagon Channel, ABC and a variety of print and online publications. He is a 13-year Air Force veteran and a member of the Air Force Public Affairs Alumni Association.

 (<http://www.vanewsblog.com/author/joe-wallace/>)

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**8 Responses to VA Loans: Does Zoning Matter?**

1.  **willie keys says:**  
**February 3, 2011 at 3:01 pm** (<http://www.vanewsblog.com/2011/01/va-loans-does-zoning-matter/#comment-716>)  
 Can you please provide me with some available small business loans for veterans?  
**Reply** (<http://www.vanewsblog.com/2011/01/va-loans-does-zoning-matter/?replytocom=716#respond>)

•  **Joe Wallace says:**  
**February 4, 2011 at 9:58 am** (<http://www.vanewsblog.com/2011/01/va-loans-does-zoning-matter/#comment-721>)  
 Sorry, but the VA doesn't do small business loans--but you should definitely check SBA.gov. They don't lend money but have plenty of advice for obtaining a small business loan.  
**Reply** (<http://www.vanewsblog.com/2011/01/va-loans-does-zoning-matter/?replytocom=721#respond>)

2.  **willie keys says:**  
**February 3, 2011 at 3:03 pm** (<http://www.vanewsblog.com/2011/01/va-loans-does-zoning-matter/#comment-717>)  
 no zoning doesn't matter.  
**Reply** (<http://www.vanewsblog.com/2011/01/va-loans-does-zoning-matter/?replytocom=717#respond>)

<http://www.vanewsblog.com/2011/01/va-loans-does-zoning-matter/>

Buying or Selling a Home: Buying a house that is zoned commercial, zoning the land, proper land use Page 1 of 1

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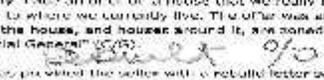
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**Buying or Selling a Home/Buying a house that is zoned commercial**  
 Experts Dick Dennis 4/7/2010

**Question**  
 My wife and I have been looking at houses for the past 2 years. We recently made an offer on a house that we really liked that is very close to where we currently live. The offer was accepted. However, the house, and houses around it, are zoned as "Commercial General" (C-2).  
  
 The city has provided the seller with a rebuild letter saying that if something happens to the house, and the damage does not exceed 50% of the house value at the time, then the house can be rebuilt. This means that if there was a fire that burns the house down and it is a total loss, we are stuck with a piece of commercial property that we cannot build a house on. This was a selling point for both, so they would not use us a loan. We did find a lender who says that they can get it funded.  
 I have emailed the city mayor who brought the issue up in the city council meeting before. The director of planning and development requested that the council vote next month to raise the rebuild value to 75% of the property value. This is a step in the right direction assuming that it passes, but I would obviously like to have it at 100% or have it re-zoned. There has never been a business on the property, so I'm not sure why they wouldn't do that.  
 My question is, aside from the obvious fact that if the house burns down completely that we can't rebuild it, are there any other factors that we should be worried about in going forward with this deal, such as when we try to sell the house something in the future that another buyer will run into the same problem, or getting insurance on the property, etc.  
 Any help or advice would be appreciated. Sorry to have a long question, I wanted to put in as many details as possible.  
 Thank you - Bill

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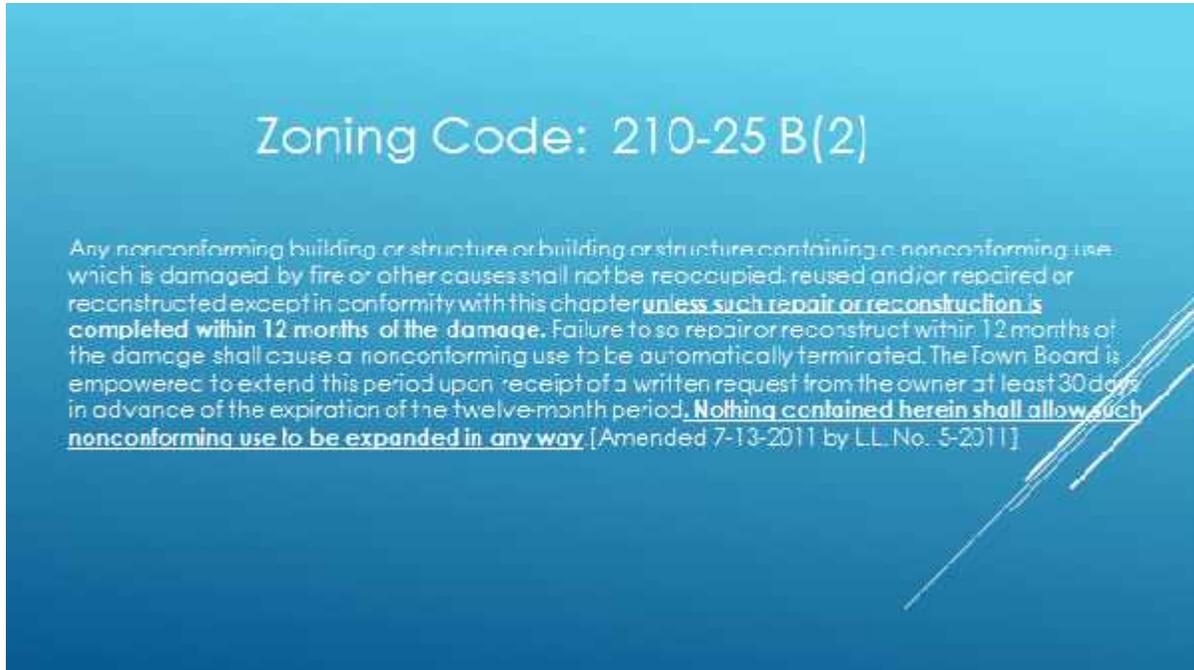


<http://www.all-experts.com/buying-sell.html#p=1175761648/buying-does-commercial.htm> 7/18/2016

Supervisor Venesky: No, that's fine. First of all, I can't answer the first question as to what percentage if the house burned down, or what percentage of the house.

Councilor Becallo: Didn't you bring that up at the last meeting?

Bob Smith: We put that up (referring to Zoning Code: 210-25 B (2) shown below). I actually quoted the Law. Just so you know, if a house burns down its saying they can rebuild the house; they can't expand the use, but they can rebuild the house. But you have to build within a year, I think it was.



Supervisor Venesky: Whatever the Code says, yes.

Sam D'Amico: Even though it's been rezoned Commercial?

Supervisor Venesky: Yes.

Sam D'Amico: Okay, so you're protected then. My other concern, I'm just concerned about the person who wants to live in the house the next ten years. When it comes to getting it financed, it is now Commercial, not Residential. I got one paper here from the VA [Veterans Administration] (pages 1-3 as shown prior) and what VA says is they will do it, but if the community around it is turning up Commercial they want assurance that for the next 30 years that it will be an environment of residential life. If you turn it into Commercial and they knock down three houses to the left and three houses to the right they may run into a problem when they try to get it financed. So I am not opposed or against it, one way or the other. I just want to bring to your attention a couple of things for homeowners and how it may affect them if they want to continue to live in their house. I'd love to come back another day, sit down with somebody and explain the program. I won't take your time.

Supervisor Venesky: When you talk about the Taft Road area, those are the last postcards that went out. We are only looking at really a small area on Taft that really is already Commercial.

Sam D'Amico: Well 31, I see where you've got [Route 31].

Supervisor Venesky: We are looking at 31 from the Clay line to South Bay.

Sam D'Amico: Are those all Commercial now?

Supervisor Venesky: Not all of them.

Sam D'Amico: Right, because there are a lot of residential homes there. Like I said, if I could meet with somebody another day you could explain it to me.

Supervisor Venesky: Absolutely. If you call tell tomorrow we'll set up a meeting with you, I'm open for you.

*Sam D'Amico gave Tracy Cosilmon a copy of the three pages regarding VA loans.*

Judy Boyke: As I was looking for something I happened to stumble upon a local law within the Town Law, it's **§6-4 Zoning**.

A. Historically the most prevalent use of a town's ordinance powers had been in the adoption of the land use regulations. The provisions of the Town Law in this connection, as contained in *Article 16*, provide a special procedure for initially adopting a town zoning ordinance.

**B. Appointment and function of zoning commission.**

- (1) The town board must appoint a zoning commission for the purpose of recommending the boundaries of various districts of the town to be zoned, and the appropriate regulations affecting building and land use in each district.
- (2) The zoning commission will make a preliminary report and hold all public hearings on its recommendations before submitting its final report to the town board. The town board is specifically prohibited from holding its public hearing or taking action on the question of initially adopting a zoning ordinance until it has received the final report from the commission.
- (3) After filing its final report, the zoning commission's functions are complete.

Judy Boyke: I'd like that clarified. Neil, do you know anything about it?

Neil Germain: I can look into that for you. I know the Town needs to hold informational hearings, which it is doing right now.

Judy Boyke: What about this?

Neil Germain: I'll look into it.

Ed Fry: I have a couple of questions. 1. In regards to the sewers that are going to be going past my house, who is paying for the sewers as they go by?

Supervisor Venesky: We haven't finalized a plan for the sewers yet or nothing that I am going to talk to about right now, but I will say that the Developers will be paying.

Ed Fry: Because right now there's not many people in that stretch between Mud Mill Road and the Hamlet. And quite frankly, when you set up a sewer district the cost of the sewer district is distributed evenly throughout the people that have residences in that section. I can tell you that "I" am not going to pay that kind of money for sewer. First of all, I have a very good, working septic system that I just had cleaned out and made sure that it was still 100 percent, which it is. I have got no wish to even hook to a sewer system.

Supervisor Venesky: We are not talking about sewer tonight, but when we do there will be talk, yes.

Ed Fry: Okay. I'm just saying for me, if this zone change is for commercial business and they are not going to do it unless there are sewers, then sewers have to be in place before they're in place. Which means, who is going to pay for it initially? I can tell you that I'm dead-set against that. Second of all, we know that there's no money for an off-ramp on Route 81. There's no money to widen the bridge. Traffic is going to be a disaster no matter what you do. So there's no money now for the track. Not only is there no money for the track, the Governor has moved Dirt Week to Oswego, which just got a multi-million dollar grant to make their city better, so they are going to do all that they can do to hold on to that race, first of all. Second of all, there is no guarantee that that track's ever going to be finished. If he doesn't get the money from the State, which the Governor refuses to come out and commit to, then that things dead.

Supervisor Venesky: We are not hanging our hat on the race track.

Ed Fry: I was told at the meeting I came to that this was based on the track and the business that we would want on the corridor to support the track. Now we don't know if we are going to have that. In my opinion, we are putting the cart way in front of the horse.

Supervisor Venesky: There are a couple of things:

1. We anticipate that in a short period of time, over the next twelve weeks, that we will have another tenant; we have been courting another concern who is very interested in coming to the Town of Cicero.

Ed Fry: On this corridor here, or the track?

Supervisor Venesky: No, it has nothing to do with track.

Ed Fry: Okay. So here's my thought; it's well and good. It's a great conceptual type of thinking, however, I think until we need that space to be Commercial then we can just leave it the way it is. I mean, I talked to the gentlemen who owns the 29 acres behind me, which I forgot to call him and remind him about the meeting tonight (he works tons of hours), his plan was probably to put a house on that property; it's undeveloped and once you change that to Commercial he is done. So his whole reason to buy that 29 acres is gone – on a guess. I just don't see where this is going to help right now. I think we've got the cart way in front of the horse. I should think we should wait until we know that there's a commitment on the track and then we have multiple commitments from commercial people to take the commercial land. If not, we are just doing something that looks good on a map. It affects a lot of people who don't want their property moved over to Commercial. Thank you.

Supervisor Venesky: At this time we will close the public input portion and defer the decision regarding the zone change until our next Regular Town Board Meeting scheduled for Wednesday, July 27<sup>th</sup> at 6:30 p.m. therefore, I move for the adoption of a resolution to adjourn the public hearing and move for a resolution on Wednesday, July 27, 2016. Councilor Karp seconded the motion.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes - 5, Noes - 0, and Abstentions - 0. *Motion carried unanimously.*

#### **Consolidated Funding Application (CFA) – Brewerton Revitalization**

Councilor Karp moved for the adoption of a resolution authorizing the submittal of a Consolidated Funding Grant Application (CFA) to the New York State Department of State Local Waterfront Revitalization Program for funding to finalize engineering documentation and complete associated construction activities within Riverfront Park, and to authorize the Supervisor to sign the application. Motion was seconded by Councilor Cushman.

Supervisor Venesky solicited any Board discussion. There was none.

Ayes - 5, Noes - 0, and Abstentions - 0. *Motion carried unanimously.*

#### **Adjournment**

Supervisor Venesky moved for the adoption of a resolution to adjourn the Special Town Board meeting. Motion was seconded by Councilor Cushman.

Ayes - 5, Noes - 0, and Abstentions - 0. *Motion carried unanimously.*

There being no further business before the Town Board the meeting was adjourned at 7:30 p.m.

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Tracy Cosilmon, Town Clerk

