



The Planning Board of the Town of Cicero held a meeting on **Monday, April 10, 2017** at **6:30 p.m.** in the Town Hall at 8236 Brewerton Road, Cicero, New York 13039.

Agenda:

- ❖ Pledge of Allegiance
- ❖ Approval of Minutes from the March 27, 2017 Meeting (**Approved**)
- ❖ Major Subdivision Preliminary Plan, Wallington Meadows Section 8, Whiting Road, Tax Map No. 087.-01-60.1), 49 Lots, Calocerinos Engineering, PLLC (Approved)
- ❖ Site Plan, Sketch Review, Niagara Mohawk Power Corp., dba National Grid, 5425 Baldwin Street, Proposed public utility facility/contractor storage yard, Andrew Blaszkow (To Return)
- ❖ Minor Subdivision Preliminary & Final Plan, Public Hearing, Chick-Fil-A, Inc., 7932 Brewerton Road, 1 Lot, Bohler Engineering (Public Hearing Opened at 6:52pm and closed at 6:53pm)
- ❖ Site Plan, Chick-Fil-A, Inc., 7932 Brewerton Road, Proposed quick serve restaurant and drive-thru, Bohler Engineering (To Return)

Board Members Present: Bob Smith (Chairman), Chuck Abbey, Mark Marzullo, Joe Ruscitto and Don Snyder, ad hoc.

Others Present: Neil Germain, Planning Board Attorney, Mark Parrish, Planning Board Engineer and Richard Hooper, Codes Enforcement.

Chairman Smith opened the meeting by noting the locations of the two emergency exits, asked that all cell phones be silenced and noted if anyone had difficulty hearing the proceedings please bring it to the Clerk’s attention so the audio system could be adjusted.

Mr. Abbey led the Pledge of Allegiance.

Approval of Minutes of March 27, 2017 meeting:

Mr. Abbey made a motion to approve the Planning Board Minutes from the March 27, 2017 meeting. Mr. Ruscitto seconded the motion. The Chairman called a vote:

In favor 5 Opposed 0 Abstained 0 Motion approved unanimously

Public Input: The Board will accept comment on any ACTIVE Application currently before the Planning Board. Comments must be directed to the Board. If comments are relative to an Application with a scheduled Public Hearing, please hold those comments until the Public Hearing.



Speakers must speak from the podium, provide their name and address to the Clerk, be recognized by the Chair and speak into the microphone. Comments are held to 3 to 5 minutes per speaker. Comments required longer time should be submitted to the Board in writing for consideration and in the Application file.

No speakers came forward.

**MAJOR SUBDIVISION PRELIMINARY PLAN
WALLINGTON MEADOWS SECTION 8
WHITING ROAD (TAX MAP NO. 087.-01-60.1)
49 LOTS
CALOCERINOS ENGINEERING, PLLC**

Steve Calocerinos, Representative

Mr. Calocerinos: This is the final section of the Wallington Meadows Subdivision. We have been before the Board with the revised layout and have submitted the revised drawings to the Board. I am here for plan approval.

Chairman Smith: During our last meeting, we had discussed doing something with the storm water. I know you have been working on that.

Mr. Parrish: We were able to work with Mr. Calocerinos to come up with a different way to address the storm water requirements. We will be having a dry swale system that will provide runoff production requirements of the permit. Very similar to a rear yard swale. It may function a little better actually. We did this in lieu of bioretention areas. We are taking some credit for the green road shoulders. The pervious road shoulders that the Town currently has in place. We still have typical pond behind some of the lots. That is still in place. The Town is familiar with this.

Chairman Smith: So we have done everything that we can?

Mr. Parrish: Yes

Mr. Snyder: Will the sump pumps from the houses go into the underdrain?

Mr. Calocerinos: No, not in the underdrain.

Chairman Smith: Where do we customarily discharge?

Mr. Parrish: That will get addressed during the contract drawing stage. Goal would be to get those to discharge into the storm sewer system if possible. If not, they would either discharge the swales behind the lots. I am not sure of the current policy.

Chairman Smith: The last housing developments, they were burying the pipe all the way back to the storm water.



Mr. Parrish: The goal is to get them to discharge right into the storm waters.

Mr. Calocerinos: There is a rear yard swale as well.

Chairman Smith: In addition to that, please note the County's comments.

Chairman Smith read the comments from the Onondaga County Planning Board.

Chairman Smith: Any other comments? The only thing we had open was for storm water. I think you guys did a good job. This is the last section of this development. I spoke to the neighboring landowners. Mr. Tassone and the Holder family intend on to continue farming.

Mr. Snyder: I think the highway department would like to get rid of dead end streets.

Chairman Smith: Your design with the loop saves a lot of infrastructure. We save a lot of roadway, sewer lines and water lines.

Chairman Smith asked Mr. Germain to construct a motion for the adoption as lead agency.

Mr. Germain: You are going to move for the adoption of a resolution that the Planning Board of the Town of Cicero assume the role of Lead Agency pursuant to the New York State Environmental Quality Review Act.

Chairman Smith put this in the form of a motion. Seconded by Mr. Marzullo.

In favor 5 Opposed 0 Abstained 0 Motion approved unanimously

Joe Ruscitto read: In this matter I move for the adoption of the Planning Board's standard motion in connection with a negative declaration by this Planning Board of the Town of Cicero for the purposes of Article 8 of the Environmental Conservation Law of the State of New York as if fully stated herein.

That is in the form of a motion. Seconded by Mr. Marzullo.

In favor 5 Opposed 0 Abstained 0 Motion approved unanimously

Chairman Smith asked Mr. Germain to construct a motion approving the site plan.

Mr. Germain: You are going to move for the adoption of a resolution approving the application known as Major Subdivision Preliminary Plan Wallington Meadows Section 8, Whiting Road (Tax Map #087.-01-60.1), 49 Lots. Said plan last dated 4/3/2017.

That is in the form of a motion. Seconded by Mr. Abbey.



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

**SITE PLAN
SKETCH REVIEW
NIAGARA MOHAWK POWER CORP.
Dba NATIONAL GRID
5425 BALDWIN STREET
PROPOSED PUBLIC UTILITY FACILITY/CONTRACTOR STORAGE YARD
ANDREW BLASZKOW**

Mr. Blaszkow: I am here on behalf of Niagara Mohawk. We are looking to submit the site application for 5425 Baldwin Street. We would like to use the facility as a public utility facility and contractor storage yard. There is minimal signage. A National Grid sign and a No Trespassing sign. We intend on using the yard as is without any improvements.

Chairman Smith: This was previously owned by you, correct? Now you are leasing it back?

Mr. Blaszkow: Yes. We sold it about 10 years ago.

Chairman Smith: What are the hours of operation?

Mr. Blaszkow: 7-3:30. We do business 24/7 as needed.

Chairman Smith: This is for the high tension repair group. This is a different division than the one we have off Beacon North. There is a lot less activity for this.

Mr. Blaszkow: Yes, the transmission group split years ago.

Chairman Smith: Any changes to the pavement?

Mr. Blaszkow: No.

Chairman Smith: Any changes for lighting?

Mr. Blaszkow: No.

Chairman Smith: Do you have the size for the signs?

Mr. Blaszkow: No trespassing signs...don't have the size of National Grid sign.

Chairman Smith: Can we get those dimensions please? For Mr. Hooper's benefit.

Mr. Blaszkow: Absolutely.

Chairman Smith: We have to have an exact lighting plan if you want to change the lighting.



Mr. Blaszkow: Currently, there is lighting standard on back of property and wall packs on side of building. If we need additional lighting, we will ask for it for approval.

Mr. Ruscitto: Is the back side, broken up asphalt or run off crush.

Mr. Blaszkow: As is per the drawing.

Chairman Smith: Think we can put this on the next agenda Mr. Parrish?

Mr. Parrish: I will try to get them comments by Thursday. Turn around back to me the following Tuesday. That will give me sufficient time.

Mr. Blaszkow: OK.

**MINOR SUBDIVISION PRELIMINARY & FINAL PLAN
PUBLIC HEARING
CHICK-FIL-A, INC.
7932 BREWERTON ROAD, 1 LOT
BOHLER ENGINEERING**

Chris Boyea, Representative, Bohler Engineering
Jason Pociask, Chick-Fil-A, Inc.
Dave Everett, Land Use Attorney, Chick-Fil-A, Inc.

Chairman Smith: This is for the subdivision portion of the site plan.

Mr. Boyea: I am filling in for Rob. We are excited about bringing this project here. We are looking to develop the parking lot. We are proposing a subdivision of the 2 acre lot. For the public's interest, we are looking to make this into two lots. Right now, there is one lot. We are looking to make one 1.19 acre lot for our development. The balance is 0.84 acres remaining for a future development project at a future date. It is paved and will remain paved. The access for the two lots will be in the rear – no change.

Chairman Smith opened the public hearing at 6:52pm.

Chairman Smith invited anyone who wished to speak for, against, or to comment on the subdivision application to approach the podium at this time.

No one approached the podium.

Chairman Smith closed the public hearing at 6:53pm.



Mr. Germain: We are looking for an agreement for the parking. I will need that at some point.

Mr. Parrish: We have provided them with several comments that need to be addressed. At this point, the comments need to be addressed. We recommend that you hold off on approval until we get comments.

Mr. Parrish read the comments that were submitted to Bohler Engineering for comment.

Mr. Boyea: We will address all of the items. We have updated the plan to show the water easement along the front.

Chairman Smith read the comments from the Onondaga County Planning Board.

Mr. Everett: With respect to the request for the parking agreement, we did provide that information in the letter that we submitted to the Board on March 31st. Would it be possible to approve the subdivision tonight conditioned on the conditions.

Mr. Germain: I would hold off. You are going to have to come back anyway.

Mr. Boyea: We need the lot subdivided before we have site plan approval.

Chairman Smith: We frequently do both at the same time. We will be able to make a determination on both.

**SITE PLAN
CHICK-FIL-A, INC.
7932 BREWERTON ROAD
PROPOSED QUICK SERVE RESTAURANT AND DRIVE-THRU
BOHLER ENGINEERING**

Chris Boyea, Representative Bohler Engineering

Mr. Boyea: We are looking to put a 5000 square foot Chick-Fil-A facility. This could be one of the first in Upstate New York. We are very excited. There are approximately 120 seats inside. There are 24 seats outside. 72 parking spaces. We have developed a full plan and submitted that. It includes drainage, lighting, landscaping. Much more detail is now available for review and discussion. We have included the sign packages. One for the lot we are developing and one that has a shared sign for a future tenant on the second lot. We are subdividing so there will be two lots. There is cross access across parking. It does function as one unit. We have received comments from both the town engineer as well as other agencies. I am not sure there is anything that needs to be discussed further.

Chairman Smith: The Onondaga County Planning Board comments were the same for site plan as they were for the subdivision.

Mr. Boyea: We are here to answer any questions you may have.



Mr. Germain: Same issues as before. The shared parking agreement and easement. I will need the actual parking agreement. I can go over that with your attorney.

Mr. Parrish: We provided a list of comments to them and are awaiting response back to those comments. I would recommend that approval not be considered tonight and we wait until we receive those comments.

Chairman Smith asked Mr. Parrish to read the list of comments. Mr. Parrish read the comments.

Mr. Parrish: There were some minor items relative to the storm water. Nothing we need to discuss here.

Mr. Pociask: We did separate the lines, just to let you know.

Mr. Parrish: The traffic issues and site circulation. I would like to see something from DOT. Assumption on internal caption of trips. To me, the percentage seemed a bit high. Traffic light questions. I would like to see DOT sign off on that. We need to discuss this some more.

Mr. Boyea: With the trips, this is a not a number that we put out specific to this site. This is a factor that is in a reference per industry standard. It is not necessarily for Brewerton Road. That is an industry standard. It considers things like new trips would be from out of the area new trips, in that 66%, we are not just talking about capturing Home Depot, maybe Walmart people may stop, what is in the intersection, what is near it? There is a lot of traffic in that area. We hope that people will travel for Chick-fil- A.

Chairman Smith: So some of the 66% would be people who may have previously gone to a different fast food restaurant, but are particularly going to Chick-Fil-A instead.

Mr. Boyea: That is correct. My daughter has a wheat and gluten allergy. As an example, Chick-Fil-A does have nugget and fries that she can eat. That would influence our decision.

Mr. Parrish: I am just asking for a little bit more information on how they came up with that percentage. There is a way to arrive at an actual number. There is a methodology that you follow to come up with that percentage. There are additional trips being generated through that intersection .. on that approach to that intersection.

Mr. Boyea: Yes, we can provide more information.

Chairman Smith: SWPP comments. Have you seen it yet?

Mr. Parrish: Waiting for response back.

Mr. Boyea: We have not responded yet. Those are all minor. Nothing of substance. We will address those.



Chairman Smith: We can get those comments by next meeting?

Mr. Boyea: Yes.

Chairman Smith: Parking and circulation. Basis for parking spaces. Can we get that noted on the plan. How many employees and seats.

Mr. Parrish: You have 55 spaces on your site. 17 on shared parking for a total of 72. What is your number of employees? How many seats?

Chairman Smith: How many employees do you have working?

Mr. Pociask: 12-15 employees per shift.

Mr. Boyea: 120 seats inside and 24 outside.

Mr. Parrish: 72 spaces, 12 employees, about 60 spaces left. You are banking on 2 people per car which is reasonable.

Mr. Pociask: About 60% of our business in drive thru.

Chairman Smith: It sounds like you have enough parking spaces. Please put number of employees on average shift.

Chairman Smith: Lighting, landscaping needs to be reviewed. Cut sheets provided.

Mr. Boyea: Our plan has a full lighting plan now.

Chairman Smith: Lighting has been addressed and resolved?

Mr. Boyea: Yes, when we resubmit the revised.

Mr. Parrish: Height of the signs. I want to know what the height is.

Mr. Boyea: Sign package review. This is a new concept for upstate New York. Not a very well known brand up here. We want to make sure it is a great success.

Chairman Smith: You apparently have a large following up here.

Mr. Boyea: From a signage standpoint, we have a sign proposed on one wall sign on each side of the building, we have a pole sign in front. That pole sign is 35 foot in height. One pole sign will be on the adjacent lot and that will be shared with a tenant. We eventually think that lot 2 is going to be developed. With no new curb cut being proposed, DOT would most likely frown upon an access curb cut. The concern that we have is from people on the right side traveling to the left side we need to capture that person before they hit the light. There are too many



competitors that will steal that customer. We want to make sure we have the visibility. On the current plan, we are closer than the 20 ft setback that is there. What we are proposing is to make both sign comply with that 20 ft setback.

Chairman Smith: I think the discussion is the signs out by the road.

Mr. Hooper: 24 feet height is allowed.

Chairman Smith: If you went higher than 24 foot, that would require a variance. We are not authorized to approve that. The only way you can go 30 foot is to go for a zoning variance through the ZBA. That would be a delay. That is your decision.

Mr. Hooper read the code pertaining to the height of the sign.

Chairman Smith: We do not have the authority to approve anything taller than 24 feet.

Mr. Everett: Can we get approval condition on variance from ZBA?

Chairman Smith: No.

Mr. Pociask: Part of the reason is so we could get above the Home Depot sign. We wanted to get higher than the sign. Wasn't just picked arbitrary. Trying to clear Home Depot sign. The bottom of our sign had to clear the top of theirs.

Mr. Germain: If in conformance with the code, one of the provision is 210-4 signs advertising sign will not exceed...look at the codes. If it is greater than 20 feet, it becomes a whole different avenue. I would suggest that you look at that codes section

Mr. Everett: What is the solution?

Mr. Parrish: It can be 20 square feet or less if it is on the other lot.

Mr. Everett: Can we get a variance from the ZBA?

Mr. Parrish: :It would be designated as a billboard.

Mr. Germain: Frankly, I don't think it would work for you.

Mr. Parrish: The billboard requirements are very restrictive. I don't think you would have adequate frontage.

Chairman Smith, the Planning Board Members, Mr. Parrish, Mr. Germain, Mr. Everett, Mr. Boyea and Mr. Pociask had a lengthy discussion regarding the sign requirements as set forth by the Town Code. Mr. Pociask stated that they would continue to work on the signage issue and will work on a resolution that conforms to the Town Zoning Code.



Mr. Everett: What is the submission deadline for the 24th meeting? Would a week before work?

Chairman Smith: Yes.

Mr. Germain: As soon as you possibly can.

Chairman Smith: Please ask Rob to call me by next Monday to see where we stand.

Mr. Boyea: I will.

Chairman Notes: Nancy Miller, a resident of Cicero, requested to speak at the end of the meeting. She states that she recently visited a Chick-Fil-A and it was a great experience for her. She took pictures of the parking lot and signs and observed the ease of traffic flow.

Chairman Smith: Do any members of the Board have anything additional? The Board did not have anything further.

Mr. Abbey made a motion to adjourn. Mr. Ruscitto seconded the motion. The motion was approved unanimously.

Next Scheduled Regular Meeting: Monday, April 24, 2017 at 6:30 PM

IN AS MUCH AS THERE WAS NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 7:50 pm.

Submitted by Lisa L. Stewart
Planning Board Clerk