



The Planning Board of the Town of Cicero held a meeting on **Monday, August 22, 2016** 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 August 8, 2016 Meeting (**Approved**)
- ❖ Minor Subdivision Preliminary & Final Plan, Public Hearing, Island Hollow, 6274 Island Road, 2 Lots, Ianuzi & Romans (Public Hearing Closed)
- ❖ Site Plan, Public Hearing, Island Hollow (Two Plus Four Construction), 6274 Island Road, Proposed Multi-Family Development, Keplinger Freeman Associates (Public Hearing adjourned to September 26, 2016 meeting)
- ❖ Site Plan, Michael Jordan, 7778 Brewerton Road, Proposed church and thrift store, Ianuzi & Romans (To Return)
- ❖ Site Plan, Manishaben Patel, 8019 State Route 31, Proposed kerosene tank, LED sign and roof overhang, Ianuzi & Romans (Approved)
- ❖ Site Plan, Robert Popyk, 5472 Miller Road, Proposed performing arts school, Ianuzi & Romans (Approved)
- ❖ Site Plan, J&J Equipment, LLC, 5775 Sneller Road (lot 4 Lonergan Way), Proposed 10,500 square foot commercial building, L.J.R. Engineering, P.C. (To Return)
- ❖ Site Plan, Approach Associates, Stewart Drive West (Tax Map No. 057.-02-29.3), Proposed building, C&S Engineers, Inc. (Approved)
- ❖ Site Plan, Niagara Mohawk Power Corp., dba National Grid, 8842 Brewerton Road, Proposed marshalling yard, Charles Andrew (Tabled per applicant request)
- ❖ Site Plan, Niagara Mohawk Power Corp., dba National Grid, Northern Blvd (Tax Map No. 055.-01-20.0), Proposed marshalling yard, Charles Andrew (Tabled per applicant request)
- ❖ Zone Change Recommendation, District Zone Changes for Comprehensive Plan Update (Recommended)

**Board Members Present:** Bob Smith (Chairman), Joe Ruscitto, Greg Card and Chuck Abbey.

**Others Present:** Neil Germain, Planning Board Attorney, Mark Parrish, Planning Board Engineer, Richard Hooper, Codes Enforcement and Vern Conway, Town Councilor.

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. Card led the Pledge of Allegiance.



Chairman Smith: Mr. Marzullo is absent tonight. His father passed away. Our thoughts are with Mark tonight.

Approval of Minutes of August 8, 2016 meeting:

Mr. Card made a motion to approve the Planning Board Minutes from the August 8, 2016 meeting. Mr. Abbey seconded the motion. The Chairman called a vote:

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

**MINOR SUBDIVISION PRELIMINARY & FINAL PLAN  
PUBLIC HEARING  
ISLAND HOLLOW  
6274 ISLAND ROAD, 2 LOTS  
IANUZI & ROMANS**

Tim Coyer, Representative Ianuzi & Romans

Chairman Smith: We have two public hearings on the same project tonight. The first one is relative only to the subdivision of the land. The second one is for the project. We are required to hold a public hearing when subdivided from one lot into two or more. The comments on that are simply to the subdivision of the land. It is not about the project. We have to keep the two hearings separate. When we hold a public hearing, there are rules that must be followed.

Chairman Smith 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.

Chairman Smith opened the public hearing at 6:34pm.

Mr. Coyer: We are proposing a subdivision of the existing parcel located on Island Road. You can see that we have a subdivision line here. Lot 2, Lot 1. Lot 2 has a 30 foot strip. Lot 2 will go through Lot 1. Private easements and private roadways. We do not have to add the public water and easements. We sent them to Mr. Germain for his review. Lot 2 will only have access through private roads. The entire project is zoned RM- residential multiple.



Chairman Smith: When was that zoning put in place?

Mr. Coyer: I am not sure but I know it was before 2010.

Chairman Smith: Can you talk about the easements? Where are they located?

Mr. Germain: The easements will come. At that point, we will review the easements as provided and make sure they are proper and recorded in the Onondaga County Clerk's Office. The maps will not be signed until the easements are recorded.

Chairman Smith: The two lots are how many acres?

Mr. Coyer: 48.25. Lot 1 will be 19.23 acres and lot 2 will be 29.12 acres. We have to add the areas that we need to subtract out for the easements.

Tim Murphy, Noel Road:

Mr. Murphy: Are you going to close the public hearing tonight? I don't think you should if we don't know the easements. I think that is crucial.

Chairman Smith asked the Board if they felt the need to keep the public hearing open. Chairman Smith and the board favored closing the public hearing.

Chairman Smith closed the public hearing at 6:40pm.

**SITE PLAN  
PUBLIC HEARING  
ISLAND HOLLOW (TWO PLUS FOUR CONSTRUCTION)  
6274 ISLAND ROAD  
PROPOSED MULTI-FAMILY DEVELOPMENT  
KEPLINGER FREEMAN ASSOCIATES**

Ed Keplinger: Representative, Keplinger Freeman Associates

Chairman Smith: Mr. Germain has already covered the rules for the public hearing. Understand that this public hearing and what is before this Board, how this project is funded and the demographics of the people who will live there are not for consideration of this Board. Those two issued cannot be considered. We consider traffic, transportation, sewer, water, life issues, etc. but we do not consider the demographics, especially income level of those who live there. Everyone needs to be aware of that.

Mr. Keplinger: This Island Hollow project is a 94 unit residential housing project located on the south side of Island Hollow Road. On the east side of the property is construction. The South



side is undeveloped land. The West side is residential and undeveloped property. The North side is some undeveloped parcels and some residential. Site disturbance is roughly 19 acres. Most will occur on Lot 1 which was reviewed earlier. There will be 16 building. The East is a 36-unit apartment building. It will be 2 stories. There will also be 58 townhouse units, comprised of 12 4 unit houses and 2 5 unit townhouses. The community building is adjacent to Island Road. There will be 4 6 bay garages. 2 driveways will serve this development from Island Road, one in the West and one towards the East. Driveways will be private and maintained by the developer. They will not be Town roads. The 36 unit apartment building will have roughly 54 parking spaces. Townhouse parking will have parking located along the private drive, pull up to serve each townhouse. Roughly 100-110 parking spaces. Small parking lot associated with the community building. Roughly 11 parking spaces. Playground also. There will be ample amount of sidewalks. Every building will be connected through sidewalks. There will be parking on both sides of the road. There will be plenty of landscaping. Plenty of street trees being proposed. Each will have a foundation planting. The property lines will have a dense evergreen buffer to separate it from the development. There are two storm water management basins proposed. One in the south and one on the northeast corner. These will mitigate any storm water runoff.

Chairman Smith: Question for Mr. Parrish. If this is subdivided prior to the SWPP, will it require two?

Mr. Parrish: Not necessarily. The SWPP has been prepared for the entire site plan presented.

Mr. Card: If Lot 2 is planned, then Lot 1 will need to require one then.

Mr. Parrish: When Lot 2 develops, there will be a SWPP plan prepared.

Mr. Card: Going back to the easements, that basin is on Lot 2, they will have to identify who is responsible for maintaining that.

Mr. Parrish: Yes, we recommended that easements be provided on Lot 2 so Lot 1 can utilize it.

Chairman Smith: Same owner, same easements.

Mr. Germain: It is only an issue of it is the same owner on both lots. You would craft it carefully to have another party involved. We will look at it if, and when, the time comes.

Mr. Keplinger: Sanitary facilities will be handled by a pump station located on the Southwest corner of the property. Water will be designed and constructed by OCWA. OCWA will have a 30 foot easement.

Chairman Smith opened the public hearing at 6:38pm:

Mary Anne Houck, 8003 Kings Hotel Place:



Ms. Houck: How many people do you predict to be living in this complex? How many apartments?

Mr. Keplinger: 36 apartments and 58 townhouses.

Ms. Houck: Let's say 2 per each – predicting will over 100 people to live in the development. So that seems like a lot of people within our neighborhood. There will be increased traffic cutting through.

Terry Lockett, 6065 Lisi Gardens:

Mr. Lockett: I read the qualified allocation plan. I beg to differ that we cannot talk about income levels. I understand that the developer gets more but I would like to know what the income groups are typically, 30%, 40%, 50%? What I would like to see is him create a mixed income group to diminish poverty. Part of the New York State program. What I am also concerned about is that you are putting low income in the place where there is no public transportation. How are they going to get to their jobs? Also, if there is going to be bus service, can a bus turn around there?

Chairman Smith: As lead agency, we have scheduled a coordinated review and the County is assisting. Centro, Onondaga County DOT, Fire Department, SMTC are all involved.

Mr. Lockett: I do not want low income people placed where they do not have any transportation.

Mr. Warsawn, 7993 Jarspa Lane:

Mr. Warsawn: My main concern is housing values. With this housing, what is that going to do with our property values? A lot of jobs have left New York. Tax subsidies. I would like to know all those details. I want the specifics.

Chairman Smith: That is a legislative direction for the Town Board. This Board has no authority for taxes. Just so you know, you need to approach the Town Board for that.

Mr. Warsawn: How about the sewer system?

Chairman Smith: Onondaga County Water and Environmental Protection will comment on that. They are in charge of the sewers.

Mr. Warsawn: What about the easements. Where is the Riccelli asphalt plant?

Chairman Smith: That is further to the south. He is mixing concrete, not asphalt. Everyone should be aware that all of the parcels around this are zoned industrial. Just so you know. It is appropriately zoned for residential multi family use. That was done prior to 2010. As far as the use, it has been approved. It is surrounded by industrial. Town board is in charge of taxes. Supervisor is Mark Vanesky.



Mr. Warsawn: I will get in touch with Mark. Thank you.

Les Madison, 6309 Rachel Town Course:

Mr. Madison: I have some questions. One, the road that is going on the left hand side, is there any way you can tell me how far that it is before you get to the light before Northern Boulevard?

Chairman Smith: We can address that. That is a private driveway. None are owned by the Town of Cicero. None meets the Town road standards. None of those driveways will be owned by the Town. We have expressed that to the developer and they understand that the roads will not comply. Island Road is a County road. I have sent this back to the County Planning Board. They will also look at it. As part of the coordinated review, we will have all of the agencies there. Traffic is a concern.

Mr. Madison: What about the next driveway down, is that also private?

Chairman Smith: Yes.

Mr. Madison: But that is the main entrance? What is the distance? Do you know? Between the east driveway to where it comes in on Joss Farm.

Chairman Smith: Mr. Parrish, will you determine the distance between the driveway and Joss Farm?

Mr. Madison: Also the drainage easements. Who is responsible for cleaning them and taking care of them? Where we live, we are downhill, so those basins if they get overgrown, is there a concern that the water come down to us?

Mr. Germain: It is a private facility. The applicant and the property owner are responsible. Not the Town.

Mr. Madison: The property owner. We have no say.

Mr. Germain: That is not necessarily true. They do have to maintain it. There would be a violation of their site plan if they did not.

Chairman Smith: It is noted that you are concerned about traffic, site distances and storm water.

Diane Gavin, 6259 Island Road:

Ms. Gavin: I just want to voice my concerns. I feel that this housing project would negatively affect the character of our community. I do not feel that this is a good place for our elderly. There are no sidewalks on Island Road, no public transportation, no nearby grocery stores. This sewer system is being funded by the State. Where are they getting the money for the sewer system? Are they getting a grant?



Chairman Smith: The State is not paying for the sewers.

Ms. Gavin: They won't contribute to Island Road sewers.

Chairman Smith: The State wouldn't get involved. Sewers are built by the town. The developer is solely responsible for the sewer expense. They have to build a pump station and put in sewer lines and it has to be in accordance with the County.

Ms. Gavin: I am concerned about the traffic on the road. What about the school district? Are they going to be paying taxes into the school district?

Chairman Smith: I have asked the same question. I want to hear the comments on how this will affect the school district resources and transportation. We are trying to get the school to attend the meeting.

Mr. Gavin: I am also concerned with our property values.

Chairman Smith: The Planning Board does consider that.

Jody Rogers, Director of Park and Recreation

Ms. Rogers: The issue of senior housing and housing for seniors that do not meet income eligibilities. There are 500 households that are part of our program. They are looking to move somewhere in our community. We offer transportation with our small bus from our center to their residences within the Town. There was a presentation done at our Senior Center. Some of our seniors would like to move into this type of residence that they can afford. Some don't meet an income level. The waiting list for the senior project in North Syracuse is over 200 people. There are approximately 250-300 apartments for seniors in the Town of Cicero. All of them have waiting lists. There are waiting lists and our seniors want to stay in this community. Most of them have to move out because they cannot get local housing here.

Richard Garld, 8456 Ferguson Road:

Mr. Garld: My concern is this is adult senior housing where people are alone. You are allowing private drives to be put in. How will a first responder get there if the roads are not suitable for Town trucks and/or school buses? How will it be safe? What if something happens?

Chairman Smith: To answer that question, the North Syracuse Fire District responded. They are part of the coordinated review. That is a concern. Most apartment complexes do have private roads.

Mr. Garld: Isn't it the Town decision to allow this to happen?

Chairman Smith: We get to make the decision about mitigation. Acceptable use decision was already made when it was zoned residential mutli family. This is an approved use.



Mr. Garld: Private drive indicates what?

Chairman Smith: Just that the Town does not own the road

Mr. Garld: Is coordinated review a public hearing?

Chairman Smith: It is held here but it is not a public hearing. We are coordinating all the agencies so we can ask all the same questions you have.

Luanne Bure, 6255 Hessler Farm Path:

Ms. Bure: Is this going to be elderly for all incomes?

Chairman Smith: There is a senior citizen component. The townhouse project is open to all ages and it does have some income clarification. It will be mixed use.

Ms. Bure: What about crime from having poor families? I have a business.

Chairman Smith: We are not labeling anyone. There will be additional police services because more people to protect.

Ms. Bure: Crime is my concern.

Les Madison, 6309 Rachel Town Course:

Mr. Madison: Is there any way that you can restrict colors? This is going with the property values that are in there.

Chairman Smith: We will raise that discussion again. Because there is state funding involved, we will clarify that.

Chet Zuzinski, 7169 Island Road:

Mr. Zuzinski: The apartments, are they one story, two story?

Chairman Smith: They are 2 story.

Mr. Zuzinski: Is it true 2 story?

Chairman Smith: Yes.

Chet Zuzinski: I am sure that the North Syracuse Fire Department took this into consideration that this is basically a 3 story roof. Even with the apartment building, there is no access if there is some type of fire. The back two corners.



Chairman Smith: I believe that they asked us to consider a sprinkler system because they could not get to the back of the building. I know that is also a concern of theirs.

Mr. Zuzinski: Basic life safety issues. What about when you get to the end of the road, it doesn't have wide shoulders. Once they leave the development, it is hazardous. We cannot talk about the type of people in this development but it is probably a good possibility that some of these people may not have the ability to drive to stores. I would like to point out that we had a very unfortunate accident on the bridge on South Bay Road of the young man that was tragically killed. From the information that I have been able to gather on my own, there is going to be more people walking on the roads to the neighboring stores.

Chairman Smith: I have look at it also. I have been measuring the distances as to how far the distances are to the services and the school. There is going to be children. Some going to high school. There is no way to get back and forth. There are no sidewalks. No way to get a walkway across that bridge.

Mr. Zuzinski: The children are not going to walk Northern Boulevard or Thompson Road. They are going to walk through The Crossings.

Chairman Smith: Traffic is an issue and it is a concern. Seniors also lose their licenses. There may come a point.

Mr. Zuzinski: I think you should seriously consider these life safety issues.

Chairman Smith: That is one of my concerns as well. The County is looking into it.

Tim Murphy, Noel Road:

Mr. Murphy: You are talking about the sewer systems. What is there now?

Chairman Smith: The Town brought sewers down when The Crossings were building. The developer has to bring sewers over and a pump station to bring it back.

Mr. Murphy: Not a gravity feed?

Chairman Smith: They have to build a pump station. The Town invested somewhere between \$70-80,000 with the agreement of the developer. We paid for that.

Mr. Murphy: We paid for that.

Chairman Smith: The developer agrees that they have to increase the size of the pump station. I have asked.

Mr. Murphy: Is the size of the pipe adequate enough?

Chairman Smith: Yes.



Mr. Murphy: What about the neighbors? Adequate buffers? You guys changed the zoning in 2001 arbitrarily.

Chairman Smith: This Planning Board has never changed zoning.

Mr. Murphy: How are you going to protect the residents?

Chairman Smith: There are trees all the way around.

Mr. Murphy: How big are the trees? 2 feet tall?

Chairman Smith: We will find out. Property owners actually agreed to this.

Mr. Murphy: They must have been bought off.

Kyle McWeeney, 7948 Joss Farm Road

Mr. McWeeney: These buildings are essentially apartments?

Chairman Smith: This is a senior citizen subsidized apartment and townhouse complex. They all have their own entrance.

Mr. McWeeney: This is all zone residential? Per New York State law, apartments are required to be on commercially zoned land.

Chairman Smith: No, the Town Board determines the zoning, not the state. This is zoned residential mutli family. The State does not control that, each Town does.

Mr. McWeeney: The state law states that it if an apartment that falls on...more than a 2 family residence, then apartments fall under commercial.

Chairman Smith: This Board does not do the zoning law. It has been determined that it is an allowed use. We do have to consider it.

Chet Zuzinski, 7169 Island Road

Mr. Zuzinski: Just to give you a little insight, we approved the sewer line back when I was on the Board. The only reason we did approve it with the developer is that the pump station capacity would be large enough to anticipate any type of growth on Northern Boulevard. That is the only reason we agreed.

Chairman Smith: I have asked the Town to look into that.

Mr. Zuzinski: If the developer does not increase the capacity as was agreed on if that capacity is not there, I distinctly remember that meeting.



Chairman Smith: Mr. Conway also remembers that meeting.

Mr. Zuzinski: Adequate enough to offset the taxes.

Judy Boyke, 6303 Muskrat Bay Road

Ms. Boyke: I have a few concerns. Because these are private roads, garbage trucks will not go down there. Access will have to be available.

Chairman Smith: The developer understands that they are going to be solely responsible.

Ms. Boyke: School buses as well. They will not go down there. They will have to walk. I think because there are so many questions, I hope that the Board will keep the public hearing open, we need to get some of these questions answered.

Cindy Bane, 8557 Snowshoe Trail

Ms. Bane: My biggest concern is the amount of traffic. There have been several accidents. How are they going to handle all these people? Our values are going to go down to have subsidized housing next to us. I take pride in my house. You know that the value is going to go down, you know more than you are letting on.

Chairman Smith: This Board was not even required to do a public hearing. We asked for the public hearing. We are not required to notify everybody. I sent postcards at the Town's expense. That is wrong and offensive. We don't have the answers yet.

Ms. Bane: How come we heard about this through the grapevine? What isn't is published in the paper?

Chairman Smith: We have gone to the extreme. We want to hear the comments. We are trying to derive answers. We are trying to find answers to all of these questions. Nobody has any intention of approving this project today.

Ms. Bane: I am very concerned about the housing value and the traffic. Several lives have been taken. Finally put up the traffic light. Unbelievable amount of traffic.

Chairman Smith: We understand that. That is the point of this hearing. There is nothing that we know that you don't know. There is a public file that you are welcome to review. Nobody is hiding anything.

Diane Gavin, 6259 Island Road:

Ms. Gavin: The buses cannot go down those private drives? So if there are kids living there, they all have to walk?



Chairman Smith: To Island Road, yes.

Ms. Gavin: There cannot be groups of kids standing there. It is not safe. That is a concern.

Debbie Joss, 6268 Island Road:

Ms. Joss: I am concerned about the traffic. I am not one of those three houses. I am on the other side. I am very close to the Joss Farm opening. With that development, we gained a lot of traffic on our road. We have no shoulders, no sidewalks on our road that are available to people. It is very dangerous there. I drove school bus for 35 years. Those kids waiting at the corners for the bus, there are no street lights. There is no place for them to stand. It is very dangerous. Traffic is a real issue. Are you going to do a traffic study?

Chairman Smith: We are waiting for the State DOT. We are working with the Commissioner of the Onondaga County DOT. They will have people at the coordinated review. You are going to see increased truck traffic which we want to take into account. Were you up on Northern Boulevard where they put in the truck turnaround? Since we do have a concrete plant, we have to take that into consideration.

Ms. Joss: Heading east on Island Road for Northern Boulevard, the speed limit is 45mph. Heading west is 35 mph. That needs to be looked at.

Chairman Smith: We will bring that to their attention. That does seem strange. We don't set the speed limits, the Town Board does, with the input of the County.

Ms. Joss: About Centro transportation, now you are adding even more problems to the mix. Not just cars and trucks, but now Centro traffic. That is a concern.

Chairman Smith: My suspicion is that if we get Centro up here, I don't hold out much hope that we are going to get additional routes from Centro. If they should decide to add Northern Boulevard, it would increase the traffic.

Chairman Smith: Does the Board want to hold the public hearing open? We are still waiting for County referral. We are going to hold it open until September 26<sup>th</sup>.

Chairman Smith adjourned the public hearing at 7:36pm.

**SITE PLAN  
MICHAEL JORDAN  
7778 BREWERTON ROAD  
PROPOSED CHURCH & THRIFT STORE  
IANUZI & ROMANS**

Tim Coyer, Representative, Ianuzi & Romans  
Michael Jordan, Applicant



Chairman Smith: You received your variance?

Mr. Coyer: That is correct. Located at corner of Route 11 and Taft Road in Cicero. About ½ acre. Right now it is two existing separate tax parcels. We will have to combine the parcels into one. Proposing to use the building as a thrift store and part time worship center. The thrift store will be open Wednesday-Thursday and Saturday. Worship is Saturday night and/or Sunday night. Per County comments, they are shutting down the one entrance. They are removing pavement on the side. They are adding pavement in the back. 17 parking spaces in back. 3 designated for employees. We did get a variance for the driveway entrance. It was approved August 1 by the Zoning Board.

Chairman Smith: How far is that entrance?

Mr. Coyer: Approved is 108 and we are proposing 112. There is proposed landscaping to buffer. There is an existing sign being removed in the front. Replaced with sign on south side of the building. We will utilize all existing utilities on site, no new utilities.

Chairman Smith: What about the exterior:

Mr. Coyer: They are going to try to fix up the exterior.

Mr. Jordan: We did not bring the color samples. We are looking at a tan or khaki color or a clay color.

Chairman Smith: We will need those. The Planning Board has taken a bigger role in the color schemes. We would want the colors that you pick so the Codes office will have them for their file. Are you making any other changes to the exterior?

Mr. Jordan: Just painting and cleaning it up.

Chairman Smith: Anything additional? What about lighting?

Mr. Coyer: One proposed wall pack.

Chairman Smith: Is the cut sheet to the engineer?

Mr. Coyer: Yes.

Chairman Smith: Mr. Germain, any legal issues?

Mr. Germain: I think you are going to change your plan to show your difference in two spots. Modify the plans to reflect the pavement changes.

Mr. Parrish: It does reflect that.

Chairman Smith: What are you replacing the pavement with?



Mr. Coyer: Grass.

Chairman Smith: Any landscaping changes?

Mr. Coyer: Nothing additional.

Chairman Smith: We have not asked for a sidewalk. The State DOT has determined that we do not want people walking up that side of the street toward Circle Drive. There is no safe way for them to proceed. The State is going to put a sidewalk and a crosswalk. They do not want to encourage foot traffic on the east side of Route 11.

Mr. Abbey: When do you plan on getting started?

Mr. Jordan: We need to get the building checks for asbestos.

Mr. Abbey: The roof is caving in.

Mr. Coyer: That is all the mechanical stuff on the roof. Part of the plan to get all that off there. We've got some work to do.

Chairman Smith: The interior is creepy.

Mr. Card: It will definitely be an improvement.

Chairman Smith: Come in with your colors.

Mr. Hooper: Just the sign and the colors.

Chairman Smith: I will bring this back for our next Planning Board meeting.

**SITE PLAN  
MANISHABEN PATEL  
8019 STATE ROUTE 31  
PROPOSED KEROSENE TANK, LED SIGN AND ROOF OVERHANG  
IANUZI & ROMANS**

Tim Coyer, Representative, Ianuzi & Romans

Chairman Smith: We are here for the final decision as to whether the applicant will agree not to put signs in the windows.

Mr. Coyer: The applicant has agreed. I forwarded you the email from the applicant agreeing. There was a question from Mr. Marzullo about the temporary sign he was looking at. It is gone now.



Chairman Smith: That is a much cleaner appearance.

Mr. Card: He definitely cleaned it up.

Chairman Smith: With his agreement that he will not place any signs in the windows, I am sure that Mr. Germain will include that as part of the resolution.

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 is the form of a motion. Mr. Abbey seconded the motion. The Chairman called a vote.

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

Mr. Ruscitto read: Be it further resolved that the Planning Board of the Town of Cicero hereby determines based upon the applicant's completed environmental assessment, the information presented by the applicant, the information contained in the Planning Board's Engineer's Review Letter, the information contained in the Onondaga County Planning Board's referral, if any, the Planning Board's personal knowledge of the Site, and all other information presented and proceedings had herein 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. Further the Planning Board Chairman is authorized to complete environmental assessment form in accordance with the findings and proceeding had herein.

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

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

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

Mr. Germain: You are going to move for the adoption of a resolution approving the site plan application known as Manishaben Patel, 8019 State Route 31, Proposed kerosene tank, LED sign and roof overhang, said plan last dated August 4, 2016. This approval is contingent 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 applicant's site plan indicates that there will be No modifications are proposed to the water service and no increase in the water flow. The Planning Boar reserves the right at any time verify the actual average water flow to verify that it conforms to the projections supplied by the applicant. The Applicant, including its successors and /or assigns agree as a condition of this approval to cooperate with any reasonable request of the town to verify the applicant's water flow and usage. In the event the projections and the amount of mitigation were not adequate based upon verification of the actual flow, the Applicant will pay the Town the Short fall between the projected usage and the actual usage.

4. The reader board signage will not display any neon or loud or overly bright colors and no messages will scroll in an interval of less than 15 seconds. There will be no flashing, osculating, or scrolling of messages. The applicant has volunteered and agreed to display Amber Alerts when requested to do so by Town officials. The sign may be internally but not externally lit.

5. The applicant has presented a comprehensive sign package which doesn't include signs in the windows or displayed by attaching signage to any glass or transparent portion of the structure. The applicant has voluntarily agreed not display signs of any nature in the windows or inside the structure such that they can be seen from the outside of the structure. Accordingly this approval is conditioned on a complete prohibition of any sign of any nature in the windows or inside the structure such that they can be seen from the outside of the structure.

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

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

Chairman Smith noted that this site did not have an original site plan.

**SITE PLAN  
ROBERT POPYK  
5472 MILLER ROAD  
PROPOSED PERFORMING ARTS SCHOOL  
IANUZI & ROMANS**

Mr. Coyer, Representative, Ianuzi & Romans  
Robert Popyk, Applicant

Mr. Coyer: This is the old church located at Miller Route, Route 11. North is down on the map. The applicant is seeking to use the structure for a dance studio.

Chairman Smith: Performing arts studio.

Mr. Coyer: Correct. About 5 and ½ acres. It is zoned agricultural. The proposed studio will be open Tuesday through Saturday, 2-8pm. Total employees is 2. Total max students is



approximately 20. They are going to utilize the site as is. 2 entrances on Miller Road, one in and one out. They have put up 3 new signs. Other than those, there are no proposed signs. No proposed changes to existing parking at this time.

Chairman Smith: The Onondaga County Planning Board has made some recommendations and/or modifications.

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

Chairman Smith: This was an operating church. There is not an increase in use, probably less traffic actually. My opinion is that this is an unfair burden.

Mr. Coyer: We appreciate that.

Chairman Smith: That will be this Board's determination.

Mr. Parrish: I do have a few items. The County says the west driveway should be closed and the east driveway changed to 22 feet in width. That is a safety issue.

Mr. Coyer: I did not get a comment back from the County yet. I did ask.

Mr. Parrish: My recommendation is that there be a resolution to that issue. Insufficient distance is a safety issue. They are not making any changes to the striping or parking lot layout, it does not currently meet Town requirements. Just so the Board is aware. The size of the spaces and drive aisle widths plus angle parking.

Chairman Smith: Has there been any changes?

Mr. Parrish: The only other item is that there are 3 buildings on the site. The map does not specify what the other buildings are being used for. The Board should know what the use of the other buildings are for.

Chairman Smith: What was that building used for?

Mr. Parrish: I believe it is a residence.

Mr. Popyk: It is still a residence. We do not intend to do anything else, just a single family. The garage is separate and I store a couple cars there. My main concern is that the dance studio. We are going from 200 people to 20 students max.

Chairman Smith: I expressed my opinion on that and I agree.

Mr. Popyk: It is one way in and one way out. That is more than enough to serve the dance studio. It has services the church all these years.



Chairman Smith: Is that part of the property that the Town contemplated? This could very well end up being a commercial property. Does the applicant understand that any changes will need to be brought before the Planning Board. The school is allowed.

Mr. Popyk: We have no intentions of doing anything else at the moment.

Chairman Smith: Can we make the plans a single family residence use and make that change?

Mr. Germain: Mark the plan as such and submit it as an exhibit. We need Popyk's initials on that.

Mr. Popyk: If this gets changed to commercial, do I have to come in and make changes?

Chairman Smith: Only if you make changes. Schools are allowed in agricultural zone.

Mr. Hooper: On the site plan dated July 5<sup>th</sup>, August 19<sup>th</sup>, under notes you have no proposed signs.

Mr. Coyer: I fixed that.

Chairman Smith: Signs are on the plan.

Mr. Germain: Some input as to how you are going to handle the striping? Is it going to be a condition?

Chairman Smith: It is existing.

Mr. Ruscitto: What is the Town's stand on the striping? Not acceptable?

Mr. Parrish: The Town Code gives minimum size of spaces and minimal drive aisle width. It does not address if angled or perpendicular. We have seen angled before. These do not meet the minimum Town dimensions.

Mr. Popyk: Enter one way, exit the other.

Mr. Card: As far as insufficient site distance, that is only an entrance. Nobody is exiting out there. If they are marked properly.

Mr. Parrish: If you are only turning in, you may not need the distance. I don't know the answer to that.

Ms. Boyke: Being a communicant of St. Agnes since 1986, over 100 cars go in and out of that lot, Saturdays and Sundays. The striping issue has never been a problem. Never an accident. The visibility is good.



Chairman Smith: We are making use of a vacant building. It is allowed. Personally, I think that this property gets caught up in county/town issues. It has been there for years. Not proposing any changes. I think they have satisfied my concerns.

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. Mr. Ruscitto seconded the motion. The Chairman called a vote.

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

Mr. Ruscitto read: Be it further resolved that the Planning Board of the Town of Cicero hereby determines based upon the applicant's completed environmental assessment, the information presented by the applicant, the information contained in the Planning Board's Engineer's Review Letter, the information contained in the Onondaga County Planning Board's referral, if any, the Planning Board's personal knowledge of the Site, and all other information presented and proceedings had herein 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. Further the Planning Board Chairman is authorized to complete environmental assessment form in accordance with the findings and proceeding had herein.

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

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

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

Mr. Germain: You are going to move for the adoption of a resolution approving the Move for the adoption of a resolution approving the site plan application known as Robert Popyk, 5472 Miller Road, Proposed performing arts school, said plan last dated August 19, 2016. This approval is contingent 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 applicant's site plan indicates a projected increase in the average water flow of 72 gallons per day. The Planning Board recognizes the need to mitigate or offset the increased stress to the sanitary sewer system and accordance with the Town's policy regarding said offset and/or mitigation requires the payment of \$4 per gallon or in this case \$288 to be paid to the



Town. Said payment shall be due and payable before the earlier of the issuance of any required permit or 30 days from the date of this approval.

3. The Planning Board reserves the right at any time verify the actual average water flow to verify that it conforms to the projections supplied by the applicant. The Applicant, including its successors and /or assigns agree as a condition of this approval to cooperate with any reasonable request of the town to verify the applicant's water flow and usage. In the event the projections and the amount of mitigation were not adequate based upon verification of the actual flow, the Applicant will pay the Town the Short fall between the projected usage and the actual usage.

4 The use of the building currently as a residence or rectory will not be changed without further approval of this planning board.

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

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

Chairman Smith: I will add that we have given County modifications due consideration, we see no reason to change.

**SITE PLAN  
J&J EQUIPMENT, LLC  
5775 SNELLAR ROAD (LOT 4 LONERGAN WAY)  
PROPOSED 10,500 SF COMMERCIAL BUILDING  
L.J.R. ENGINEERING, P.C.**

Elise R. Taetsch, Representative L.J.R. Engineering, P.C.

Ms. Taetsch: This is a proposed 10,500 square foot building. Lot 4 of Lonergan Subdivision off Snellar Road. We received the comments from the engineer and County Planning. We updated SWPP, updated the site plan to address parking spaces, statement of use and operating hours, truck turning analysis drawing, terminated curbing, revised details to reflect proposed granite burning, lighting plan and cut sheets. As far as County Planning, we have received approval for the septic system design. I just spoke with my client regarding the holding tank and floor drains. We do need to modify the drawing for those. Still need details on the sign.

Chairman Smith: On July 8<sup>th</sup>, letter in the file regarding approval of the sanitary system. No Certificate of Occupancy will be issued until it has been inspected and approved.

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

Mr. Card: Are you proposing any fencing?

Ms. Taetsche: No fencing.

Mr. Card: Item number 23, loading dock in the middle of a gravel field.



Ms. Taetsche: He is unloading drivable equipment.

Mr. Card: That will be a display area?

Ms. Taetsche: Yes. He is trying to figure out the sign specifics.

Chairman Smith: Do you think you will have these by the next Planning Board meeting?

Ms. Taetsche: Yes.

**SITE PLAN  
APPROACH ASSOCIATES  
STEWART DRIVE WEST (Tax Map No. 057.-02-29.3)  
PROPOSED BUILDING  
C&S ENGINEERS, INC.**

Mark Chambers, Representative, C&S Engineers, Inc.

Mr. Chambers: This is a 25,000 square foot building/office space out on Stewart Drive in Hancock Airpark. Since we were here last, we have worked with the Town Engineer. Some of the changes that were made on the plan itself, the lighting plan. They are labeled wrong in the table and that has been corrected. Storm water basin has been fixed.

Chairman Smith: That exceeds what was there? Keep storm water on the site.

Mr. Chambers: Yes.

Mr. Parrish: The sanitary sewer is extremely shallow out there. It is odd. To address that, they have provided some insulation. No conflict with sanitary sewer now. That issue has been resolved.

Mr. Card: What is the height of the chain link fence?

Mr. Chambers: 8 feet.

Mr. Card: Asphalt, gravel, rain – the retention pond is going to hold all the water?

Mr. Parrish: Smaller storms, yes. There is a huge pond that mitigates for the larger storms.

Chairman Smith: We did ask C&S to do better than what was and they did.

Mr. Card: Landscaping, on the main drive, on Stewart Drive, there is no landscaping between the road and the proposed pond.

Mr. Chambers: That is proposed lawn area.



Mr. Card: How deep is the basin.

Mr. Chambers: About 1 foot.

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 is the form of a motion. Mr. Card seconded the motion. The Chairman called a vote.

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

Mr. Ruscitto read: Be it further resolved that the Planning Board of the Town of Cicero hereby determines based upon the applicant's completed environmental assessment, the information presented by the applicant, the information contained in the Planning Board's Engineer's Review Letter, the information contained in the Onondaga County Planning Board's referral, if any, the Planning Board's personal knowledge of the Site, and all other information presented and proceedings had herein 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. Further the Planning Board Chairman is authorized to complete environmental assessment form in accordance with the findings and proceeding had herein.

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

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

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

Mr. Germain: You are going to move for the adoption of a resolution approving the Move for the adoption of a resolution approving the site plan application known as Approach Associates, Stewart Drive West (Tax Map #057.-02-29.3), Proposed building, said plan last dated August 22, 2016. This approval is contingent 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 applicant's site plan indicates a projected increase in the average water flow of 120 gallons per day. The Planning Board recognizes the need to mitigate or offset the increased stress to the sanitary sewer system and accordance with the Town's policy regarding said offset and/or mitigation requires the payment of \$4 per gallon or in this case \$480 to be paid to the Town. Said payment shall be due and payable before the earlier of the issuance of any required permit or 30 days from the date of this approval.

3. The Planning Board reserves the right at any time verify the actual average water flow to verify that it conforms to the projections supplied by the applicant. The Applicant, including its successors and /or assigns agree as a condition of this approval to cooperate with any reasonable request of the town to verify the applicant's water flow and usage. In the event the projections and the amount of mitigation were not adequate based upon verification of the actual flow, the Applicant will pay the Town the Short fall between the projected usage and the actual usage.

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

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

**SITE PLAN  
NIAGARA MOHAWK POWER CORP.  
DBA NATIONAL GRID  
8842 BREWERTON ROAD  
PROPOSED MARSHALLING YARD  
CHARLES ANDREW**

Tabled per applicant request.

**SITE PLAN  
NIAGARA MOHAWK POWER CORP.  
DBA NATIONAL GRID  
NORTHERN BLVD (Tax Map No. 055.-01-20.0)  
PROPOSED MARSHALLING YARD  
CHARLES ANDREW**

Tabled per applicant request.

**ZONE CHANGE RECOMMENDATION  
DISTRICT ZONE CHANGES FOR COMPREHENSIVE PLAN UPDATE**

Chairman Smith: The Town Board has proposed zone changes along the commercial corridors. The Village of North Syracuse, Town of Clay line to Route 11 all the way to the Oswego County line, Route 31 from Clay Town line east to South Bay Road and Taft Road from the Town of Clay/Salina line east to some parcels just east of North Boulevard. This is a Town Board decision. We are simply offering a nonbinding referral and they are asking our opinion.



I would like to see us make a positive referral. It is reflecting the reality of what is there. It reflects the comprehensive plan. Numerous public hearings were held at that time. It was approved by the Onondaga County Planning Board. I would ask that the Town Board consider allowing those people who wanted to opt out to do so. On the opposite side, we heard from a number of people who are looking forward to the change. I believe it is going to bring some consistency in our zoning. Increased property values. Not perfect but it is much more perfect than what we currently have. From my perspective, I would like to propose a resolution accepting and allowing people to opt out of they so choose.

Mr. Germain: I can draft a resolution that will move for a recommendation and I will include that property owners who wish to opt out be allowed to do so.

Chairman Smith: I understand that they have received 5 in writing. I know that there are people on 31 that are actually waiting for this so they can combine their properties. There have been a lot of public hearings. Some agree, some do not. We are cleaning up zoning issues.

Mr. Hooper: Out of 114 total, only 5 have requested to opt out.

Mr. Abbey: Are the others aware that they can submit the opt out option?

Chairman Smith: That has been discussed over and over again.

Mr. Abbey: What if they change their mind later?

Chairman Smith: They will be on their own.

Mr. Germain: You are going to move for the adoption of a resolution recommending the approval by the Town Board of the District Zone Changes in keeping with the Comprehensive Plan Update and as presented to this Planning Board. As part of said recommendation this board recommends that the Town Board allow property owners wishing to opt out of the zone change be allowed to do so.

Chairman Smith put that in the form of a motion. Seconded by Mr. Ruscitto.

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

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

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

**Next Scheduled Regular Meeting: Monday, September 12, 2016 at 6:30 PM**



PLANNING BOARD MEETING  
TOWN OF CICERO

August 22, 2016  
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IN AS MUCH AS THERE WAS NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 8:38 pm.

Submitted by Lisa L. Stewart  
Planning Board Clerk