

The Planning Board of the Town of Cicero held a meeting on **Monday, September 12, 2016** at **6:30 p.m.**, in the Town Hall at 8236 Brewerton Road, Cicero, New York 13039.

Agenda:

1. Pledge of Allegiance
2. Approval of the Minutes from the August 22, 2016 Meeting (**Approved**)
3. Minor Subdivision Preliminary & Final Plan, Set Public Hearing, Martin Property, 8198 Lawton Road, 2 Lots, David Martin, (**Public Hearing Set for September 26, 2016**)
4. Major Subdivision Preliminary Plan, Sketch Review, Wallington Meadows Section 8, Whiting Road (Tax Map #087.-01-60.1), 49 Lots, Calocerinos Engineering, PLLC (**To Return**)
5. Site Plan, Michael Jordan, 7778 Brewerton Road, Proposed Church and Thrift Store, Ianuzi & Romans (**Approved**)
6. Site Plan, Abundant Life Christian Center, 7000 All Nations Blvd., Proposed 60' x 100' Outreach Building, Ianuzi & Romans (**To Return**)
7. 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. (**Approved**)
8. Site Plan Review-No Determination, Island Hollow (Two Plus Four Construction), 6274 Island Road, Proposed Multi-Family Development, Keplinger Freeman Associates (**To Return September 26, 2016, Public Hearing Will Re-Open**)
9. Site Plan/Sketch Review, J&R Lawns and Landscapes, Thompson Road (Tax Map#053.-03-27.1), Proposed Gravel Parking Lot, J&R Lawns and Landscapes (**Hold Per Applicant's Request**)

Board Members Present: Robert Smith (Chairman), Joe Ruscitto, Chuck Abbey, Greg Card and Mark Marzullo

Others Present: Neil Germain, Esquire, Germain & Germain (Planning Board Attorney), Mark Parrish, P.E., O'Brien & Gere (Planning Board Engineer), Richard Hooper (Director of Codes Enforcement), and C. Vernon Conway (Deputy Supervisor)

Absent: Lisa Stewart, M.B.A. (Planning Board Clerk)

Chairman Smith opened the meeting by noting the locations of the two emergency exits, asking that all cell phones be silenced and noting 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.

Those present participated in a moment of silence to remember the events of 9/11.

Chairman Smith noted the Onondaga County Department of Water Environment Protection (OCWEP) has a new standard of design for waste water pumping stations available on their website. Also, the Town Board has completed the rezoning of Taft Road. Their next phase would include fixing non-conforming uses to correct the Town's code. Whatever they decide would come to the Planning Board for discussion.

APPROVAL OF THE AUGUST 22, 2016 MEETING MINUTES

Mr. Abbey made a motion to approve the Planning Board minutes from the August 22, 2016 as presented. **Mr. Card seconded** the motion. The Chairman called a vote:

In favor: 4 Opposed: 0 Abstained: 1 Motion Approved

MINOR SUBDIVISION PRELIMINARY & FINAL PLAN, SET PUBLIC HEARING MARTIN PROPERTY, 8198 LAWTON ROAD, 2 LOTS, DAVID MARTIN

Representative: David Martin, Applicant

After a brief discussion, Chairman Smith asked Mr. Germain to construct a motion for a public hearing.

Mr. Germain: You are going to move for the adoption of a resolution calling for a Public Hearing in the matter Minor Subdivision Preliminary & Final Plan known as the Martin Property, 8198 Lawton Road, 2 Lots. This public hearing shall commence at 6:30 pm or as soon thereafter as the matter may be heard at the regular scheduled meeting of the Planning Board on Monday, September 26, 2016.

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

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

MAJOR SUBDIVISION PRELIMINARY PLAN/SKETCH REVIEW WALLINGTON MEADOWS SECTION 8, WHITING ROAD (TAX MAP# 087.-01-60.1), 49 LOTS, CALOCERINOS ENGINEERING, PLLC

Representative: Steven Calocerinos, P.E., Calocerinos Engineering, PLLC

Chairman Smith: This is the last section of a subdivision approved probably 30 years ago. Because over the years changes have been made to storm regulations, Town road standards, etc. this is back in for us to re-visit.

Mr. Calocerinos: As the Chairman noted, hopefully this will be the final section of the Wallington Meadows Subdivision. I believe it was previously referred to as Section 7 on the preliminary plan approved years ago with a revision sometime in the early 2000's. What you see up on the board is the original layout for the final section with three stub streets. The two properties east and west are currently agricultural lands that are actively farmed. I believe the property to the south is currently wooded and abuts a property that goes out to South Bay Road. That section has 49 lots that conform to current R-10 zoning standards.

We are looking to revise the layout to eliminate the stub streets by proposing a loop road. I believe that Section 7B, Phase Two was recently filed. The heavy dashed line shows where those streets end. Both of those roads would be extended from where they currently are.

This new layout is 49 lots, similar to the original layout. By eliminating the stub streets we have eliminated the infrastructure needs of the project for the same 49 lots, reduced the road length by about 250 feet, the length of sewers by about 1,090 feet and the length of storm sewers by about 200 feet.

Water would be reduced by about the same length of road. With this system water would be looped as opposed to having two dead ends.

We are looking to reduce the minimum lot length from the current 75 so that we can maintain the same 49 lot count---a result of the lot layout revision and how the lots fall. Lot size would be reduced from 10,000 square feet down to 980 square feet. We would maintain the normal minimum lot depth. I think our most shallow lot would be 130 feet. If we had to maintain the 10,000 square foot, 75 foot width minimum we probably would lose 3-4 lots—depending upon how we adjust the layout.

Mr. Smith asked if this was eligible for cluster zoning.

Mr. Germain responded that he would look into that. I believe you would be looking at some kind of variance to change the regulations for that configuration.

Mr. Calocerinos: Part of the storm water for this last section was accommodated in the overall master storm water system for the subdivision, approximately one half to maybe two thirds of it. We try and balance that management as much as possible for the quantity portion. Because regulations have changed over the years we would have to manage the water quality component independently of how it was done in the past. So, we would address water quality for the entire

section component. Whatever does not drain to that master system we would we address that portion of the quantity in this section as well.

The final design of the infrastructure, storm sewers, sanitary sewers, water, etc. would be done to current standards as would the roads. Right now all the roads in the subdivision have gutters. I don't believe the current Town section has gutters; it has a variable shoulder. The applicant is aware that he needs to meet today's standards and has no problem with that.

With that we are really just looking to get some feedback on the proposed layout and the possible request for variances or however that needs to be addressed on the lot size and width.

Chairman Smith: Removing the stub streets was one thing that the Town wanted accomplished. We wanted to lessen the amount of public road. Mr. German will answer the question about lot width. He will tell us what our options are.

Mr. Ruscitto was concerned with lot size.

Mr. Calocerinos: Ryan Homes has picked up the remaining lots. They said 70 feet works great for what their customers want. We are proposing to still maintain the side yard setbacks proposed within Town Code.

Mr. Marzullo noted reducing infrastructure was a good thing but having the ability to tie into adjacent properties is also a good thing. For long term planning, adjacent properties might want to change from agricultural.

Chairman Smith requested that adjacent properties be added to the map.

Mr. Marzullo: I think that needs to be looked at. I would like to see that on the map. There are some very good aspects to cluster zoning. I think that you have greenspace set aside. You would lose some lots.

Mr. Germain: You are right. Generally speaking it's a tradeoff where you would obtain greenspace as part of Section 278 in exchange for varying the lot configurations.

Discussion occurred regarding cul-de-sacs and road width.

Chairman Smith: Discuss this with Mr. Germain. You may need some variances which would go to the Zoning Board of Appeals (ZBA). You could explore doing a PUD in one section.

Mr. Calocerinos agreed noting he would also ask the developer if they are willing to lose a couple of lots to get where they need to be.

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

Representatives: Tim Coyer, Ianuzi & Romans
Michael Jordan, Applicant

Chairman Smith introduced the proposal noting that this was the old veterinary clinic. I believe that the item that we had outstanding was the color scheme.

Mr. Coyer: Exactly. The last time we were here the only thing missing was the color samples for the new building. I have those samples. They are labeled on the back. Mr. Jordan is here tonight.

Chairman Smith requested that the applicant initial and date the samples so that they become part of the file. Are you putting up vinyl siding?

Mr. Jordan: Eventually, but paint first.

Chairman Smith: You are closing the front entrance on Route 11?

Mr. Coyer: We will close this off and re-curb here. This will all be grass and seeded out in front.

Chairman Smith: So you are actually increasing the lawn a little bit. What we lose in the back we might gain in the front?

Mr. Coyer: Yes and we are losing asphalt here as well.

The Chairman asked Board members if they agreed with the color scheme or had comments. They agreed, noting this was an improvement. He asked if there were any other legal or engineering issues. Mr. Germain and Mr. Parrish responded no.

Chairman Smith asked Mr. Germain to construct a motion for 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 made a motion as stated by Mr. Germain above. **Mr. Card seconded** the motion. The Chairman called for a vote:

In favor: 5 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. **Mr. Marzullo seconded** the motion. Chairman Smith called for a vote:

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

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

Mr. Germain: You would move for the adoption of a resolution approving the site plan application known as Michael Jordan, 7778 Brewerton Road, Proposed church & thrift store, said plan last dated 8/3/2016. 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. This approval is conditioned on and will not be effective until the applicant has completed a simple subdivision combining the parcels into a single parcel.
3. The applicant's site plan indicates a projected increase in the average water flow of 50 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 \$200 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.

4. The Planning Board reserves the right at any time to 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 made a motion as stated above. **Mr. Card seconded** the motion. The Chairman asked called a vote:

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

**ABUNDANT LIFE CHRISTIAN CENTER, 7000 ALL NATIONS BLVD.
PROPOSED 60' X 100' OUTREACH BUILDING, IANUZI & ROMANS**

Representative: Tim Coyer, Ianuzi & Romans

Mr. Coyer introduced himself adding this is the existing Abundant Life Church property. It is approximately 92 acres currently zoned Agricultural. They are looking to move their existing outreach program and build a 6,000 square foot, metal frame building on site. As stated, they currently do the outreach program in an existing facility. They are just looking to move it using this new building to house that specific program.

We show 6 new parking spaces in the front with an asphalt drive along the side, some gravel in the back and a concrete walk in the front. I think that there are 11 wall packs, 2 overhead doors, one small entrance and another small entrance on the side. They are proposing an externally lit sign on the front of the building, with a farm style light to light it up.

The outreach program is basically a community service. The main use of the building is meal prep, delivery and food pantry. The building would include offices for outreach staff and house lawn equipment.

The Chairman asked how far the building would be from the nearest property. This is agriculturally zoned. Churches are allowable uses within this zone.

Mr. Coyer responded 207 feet, plus or minus. He noted the comments from the County's referral. The County requested that an eastern drive be removed. The Applicant has no problem doing that. It was a construction entrance used when the church and additions were built that is gated and locked. No one uses it.

The other question was trip generation. This is an existing use, not an additional use.

Chairman Smith: In response to the County's referral, are you anticipating a significant increase in traffic?

Mr. Coyer: No.

Mr. Abbey: Do you have an idea as to the number of meals that would be provided?

Mr. Coyer responded that he had that number in an email and would have it for the next meeting. We show that they are tying into the existing septic plan and using the existing utilities on site.

Mr. Germain did not have any legal issues at this time.

Mr. Parrish noted that the plan was a recent submittal. He will review them providing any comments.

Mr. Card: At the last meeting we talked about proposing a buffer between the site and the residents on Taft.

Mr. Coyer: We are not proposing anything at this time. We can look into it, but they would be 207 feet away. I can ask the Applicants.

Mr. Card: You do have those wall packs on the side of the building which could be shine into a resident's window.

Chairman Smith requested that neighboring structures be shown on the plan adding that Mr. Card's comments were well taken.

Mr. Coyer thanked the Board.

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

Representatives: David Mosher, Architect
George Lonergan, Applicant

Chairman Smith stated this is an existing business on Route 11 that is relocating to the new subdivision.

Mr. Mosher introduced himself noting that is correct. There were two items from the last meeting that we had to indicate on the plan. County Plumbing wanted to see a holding tank for the floor drains which is shown on Sheet 3 of the new plans submitted. It is a 1500 gallon holding tank in lieu of just an oil water separator that day lights out into the SWPPP. The remaining item was final details for the pylon sign. That will be located on the southwest corner of the property. It is the same design as the monument sign out by the main entrance.

Chairman Smith: This is the one visible from Route 81?

Mr. Mosher: Yes.

The Chairman asked for further legal and engineering comments. (There were none.) He also asked about sign lighting fixtures and their effect on Route 81.

Mr. Mosher responded that the sign's lighting would be fixed, solar powered with a downward reflection.

Mr. Abbey asked how the new building's 10,500 square footage compared to the present building.

Mr. Lonergan responded that the current building is 3,200 square feet.

There were no other comments from the Board.

Chairman Smith asked Mr. Germain to construct a motion for 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 made the motion as presented above. **Mr. Ruscitto seconded** the motion. The Chairman called a vote:

In favor: 5 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. **Mr. Abbey seconded the motion.** The Chairman called a vote:

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

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

Mr. Germain: You are going to move for the adoption of a resolution approving the site plan application known as J & J Equipment, LLC, 5775 Sneller Road (Lot 4 Lonergan Way), Proposed 10,500 square foot commercial building, said plan last dated August 15, 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 light fixtures on the signage will be fixed in a downward position to illuminate the sign only.

Chairman Smith: As a note, this plan is served by a septic system. It is not part of the sanitary sewer system. Therefore it is not part of our offset project. **He made a motion** as presented above. **Mr. Ruscitto seconded the motion** and the Chairman called a vote:

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

SITE PLAN, REVIEW---NO DETERMINATION

**PUBLIC HEARING WILL RE-OPEN SEPTEMBER 26, 2016
ISLAND HOLLOW (TWO PLUS FOUR CONSTRUCTION), 6274 ISLAND ROAD
PROPOSED MULTI-FAMILY DEVELOPMENT, KEPLINGER FREEMAN ASSOC.**

Representatives: Sue Kimmel, Two Plus Four Management
Michael Bragman Jr., Applicant
Ray Scruton, Architect

Chairman Smith noted that a public, community event will be held at Believer's Chapel on the 14th to help neighbors understand the project. Tonight is a quick update on some changes so that the Board will have time for further review.

Ms. Kimmel introduced herself. After the coordinated review we have already done some of the things talked about: moving the forced main, adding the fire hydrants for the Fire Department and looking at turning radii. We realized that we have not had final comments from the Board on the color elevations. We would like to quickly take a look at that tonight. Our hope is that when we return on the 26th that we will have vetted all the concerns of the Board and be prepared to say that we have addressed all of your concerns. With that I would like to introduce Ray Scruton the architect for the project.

Chairman Smith: Did we come up with the distance from the corners of the building to the power easement to the center?

Ms. Kimmel: We are still working with National Grid. We have reached out to them. We are waiting on the height of the wires from Ianuzi & Romans.

Mr. Bragman Jr. introduced himself. Ianuzi & Romans went to the site on Friday to shoot wire elevations and distances. The field work is done. The office work was done today and we will have that information next time.

Chairman Smith: If you get that information sooner can you email that to Heidi (LaLone) so that she can distribute that information to the Board?

Mr. Bragman Jr. replied yes. We have an open line of communication with the right people to get permission to go under the lines.

Chairman Smith: From the coordinated review we will have their feelings about the easement--about the amount of traffic underneath the wires--and their acceptance of that?

Mr. Bragman Jr.: Correct.

Mr. Scruton: The first building that we are looking at is the Senior Citizen's building. We are using the swede color and savannah wicker. Because of its size and interest, it is the only two-toned building.

I have brought samples. We are going with five different colors across the development. The site plan is color coordinated with colors that will be used on each building. We are trying to not have two buildings that are side by side with the same coloring. Trims and balconies will be in white. Roofs are two different colors which work with the five various colors.

The community building has simulated stone as part of the veneer.

Mr. Abbey: Will landscaping be similar to your rendering?

Mr. Scruton: Some of it is artistic license, but we did match up with the landscape plan that we had. There is probably more than what is shown on the elevations.

Chairman Smith asked for comments from the Board. Various Board members noted their approval of the color scheme.

Mr. Card recused himself in regard to this matter.

Ms. Kimmel: As a quick recap, we will continue to feed through Heidi (LaLone) as we get some of these outstanding items from the coordinated review so that when we come back on the 26th we will have addressed all concerns.

Chairman Smith: My expectation is that by the 26th we will have the County's referral back and we will re-open the public hearing for additional comments. I'm hoping that we will be looking at a determination.

Ms. Kimmel: At the meeting with neighbors I will be addressing everything that was brought up at the public hearing---as to their concerns. It is my goal to answer those concerns directly. That meeting is the 14th at Believer's Chapel from 6-8.

**SITE PLAN/SKETCH REVIEW, J & R LAWNS AND LANDSCAPES
THOMPSON ROAD (TAX MAP# 053.-03-27.1), PROPOSED GRAVEL PARKING LOT
J & R LAWNS AND LANDSCAPES**

Representative: Jeff DeLine, Applicant

Mr. DeLine: Basically we are just making a parking lot for overflow, employee parking.

Chairman Smith: Have you given any consideration to speaking with the Town Board about the zoning for your property? The Town Board is aggressively looking at getting zoning right for the Town. The utilization of your building would probably be a lot easier for your use if a zone change occurred maybe down to the Barone piece at South Bay. With your Agricultural we are pretty limited. Rezoning might make your operations and expansion easier on you and us. It's a good time to discuss it.

More discussion occurred regarding a potential zone change in line with abutting commercial properties and the zone change process.

Chairman Smith: Is this all one parcel?

Mr. DeLine responded no.

Chairman Smith: We cannot put a parking lot to serve that business on another parcel. The answer to that is removing the property line. Both lots could be combined easily. Mr. Hooper's office could handle that with you.

Mr. DeLine: Maybe we will go that route for now.

Mr. Card: You might not need that new driveway.

Mr. DeLine: With all the trucks that we have, 25 trucks and about 18 trailers, we are going to need that driveway.

Mr. Card: Eventually, you will put another building there?

Mr. DeLine: Yes. That's a couple of years down the road, but business is going good.

More discussion occurred.

Chairman Smith: Would you like us to hold your application in abeyance here for a little bit while you explore the zone change option?

Mr. DeLine: Yes

Mr. Germain: For the record, you are requesting that we hold your application while you explore another possibility? You can come back but in the mean time you are requesting that we hold it?

Mr. DeLine: Yes

Chairman Smith: You have already paid some fees and stuff so I don't want to add to your expenses. Let the record show the applicant's request.

Mr. Card made a motion to adjourn. **Mr. Abbey seconded the motion** and the Chairman called a vote:

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

IN AS MUCH AS THERE WAS NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 7:30 P.M.

Respectfully Submitted by Tonia Mosley, Acting Planning Board Clerk