



The Planning Board of the Town of Cicero held a meeting on **Monday, May 9, 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 April 25, 2016 Meeting (**Approved**)
- ❖ Site Plan, Peter N. Talev, 8033 Brewerton Road, Proposed additional parking and drive, Ianuzi & Romans (**To Return**)
- ❖ Preliminary Plan Subdivision Reapproval, Lonergan Subdivision, 5775 Snellar Road, 7 Lots, Ianuzi & Romans (**Approved**)
- ❖ Site Plan, AAA Quick Plows & Lawns, Inc., 6466 East Taft Road, Proposed landscaping & snowplowing company, Todd Abry (AAA Quick Plows & Lawns) (**Approved**)

Board Members Present: Bob Smith (Chairman), Pat Honors, Greg Card (Ad Hoc), Joe Ruscitto and Chuck Abbey.

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 three emergency exits, asked that all cell phones be silenced and noted if anyone had difficulty hearing the proceedings please bring it to the Clerk's attention so the audio system could be adjusted.

Mr. Card led the Pledge of Allegiance.

Chairman Notes: We had a meeting with the Supervisor and Commissioner of NYS DOT last week. We discussed the race track traffic and the Commissioner introduced us to the new Regional Director David Smith. They are going to work with us. We took Robert Simpson around the town to look for available sites. The race track is moving right along. The first major event is in September. It will be a traffic challenge in the Town of Cicero.

Wednesday night, the Town Board will be opening public hearings on the zoning changes along the commercial corridors. Mr. Hooper and I have to show why it is necessary. Our current zoning is abysmal. The Town Board is adamant that they are going to get it right.

It has come to my attention that T&L Companies on Cicero Center Road are waiting for their final approvals. It is most likely that the road was not constructed to the current existing town road specifications. I have no intention of approving unless the Town Board accepts it as is. It is my intention to refer it back to the Town Board as it is not in accordance with Town Code.



Mr. Germain: Notify the applicant that it is being referred back to the Town Board.

Chairman Smith: Mr. Germain, will you assist me with that?

Mr. Germain: Yes.

Approval of Minutes: motion by mr. abbey seconded my ricuitto. One abstain.

Approval of Minutes of April 25, 2016 Meeting:

Mr. Abbey made a motion to approve the Planning Board Minutes from April 25, 2016. **Mr. Ruscitto seconded the motion.** The Chairman called a vote.

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

**SITE PLAN
PETER N. TALEV
8033 BREWERTON ROAD
PROPOSED ADDITIONAL PARKING AND DRIVE
IANZU & ROMANS**

Tim Coyer, Representative, Ianuzi & Romans
Peter Talev, Applicant

Mr. Germain: Their variance was approved. They were seeking a variance to allow them to back out of their parking lot. It would have been in violation of Town Code but they did get a variance.

Chairman Smith: That does not mean that it is a good traffic decision.

Mr. Germain: It does not relieve you of your duties to investigate and perform functions of the Planning Board.

Chairman Smith: Mr. Coyer, can you bring us up to speed please?

Mr. Coyer: This is 8033 US Route 11. There is existing asphalt. The applicant wants to add asphalt drive on the south of the building. An egress easement by Auto Zone. He is looking to add a concrete walk in the front. We received approval for the variance. Right now we are showing a handicapped parking spot and they would like us to move that spot. The site is going to be maxed out as far as parking. Snow removal will have to be trucked off site. We added parking spaces per square footage. We just want to get the Board up to speed. We met with Betsy Parmalee on site. She was all for the site improvements. We are trying to improve the safety of the site.



Chairman Smith: I am not too excited about the spaces to the south, certainly not the handicapped. If we keep the three in front of the building, it is hard to add to that three. Hopefully, the majority of the people will park in the back.

Mr. Talev: I have potential to add State Farm Insurance. They are quite eager to see that I have the Planning Board green light. Right now, there are six marked spaces. There is an existing gravel space. Technically, we could have had seven spaces but we are eliminating those two as well as the one on the north side so people can easily access egress to Auto Zone.

Chairman Smith: I understand that it is challenging and I think that this site is going to remain a challenge even with the proposed egress. I assume you have something that you can give to Mr. Germain evidencing that the easement has been allowed.

Mr. Germain: I will need a copy of that access easement.

Mr. Coyer: I have it shown on the map.

Chairman Smith: I think without the proposed easement, I would find it difficult to approve this plan. It is critical that the cross easement is in place. For this site to have any potential, it is critical. This site will not work for any business with heavy traffic.

Mr. Coyer: Part of the resolution was to approve the setbacks as they are existing today. That is in the variance.

Mr. Hooper: There are a couple concerns. On the south corner, there are two existing gas meters.

Mr. Talev: I contacted National Grid. They agreed to move the meters out front in July. My plumber will reconnect the piping so they will be completely out of the way.

Mr. Hooper: What about the snow to be trucked off site? You will not be using the retention pond in the rear of the property?

Mr. Honors: How do you avoid having him avoid pushing snow to the rear? Into the pond?

Mr. Talev: Are you saying I need a backhoe?

Mr. Parrish: The pond is not on your property.

The Board, Mr. Hooper, Mr. Germain and Mr. Talev have a lengthy discussion regarding moving the snow into the retention pond, including its impact on the storm water, if any. Mr. Germain stated that Mr. Talev will need a snow removal easement that will allow him to push



the snow onto the neighbor's property. Mr. Parrish stated that there would be no additional impact on storm water.

Chairman Smith: How big is the building? How many businesses?

Mr. Talev: About 3400 square feet. Two businesses.

Chairman Smith: I think we have to be definitive somehow in the use of the building for future owners. This site will not accommodate higher traffic businesses.

Mr. Germain: You will need to note on the plan, for office use only.

After lengthy discussion between Mr. Talev, Mr. Germain and the Board, it was decided that Mr. Coyer must note on the map that this site is for "office space or other uses approved by the Planning Board only".

Chairman Smith: What about signage? Any changes? How will it be lit? Size?

Mr. Coyer: It is an existing sign.

Chairman Smith: What about lighting?

Mr. Coyer: No proposed changes.

Mr. Talev: I would like to remove some of the unsightly poles.

Mr. Card: The ZBA approved you backing out onto Route 11?

Mr. Talev: Yes.

Mr. Card: They approved that you are able to back up onto Route 11 and over the sidewalk?

Mr. Coyer: No, they approved the parking spots in the front. In theory, it is impossible to have parking up front. They didn't approve that we are allowed to back out onto Route 11.

Chairman Smith: What they approved was that the Planning Board could approve the traffic motion. They also said that we did not have to adhere to side setbacks. Now they have a variance. This Board has to approve backing across the sidewalk.

Mr. Card: Chairman stated that there is no commercial storage allowed.

Mr. Talev: No commercial storage. If my tenant needs storage space, they can store their stuff in the building.

Chairman Smith: See you at the next meeting.



**PRELIMINARY PLAN SUBDIVISION REAPPROVAL
LONERGAN SUBDIVISION
5775 SNELLER ROAD, 7 LOTS
IANUZI & ROMANS**

Tim Coyer, Representative Ianuzi & Romans

Mr. Coyer: You needed the drawings which we had delivered to the Town. I believe that was the only thing lacking.

Chairman Smith: The only reason was for the cutoffs for how the road is to be constructed. Mr. Parrish, is the cutoff in accordance?

Mr. Parrish: Yes it is.

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. Honors.

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.

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

In favor: 5 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 subdivision application known as Preliminary Plan Re-Approval Lonergan Subdivision, 5775 Sneller Road, 7 Lots, said plan last dated 3/30/2016.

1. This approval recognizes the previous plan approval by this Board and incorporates by reference all the conditions contained in that approval as if they were fully enumerated herein. Accordingly the applicant must comply with all conditions as set forth in said previous approval.
2. The applicant is hereby advised that Pursuant to Section 185-6 Subsection F of the code the applicant has 90 days from approval to file the map. If the applicant missed the 90 day filing deadline this approval will have expired.
3. The Planning Board notes that the length of the cul-de-sac exceeds the 500 feet design standard in the Town Code. The Planning Board hereby approves this deviation from the design standard.
4. The applicant is further notified that the Chairman of the Planning Board may delay signing of the final plan until the chairman verifies that the applicant has executed any and all necessary agreements with the Town and that all security or undertakings are in place.

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

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

**SITE PLAN
AAA QUICK PLOWS & LAWNS, INC.
6466 EAST TAFT ROAD
PROPOSED LANDSCAPING & SNOWPLOWING COMPANY
TODD ABRY (AAA QUICK PLOWS & LAWNS)**

Todd Abry, Applicant

Mr. Abry: Some comments from the County came back. I am here hoping to get final approval.

Chairman Smith: Onondaga County Planning Board sent a referral back with some modifications.

The Chairman read the comments from the Onondaga County Planning Board and confirmed that the applicant had addressed all comments and/or concerns from the County.

Chairman Smith: Mr. Parrish, do you have any comments?

Mr. Parrish: I would note that I misread the note on the water usage. It is 300 gallons per month, not per day. It would be 10 gallons per day.



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

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

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

In favor: 5 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 AAA Quick Plows & Lawns Inc., 6466 East Taft Road, Proposed landscaping & snowplowing company said plan last dated 4/21/2016. 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 average water flow of 300 gallons per month or 9.86 gallons per day rounded to 10. 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 \$40.00 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 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 that in the form of a motion. Seconded by Mr. Abbey.

In favor: 5 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. Honors made a motion to adjourn. Mr. Abbey seconded the motion. The motion was approved unanimously.

Next Scheduled Regular Meeting: Monday, May 23, 2016 at 6:30 PM

IN AS MUCH AS THERE WAS NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 7:32 pm.

Submitted by Lisa L. Stewart
Planning Board Clerk