



The Planning Board of the Town of Cicero held a meeting on **Monday, June 27, 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 June 13, 2016 Meeting (**Approved**)
- ❖ Zone Change Recommendation, Public Hearing, District Zone Changes for Comprehensive Plan Update (**Continued/adjourned to next meeting**)
- ❖ Minor Subdivision Preliminary and Final Plan, Public Hearing, Christopher Pisanti, Whiting Road, Tax Map No. 087.-12-18.0), 2 Lots, Ianuzi & Romans (**Approved**)
- ❖ Site Plan, Sketch Review, CCJC Enterprises, LLC, Taft Park Drive (Tax Map No. 059.-01-40.0), Proposed contractors service yard, Ianuzi & Romans (**To Return**)
- ❖ Site Plan, Sketch Review, Manishaben Patel, 8019 State Route 31, Proposed kerosene tank, LED sign and roof overhang, Ianuzi & Romans (**To Return**)
- ❖ Site Plan, Sketch Review, Visions Federal Credit Union, 5788 East Circle Drive, Proposed building, Delta Engineers, Architects and Land Surveyors (**Applicant Not Ready - To Return**)

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

Others Present: Neil Germain, Planning Board Attorney, Mark Parrish, Planning Board Engineer, Richard Hooper, Codes Enforcement, Mark Vanesky, Town Supervisor 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 Notes: Mr. Card was appointed at the last Town Board meeting to the Planning Board as a regular member. We now have an opening for an ad hoc member. Thank you to the Town Board for appointing Mr. Card.

Mr. Card also thanked the Town Board for his appointment.

Approval of Minutes of June 13, 2016 Meeting:

Mr. Marzullo made a motion to approve the Planning Board Minutes from June 13, 2016. **Mr. Abbey seconded the motion.** The Chairman called a vote.



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

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

Chairman Smith: The Town Board is cleaning up the zoning to make it consistent. This is the corridor from Route 11 from the Cicero/North Syracuse line all the way north to the Oswego County line. It is pretty much the entire length of Route 11. All properties are adjacent to Route 11. The other commercial corridors are Route 31 from the Town of Clay line to South Bay Road, Taft Road from the Town of Clay/Town of Salina east to Northern Boulevard and then a few parcels past that. The largest percentage is already zoned commercial. There will be very few changes. It is very expensive to rezone individual parcels and the cost to the individual applicant would be \$1,725.00 to file an application for rezoning. We have found that the zoning inconsistencies are hindering property values along these corridors and impacting further economic development. We encourage people to speak about their concerns. The Town Board actually makes the zoning changes.

Chairman Smith opened the public hearing at 6:43pm.

Timothy Murphy, Cicero, New York

Mr. Murphy: The sidewalks and crosswalks were not brought up.

Chairman Smith: Route 11 is a state highway. The state DOT now ask the town to require sidewalks to be constructed. The state controls where they go. The state is going to start the sidewalks up the west side of Route 11 to 300 feet north of Caughdenoy. That money has already been appropriated. The Town Board passed a resolution and asked us to continue adding sidewalks. The Town Board agrees that we should have sidewalks.

Mr. Murphy: This is a flawed argument. Some owners would just want to be left alone.

Chairman Smith: The Town does not plan to change any assessment based on the zone changes.

Mr. Murphy: I am speaking against this zone change. The Town created a mess in 2002. We put a presentation to the Town Board on April 27th. I want to know how high the buildings can go if zoned commercial.

Chairman Smith: Residential is 35 feet and commercial is 60 feet.

Mr. Murphy: I am not going to be happy if a 60 foot building is outside my bedroom window. This looks to be discrimination in zoning to me. What about the commercial lighting?

Chairman Smith: I cannot comment about the commercial lighting districts yet.



Mr. Murphy: I was under the impression that residential will have to share the cost of commercial lighting.

Chairman Smith: The developer puts their lighting plan in and it has to be approved by our Board.

Mr. Murphy: It is often dark on Route 11. We will need lights. This means that the residents will have to absorb the cost.

Chairman Smith: We know that Route 11 needs work. We are going to ask the federal government to provide funds. They are required to address pedestrian needs and safety. The State will address the lighting issue because it is a state road. We need the State to recognize that Route 11 is commercial. We recognize that the zoning must be consistent.

Mr. Murphy: Why not have each individual applicant cover the cost themselves?

Chairman Smith: Because you are not supposed to zone parcel by parcel – it should be zoned per area. We have been deceiving people for years. You have a Walmart in your back yard. When someone purchases a home, they should know what it is zoned.

Chairman Smith adjourned the public hearing to reopen at the next Planning Board meeting

Supervisor Vanesky: We feel that it is very important that we get this right for the future of Cicero. We have had three public hearings already at the Town Board meetings. We have another one on July 18th. This will be a special Town Board meeting so that everyone has an opportunity to be heard. I appreciate your help Mr. Chairman.

**MINOR SUBDIVISION PRELIMINARY & FINAL PLAN
PUBLIC HEARING
CHRISTOPHER PISANTI (LANDS OF PISANTI)
WHITING ROAD (TAX MAP NO. 087.-12-18.0)
2 LOTS
IANUZI & ROMANS**

Tim Coyer, Representative Ianuzi & Romans

Chairman Smith: I see that you did address the proposed driveway.

Mr. Coyer: I added language to the notes that specifies exactly what we are going to do with the driveway. I showed the entire proposed sanitary and existing sanitary line that we are adding into. This is the corner of Brandy Lane an Whiting Road. Existing R10 Residential. About .7



acres. We are going to subdivide into two parcels. Lot B will be .4 acres and Lot A will be .3 acres. Lot B does not have access to Whiting Road at all.

Chairman Smith: The sewer is going to come up off from the back and run along the south side of Brandy Lane?

Mr. Coyer: Correct.

Chairman Smith: How soon will you be doing the sewer work?

Mr. Coyer: As soon as possible. They have someone interested in building on the lot right away. They are ready to get this going.

Mr. Germain: Mark Parrish and I just discussed that you have proposed sewer on this plan. There is going to have to be some kind of filing in regard to the actual sewers.

Mr. Parrish: This will need to go to the Town Board for approval of the sewer. It will probably take a couple meetings. They will also have to schedule a public hearing. Typically 90 days from approval. They will have to post securities to guarantee.

Mr. Germain: There is a 90 day time period.

Mr. Parrish: You could approve this as a preliminary plan which has a 2 year period. Then ask for final approval.

Mr. Germain: I think you should consider approval as a preliminary plan because of the time constraints.

Mr. Parrish: We can keep this application open because it will be a preliminary and final plan. The public hearing will be tonight for comments. They can come back with the final plan and get approval.

Mr. Card: Where do you get the water from?

Mr. Coyer: Existing waterline already.

Mr. Card: Wouldn't they be an extension of Wallington meadows?

Mr. Coyer: They have to build the sewer and get it approved per code.

Chairman Smith opened the public hearing at 7:09pm

Ronald Stone, 8683 Lavender Lane, Town of Cicero

Mr. Stone: What is being built on this land?



Chairman Smith: This is a subdivision process so we do not know what is going to be built. These are residential lots so I would assume it will be two houses, single family homes.

Mr. Stone: Thank you. I just wanted to make sure that it wasn't going to be a large apartment complex or something like that.

Thomas Terry, 8621 Whiting Road, Town of Cicero

Mr. Terry: I own the lot right across the street. If the sewer is approved, we would like to plug into it. We plan on building a home if the sewer becomes available to us. We are very much in favor of this project.

Chairman Smith closed the public hearing at 7:15pm.

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. Card seconded the motion.

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. Card.

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

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



Mr. Germain: You are going to move for the adoption of a resolution approving as a **preliminary plan** the subdivision application known as Whiting Road (Tax Map #087.-12-18.0) 2 Lots, said plan last dated 6/27/2016.

1. This approval is as a preliminary plan and not a final plan.
2. The applicant will post any securities or enter into any necessary agreements with the Town in regard to the proposed sanitary sewer as shown on the plan prior to filing the Final Plan.

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

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

**SITE PLAN
SKETCH REVIEW
CCJC ENTERPRISES, LLC
TAFT PARK DRIVE (TAX MAP NO. 059.-01-40.0)
PROPOSED CONTRACTORS SERVICE YARD
IANUZI & ROMANS**

Tim Coyer, Representative Ianuzi & Romans

Mr. Coyer: This is an existing site at the corner of Taft Park Drive and East Taft Road. The owner has installed improvements without the proper approvals from the Town. The contractor service yard is utilized by their existing business. The contractor thought they didn't need approval. They are not proposing anything different than what is already there. It is zoned industrial. About 9300 square feet of gravel was installed. They want to store materials and equipment.

Mr. Hooper: We gave them a violation notice and that is why they are here.

Chairman Smith: We need 25 feet of pavement so gravel is not being tracked into the roadway.

Mr. Card: Mr. Parrish, what do we need for site approval?

Mr. Parrish: This is just a gravel yard. Less than acre of disturbance. Shows grades as they are. Not much more than what is being presented here unless the Board feels landscaping and buffering needs to be done. My concern would be that you do have a lot of additional area that is left available for development and that it does not continue to creep over time. Area needs to be clearly noted that you will store equipment. Over an acre will require SPDES permit requirements.

Mr. Marzullo: No lighting, no signage?

Mr. Coyer: No



Chairman Smith: Do we have exact dimensions on the map?

Mr. Coyer: I have the square footage.

Chairman Smith: What about monuments on the four corners to keep the gravel in, to avoid the creeping?

Mr. Coyer: We can do that.

Chairman Smith: We are going to require the monuments to be placed and maintained. This way we can assure they do not creep. If the monuments are gone, this will be a violation.

Mr. Coyer: Any specific type of monument?

Chairman Smith: Concrete is reasonable in my opinion.

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

Tim Coyer, Representative Ianuzi & Romans

Mr. Coyer: We have an 8000 gallon tank proposed here. This is the existing gas station in Bridgeport. It is zoned general commercial. He wants to add a kerosene tank. The existing propane tank will be pushed back. He is using the existing pump for the diesel. He wants to replace a panel on the existing sign with a digital sign. Also add a LED sign.

Mr. Coyer provided new site plans maps and sign pictures to the Board members.

Chairman Smith: Does this property have an existing site plan?

Mr. Coyer: I don't believe so.

Chairman Smith: This will be the original site plan then. What you are approving will become the site plan.

Mr. Germain: It would be the entire plan presented.

Chairman Smith: Understand that we are approving the only site plan that this property has. We need the total square footage of all the signs.



Mr. Parrish: Show the location and details of the existing and proposed signage.

Chairman Smith: If we approved it with just the proposed signage, it would not include the existing signage. You have to include the existing signage and the proposed signage.

Chairman Smith: This has to go to the County.

Mr. Coyer: We had to go through a variance which got denied. They have not seen a site plan for county referral.

Chairman Smith: It has not gone to County yet.

Mr. Parrish: Will the fuel tank be underground? The 8000 gallon tank?

Mr. Coyer: Yes. Propane above ground.

Mr. Parrish: What about the overhang. 3 feet?

Mr. Coyer: I will verify what it should be.

Mr. Germain: What they have now is a non-conforming use. The setbacks are not correct. They cannot expand the non-conformity which that overhang would do. You cannot expand the non-conformity.

Chairman Smith: We should have some specific notes recognizing existing setbacks, etc.

Mr. Germain: Tim, just show the setbacks.

Mr. Parrish: We will need to address lighting, parking, etc.

**SITE PLAN
SKETCH REVIEW
VISIONS FEDERAL CREDIT UNION
5788 EAST CIRCLE DRIVE
PROPOSED BUILDING
DELTA ENGINEERS, ARCHITECTS & LAND SURVEYORS**

Applicant not ready – to return next meeting

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. Mr. Ruscitto seconded the motion. The motion was approved unanimously.



PLANNING BOARD MEETING
TOWN OF CICERO

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Next Scheduled Regular Meeting: Monday, July 11, 2016 at 6:30 PM

IN AS MUCH AS THERE WAS NO FURTHER BUSINESS BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 7:48 pm.

Submitted by Lisa L. Stewart
Planning Board Clerk