

The October meeting of the Zoning/Planning Board of the Town of Van Buren, held at the Town building, 7575 Van Buren Rd, Baldwinsville, New York, was called to order at 6:05 p.m.

Those present joined in the Pledge Allegiance to the Flag.

Roll Call:	James Virginia	present
	Mark Budosh	present
	Jamie Bowes	present
	Roger Roman	present
	James Ruddock	present
	Jim Schanzenbach	present
	Tony Geiss	present

Also Present: Nadine Bell, Attorney
 Jason Hoy, Engineer
 Casey Palmer, Codes Enforcement Officer
 January Baker, Zoning Planning Board Secretary

MINUTES

Motion made to approve minutes as amended. Motion carried first by Mr. Ruddock. Seconded by Mr. Schanzenbach. Motion Carried.

Adjourn to Public Hearing.

PUBLIC HEARING SPENSIERI SUBDIVISION-MAPLE RD & VAN BUREN RD-TAX MAP ID #030.-01-02.2 & 030.-01-02.3

Mr. Mario D’Arrigo was present on Spensieri’s behalf. Mr. D’Arrigo discussed plans to subdivide property on Maple Rd. and Van Buren Rd. Plans are to sub divide property that an existing house, garage and barn occupy.

Chairman asked for any comments. No comments were made. Mr. Geiss calls for a motion to close Public Hearing. Motion carried by Mr. Ruddock and seconded by Mr. Roman. Back in Regular session.

SPENSIERI SUB DIVISION-MAPLE RD. & VAN BUREN RD.-TAX MAP ID #030.-01-02.2 & 030.-01-02.3

Mr. D’Arrigo spoke on applicants behalf. Chairman reads County Comments. Mr. Schanzenbach suggests a front yard setback for existing house be listed on new map, but it being an existing structure it would be grandfathered in with the setbacks, so not needed to list on new map. Mr. Geiss reviews SEQR and it is an unlisted action. A Sub division of 2 lots, subdividing out existing house and structures, based on a map dated September 29, 2019.

Chairman calls for a motion to pass. Mr. Schanzenbach carried first motion, Mr. Budosh seconded. End of motion first made by Mr. Schanzenbach and seconded by Mr. Roman.

Adjourn to Public Hearing.

**PUBLIC HEARING-SENECA NEIGHBORHOOD-SUBDIVISION-7360 STATE FAIR BLVD.-
TAX MAP ID #064-03-01.1**

Mr. Brandon Jacobson was present to speak on the applicants behalf. Mr. Jacobson presents the modified plans for "TreyBrook" a community offering new homeowners a nice, well maintained, neighborhood. Mr. Geiss notes these are amended plans showing cul-de-sacs and keeping existing trees and natural buffers. A discussion of the easement took place, Mr. Jacobson said they are adding to the existing easement, making it bigger.

Chairman calls for any comments. No comments were made. Motion to close Public Hearing carried first by Mr. Ruddock and seconded by Mr. Budosh. Regular session begins.

**SENECA NEIGHBORHOOD- SUBDIVISION-7360 STATE FAIR BLVD.-TAX MAP ID #064-
03-01.1.**

Mr. Geiss read County Comments and recommendations. Board reviewed new map submitted by the applicant. Discussion of one tree per lot being a subdivision requirement. Also discussed clarity on cul-de-sacs, providing sewers to houses and to Rt. 48, and sidewalk access along road. All this, must be shown on the new map, along with water run-off plans for a preliminary approval from board. No comments made from county on private roadways. Mr. Ruddock suggests cleaning up the survey with there being a jog showing on lots 13 & 14.

The Chairman stated the SWPPP has been submitted for review. Mr. Virginia mentions the pond adding and that there must be a hammerhead turn around. Mr. Schanzenbach noted that it is 20ft added to the buffer, not to easement. Chairman calls to declare this as a major sub-division. Town Park fees are to be added and SEQR will be done. Ms. Nadine Bell suggests ratifying and reaffirming previous SEQR. Board agreed. Mr. Geiss read the resolution. End of motion called. Mr. Ruddock carried first motion, seconded by Mr. Virginia. Motion to approve preliminary maps- the board wants them signed. The Chairman reviewed boards request for final plans, discussing lot fees and working with Jason, the Town Engineer. Plans are subject to SWPPP approval and sidewalk plan. End of Motion. Carried first by Mr. Ruddock and seconded by Mr. Virginia.

**PUBLIC HEARING-PETER WILDER & KELLI WILSON FROM SOLAR LIBERTY-USE
VARIANCE-GROUND MOUNTED SOLAR ARRAY- 105 HIGHVIEW DR.- TAX MAP ID
#056-01-41.0**

Mr. Tom Wilder and Ms. Kelli Wilson were both present on Mr. Wilder's behalf. Applicant presented a map with plans for a ground mounted solar array in an R-15 district, which is currently prohibited. Ms. Wilson spoke on the solar panels, and Mr. Wilder addressed neighbor concerns, stating the neighbor closest to him was in support. Mr. Wilder talked

about current research opportunities he has been offered, to do, with the use of a ground mounted solar. He then explained that the plants will block any view of the panels from road, and his agriculture research was specific to ground mounting of solar panels. Mr. Geiss asked applicant how many watts the solar panel will be, which the response was 8.9KW. Mr. Geiss then asked applicant if he was aware the solar guideline were changing. Applicants response was yes, but were hoping to get the application in anyway, as the end of the year presented opportunities to finance this project through grants. The Chairman asks public for any comments. Mr. Andrew Bowes spoke for the panel array. Stating that there are pros to having them, and that this particular solar array would not have a negative impact and that the board should consider this beneficial. Motion was called to close public hearing. Mr. Ruddock carried first motion, seconded by Mr. Budosh. Regular session begins.

PETER WILDER & KELLI WILSON FORM SOLAR LIBERTY-USE VARIANCE-GROUND MOUNTED SOLAR PANEL ARRAY-105 HIGHVIEW DR.-TAX MAP ID #056-01-41.0

The Chairman discusses that the solar regulations are in the process of being revised on all solar regulation. Commercial and Residential. Mr. Geiss discusses the 4 requirements on obtaining a use variance. Mr. Wilder explains having a building erected to place panels on, would cost him about \$10k more. His plans for the ground mount would be about the same size as any roof mount would be. Discussion on combining the 2 lots, and it should have been combined before application was submitted.

Mr. Wilder explains a time crunch due to the fact that the grants given for this project would deplete by the end of the year, therefore applying for the use variance now was detrimental to the timing with funding. Applicant was confused on present regulations, and what a self inflicted hardship was. Ms. Nadine Bell addresses what this means for the applicant. Mr. Geiss stated that the applicant was in fact aware of the code being changed. Ms. Bell explains that a use variance goes with the land, and not the applicant, therefore changing it for future prospects interested in the property. Mr. Schanzenbach stated that a use variance is a high burden, in which Mr. Wilder replied that this would become a financial hardship for him to accomplish in the new year. Mr. Schanzenbach states ALL 4 requirements must be met to obtain a use variance, which Mr. Wilder did not meet the 4th requirement-being not a return or financial loss on property. Nothing has been done to property to lose money. Comments made on SEQR being an unlisted action, and Mr. Geiss reads over resolution. Motion compete. Mr. Ruddock carried first motion, with Mr. Schanzenbach seconded. Motion Carried. Action Denied.

Chairman Called for roll call vote: Votes As follows:

Mr. Virginia-yes	Mr. Schanzenbach-yes
Mr. Roman-yes	Mr. Ruddock-yes
Mr. Budosh-yes	Mr. Geiss-yes
Mr. Bowes-yes	

**CASSANDRA BECKLEY-VARIANCE-FENCE HEIGHT IN FRONT YARD-3418 STILES RD.-
TAX MAP ID #056.-01-43.0**

Applicant was not present. Adjourned until November meeting.

**NJH PROPERTIES-SITE PLAN AND SPECIAL USE PERMIT-SELF STORAGE UNITS-
PROPERTY LOCATED ON STATE FAIR BLVD.- TAX MAP ID #-059-02-16.1**

Mr. Doug Henry & Mr. Nick Henry were both present to speak on NJH Properties behalf. Mr. Geiss read over County Comments on sewage, driveways, water flow, and NYS environmental requirements and their recommendations. Mr. Doug Henry pointed out changes made to the plans, showing a 15ft buffer, and 12ft buffer & moving the fence back 5ft so it can be maintained on both sides. He also added a 6ft high solid privacy fence for the neighboring properties. Chairman stated the fence has to be dropped in height to 3ft in the front yard of property. Discussion of a sign to be added, must meet 15ft set back. Mr. Bowes suggested moving the driveway to more centered, but Mr. Henry explained there is a utility pole placed that would prevent him from doing so.

Mr. Geiss asked about the Clark's property, if there will be a fence added for their privacy, but Mr. Henry has spoken to Mr. Clark, owner, and has stated they are ok with grass to grass property and Mr. Henry maintaining it. A discussion was had about water running and drainage. Also how far fence would go back, extending to block adjoining properties. Mr. Henry stats he worked with his engineer to meet boards request for natural buffers. Mr. Schanzenbach asks how big the swales are, at 22 ft., the west end being more narrow, due to elevation. SWPP was mentioned, Chairman stated he wants to see the fence changes and the County Comments addressed. Mr. Virginia asked about underground water running. Mr. Henry stated once the property is disturbed, he will have to capture ALL rain water. Plans to be modified, to come back next month for the Boards approval.

**SITE PLAN MODIFICATION-SYSCO FOOD SERVICES-2508 WARNERS RD-TAX MAP ID
#054.-04-16.1-IND-A DISTRICT**

Mr. Julian Clarke from Plumley Engineering was present to speak on applicants behalf. Mr. Clarke discusses new driveway plans, a photometric plan was submitted along with landscaping plans. Chairman commented on lighting by roads, and that shading lights might be needed. A discussion about an 8ft metal fence with pictures to show the board that Mr. Clarke took. Mr. Geiss asks why an 8ft fence for the front yard setback purposes, and that the fence would have to go back another 15ft for signage purposes. Mr. Virginia commented that the black ornamental fence would blend in well. Mr. Clarke sees no problem with moving fence back, and adjusting the landscape. Mr. Virginia asked about parking, if Sysco is losing or gaining any, and Mr. Clarke stated that no loss or gain, striping is current to plans. Site Plan modification in regard to SEQR for driveway realignment. Chairman calls for end of motion. Mr. Ruddock carried first motion, seconded by Mr. Roman. Motion Carried.

Ms. Bell asked Chairman to acknowledge County Comments with modifications, motion to approve per plans dated Sept. 25, 2019 and updated sept. 29, 2019. Conditions on proposed signage to be 15ft off the right of way, and fencing moved behind the sign. End of Motion. Carried first by Mr. Ruddock and seconded by Mr. Schanzenbach. Motion carried. Small discussion among board members ensued.

Chairman calls for Motion to adjourn. Mr. Schanzenbach carried first, seconded by Mr. Budosh. Meeting adjourned 8:55pm.

