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The July 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	absent
	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 the June meeting minutes as amended. Motion carried first by Mr. Ruddock. Seconded by Mr. Budosh. Motion Carried.

Motion called to Adjourn to Public Hearing. Motion Carried first by Mr. Ruddock and seconded by Mr. Budosh. Motion Carried.

PUBLIC HEARING-MARIANI PROPERTY-6489 NEWPORT RD-SUBDIVISION-TAX MAP ID #054-04-18.0 (RHD)

Chairman called a motion to open Public Hearing. Mr. Ruddock carried first motion, seconded by Mr. Virginia. There was no one present to represent the applicant. Motion called to adjourn Hearing until next meeting. Mr. Ruddock was first to motion, followed by Mr. Budosh.

PUBLIC HEARING- DG NEW YORK CS, LLC-SUBDIVISION/SPECIAL USE PERMIT BETWEEN W SORRELL HILL AND E SORRELL HILL RD-TAX MAP ID #033.6-06-01.2, 033.-06-05.1 & 032.-04-02.2 (AR-80)

Chairman called a motion to open June Public Hearing for subdivision. Mr. Ruddock carried first, seconded by Mr. Roman. Chairman asked for any comments on hearing for Subdivision. No comments made. Motion called to close Public Hearing. Mr. Ruddock carried first, seconded by Mr. Virginia. Motion carried. Regular meeting back in session.

Mr. Geiss referenced the site plan maps for the subdivision. Asking for any comments or questions, none to follow. Chairman obtained a motion to declare Town Of Van Buren lead agency, under the unlisted action of SEQR, in an AR-80 district. Chairman called for end of motion. Mr. Ruddock carried first motion, followed by Mr. Bowes. Motion Carried.

Mr. Geiss read the comments from the County. There were a couple notes from the comments. Mr. Brian Harper of Cambridge St. was present for the Applicant. Mr. Geiss referenced to NYS preservation- asking if there are any grants involved in this project. There has been, therefore the Town will need documentation of this, from them. Mr. Geiss also asked Mr. Harper if the solar farms would still proceed without a pilot for taxes, with Town and schools. Mr. Harper answered without a pilot with the Town, they would be able to proceed, & can withstand the taxes. However, without a pilot with the schools, they would not be able to proceed. Mr. Harper said he is not sure if the schools will be agreeing to the pilot, but they are still working on that. Chairman stated the schools have been asked, and will not agree to such pilot. Also Mr. Harper was informed all fees paid, are nonrefundable. Mr. Harper stated he understood, & he is waiting for the school district, to give a more definitive answer, on whether or not they will proceed with the project. The plan as of right now, is to continue.

Chairman obtained a motion to approve subdivision based on map dated November 29, 2019. Mr. Ruddock carried first motion, seconded by Mr. Roman. Motion Carried.

Chairman called a motion to open Public Hearing for DG NY LLC's Special use permit, however, it cannot be opened due to no application being submitted with plans, for public to comment on. Mr. Harper was informed to get all information to Codes office, in order to hold this Public Hearing next month.

DANIEL DEFIO-SPECIAL USE PERMIT-7889 CREGO RD-TAX MAP ID #034-03-09.1-(LB)

Chairman obtained a motion to close Public Hearing from June's meeting. No comments came in. Mr. Ruddock carried first motion, seconded by Mr. Budosh. Motion carried. Mr. Geiss commented on the plans, showing a sidewalk, 18ft. wide driveway, parking with a handicapped spot. Chairman conditioned approval based on signed and stamped plans submitted to the Codes office. Chairman called for a motion declaring Town of Van Buren lead agency under SEQR. Motion carried first by Mr. Virginia and seconded by Mr. Ruddock. No comments made. Chairman obtained a motion to approve plans per the map dated May 19, 2020 with condition of signed map with stamp, by the end of the week. Mr. Ruddock carried first motion, Mr. Budosh seconded. Motion carried.

TERPENING SITE PLAN- 115 FARREL RD. TAX MAP ID 059-02-02/01 (LB)

Mr. Craig Billinson was present on the Applicants behalf. Chairman stated the board was looking for a new application for entire town parcel and new site plan showing set-backs. Mr. Geiss asked if the set-backs were shown on the new maps, to which Mr. Billinson made point to them being marked out in different colors. Chairman noted that the parcel sits on a corner lot, with two front yards, therefore set-backs are not met. For clarification, Mr. Geiss asked if the property in Town was a tax parcel in itself. Mr. Billinson clarifies there are actually two tax map parcels in the Town. Both tax maps were not marked out on the map, and Mr. Billinson provided those tax map numbers to the board.

Chairman asked the Board for any comments on the setbacks. Minimum being 50ft and adjust to 50ft. along Farrell Rd. All were in agreement with the setback. Chairman called motion to move into June Public Hearing. Mr. Bowes carried first, seconded by Mr. Ruddock. No comments were made from the Public, Chairman obtained a motion to close Public Hearing. Mr. Ruddock was first to carry, followed by, Mr. Virginia.

Mr. Geiss read comments from the Coun. It was mentioned that the gas station next to them (Superior Gas) has landscaping, and the Board would like to see some low lying vegetation along front of the 50ft set-back, similar to this. Chairman obtained a motion with regard to SEQR, with no negative impact. End of Motion. Mr. Ruddock carried first, followed by Mr. Virginia. Motion Carried. No problem approving with 50ft. setback met. Mr. Jason Hoy suggested on an updated map showing both parcels with parking lot. The one that was expanded and the 2 in the South East corner, with all land shown on site plan maps with defined outlay of where vehicles will be parked on property and show the grading. This will help with approvals in the future. Also, show the landscaping out front, and have new maps next month to show all of this.

AARON LEVEY-USE VARIANCE-7865 WEST DEAD CREEK ROAD-TAX MAP ID #034.-01-21.8-OPERATE A BUSINESS IN AR80 ZONING

Mr. Aaron Levey of 7865 West Dead Creek Rd., was present on his own behalf. Mr. Geiss read the list of requirements to obtain a use variance to Mr. Levey, informing him, all of these must be met, in order to receive such variance. Mr. Geiss informed Mr. Levey he could submit for the use variance, or a Zone Change, because operation of a business is not allowed in this district. Ms. Nadine Bell suggests speaking to a land use attorney, one who specializes in this particular area for land zoning and uses. Inquire if he were to have a case, or if they can submit any more information to help him obtain a use variance.

ANDREW AND KRISTINE WHITING-AREA VARIANCE-6929 RIVER ROAD, MEMPHIS-TAX MAP ID #045-01-05.7-(AR80)-POOL IN AREA BETWEEN BUILDING AND RIVER

Mr. Andrew Whiting of 6929 River Rd. was present on his own behalf. Mr. Geiss stated that Mr. Whiting was here because of putting a pool in between their house and the river. Mr. Geiss asked Mr. Whiting if the vegetation has be removed for the pool to go in. Mr. Whiting explained to the Board, that the vegetation was down a deep drop in the property, so no, it does not need to come down.

Mr. Virginia remarked on the tree line, how it obscures the river, asked why then would a variance is required. Mr. Whiting has two front yards, but vegetation blocks any sight of the water. Chairman then asked Mr. Whiting if he had access to the river himself, to which he replied, no, no access. Comments being this was not a typical case, Mr. Virginia inquired if there was a reason to pay the fee and get the variance. Ms. Bell answered, in future cases, this may cause an issue, so to avoid this, fee will still be paid, and the property meets the variance requirements, easily. A Public Hearing will be, scheduled for following meeting.

The Board will need dimensions of the pool shown on the map with the distance from house and side yard labeled as well. Mr. Whiting asked for a timeframe, in which the next meeting will be August 11. Chairman obtained a motion to call a Public hearing. Mr. Ruddock carried first motion, seconded by Mr. Budosh.

JOSEPH AUSTIN-AREA VARIANCE-121 HOSMER DR-TAX MAP ID #061.-01-10.0-SIDE YARD SET BACK FOR STRUCTURE (R-10)

Mr. Joseph Austin of 121 Hosmer was present on his own behalf. Mr. Geiss discussed the property, stating it backed up to Town property, which is a heavily vegetated area. Mr. Austin's application indicated a zero property line set back, the setback being 5ft., and is required. A zero property line set-back, was not allowed. Mr. Austin stated the project was 10ft. deep, backing up to neighbor. Chairman stated that if Mr. Austin agreed to the 5ft. setback, then he can proceed. Mr. Austin agreed to the setback requirements, and can now, be issued his permit.

STEVEN DELCOSTELL-AREA VARIANCE-7100 KINGDOM RD., MEMPHIS-TAX ID #044-03-02.0 (AR-80)

Mr. Steven Delcostello of 7100 Kingdom Rd. discussed his plans on replacing an old carport with a new garage, a 2ft. shorter structure. Ms. Bell clarified if the original structure needed an area variance, then a variance would not be needed but without proof the carport had one in place, a variance will be needed now for garage. Side yard setback here is 40ft., which is not met. Mr. Delcostello stated he bought the house in 1998, with the carport already erected. The carport was old and needed to come down. Chairman asked about a jog behind the structure, that was showing on the map. Mr. Delcostello explained it was a jog in the carport. Public Hearing called for August 11th, Chairman obtained a motion to call, Mr. Ruddock carried first, seconded by Mr. Budosh.

EMPIRE POLYMER SOLUTIONS-SITE PLAN-7528 STATE FAIR BLVD-TAX MAP #031-11-01.1 (IND-A)

Mr. Julian Clark from Plumbly Engineers, and Mr. Frank Murphy, owner were both present to speak. Chairman stated County needs SEQR done. Mr. Geiss asked if there were any changes. No changes, but a new water service is definite, potentially a new truck scale and rails in future. Chairman inquired about the silos along the side of building, if those were staying. Yes, they are staying, so SEQR can be a Type II, unlisted action. Based upon application from the applicant, plans do not need Zoning/Planning Board approval, and to list as a Type II action, for County requirement. Chairman obtained a motion for Town to take lead agency, under SEQR for site plan. No changes to outside of building that would require Board approval. Mr. Ruddock carried first motion, followed by Mr. Roman. Motion carried.

DAVID HARRIS-AREA VARIANCE-4 SANDLANCE DR-TAX MAP ID #036-11-07.0 SIDE YARD SET BACK-(PUD)

Ms. Kayla Smith of Comfort Windows, John Glenn Blvd., was present on the Applicants behalf. Ms. Smith talked on plans for an egress window on property, coming out the side of the

structure, for a second access to the basement. How far will the window be coming out from house was answered about 4ft. Chairman asked if there was any other area the window can go. Ms. Smith responded it cannot, due to a deck being directly behind the house.

Mr. Ruddock made comment to window wells coming out from house, why wouldn't this be similar, due to grading being slightly different, a landscaping element. Mr. Casey Palmer asked if the egress, would be attached to the house. Yes, it will be bolted to the structure. Dimensions must be listed of structure off the property line. A pro to this property is that the landscaping will block most view of the add-on. Chairman called for a Public Hearing for an area variance, with submittal of revised map submitted. Motion was made first by Mr. Ruddock, followed by Mr. Budosh. Motion carried. Mr. Virginia asked if Ms. Smith has encountered this before, which she responded no, never. Board would like some examples of previous installations.

ZACHARY & AMY MANCHEE-AREA VARIANCE-7756 EAST DEAD CREEK ROAD-TAX MAP ID #033.-03-01.2 (AR-80)-FRONT PORCH

Mr. Zachary Manchee of 7756 East Dead Creek Road was present. Mr. Manchee discussed plans on a front porch built on an existing house. It will be about 54ft. off the edge of road and porch will measure 7ft. The setbacks being off property lines, not edge or center of road, therefore, are not being met. In an AR80 zoning, the setback is 60ft. The board needs to know the setback Mr. Manchee is requesting off the house. The house, as is grandfathered for that structure, but adding to it, changes this a bit. Chairman asked about surrounding properties and an effect on them, if any.

The Board told Mr. Manchee an updated survey, was needed, showing the property lines. Public Hearing will be called for an area variance, Chairman lists the requirements to obtain one. Mr. Ruddock suggested a historical preservation argument. Mr. Manchee stated this was a very old farmhouse, about 160 years old, and he plans on living on the property, and historical preservation, is a motivation of his. Motion to call a Public Hearing. Mr. Virginia carried first, followed by Mr. Budosh. Motion Carried.

KRISTIN PROPER-SPECIAL USE PERMIT-SOLAR-2020 CONNORS RD,-TAX MAP ID #050-01-01.4 (AR-80)

Mr. Chris Rudy, of Alternative Power Solutions, East Syracuse, was present. Mr. Rudy discussed plans on a ground mounted solar array on two different adjoining properties, both owned by Ms. Kristen Proper. There will be no concrete lay, 6in. deep digging to place concrete balance blocks with 10ft. high panels- whole display being 67ft. long and about 10ft. high. Mr. Rudy explained there is no movement from the panels, and the Invertors will be in the house, no noise. Also, noted, that there were no wetlands.

Mr. Virginia mentioned screening or shading from the neighbors, per code. Mr. Rudy asked if it was for just the neighbors, or roadside too. Being the array is so far set back from roadside, and the neighbors are ok with this. Mr. Rudy informed the Board he would look into some options for screening, Board would like to see some plantings. Mr. Ruddock makes comment on the

Easement, not to plant there. Chairman asked if there will be any battery storage. No storage of any batteries, it will be tied into the homeowner's main panel on the road. An agreement from Nimo has to be, presented with plans. The Board suggests Mr. Rudy go through the Towns new solar code. Chairman called Public Hearing for August 11, for a use permit. Mr. Ruddock carried first motion, followed by Mr. Virginia. Motion carried.

Discussion on upcoming solar projects.

Motion called to adjourn. Mr. Virginia was first, seconded by Mr. Ruddock.
Adjournment 8:40pm.

