

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
Casey Palmer, Codes Enforcement Officer
January Baker, Zoning Planning Board Secretary

MINUTES

Motion by Mr. Roman to approve the September meeting minutes as amended. Seconded by Mr. Ruddock. Motion Carried. Motion made by Mr. Ruddock to adjourn to Public Hearing, seconded by Mr. Schanzenbach. Motion carried.

PUBLIC HEARING- DG NY LLC-EAST SORRELL HILL-BALDWINSVILLE-SPECIAL USE & SOLAR SITE PLAN-TAX MAP ID#032.-04-02.2 (AR-80)

Mr. Brian Harper was present to speak on the adjustments made to the site plan. The surrounding neighbors’ were all made aware, and signed the petition. The updated plans show the invertors more centered at 425ft. from the property line and the emergency exit added, as well as a noise study done. Grounding wires also added to the plans. Mr. Geiss asked if the new plans were still within the property lines, to which Mr. Harper replied yes they are. The plan was moved South, and will not go beyond the power line.

Chairman asked if there were any comments. No comments made. Motion made by Mr. Ruddock, to leave Public Hearing, seconded by Mr. Schanzenbach. Motion carried, regular session begins.

DG NY LLC-EAST SORRELL HILL-BALDWINSVILLE-SPECIAL USE & SOLAR SITE PLAN-TAX MAP ID#032.-04-02.2 (AR-80)

Mr. Geiss asked to confirm, if the array is a 5mw facility-not 3mw. Also, about the noise study that they had done. Mr. Harper responds it is a 5mw facility, and that the noise study was conducted at a similar sized facility. Mr. Geiss asked on the operation of the panels, in which Mr. Harper replied they track the sun and at nightfall, they will either stay in that place, or slowly switch back. Ms. Kayla Gagnon, engineer with Tetra Tech, spoke to the board more on the operation of the panels, explaining that a row of panels are all connected to one motor and would all rotate at one time. These panels are able to be programmed to stay or flip back to original position. Chairman asked for an operation description to be submitted and if the set-backs were

changed as well. Mr. Harper answered yes the set-backs were changed on new plans, reflecting 200ft. to the north and 100ft. away from the electrical easement. New layout shows plans on building over the central drainage of the property, Mr. Geiss inquired about the ditch, and how this will affect the array and that drainage. Mr. Harper stated the SWPPP report included for the uneven dips in property. Ms. Gagnon spoke to the board on the design being for the drainage & dips, with a swale that follows the road to give better water flow quality. The panels will be higher if needed. Panels can be elevated to accommodate the swale. Mr. Geiss asked if panels' are connected vertically or to single panels. They are vertical rows that are flexible enough with 5ft. contours to accommodate a 5ft. drop. Ms. Gagnon answered yes it will, with it being able to adjust or add posts, when needed. All grading will be minimal.

Mr. Bowes asked if it is relatively an even plane. Ms. Gagnon responded that it will maintain the existing drainage & contouring, disturbing as little soil as possible. The Chairman asked Mr. Harper how many panels/motors there are for the array. Mr. Harper responded there are 747 strings attaching throughout panels and there is at least one motor per strand. Mr. Schanzenbach asked how many motors were for the noise study and Mr. Harper responded with a similar amount of motors, but did not know the exact amount. Mr. Geiss asked if the two inverters were moved to the center of site, and if the plans show paving entrance from East Sorrell Hill Rd. Mr. Harper stated yes to both. Mr. Geiss asked about "Risen Safe Harbor Modules". Mr. Harper explained that this was the type of panels' being used in the project and the panels were at 325 watts. Mr. Harper touched on the access road, stating they were trying to use the existing road. He also asked if the grading was able to be changed to 12% from 10. Chairman said to contact the Fire Department for that answer.

New plans reference in case of emergency, to contact local 911 authorities/fire etc. but reference people as well to contact, i.e.-a site manager and maintenance operator. Chairman asked if these contacts would be local. The site manager as well as the operations of maintenance will both be in CNY area. Mr. Geiss asked if they are be able to get here for emergency responders. Yes, and there will also be a lockbox accessible to a designated user to allow access if needed. Mr. Geiss noted that the site manager or other maybe hours away, to which Mr. Harper responds that 911 is called to respond and the site manager may not necessarily have to be there for that. Mr. Virginia commented that it was a generic safety template and this could be modified to fit the Applicant more. Chairman suggests it read a "designated person" or site manager. Mr. Virginia stated that DG NY is asking for conditioned approval, yet plans are incomplete, even reading West Sorrell Hill Rd. when it should say East Sorrell Hill. There is nothing being addressed that the Board is asking for.

Mr. Geiss said that conditions on preliminary approval would be many, and that he would not be comfortable with granting that. There are too many holes in plans submitted, as well as for plans submitted tonight, the night of meeting, not giving any time for the Board to review them. Therefore, Public Hearing will remain open, and no conditional approval at this time. Mr. Virginia commented to more effort needed on this project. The Board needs to see the number of panels, a description on operation, as well as a revised safety plan, are to be submitted to the codes office before the deadline given. Mr. Schanzenbach asked Mr. Harper if he was familiar with the noise study, and it focusing on the inverters, mostly. Mr. Harper responds the inverters are of the main focus, with them being the cause of most noise, and the panels were a minute part

of the noise that is caused, never being louder than the inverter. Mr. Ruddock asked about the timing of the panels at night, when switching back. What is the time span 2-4 hours, 2-12, etc., what are we talking about and to include this in new plans as well. Mr. Schanzenbach inquired about the feeder cables from each panel, them being underneath the panels, but not buried. Mr. Harper stated all collection cables will be removed, as Mr. Schanzenbach noticed it is written this way, in the decommissioning plan.

Mr. Ruddock asked about a site section through the swale, to show movement within the panels with posts. He explains concerns with there being an irrigation site nearby, on a hilly site, and it not working out so well because of the uneven plane of this property therefore, he would like to see more details on the contouring with a site section. Ms. Gagnon answered that there is a preliminary site analysis of slopes done, and that each row has several strings all throughout the panels, giving it flexibility for the sloping, and sloping that exceeds the 5-10%, will be with posts to accommodate. The overall goal is to avoid grading, the grading is determined early on, and it was determined minimal to no grading for this site. Mr. Ruddock asked for a wind study done for any higher panels. Chairman asked for confirmation of access road with fire department, as well as number of panels, noise study detail. Mr. Virginia asked about paving not shown on plans, and Mr. Harper said it is on the new plans, just submitted tonight. Also, the plans need to be changed to correct site address. No conditional approval granted at this time. Mr. Geiss asked if the school taxes were resolved. Mr. Harper said there is a meeting with them scheduled for this month. That will determine if they go forward with the project. Mr. Ruddock motioned to adjourn to Public Hearing, seconded by Mr. Schanzenbach. Motion carried.

PUBLIC HEARING-DG NY LLC-WEST SORRELL HILL-BALDWINSVILLE-SPECIAL USE & SOLAR SITE PLAN-TAX MAP ID ##033-06-01.2 & 033-06-05.1(AR80)

Mr. Brian Harper stated DG NY LLC is no longer going to proceed with the solar project for West Sorrell Hill Rd. Motion made by Mr. Schanzenbach to close Public Hearing, seconded by Mr. Budosh. Motion carried.

DG NY LLC-WEST SORRELL HILL-BALDWINSVILLE-SPECIAL USE & SOLAR SITE PLAN-TAX MAP ID ##033-06-01.2 & 033-06-05.1 (AR-80)

Regular meeting back in session. Chairman called motion to deny application for DG NY LLC solar array project on West Sorrell Hill Rd. Motion made by Mr. Schanzenbach, followed by Mr. Ruddock. Motion carried.

MARION GARDENS APARTMENTS-AREA VARIANCE-407 TUSCANY LANE-BALDWINSVILLE-TAZ MAP ID #031.8-01-17.0 (PUD)

Mr. Mario D'Arrigo of 40 Timberland Lane, was present along with Mr. Michael D'Arrigo. Mr. Mario D'Arrigo spoke on the site plan submitted. A minor change made to the roadway plans, per OCWA, which kinked the road slightly. This eliminated a storage building, and moved one slightly, still maintaining a 25mph speed limit. Plans reflect all these changes. The applicant is asking for an area variance for a small office building. Code is a 35ft. setback, in which they would be asking for 27ft off property line. Mr. D'Arrigo stated this would not change the

appearance of the neighborhood, the office looking like a small residence. Mr. Geiss stated there is a small mail kiosk labeled 25ft. off property-this will be a small structure with slots for residents' mail, around 6x4ft. This might be able to be covered under the area variance. A room is shown for the water pipe-OCWA is providing the private water. Mr. D'Arrigo says the building, will be nicely decorated. Movement of the road, is part of asking for the variance as well, to be polite to the neighbor. Also making this not a self-created hardship.

Mr Schanzenbach asked about the siding on the building, Mr. Michael D'Arrigo answered it will be vinyl siding, as well as some stoning with nice lights and a sign. It will be a manned office during business hours, and the employee will park in the rear parking spot. Mr. Geiss declared Town Of Van Buren lead agency of this uncoordinated review of an unlisted action under SEQR for an area variance at 407 Tuscany Lane, Baldwinsville, NY. Tax Map Id #031.8-01-17.0 in a PUD zone. Motion by Mr. Ruddock, seconded by Mr. Roman. Motion carried. Motion by Mr. Ruddock, seconded by Mr. Roman to call Public Hearing for November 10th meeting. Motion carried. Mr. Budosh made note of changing the variance from 8ft. to 10ft. to include mail kiosk.

TERPENING-AREA VARIANCE-115 FARREL RD.-SYRACUSE-TAX MAP ID# 059-02-02 (IND-A)

Mr. Craig Billinson of 332 South Salina St., Syracuse, was present on the Applicants behalf. Mr. Billinson started off by stating previously approved plans, cannot be met, the 20ft. setback is a hardship to park trailers, needing a 10ft. spacing between each to move them. This significantly reduces the amount of trailers that that Applicant may park, having roughly decreased by 20-25 trailers. Architect drew plans with a 20ft. setback in place, incorrectly. He noted the line between Geddes and Van Buren, Mr. Paul Billings owns both properties, making it one property not two. Ms. Nadine Bell said that a deed may reflect multiple properties and not separate the properties themselves. If this is not a property line, there is no setback. It is, however, a separate property on the corner, Chairman made note that an area variance, goes with the land, and if this property were to sell in the future, creates a question whether or not the Town would want to do that. Chairman also stated there was quite a drop off a bit to the North, no parking in this drop. Mr. Schanzenbach asked what exactly the applicant is looking for, to which Mr. Billinson responded no setback at all. Therefore, a substantial change, is being requested.

Mr. Geiss reiterates no parking in the slope. Mr. Billinson will speak to the applicant on the property lines, front and back, & about showing no property lines in rear. Mr. Schanzenbach would like a comparison done to trailers parked with set back and without, showing what is gained or lost. Mr. Billinson stated that may be hard to show, due to length varying trailers in size. Ms. Bell stated to show what lengths and where trailers are parked, show how they fit, for proof determining a loss or gain. Two separate parcels are creating the setback. Combining properties would give them no setback to meet. Mr. Virginia made comment to National Grid not budging on their setback to their easement. Mr. Billinson said that Nimo didn't sign the notification to the neighbors. Applicant is working out that easement with a 50ft. setback and the site plans reflect this. Chairman calls motion to declare Town of Van Buren lead agency in an uncoordinated review of this unlisted action for the Terpening area variance at 115 Farrell Rd., Syracuse, Tax map ID #059-02-02 in an Industrial A zone. Mr. Ruddock motioned, seconded by Mr. Budosh. Motion carried. Mr. Ruddock motions to call Public Hearing for November 10th

meeting, seconded by Mr. Budosh. Motion carried. Mr. Bowes asked about what will replace the gravel once concrete barriers' are moved back. Mr. Billinson answered with no plans, just moving blocks further back, but plantings, are to be added to that area.

GYPSUM-MIKE FLYNN-SITE PLAN REVIEW-VAN BUREN RD.-TANDUM LLC-TAX MAP ID #058-01-36.3 & #058-01-38.2

Mr. Julian Clark of Plumbly Engineering, and Gypsum representative Michael Flynn were both present to speak on the site plan. Mr. Clark discussed plans to connect to the NYS Thruway parking on exit 39. This will make toll-less transitioning more smooth, when the Thruway does away with toll plazas. Applicant is in discussion with the local Thruway, stating they are on board, and Albany Thruway approval is in the works. A gated system will be used for access to park tractor-trailers'. Mr. Schanzenbach asked where the gates are going to be, and if they will both be automatic. Mr. Flynn explained the Thruway will have to set the boundaries for parking. Mr. Schanzenbach inquired about the barrier, Mr. Flynn answered it will be a concrete barrier to block traffic. There will be a phased approach to taking down the toll plazas.

Mr. Virginia would like to know where traffic is going to be directed and Mr. Schanzenbach asked about the drainage. Nothing is final, but a couple of swales' were added, thus far. Lighting was asked about, there are no plans for lighting. Mr. Bowes asked for the lot lines, to which Mr. Clark responded the properties' will be combined into one. Mr. Virginia asked if there are plans for any gates off Van Buren Rd. No gates off Van Buren. Mr. Geiss inquired if there was any wet land, no there is not. Chairman made statement that the Board cannot take action without Thruway approval, can't agree to connect to their property, but can agree to the layout. The board wants clarity on plans showing "right of way" or property line. Current plans show Right of Way as property line, one in the same. Setbacks are met by the current plans on parking lot. Ms. Bell states this will need a 239 review (GML) to County for review & SWPPP needed. Tree removal mentioned, only removing what is necessary for this project.

Chairman declares Town of Van Buren lead agency for this uncoordinated review of an unlisted action, under SEQR for site plan review at Gypsum, address Van Buren Rd. Tandum LLC, tax map ID #058-01-36.3 & #058-01-38.2 IND-A zoning. Motion by Mr. Ruddock, seconded by Mr. Virginia. Motion carried. Ms. Bell states that under terms of the zoning law, the Town has a choice whether a Public Hearing is necessary, or not, on a site plan. The Board decided there was no need for a Public Hearing. Motion by Mr. Ruddock, seconded by Mr. Schanzenbach to send to County for review. Motion carried.

SCOTT MERLE-AREA VARIANCE-217 LEXI LANE-BALDWINSVILLE-RELIEF FROM REAR YARD SET BACK-TAX MAP ID #TBD-(PUD)

No one was present to represent the Applicant. Asking for reduction to 33ft. setback. Make note of a deck may not be added with these setbacks.

Motion made by Mr. Ruddock to adjourn meeting, seconded by Mr. Roman. Motion Carried – Adjournment at 8:05pm.

