

The September 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 6:00 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	absent
	Greg Boltus	present
	Jim Schanzenbach	present
	Tony Geiss	present

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

MINUTES

Motion by Mr. Schanzenbach to approve the August meeting minutes as amended.
 Seconded by Mr. Virginia. Motion Carried.

Motion by Mr. Virginia, seconded by Mr. Schanzenbach to open public hearing for Jeremy Wheeler area variance. Motion carried.

PUBLIC HEARING- JEREMY WHEELER-AREA VARIANCE-7704 WEST SORRELL HILLRD.-TAX MAP ID #033.-06-02.0(AR-80)

Mr. Jeremy Wheeler, property owner was present to speak on his plans to rebuild a house that suffered a fire. Mr. Wheeler is asking for an area variance to attach the garage, rather than have it detached making it more of a Cape Cod style. Chairman asked for any comments or questions. No comments made. Mr. Virginia motioned to close public hearing, seconded by Mr. Schanzenbach. Regular meeting back in session.

JEREMY WHEELER-AREA VARIANCE-7704 WEST SORRELL HILLRD.-TAX MAP ID #033.-06-02.0(AR-80)

Chairman stated exact dimensions for front yard at 26ft. setback, should be 60ft. by code. Side yard setback asking for 30ft. should be 40ft. by code. Rear yard setback requested at 25ft. should be 50ft. by code. Chairman read the resolution as follows:

**RESOLUTION NO. 2109_
OF THE
ZONING BOARD OF APPEALS
OF THE TOWN OF VAN BUREN**

Jeremy R. Wheeler of 7704 West Sorrell Hill Road, Baldwinsville, New York (“Applicant”) has applied for area variance relief from Section 200-45 of the Town of Van Buren Zoning Code for property situated at 7704 West Sorrell Hill Road, Tax Map No. 033-.06-02.0 (“Property”), relating to the location of a proposed single-family dwelling. The Property is located in the AR80 District.

Applicant spoke in favor of the application and described the need to reduce the front yard setback to a minimum of 26 feet and to reduce the rear yard setback to a minimum of 25 feet to reconstruct a single-family dwelling with improvements on the Property in the same location as a prior single-family dwelling that had been damaged by fire. Section 200-45 requires the front yard setback for residential structures to be 60 feet and the rear yard setback for a residential structure to be 50 feet. The relief sought will permit the construction of a front porch and attached garage onto the footprint of the previous residential structure. It was confirmed that location of the proposed improvements was limited by the placement of the previous structure. Applicant indicated that the relief sought is consistent with the character of the neighborhood, noting that this Board previously granted area variance relief for the Property to reduce the distance of building setbacks. There was no objection to the proposal at the public hearing, which was held on September 14, 2021, pursuant to public notice.

In support of the application, Applicant submitted an Application for Variance, Agricultural Data Statement, Notification to Surrounding Property Owners, Short Environmental Assessment Form, dated July 28, 2021, and the following documents prepared by KK-J Architecture, PLLC for the “Fire Reconstruction Wheeler Residence:”

- Site Plan, dated July 29, 2021;
- Elevations, Drawing No. 1 of 6, dated July 21, 2021;
- Foundation Plan, Drawing No. 2 of 6, dated July 21, 2021;
- First Floor Plan, Drawing No. 3 of 6, dated July 21, 2021;
- Second Floor Plan, Drawing No. 4 of 6, dated July 21, 2021;
- Wall Sections, Drawing No. 5 of 6, dated July 21, 2021; and
- Notes and Details, Drawing No. 6 of 6, dated July 21, 2021.

Based upon the foregoing, the Board resolves as follows:

1. This matter is Type II under the State Environmental Quality Review Act as it involves the granting of an area variance related to a single-family residential use.

2. It is determined that variance relief will not produce any undesirable change in the character of the neighborhood and will not be a detriment to nearby properties. Variance relief will not have an adverse effect or impact on the physical environmental conditions in the neighborhood or district. Neighbors did not express any opposition to the variance. There is no apparent method to achieve the benefit Applicant wishes to obtain, other than a variance and the benefit to Applicant does outweigh any detriment to the neighborhood or community because of granting the variance relief.

4. An area variance is hereby granted to allow the applicant to reduce the front yard setback to a minimum of 26 feet and to reduce the rear yard setback to a minimum of 25 feet on property located at 7704 West Sorrell Hill Road, Tax Map No. 033-.06-02.0.

Dated: September 14, 2021

Anthony Geiss, Jr. Chairman

Zoning Board of Appeals

Town of Van Buren

Roll Call Vote:

	Aye	Nay	Other
Mark Budosh	<u> x </u>	<u> </u>	<u> </u>
James Virginia	<u> x </u>	<u> </u>	<u> </u>
Gregory Boltus	<u> x </u>	<u> </u>	<u> </u>
Roger Roman	<u> </u>	<u> </u>	<u> x </u>
James Bowes	<u> x </u>	<u> </u>	<u> </u>
James Schanzenbach	<u> x </u>	<u> </u>	<u> </u>
Anthony Geiss	<u> x </u>	<u> </u>	<u> </u>

Mr. Geiss asked the measurements of the porch. Mr. wheeler responded it was 8’x10’ and it will be removed, replaced with stairs and a canopy.

Mr. Virginia motioned to pass the variances seconded by Mr. Budosh. Motion carried.

Motion by Mr. Schanzenbach to open Public Hearing for Leonid Gerasimovich subdivision seconded by Mr. Virginia. Motion carried.

PUBLIC HEARING-LEONID GERASIMOVICH- SITE PLAN/SUBDIVISION-MERGING BOTH PROPERTIES AT OLD SOLVAY IRON BUILDING-3546 WALTERS RD., SYRACUSE-TAX MAP ID #055.1-01-06.2-(IND-A)

Mr. Leonid Gerasimovich, property owner was present to speak on subdivision and site plan. Mr5. Gerasimovich added some parking and labeled the businesses that operate out of building. Chairman stated handicapped parking needed to be added and shown to new plans. Plans for subdivision are to join both lots, building sits on two separate lots currently. Mr. Geiss asked for comments. No comments made. Mr. Schanzenbach motioned to close public hearing seconded by Mr. Budosh. Motion carried.

LEONID GERASIMOVICH- SITE PLAN/SUBDIVISION-MERGING BOTH PROPERTIES AT OLD SOLVAY IRON BUILDING-3546 WALTERS RD., SYRACUSE-TAX MAP ID #055.1-01-06.2-(IND-A)

Chairman stated lots are being combined, but site plan is lacking detail. Parking with handicapped laid out, total of paved area along Walters Rd. needs to show a grass area. Mr. Virginia asked about plans on lighting. Mr. Gerasimovich answered there are lights on the building. Mr. Virginia said these should be reflected on the drawings. Mr. Schanzenbach suggests employing an engineer to do the site plan noting they would know best about code requirements. Chairman asked about labeled use of “truck terminal”-

note where trucks will be parked. Mr. Geiss read comments from County which left it solely to referring Board. Per County all driveway entrances must meet DOT requirements. Mr. Virginia added driveway must be paved 60ft. cannot be gravel on a County road.

Motion by Mr. Budosh in regards to SEQR seconded by Mr. Schanzenbach. Finding no adverse environmental impact by combining lots to make one parcel. Motion carried.

Mr. Schanzenbach motioned to approve Subdivision with submitting combined deed for property, seconded by Mr. Virginia. Motion carried.

PUBLIC HEARING-EMPIRE POLYMERS, LLC-SITE PLAN-7528 STATE FAIR BLVD.-TAX MAP ID #031.-11-01.1 (IND-A)

Mr. Julian Clark of Plumbly Engineering and Mr. Frank Murphy, owner were present to speak on sign locations and sizes. State Fair Blvd. will have a monument sign similar to Tessa Plastics original sign that was there. Will use that for truck entry. Other sign is a directional sign to show where offices and other buildings are located. Signage on building in rear won't be placed unless building is in use. Mr. Murphy spoke on access road behind North building for trucks and adding a truck scale. Parking area indicated in dark yellow on new plans. Manhole and sewer line added directly to property, improving piping. Mr. Clark mentioned the existing pump station is remaining and that a sight distance study was done. Also, eliminated parking spots the Board wanted removed. Chairman asked for any comments. No comments made. Motion by Mr. Virginia to close public hearing seconded by Mr. Budosh. Motion carried.

EMPIRE POLYMERS, LLC-SITE PLAN-7528 STATE FAIR BLVD.-TAX MAP ID #031.-11-01.1 (IND-A)

Chairman refers to County comments, if any clearing of trees must coincide with the Indiana bats timing. Applicant stated there will be no significant tree removal. County recommended NYSDOT requirements, lighting plans submitted for glare, coordinate on sewer plans and contact department if any work is to be done, appropriate driveway access as well. Mr. Palmer reviewed signage. Directional sign meets code. North building asking for 24sq/ft. this meets code. Main building @59sq/ft. meets code as well. Monument sign is asking for 48sq/ft. since double sided, code is 32sq/ft. allowed. Would need area variance for this.

Mr. Schanzenbach asked if lighting is new. Mr. Murphy responded some lighting is existing. Would like to move one near houses away from there and provide more lighting for the trucking area. Existing lights and new shown on plans. Mr. Murphy asked if they reduce monument sign to 32sq/ft. is a variance needed. No, it would then meet code. Agreed to modify sign to meet code. Variance not needed. Chairman asked for comments. No comments made.

Motion by Mr. Virginia in regards to SEQR seconded by Mr. Schanzenbach found to have no adverse environmental effect for Empire Polymers site plan. Motion carried.

Motion by Mr. Schanzenbach to approve site plan dated February 20, 2021 with latest revision September 10, 2021 seconded by Mr. Budosh. Motion carried. Applicant must comply with DOT for trip generators with traffic study and modify monument sign to 32sq/ft.

Motion by Mr. Budosh seconded by Mr. Virginia to open public hearing for Thomas Lamere subdivision. Motion carried.

**PUBLIC HEARING-THOMAS LAMERE-SUBDIVISION-6894 NYS ROUTE 31-TAX
MAP ID #049.-01-01.0 (AR80)**

Mr. Thomas Lamere property owner was present to speak about plans to subdivide his property. He built an office in 2004, converted into a house in 2009. In 2009 was granted a variance for lot size and depth but did not subdivide at time because it was not needed. Now he would like to subdivide lot with buildings from empty lot. Lot line proposed is 16.5ft to building on North lot and 15ft. to wood shed which meets setback codes. Chairman asked for any comments for or against proposal. No comments made.

Motion by Mr. Schanzenbach to close public hearing seconded by Mr. Budosh. Motion carried. Mr. Virginia made note to recuse himself being his an adjacent neighbor to Mr. Lamere.

**THOMAS LAMERE-SUBDIVISION-6894 NYS ROUTE 31-TAX MAP ID #049.-01-01.0
(AR80)**

Chairman reviewed County comments. Lot 2 does not have approved septic plans, but otherwise left solely to the referring Board. Mr. Schanzenbach asked about neighbors notification, was it listed for a variance? No variance needed, Mr. Lamere changed setback to 15ft. meeting code. Mr. Bowes asked about driveways and Mr. Lamere stated both lots will have own driveway. Existing access off West Dead Creek Rd. Mr. Boltus asked about location of sewer on lot 1 and Mr. Lamere answered it was right in front of house.

Mr Geiss declared Town of Van Buren lead agency in this uncoordinated review of an unlisted action for Subdivision with no adverse environmental impact. Motion by Mr. Budosh in regards to SEQR seconded by Mr. Schanzenbach. Motion carried.

Motion by Mr. Schanzenbach to approve Subdivision per map dated August 9, 2021 seconded by Mr. Budosh. Motion carried.

**BARTUSH SIGNS FOR ALTEC-VARIANCE FOR SIGNAGE-6883 HERMAN RD.-TAX
MAP ID #055.-02-04.0 (INA)**

Wendy Kern from Bartush Signs was present on behalf of Altec. Ms. Kern spoke on 6'x 8' monuments sign previously approved now would like the sign to be double sided, doubling the square feet for visibility from Herman Rd. They have reduced the sign on building to 36sq/ft. and added a sign facing the Thruway at 130sq/ft. Applicant is requesting this for more visibility exiting off Thruway. Altec has approval letter for this from Thruway Authority. Letter states one year approval, which Ms. Kern answered yes it must be renewed every year.

Mr. Palmer reviewed signage and code. The request for a 36sq/ft. sign is meeting code. Monument sign allowed at 32sq/ft. asking for 96sq/ft. for double sided. Thruway sign allowed at 75sq/ft. asking for 130sq/ft. Area variances needed for both signs to be allowed. Mr. Geiss asked why signs are so big? Ms. Kern answered the building sits significantly down away from road

where you can't see it. Would like to make location more visible to passing vehicles. Mr. Palmer suggests a freestanding sign might work more in their favor it being higher. Mr. Palmer determined Herman Rd. as main access would allow the one sign. Mr. Schanzenbach stated they have choices to make- limit signage to one allowed sign, ask for the area variances, or challenge Mr. Palmer's interpretation. Mr. Virginia spoke on Applicant asking for a 55sq/ft. variance, which is a significant amount to ask for. Compare to other businesses on the road. Does it match?

Code Officer's interpretation is the business is allowed one building sign. Mr. Virginia asked if they could agree to one sign which one they would want? They believe Thruway sign. Asking for 2 variances all together. Public hearing will be called for October 12th meeting and the applicant will submit a firmed up application.

Discussion on mandating the vaccine for all employees.

Motion by Mr. Schanzenbach to adjourn seconded by Mr. Boltus. Motion carried.
Adjournment @ 7:50pm.

