

The March 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	excused
	Mark Budosh	excused
	Jamie Bowes	present
	Roger Roman	present
	Claude Sykes	present
	Jim Schanzenbach	excused
	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. Roman to approve the March meeting minutes as amended. Seconded by Mr. Sykes. Motion Carried.

Motion by Mr. Sykes, seconded by Mr. Roman to open public hearing for Seneca Neighborhood/ Treybrook variance for rear yard setback. Motion carried.

**PUBLIC HEARING-SENECA NEIGHBORHOOD-(TREYBROOK)-VARIANCE FOR REAR YARD SETBACK-425 DEWPORT RD.-TAX MAP ID#064-03-49.0 (PUD)**

Mr. Brandon Jacobson of Brolex Properties at 5912 N. Burdick St. East Syracuse was present to speak for applicant Build Your Own Homes on plans for a house to be built on Lot 134 on the cul-de-sac presenting a unique shaped lot. To be consistent with the other homes, Applicant is asking for a rear yard variance for lot is too shallow to meet setback requirements. Variance was previously, approved for a 25ft. setback, but homeowner did not like the layout/placement of the house where garage was to be built. The plans then flipped, causing a lesser setback from year to be needed. No change to house size, just turning the build needs adjustment to rear to fit. Chairman clarified the lot backs up to an electrical easement and water easement that abuts up to Van Ness Rd. Applicant is asking the set-back be brought from approved 25ft. down to 18.5ft.. All other setbacks meet code. Chairman asked for any comments? No comments.

Motion by Mr. Sykes to close public hearing seconded by Mr. Roman. Motion carried. Regular meeting back in session.

**SENECA NEIGHBORHOOD-(TREYBROOK)-VARIANCE FOR REAR YARD  
SETBACK-425 DEWPORT RD.-TAX MAP ID#064-03-49.0 (PUD)**

Mr. Brandon Jacobson of Brolex Properties explained to Board the builder swapped where garage was because of the deck and kitchen positioning. This caused house not to fit as originally planned, needing the variance to be for 18.5ft. rather that of approved 25ft. Chairman read resolution as follows:

**RESOLUTION NO. 2203\_\_  
OF THE  
ZONING BOARD OF APPEALS  
OF THE TOWN OF VAN BUREN**

In January 2022, Build Your Own Home, LLC of 5912 North Burdick Street, East Syracuse, New York (“Applicant”) obtained area variance relief from Section 200-45 of the Town of Van Buren Zoning Code for property located in the PUD Zoning District known as Lot 134 of Phase 2A of the Treybrook Subdivision, Tax Map No. 064-.03-49.0 (“Property”), allowing the location of a proposed single-family dwelling 25 feet off the rear property line. Applicant has returned before the Zoning Board of Appeals seeking additional relief from the rear yard setback requirements.

Under Section 200-45 of the Zoning Code, the required rear yard setback distance for a residential structure in the PUD Zoning District is 40 feet. Having received permission to reduce the rear yard setback to 25 feet, Applicant now proposes to construct a single-family dwelling on the Property in such a manner that requires additional relief from Section 200-45 to allow placement of the dwelling 18.5 feet off the rear property line. As previously noted by this Board, the Property is situated on the bend of the Dewport Road cul-de-sac, resulting in a unique, wedge-shaped parcel. The rear of the Property abuts an undeveloped landlocked parcel and is encumbered by utility easements; accordingly, a further reduction in the rear yard setback will not impact any other property owners.

A representative for Applicant appeared at the public hearing to reiterate the Property’s limitations and explain the need for additional variance relief. Applicant addressed the concerns of the

Board. There was no objection to the proposal at the public hearing, which was held on March 8, 2022, 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 February 3, 2022, and a portion of an untitled survey.

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. 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 allowing Applicant to encroach into the rear setback area by an additional 7.5 feet, resulting in the placement of a proposed single-family dwelling 18.5 feet off the property line, on property known as Lot 134 of Phase 2A of the Treybrook Subdivision, Tax Map No. 064-.03-49.0.

Dated: March 8, 2022

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Anthony Geiss, Jr. Chairman

Zoning Board of Appeals

Town of Van Buren

Roll Call Vote:

	Aye	Nay	Other
Mark Budosh	_____	_____	<u>Excused</u>
James Virginia	_____	_____	<u>Excused</u>
Claude Sykes	<u>  x  </u>	_____	_____
Roger Roman	<u>  x  </u>	_____	_____
James Bowes	<u>  x  </u>	_____	_____
James Schanzenbach	_____	_____	<u>Excused</u>
Anthony Geiss	<u>  x  </u>	_____	_____

Update on Crego Farms:

Mr. Jacobson spoke on new plans for the Crego development after waiting for SHPO findings and comments. Original plans brought along with new preliminary plans showing preserved land for Native American history relics and their protected land. Plans adjusted to block off areas for protected land with no builds and to keep these areas as green space not to be touched. Smaller areas also eliminated for builds. Mr. Jacobson wants the Board’s input on new plans. Mr. Geiss asked if prelim plans have been sent to SHPO for their review yet? No they have not but will be. Chairman asked for all easements power, gas and cell towers to be shown on plans as well as the 20ft. South boundary. Lot sizes will be about 110ft/80ft. Similar to lots in Seneca Neighborhood/Treybrook. Smaller lots as well at 80ft/65ft.

Chairman stated how far off the River must be shown on plans. Also will Tappan St. be extended onto property for the two houses to have ingress/egress- this must be looked into as an option for smoother access. Mr. Sykes asked if additional ingress/egress will be added for the development. Parking must be looked at as well, with 2 spots per unit requirement. A thirty ft. maximum height limit on buildings is set. More updates to come.

Motion by Mr. Sykes to open Public Hearing for Leonid Gerasimovich seconded by Mr. Roman. Motion carried.

**PUBLIC HEARING-LEONID GERASIMOVICH- SITE PLAN FOR OLD SOLVAY IRON BUILDING-3546 WALTERS RD., SYRACUSE-TAX MAP ID #055.1-01-06.2-(IND-A)**

Mr. Kevin Hagen 180 Intrepid Lane, Hagen Architects was present to speak on behalf of Applicant. Mr. Hagen documented on plans how property is currently used as well as future plans. Main building now has Empire Trucking LLC with five employees occupying. Rear of building has a truck washing business with one tenant. Front of building has hair salon and office for trucking business. With one future tenant

for front building as well. Most surrounding area is wooded with crushed rock pavement. Front of property will have a grass area to differentiate from road to paved area of property. Stone area currently extends on to neighboring property. Parking spots have been pushed back to make room for trucks to turn. Plantings added to new plans for front portion of building. Low lying plants, in three different varieties. All lighting is existing. Truck parking shown on West side of property where crushed stone lays. Parking spots shown for hair salon, office and trucking along with future tenant, exceeding the required amount. Chairman asked for any comments. No comments made. Motion by Mr. Roman to close Public Hearing seconded by Mr. Sykes. Motion carried. Regular meeting back in session.

**LEONID GERASIMOVICH- SITE PLAN FOR OLD SOLVAY IRON BUILDING-3546 WALTERS RD., SYRACUSE-TAX MAP ID #055.1-01-06.2-( IND-A)**

Chairman asked Mr. Kevin Hagen about the maps for the property merge they were previously approved for. The maps are to be, submitted for signature and County filing. Mr. Sykes asked if salon is operating. Yes it is. Mr. Sykes asked why a PUD is referenced in the EAF portion of application. Mr. Hagen stated they will change that as they are not seeking a PUD. County comments came back with no significant environmental factor and left solely to Town's discretion. County included notes to reach out to water & environmental protection. Truck cleaning station especially will need this. Plantings in the front of building after weather permitting. Parking should be limited to property only-cars are currently parking all over. Board would like a delineated area more, with maybe a stop block of some sort. Trucks are parking all the way onto adjoining property. Mr. Sykes mentioned a right of way or easement has to be added if using. Must be 50ft. back of crushed stone out front not to go onto main road.

Motion by Mr. Sykes to open Public Hearing for David Seaman's area variance seconded by Mr. Roman.

**PUBLIC HEARING-DAVID SEAMANS-AREA VARIANCE FOR POLE BARN REAR/SIDE YARD SETBACK-6921 WINCHELL RD.-TAX MAP ID# 055.-03-04.1 (INDA)**

Mr. David Seaman's property owner was present on his own behalf to speak on plan to build a pole barn on site and is asking for a variance for side yard setback. By code, set back is 25ft. and Mr. Seaman is asking for a 15ft. due to the property having a large hill. The barn will be 30'x52' and will need to have the setback reduced due to incline in property. Chairman asked for comments. No comments made. Mr. Roman motioned to close Public Hearing seconded by Mr. Sykes. Motion carried. Regular meeting back in session.

**DAVID SEAMANS-AREA VARIANCE FOR POLE BARN REAR/SIDE YARD SETBACK-6921 WINCHELL RD.-TAX MAP ID# 055.-03-04.1 (INDA)**

Mr. Roman asked about an existing pole barn on Mr. Crisafulli's property and using Mr. Seaman's driveway to access. Mr. Crisafulli will be moving the barn but has agreement with Mr. Seaman to use drive in meantime. Mr. Sykes asked what new pole barn will be used for. Mr. Seaman stated it will be for storage of equipment and cars. Mr. Geiss referenced that the land is commercial property with Crisafulli's to the North and G&C Foods to the West. Will not affect the current structure of the neighborhood. Mr. Geiss read the resolution as follows:

**RESOLUTION NO. 22\_\_**  
**OF THE**  
**ZONING BOARD OF APPEALS**  
**OF THE TOWN OF VAN BUREN**

David Seamans, of 6921 Winchell Road (“Applicant”), has applied for area variance relief from Section 200-45 of the Town of Van Buren Zoning Code for property located in the Industrial-A Zoning District at 6921 Winchell Road, Tax Map No. 055-.03-04.1 (“Property”), allowing the location of a proposed pole barn structure 15 feet off the side yard property line.

Under Section 200-45 of the Zoning Code, the required side yard setback distance for a residential structure in the Industrial-A Zoning District is 25 feet. Applicant proposes to construct an accessory pole barn structure on the Property in such a manner that requires relief from Section 200-45 to allow placement of the structure 15 feet off the side yard property line. Although the Property consists of approximately 1.83 acres, it is noted by this Board that to place the pole barn structure outside of the side yard setback area, Applicant will have to undertake significant earth-moving/ excavation activities due to the Property’s topography.

Applicant appeared at the public hearing to explain his request for variance relief and describe the Property’s topography. Applicant addressed the concerns of the Board. There was no objection to the proposal at the public hearing, which was held on March 8, 2022, 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 February 24, 2022, and an altered survey of the Property.

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 an accessory structure for a single-family dwelling.

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. 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 allowing Applicant to encroach into the side yard setback area by 10 feet, resulting in the placement of a proposed pole barn accessory structure 15 feet off the property line, on property known as 6921 Winchell Road, Tax Map No. 055-.03-04.1.

Dated: March 8, 2022

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Anthony Geiss, Jr. Chairman  
Zoning Board of Appeals  
Town of Van Buren

Roll Call Vote:

	Aye	Nay	Other
Mark Budosh	_____	_____	<u>Excused</u>
James Virginia	_____	_____	<u>Excused</u>
Claude Sykes	<u>  x  </u>	_____	_____
Roger Roman	<u>  x  </u>	_____	_____
James Bowes	<u>  x  </u>	_____	_____
James Schanzenbach	_____	_____	<u>Excused</u>
Anthony Geiss	<u>  x  </u>	_____	_____

Motion by Mr. Sykes to pass area variance for Winchell Rd seconded by Mr. Roman. Motion carried.

Discussions:

Annual training session for Thursday March 10<sup>th</sup>.

County comments will no longer require public meetings for Town comments. Will help for timing in building and planning matters.

Reynolds school is talking of adding another driveway for parents picking up their kids. Adding ingress/egress for buses only.

Discussion on upcoming plans for Benwood Auto.

Comprehensive Planning comments and input from the Board.

Motion by Mr. Sykes to adjourn meeting seconded by Mr. Roman. Adjournment @7:25pm.

























