

The April meeting of the Zoning/Planning Board of the Town of Van Buren, held at the Town building, 7575 Van Buren Road, Baldwinsville, New York, was called to order at 7:00 p.m.

Those present joined in the Pledge Allegiance to the Flag.

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

Also Present: Lynn Precourt, Town Clerk  
 Nadine Bell, Attorney  
 Jason Hoy, Engineer  
 David Pringle, Code Enforcement Officer

**MINUTES**

Mr. Geiss asked the Board to accept the March meeting minutes for Zoning/Planning Board as written. Mr. Virginia moved to accept the motion, seconded by Mr. Budosh. Motion carried unanimously.

**Mr. Geiss stated I would like to recess the meeting to call a public hearing for Fox Creek Apartments Site Plan Village Blvd. South Tax Map ID # 031-10-04.1.**

Mr. Geiss waived the reading of the public notice.

Mr. Alex Wisniewski was present to address the Board.

Mr. Wisniewski stated the project is 11 acres in size, the original proposal called for 156 apartments units with parking and garage spaces along with an onsite clubhouse.

Mr. Wisniewski stated in response to some of the concerns from residents along Niblick Circle we have relocated the secondary driveway to the north of the property.

Mr. Wisniewski stated we have also eliminated 12 units in so doing we will be able to preserve some of the vegetation along the south end of property.

Mr. Wisniewski stated we feel we have significant green space for the Storm Water Management Plan.

Mr. Wisniewski stated the closest we get to the southern property line is 44 feet.

Mr. Wisniewski stated all the public utilities are available for the site.

Mr. Wisniewski stated there will be four buildings that will feature one bedroom units with a slightly smaller footprint.

Mr. Wisniewski stated we had some discussion regarding signage, it will be just a single monument sign located near the Village Blvd. entry which would comply with your zoning.

Mr. Wisniewski stated we have shown adequate parking at two spaces per unit.

Mr. Geiss asked if anyone would like to speak for or against this proposal.

Ms. Jennifer Johns at 786 Fairway Circle spoke.

Ms. Johns indicated I am concerned with the time frame, the noise, this is a small area and it is very congested.

Ms. Kathy Allen at 109 Niblick Circle spoke.

Ms. Allen stated I thought that this was stated that there was going to be 156 units and with discussion it was lowered. I thought I heard 12 units, is that true?

Ms. Allen asked how many units per building?

Ms. Allen asked at the sub-committee meeting how were the neighbors picked to attend this as I would have liked to attend?

Ms. Cynthia Kizer at 123 Niblick Circle spoke.

Ms. Kizer stated the twin pipe system in my yard, how is the water getting from outback to the twin pipes without going through my yard?

Ms. Kizer stated I appreciated you considering the entrance off O'Brien Road as those of us who back up to that have very shallow yards.

Ms. Kizer stated I did do a site visit on Buckley Road and the trees in this complex are very tiny and I hope that when you choose the trees you will consider something larger.

Mr. Chris Felski at 117 Niblick Circle spoke.

Mr. Felski stated my comment is along Niblick Circle pretty much everyone has sump pumps and our backyards are quite low.

Mr. Felski stated they have talked about regrading and I do appreciate that as that will get the water away from me, as I understand correctly there will need to be a berm and at a point will put the highpoint in my backyard adjacent to a low point all that water that is going out the back of our homes is going to end up as a ditch in our backyards.

Ms. Susan McKee at 105 Niblick Circle spoke.

Ms. McKee stated and my concern is that I have lived in Baldwinsville since 1967 and with the sudden development that they are taking all the green spaces away.

Ms. McKee asked at one point someone indicated this was going to be done in two stages, at the first meeting we were told that if stage one did not work out, or at full occupancy we will not go through with stage two.

Ms. McKee asked has there been any study done to rent 156 apartments and where are all these people coming from?

Ms. McKee stated why would you destroy 11 acres if chances are this whole project will not be completely developed.

Ms. Christine Sweeney at 101 Niblick Circle spoke.

Ms. Sweeney stated my main concern is when they did the survey to map all this out, when my house was done they did not landscape all the way back to the rear of the property.

Ms. Sweeney stated I want to make sure that nothing will be touched on my property.

Ms. Sweeney stated I am also concerned with the traffic as this will be an increase in the number of people that will live in the area.

Mr. Joe Eisenhower at 103 Niblick Circle spoke.

Mr. Eisenhower stated I would like to see more of a formal notification being sent out for something like this.

Ms. Roberta Roloff at 111 Niblick Circle spoke.

Ms. Roloff stated my concern is about clearing all the trees of the 11 acres which will leave swampy land.

Ms. Roloff stated I feel everyone has a duty to look out for what is being built.

Ms. Roloff stated we have Tessy which is a huge development.

Ms. Roloff stated I am concerned about the buffer, there is a long line of healthy beechnut and black oak trees, I don't understand why they cannot be kept.

Mr. Jonathan Jindrak at 118 Niblick Circle spoke.

Mr. Jindrak stated I see this project bringing a lot of revenue to the Town.

Mr. Jindrak stated I have had a problem with flooding several times, I am hoping the Town will come and put the grass in soon.

Mr. Jindrak stated I am concerned with the amount of traffic as well.

Mr. Jindrak stated is it really needed for this project to be put in the Town.

Ms. Rose Cazzola at 107 Niblick Circle spoke.

Ms. Cazzola stated when we moved in here we were told it was supposed to be forever wild, I don't think these apartments are needed and it would be nice if they left some trees.

Mr. Geiss asked if anyone else would like to speak for this proposal?

No one else spoke.

**Mr. Geiss closed the public hearing.**

**Mr. Geiss stated we are now back in regular session.**

### **FOX CREEK APARTMENTS SITE PLAN**

Village Blvd. South Tax Map ID# 031-10-04.1

Mr. Tony Alberici was present to address the Board.

Mr. Alex Wisniewski was present to address the Board.

Mr. Geiss stated the sub-committee meeting date was set at our last meeting. This was held on March 27, 2017 here at the Town Hall.

Mr. Geiss stated at that meeting we invited the public to come to the sub-committee meeting and that is was an open meeting.

Mr. Wisniewski stated the originally there was 156 units and that has been reduced to 144 units.

Mr. Wisniewski stated the units will have a peak roof, residential in nature, horizontal siding.  
Mr. Wisniewski stated this swale that runs through the property, there is no easement currently associated with that but it does make sense to dedicate an easement to the Town.  
Mr. Wisniewski stated we will not be directing more water to the rear yards.  
Mr. Wisniewski stated we will preserve vegetation and save trees as much as we can.

Mr. Geiss stated the drainage will be addressed in detail by the applicant.  
Mr. Geiss stated this project has been referred to County Planning for their comments.

Mr. Schanzenbach stated as far as Site Plan review you have reviewed the comments and the end result is very good.  
Mr. Schanzenbach stated I feel you need to work on the sidewalks some more.  
Mr. Schanzenbach stated I would address the landscaping as well.

#### **STORE MORE PAY LESS SITE PLAN (PUD)**

7029 Van Buren Road Tax Map ID# 057-01-04.8

Mr. Geiss stated no one is present this evening, they have not received a final on the zone change yet therefore we will act on this next month.

#### **SANDRA KIRNAN ZONE CHANGE/BILLBOARD OVERLAY DISTRICT**

Winchell Road Tax Map ID# 055-04-02.1

Ms. Sandra Kirnan was present to address the Board.

Mr. Geiss stated we have a statement from McDonald Kimball Law regarding the easement.  
Mr. Geiss stated the easement goes from Winchell Road all the way back down to Walters Road.

Mrs. Nadine Bell reviewed parts of the easement with the applicant and the Board.

Mr. Geiss stated you need to review the easement further before we can give recommendation to the Town Board.

**Mr. Geiss stated I would like to recess the meeting to call a public hearing for Jeff Landers for a variance section 200-72 (B) at 94 Cross Country Drive Tax Map ID # 033.1-05-15.3.**

Mr. Jeff Landers was present to address the Board.  
Mr. Landers stated I am requesting a variance for a full height fence of 6 feet for the front of my house and it is going to the eastern side.  
Mr. Landers stated what borders my property is the parking lot of Syracuse Homes which has heavy traffic.

Mr. Geiss asked if anyone would like to speak for or against this proposal.

No one spoke.

**Mr. Geiss closed the public hearing.**

**Mr. Geiss stated we are now back in regular session.**

**JEFF LANDERS VARIANCE SECTION 200-72 (B)**

94 Cross Country Drive Tax Map ID# 033.1-05-15.3

Mr. Geiss stated as for the fence the applicant can come out to the edge of his property line with it.

Resolution to follow:

**RESOLUTION NO. 1701  
OF THE  
ZONING BOARD OF APPEALS  
OF THE TOWN OF VAN BUREN**

Jeffrey C. Landers of 94 Cross Country Drive has applied for area variance relief from Section 200-72(B) of the Town of Van Buren Zoning Code related to the installation of a proposed fence measuring six (6) feet in height. The property is a corner lot located in the PUD District and is identified as Tax Map No. 033.1-05-15.3 (“Property”).

Mr. Landers appeared before the Zoning Board of Appeals and, speaking in favor of the application, described the proposed placement of a six (6) foot high fence along the eastern boundary of the Property, which is within the front yard under the terms of the Zoning Code. Section 200-72(B) of the Zoning Code provides, “[o]n all lots, no wall, hedge or fence over 3 ½ feet in height shall be erected within the front yard.” Mr. Landers confirmed that the Property is bordered on the east by the parking lot for Syracuse Home at McHarrie Place, a nursing home and rehabilitation center. Citing such concerns as privacy, noise, and the safety of children and pets, Mr. Landers indicated that the installation of a fence measuring six (6) feet in height in the front yard of the Property was necessary.

There was no objection to the proposal at the Zoning Board of Appeal's public hearing, which was held on April 11, 2017, 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, a tax map and survey of the Property, and an aerial photograph 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 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 a fence measuring six (6) feet in height in the front yard of property located along the eastern property boundary at 94 Cross Country Drive, Tax Map No. 033.1-05-15.3.

Dated: April 11, 2017

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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>X</u>	_____	_____
James Virginia	<u>X</u>	_____	_____
James Ruddock	<u>X</u>	_____	_____
Roger Roman	<u>X</u>	_____	_____
James Bowes	<u>X</u>	_____	_____
James Schanzenbach	<u>X</u>	_____	_____
Anthony Geiss	<u>X</u>	_____	_____

**Mr. Geiss stated I would like to recess the meeting to call a public hearing for Aldi Inc. for a variance section 200-64 (B) (1) at 2254 Downer Street Tax Map ID # 33.1-05-04.1.**

Mr. Geiss waived the reading of the public notice.

Mr. Vadim Kozlyuk was present to address the Board.

Mr. Kozlyuk stated we are proposing in moving the transformer from the back of the building to the front parking lot section therefore we would lose two parking spaces.

Mr. Geiss stated and you also want to reduce the size of the parking spaces.

Mr. Kozlyuk stated in order to keep the same number just up front the rest of the parking will stay the same.

Mr. Geiss asked if anyone would like to speak for or against this proposal?

No one spoke.

**Mr. Geiss closed the public hearing.**

**Mr. Geiss stated we are now back in regular session.**

**ALDI INC. VARIANCE SECTION 200-64 (B) (1)**

2254 Downer Street Tax Map ID # 33.1-05-04.1

Mr. Geiss asked why do you want to move the transformer?

Mr. Kozlyuk stated for safety and practicality reasons, we would also have to get rid of landscaping to keep it where it is.

Mr. Geiss asked how big is it?

Mr. Kozlyuk stated it is 1000 kw.

Mr. Schanzenbach stated I would like to see it moved anywhere besides right up front as we are trying to make this corridor look nice and this doesn't look good.

Mr. Geiss stated if you look at losing those two spots 75% of the spots are closer than the two at the end.

Mr. Geiss stated I don't see losing two spots will be a problem.

Mr. Virginia stated I feel we need to take some more time with National Grid.

Mr. Geiss stated we are very concerned about the front of this building.

Mr. Geiss stated I would go back to National Grid and we would like to see the second option of putting asphalt to transformer behind the building and that would be a site plan change.  
Mr. Geiss stated right now you do not have approval for any change.

### **SLATE HILL CONSTRUCTION SITE PLAN MODIFICATION**

6573 Herman Road Tax Map ID # 054-03-15

Mr. Geiss stated no one was present to address the Board therefore this is adjourned until next month.

### **TURNER FARM SUBDIVISION**

2653 East Sorrell Hill Road Tax Map ID # 32-04-01 & 02.1

Mr. Geiss stated this will be adjourned until next month.

### **FOREFRONT POWER LLC SITE PLAN**

1299 Kingdom Road Tax Map ID # 038-01-21.0

Mr. Tim Ahrens was present to address the Board.  
Ms. Jodi Hunt was present to address the Board.

Mr. Ahrens stated this is located on Town property near the landfill site.  
Mr. Ahrens stated we are requesting site plan approval.  
Mr. Ahrens stated this is about 12 acres of a 75 acre parcel and this will be 8 to 10 feet in height.  
Mr. Ahrens stated there will be a perimeter fence for safety purposes.

Ms. Hunt stated we did the application for this and we were not sure if you needed a full SWPPP for this site. We are right around the one acre threshold.

Mr. Geiss stated we will need a decommissioning plan on this as well.

**Motion** Mr. Geiss asked the Board to entertain a motion to declare the Town of Van Buren Planning Board as lead agency single agency uncoordinated review for the Type I action under SEQR for the Forefront Power LLC Site Plan at 1299 Kingdom Road Tax Map ID# 038-01-21.0. Mr. Ruddock moved to accept the motion seconded by Virginia. Motion carried unanimously.



**Motion** Mr. Geiss asked the Board to set a public hearing for Forefront Power LLC Site Plan for May 9, 2017 at 7:05 p.m. Mr. Virginia moved to accept the motion seconded by Mr. Ruddock. Motion carried unanimously.

**Motion** Mr. Geiss asked the Board to entertain a motion to send Forefront Power LLC to Onondaga County Planning for their review. Mr. Ruddock moved to accept the motion seconded by Mr. Schanzenbach. Motion carried unanimously.

### **FOREFRONT POWER LLC SITE PLAN**

6719 Pottery Road Tax Map ID # 055-01-10.1

Mr. Tim Ahrens was present to address the Board.

Ms. Jodi Hunt was present to address the Board.

Mr. Ahrens stated this application is for a 2 mg watt solar project.

Mr. Ahrens stated this will be a ground mounted system. This varies different from the other project is we have a much shorter access road with this location.

Mr. Ahrens stated the height will be from 8 to 10 feet.

Mr. Ahrens stated we do meet or exceed with the Town setbacks.

Mr. Ahrens stated there is an existing building on this parcel and it is the land owners' business.

Mr. Geiss stated we will need a decommissioning plan on this as well.

**Motion** Mr. Geiss asked the Board to entertain a motion to declare the Town of Van Buren Planning Board as lead agency single agency uncoordinated review for the Type I action under SEQR for the Forefront Power LLC Site Plan 6719 Pottery Road Tax Map ID # 055-01-10.1. Mr. Ruddock moved to accept the motion seconded by Mr. Budosh. Motion carried unanimously.

**Motion** Mr. Geiss asked the Board to entertain a motion to submit the Forefront Power LLC Site Plan to Onondaga County Planning for their review. Mr. Ruddock moved to accept the motion seconded by Mr. Schanzenbach. Motion carried unanimously.

**Motion** Mr. Geiss asked the Board to entertain a motion set a public hearing for Forefront Power LLC Site Plan for May 9, 2017 at 7:10 p.m. Mr. Ruddock moved to accept the motion seconded by Mr. Budosh. Motion carried unanimously.

**Mr. Geiss stated I would like to recess the meeting to call a public hearing for Gerard and Sharon Slate for a subdivision at 7599 West Sorrell Hill Road Tax Map ID # 32-03-05.**

Mrs. Sharon Slate was present to address the Board.

Mrs. Slate stated we have about 83 acres of land including the house.

Mrs. Slate stated we are working to protect from any future development.

Mrs. Slate stated we made a mistake in putting the house in when we combined and we now want the house out.

Mr. Geiss asked if anyone would like to speak for or against this proposal?  
No one spoke.

**Mr. Geiss closed the public hearing.**  
**Mr. Geiss stated we are now back in regular session.**

**SHARON AND GERARD SLATE SUBDIVISION**

7599 West Sorrell Hill Road Tax Map ID# 32-03-05

Mr. Geiss stated we never saw this request as you did not need to come to the Planning Board to have this done as you owned all the properties.

Mr. Geiss asked who did you file the document with?

Mrs. Slate stated something went to County, I filled out a form, just a sheet of paper and I was told to give it to the Assessor's office.

Mr. Geiss stated you have 1.35 acres but you need 80,000 square feet, you have dissolved the original lot.

Mr. Geiss stated you are now forming a new lot in the AR-80 district and it has to be 80,000 square feet.

Mr. Geiss stated I think you need your attorney to take a look at this and see what type of documents you have and then speak to the Town attorney concerning this.

**TAROLLI SITE PLAN AMENDED**

6602 Herman Road Tax Map ID # 055-01-05.1

Mr. Derek Tarolli was present to address the Board.

Mr. Tarolli stated you can see where the wetland boundary is and 100 feet buffer and in the front part of the parcel is a pipeline.

Mr. Tarolli stated we are applying for a permit for the canvas structure on the property.

Mr. Geiss stated we will need elevation for the fill area and I would also like to see some landscaping planning as well.

Mr. Geiss stated we will need this by April 27, 2017.

**Motion** Mr. Geiss asked the Board to entertain a motion to declare the Town of Van Buren Planning Board as lead agency single agency uncoordinated review for the unlisted action under SEQR for the Tarolli Site Plan Amended 6602 Herman Road Tax Map ID# 055-01-05.1. Mr. Ruddock moved to accept the motion seconded by Mr. Schanzenbach. Motion carried unanimously.

**Motion** Mr. Geiss asked the Board to entertain a motion to submit the Tarolli Site Plan Amended to Onondaga County Planning for their review. Mr. Ruddock moved to accept the motion seconded by Mr. Schanzenbach. Motion carried unanimously.

**Motion** Mr. Geiss asked the Board to entertain a motion to set a public hearing for Tarolli fill permit for June 13, 2017 at 7:15 pm. Mr. Ruddock moved to accept to motion seconded by Mr. Schanzenbach. Motion carried unanimously.

## **INFORMATION ONLY**

## **OTHER BUSINESS**

## **ADJOURNMENT**

**Motion** Mr. Geiss made the motion to close the meeting. Mr. Budosh moved to accept the motion, seconded by Mr. Schanzenbach. There was no further discussion. Motion carried unanimously. The meeting was adjourned at 10:50 p.m.

Respectfully Submitted,  
*Melissa MacConaghy*  
Zoning/Planning Board Secretary