

The August 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:	Joe Kiselica	present
	James Virginia	present
	James Ruddock	present
	Roger Roman	present
	Jamie Bowes	present
	Jim Schanzenbach	present
	Anthony Geiss, Chairman	present

Also Present: Melissa MacConaghy, Planning Board Secretary
 Nadine Bell, Attorney
 Jason Hoy, Engineer
 David Pringle, Code Enforcement Officer

MINUTES

Mr. Geiss asked the Board to accept the July meeting minutes for Zoning/Planning Board as written.

Mr. Virginia moved to accept the motion, seconded by Mr. Ruddock. Motion carried unanimously.

AMANDA TAROLLI SPECIAL USE PERMIT SECTION 200-24 G

6883 Peck Road Tax Map ID# 52-03-11

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 Special Use Permit for Amanda Tarolli Section 200-24 G at 6883 Peck Road Tax Map ID # 52-03-11. The Special Use Permit is to install a beauty salon in the basement of the existing resident at this location. There is no adverse environmental impact with regards to this proposal. Mr. Ruddock moved to accept the motion seconded by Mr. Schanzenbach. Motion carried unanimously.

Mr. Geiss stated I would like to recess the meeting to call a public hearing for Amanda Tarolli Special Use Permit 6883 Peck Road Tax Map ID # 52-03-11.

Mr. Geiss waived the reading of the public notice.

Ms. Amanda Tarolli was present to address the Board.

Ms. Tarolli stated I am looking to put a small business in my basement, a hair salon. I would be the only one working there.

Ms. Tarolli stated the pictures do show my driveway on the front of the house. There would only be one or two vehicles at any time.

Ms. Tarolli stated I do have a side lot that has extra space for parking if needed.

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.

AMANDA TAROLLI SPECIAL USE PERMIT SECTION 200-24 G

6883 Peck Road Tax Map ID# 52-03-11

Ms. Tarolli was present to address the Board.

Mr. Geiss reviewed County comments with the applicant.

Mr. Geiss asked how are your clients going to enter the building?

Ms. Tarolli stated around the back as there is a door in the basement already.

Mr. Virginia stated looking at the table are you considering this D2 or D3?

Mr. Pringle stated neither as this is a not a commercial use it is a residential use under the State Law.

Mr. Schanzenbach asked what are the hours of operation?

Ms. Tarolli stated it will be during the day, by appointment only, like 8 am to 5 pm.

Resolution to follow:

**RESOLUTION NO. 1606
OF THE
ZONING BOARD OF APPEALS
OF THE TOWN OF VAN BUREN**

Amanda Tarolli seeks a special use permit to operate a home office business, consisting of a beauty salon, on property located at 6883 Peck Road, Tax Map No. 52-03-11 (the

“Property”) pursuant to Sections 200-24(G) and 200-80(5) of the Town of Van Buren Zoning Code. The Property is located in the R-40 Zoning District.

In support of her request, Applicant submitted an Application for a Special Use Permit, Agricultural Data Statement, Notification to Surrounding Property Owners of Pending Action, and Short Environmental Assessment Form (“EAF”).

Applicant appeared at the public hearing to describe the proposed use and address the concerns of the Board. Applicant indicated that the proposed beauty salon would be operated from the basement of her residential structure and confirmed that the business does not have any employees.

Upon review by the Onondaga County Planning Board, Case # Z-16-200, it has been recommended that the proposal be in the following manner:

- (1) Applicant must contact the Onondaga County Department of Transportation to ensure the driveway onto Peck Road meets requirements for commercial driveways;
- (2) Onondaga County Health Department must formally accept or approve, respectively, any existing or proposed septic system to service the Property prior to Town approval of the Special Use Permit; and
- (3) Emergency vehicle access must be reviewed by the local fire department, prior to Town approval of the Special Use Permit.

Notice of the public hearing was duly published. The public hearing was held on August 9, 2016. There was no opposition to the application at the public hearing.

Based upon the submissions of Applicant and proof taken at the public hearing, the Board resolves as follows:

1. This matter is subject to the State Environmental Quality Review Act and is classified as an unlisted action. The Board hereby appoints itself lead agency for the uncoordinated review of this matter. The Board finds that granting the requested relief to allow the Special Use Permit will have no potential adverse environmental impacts, particularly with

respect to water, drainage, air quality, soils or other matters of environmental significance.

2. Section 200-24(G) of the Town of Van Buren Zoning Code specifically contemplates permitting a home occupation use on the Property upon issuance of a special use permit.

3. The Board hereby determines that:

- a. As proposed, the use is allowed by special use permit. The use is in compliance with the applicable intent and regulations of the Code;
- b. The proposed use is located on a residential parcel and is consistent with the long-term development objectives of such area. The Property is serviced by all necessary utilities and is compatible in size and character to existing land uses in the immediate area;
- c. The scale and design of the use is in compliance with Town requirements and will be visually compatible with conditions of the site and surrounding properties;
- d. The design of the site does not create significant traffic issues or pedestrian movement concerns within the site in relation to the street serving the site;
- e. The use is designed and shall be operated in a manner that minimizes off site disturbance of natural and cultural resources;
- f. Aesthetically, the use is consistent with existing development and aesthetic standards developed by the Town.
- g. The emissions of any noise, smoke, heat or odor from the use is within the limits established by the Town.
- h. The physical characteristics, topography and features of the lot and the design of the existing building to be occupied by the use are suitable and adaptable for the use.
- i. The nature and intensity of operations will not be more objectionable to surrounding properties than those of an expressly permitted use in the district;
- j. The use and the design of the building and site facilities for the use are appropriate and does harmonize with surrounding uses and does mitigate any adverse impacts on surrounding uses; and
- k. The cumulative impacts of the use in the proposed location will not unreasonably interfere with or diminish the continued use, preservation, stability, value, enjoyment, prosperity or growth of the neighborhood or community.

4. The Special Use Permit is hereby granted, in accordance with Section 200-24(G) of the Zoning Code, subject to the following conditions, so as to allow for a home occupation use, consisting of a beauty salon, to be conducted on the Property:

- a. Employment or participation of occupants of the residence cannot exceed two (2) adult persons, one of whom must reside on the Property.
- b. No signage, except a properly permitted identification sign, is allowed.
- c. There may not be any variation in the residential character of the Property.
- d. There may be no on-site parking of more than one commercial vehicle associated with the home occupation, unless housed in a residential garage.
- e. The home occupation may not create any hazard to neighboring persons or property.
- f. The gross floor area of the home occupation, regardless of location upon the Property, shall not exceed 25% of the first floor area of the principal structure or a cumulative total of 500 square feet, whichever is less.

Dated: August 9, 2016

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

Roll Call Vote:

	Aye	Nay	Other
Joe Kiselica	<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>	_____	_____

SCOTT WARNER SUBDIVISION
 1605 Kingdom Road Tax Map ID# 038-03-25.0

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 Warner Subdivision located at 1605 Kingdom Road Tax Map ID# 038-03-

25.0. This proposed action is in an AR-80 zone and it is a subdivision taking 11.493 acres off of the existing parcel with the total acreage at 25 acres. There is no adverse environmental impact with regards to this proposal. Mr. Ruddock moved to accept the motion seconded by Mr. Virginia. Motion carried unanimously.

Mr. Geiss stated I would like to recess the meeting to call a public hearing for Scott Warner Subdivision at 1605 Kingdom Road Tax Map ID# 038-03-25.0.

Mr. Geiss waived the reading of the public notice.

Mr. Scott Warner was present to address the Board.

Mr. Warner stated I have someone that would like to build a single family residence on the property.

Mr. Warner stated this parcel is for the subdivision there is 600 feet of road frontage and roughly 829 feet deep.

Mr. Warner stated I live on the other half of the property.

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

Mr. Timothy Armstrong spoke in favor of the subdivision.

No one else spoke.

Mr. Geiss closed the public hearing.

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

SCOTT WARNER SUBDIVISION

1605 Kingdom Road Tax Map ID# 038-03-25.0

Mr. Scott Warner was present to address the Board.

Motion Mr. Geiss asked the Board to entertain a motion to submit the Warner Subdivision to Onondaga County Planning for their review. Mr. Ruddock moved to accept the motion seconded by Mr. Virginia. Motion carried unanimously.

WHITMORE FARM AMENDED SUBDIVISION

7197 Kingdom Road Tax Map ID# 45-02-04.3

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 Whitmore Farm Amended Subdivision at 7197 Kingdom Road Tax Map ID # 45-02-04.3. This is a proposed action to subdivide off 3.25 acres off of a total of 160 acres to take the existing barn and attach it back to the larger property. There is no adverse

environmental impact with regards to this proposal. Mr. Ruddock moved to accept the motion seconded by Mr. Virginia. Motion carried unanimously.

Mr. Geiss stated I would like to recess the meeting to call a public hearing for Whitmore Farm Amended Subdivision at 7197 Kingdom Road Tax Map ID# 45-02-04.3.

Mr. Steve Sehnert was present to address the Board.

Mr. Sehnert stated several years ago this Board approved a subdivision in the south east corner of a 160 plus acre farm.

Mr. Sehnert stated the parcel is in the south east corner contains what is now called lot 1A plus the dash line.

Mr. Sehnert stated now Mr. Whitmore wants to sell the house to his son.

Mr. Geiss asked the dimension, 305 feet is that an existing line?

Mr. Sehnert stated yes it is.

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

No one spoke.

Mr. Geiss closed the public hearing.

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

WHITMORE FARM AMENDED SUBDIVISION

7197 Kingdom Road Tax Map ID# 45-02-04.3

Mr. Steve Sehnert was present to address the Board.

Motion Mr. Geiss asked the Board to entertain a motion to submit the Whitmore Farm Amended Subdivision to Onondaga County Planning for their review. Mr. Ruddock moved to accept the motion seconded by Mr. Virginia. Motion carried unanimously.

WILLIAM WADSWORTH VARIANCE

1312 Gallagher Road Tax Map ID# 038-01-14.0

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 William Wadsworth Variance at 1312 Gallagher Road Tax Map ID# 038-01-14.0. The variance is for a side yard setback and the request is a reduction in variance from 15 feet to 10 feet. The proposed garage is going to be 94.5 feet off of Gallagher Road. There is no adverse environmental impact with regard to this proposal. Mr. Ruddock moved to accept the motion seconded by Mr. Schanzenbach. Motion carried unanimously.

Mr. Geiss stated I would like to recess the meeting to call a public hearing for William Wadsworth Variance at 1312 Gallagher Road Tax Map ID# 038-01-14.0.

Mr. William Wadsworth was present to address the Board.

Mr. Wadsworth stated what I am trying to do is build a garage on my property and the variance I have requested was for 8 to 10 feet.

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.

WILLIAM WADSWORTH VARIANCE

1312 Gallagher Road Tax Map ID# 038-01-14.0

Mr. William Wadsworth was present to address the Board.

Mr. Geiss stated this is in an AR-80 zone and we do not have to refer this to County.

Resolution to follow:

**RESOLUTION NO. 1607
OF THE
ZONING BOARD OF APPEALS
OF THE TOWN OF VAN BUREN**

William Wadsworth of 1312 Gallager Road has applied for area variance relief from Section 200-45 of the Town of Van Buren Zoning Code related to the location of a proposed addition. The property is located in the AR80 District and is identified as Tax Map No. 038.-01-14.0 (the "Property").

Mr. Wadsworth spoke in favor of the application and described the proposed construction of a detached garage measuring 30 feet by 30 feet. A side yard setback variance is required because the addition is to be located 10 feet from the side yard property line and Section 200-45 requires a side yard setback of 15 feet for detached accessory structures. Mr. Wadsworth

explained in detail to the Board the physical limitations of his property based upon existing improvements.

There was no objection to the proposal at the Zoning Board of Appeal's public hearing, which was held on August 9, 2016, 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, location sketch and survey showing the location of the house, pool and proposed garage on 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 an individual setback and the granting of an area variance related to a single family residential use.

2. It is determined the requested variance relief will not produce any undesirable change in the character of the neighborhood and will not be a detriment to nearby properties. The proposed 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 as a result of granting the variance relief.

4. An area variance is hereby granted to allow for the location of a detached garage, measuring 30 feet by 30 feet, on property located at 1312 Gallager Road, Tax Map No. 038.-01-14.0, which will be located 10 feet off the side yard property line in accordance with the materials contained in Mr. Wadsworth's application packet. Any additional structures shall

require additional review and approvals.

Dated: August 9, 2016

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

Roll Call Vote:

	Aye	Nay	Other
Joe Kiselica	<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>	_____	_____

ALDI INC SITE PLAN

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

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 Aldi Inc. Site Plan for 2254 Downer Street Tax Map ID# 33.1-05-04.1. The total acreage of this site is 3.6 acres of which the facility is going to disturb about 2.8 acres. The site is located directly across from the River Mall entrance. There is an existing residential structure on this property which will be demolished to accommodate for the parking and structure to be proposed to this property. This is in a Local Business district. There is no adverse environmental impact with regards to this proposal. Mr. Ruddock moved to accept the motion seconded by Mr. Schanzenbach. Motion carried unanimously.

Mr. Kurt Charland and Mr. Lew Kibling were present to address the Board.

Mr. Charland stated we have a proposed Aldi project on Downer Street. There is an existing house on site.

Mr. Charland stated we will be building approximately an 18,850 square foot main building. We will be putting in about 86 new parking spaces. We will have LED lighting for the sight.

Mr. Charland stated we have handled the Stormwater for the project to meet all of the New York State DEC requirements.

Mr. Charland stated we have lined our entrance with the retail plaza across the street this will help traffic flow.

Mr. Charland stated with the exception of signage I believe we meet the setbacks, we more than exceed the parking that we need and we meet the requirements that Aldi needs for their parking needs.

Mr. Charland stated one other item that we added here the sidewalk along the frontage and did add that into the site plan.

Mr. Virginia asked how did we end up with parking in the front on Downer Street?

Mr. Charland stated we cannot push the building into the setback.

Mr. Virginia stated you could get the parking off of the front and move it to the back by flipping the building.

Mr. Virginia stated I feel it makes the sight more attractive and you will have an area for green space up front.

Mr. Geiss stated you have some handicap parking along Downer Street but the door is not anywhere near the handicap parking.

Mr. Charland stated we could shift those parking spots.

Mr. Virginia stated I would like to see those parking spots on the northeast removed and slide the building further to the north.

Mr. Charland stated no other development along this corridor has done that, they all have parking along the frontage.

Mr. Charland stated that will take all of your buildings out of alignment if you start to pop one building in front of the others.

Mr. Geiss stated we may not have to take it out of line that much, it just becomes a grass area as that is the desire of the corridor.

Mr. Charland stated this would not work for Aldi to not have that parking along the frontage.

Mr. Geiss asked you will be restriping for a left turn lane?

Mr. Charland stated correct, we still have to let DOT review it and they will have to let us know that is what they want.

Mr. Lew Kibling stated we need to have 80 to 85 parking spots.

Mr. Geiss asked what is that requirement based on?

Mr. Kibling stated it is just a policy.

Mr. Schanzenbach asked what is that hammer head in the southwest corner for?

Mr. Charland stated it is for the truck.

Mr. Schanzenbach asked a backing radius into that?

Mr. Charland stated the truck will be backing in.

Mr. Schanzenbach stated the sidewalk at the north west does not connect to the property line, I don't understand why that would be.

Mr. Charland stated we mentioned early we did similar thing to what Family Dollar did, we left it short so that if they come in and grade it to a certain elevation there is some flexibility to come back and adjust the sidewalk if needed.

Mr. Schanzenach stated I understand the dumpster is in the back and it is hidden, but all the buildings neighboring have an enclosure. I feel that would be an important point.

Mr. Charland stated it is actually behind a wall.

Mr. Ruddock stated I feel parking really needs to be looked at, I think they need to take a better look at the site design, sliding it back as much as they can and perhaps looking at the loading dock area.

Mr. Charland stated so what is enough green space?

Mr. Ruddock stated that is for you to work out and bring another proposal to us.

Mr. Geiss asked is the signage request part of this proposal now?

Mr. Charland stated I would assume it would be part of this request.

Mr. Pringle stated the application stated that signage was not part of this package.

Mr. Virginia asked what is your timeline for this project?

Mr. Charland stated October.

Mr. Geiss stated as far as the green area make it 20 feet plus or minus.

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

RICCELLI NORTHERN LLC SITE PLAN

6900 Van Buren Road Tax Map ID# 55-08-18

Mr. Richard Riccelli was present to address the Board.

Mr. Bob Finkle was present to address the Board.

Mr. Finkle stated Riccelli Northern is seeking to amend site plan to relocate a new more modern plant.

Mr. Finkle stated we have proposed a loop road within the setback building lines.

Mr. Finkle stated on the plan we have an overlay for the stormwater area that is closer to Van Buren Road.

Mr. Finkle stated our proposal is to lower the site, re-grade the site approximately 10 feet.

Mr. Finkle stated the utilities have already been established, this will run up the existing road for gas and electric being brought in to service the new plant.

Mr. Finkle stated the plant does replace an existing oil fire plant with a gas fire plant.

Mr. Virginia asked what is your timeline for this?

Mr. Finkle stated we would like to put the plant up this fall.

Mr. Finkle stated this will be a cleaner burning plant and a more efficient plant.

Mr. Virginia stated previously there was a rock crusher on site, correct?

Mr. Finkle stated I understand that he did yes.

Mr. Finkle stated what we would be proposing on site would not be for a rock crusher or concrete crusher it would be crushing and processing the recycled asphalt.

Mr. Geiss stated one of the items I noticed was that Sunday operations would be as needed and I feel we would like to see some hours on that.

Mr. Finkle stated we have no planned hours they would be an on needed basis for emergency.

Typically on a Sunday would be a night job that they refer to as a Monday through Friday job.

Mr. Finkle stated that would be approved through the Code Enforcement with an application with permission to do so.

Mr. Geiss asked what is your projection for line power for this sight?

Mr. Finkle stated we feel that line power will be available to us by late winter and that gas may be shortly behind that.

Mr. Schanzenbach asked is your plant capable of producing much, right now as you are at 350 tons per hour but in a year you could make an application to the State to produce more than that?

Mr. Finkle stated so if we were to want to exceed 350 tons per hour we would be back in front of this Board with another SEQR.

Mr. Finkle stated there is not any intent right now or is there any market right now to want to increase that.

Mr. Geiss asked the applicant to submit the list of equipment that you would be proposing?

Mr. Finkle stated yes.

Mr. Virginia asked what is the plan with the generator once you get line power up there?

Mr. Finkle stated that generator is not sufficient to run the newer plant, it is a little too small.

Mr. Finkle stated the generator has been replaced with a new generator which is much more modern one but the plan is to not have the generator have once we have line power.

Motion Mr. Geiss asked the Board to entertain a motion to send Riccelli Northern LLC Site Plan to Onondaga County Planning for their review. Mr. Ruddock moved to accept the motion seconded by Mr. Virginia. Motion carried unanimously.

Motion Mr. Geiss asked the Board to entertain a motion to set a public hearing for Riccelli Northern LLC site plan at 6900 Van Buren Road for September 14, 2016. Mr. Ruddock moved to accept the motion seconded by Mr. Virginia. Motion carried unanimously.

INFORMATION ONLY

OTHER BUSINESS

ADJOURNMENT

Motion Mr. Geiss made the motion to close the meeting. Mr. Ruddock moved to accept the motion, seconded by Mr. Schanzenbach. There was no further discussion. Motion carried unanimously. The meeting was adjourned at 9:45 p.m.

Respectfully Submitted,
Melissa MacConaghy
Zoning/Planning Board Secretary