

The December 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 6:00 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: Melissa MacConaghy, Zoning/Planning Board Secretary
 Rich Andino, Attorney
 Jason Hoy, Engineer
 David Pringle, Code Enforcement Officer

MINUTES

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

THOMAS COLLIER VARIANCE SECTION 200-45 (AR-80)

7041 River Road Tax Map ID# 045.-04-05.0

Mr. Geiss stated no one was present to address the Board.
Mr. Geiss stated we will still proceed with this proposal.

Resolution to follow:

**RESOLUTION NO. 1816
 OF THE
 ZONING BOARD OF APPEALS
 OF THE TOWN OF VAN BUREN**

Thomas J. Collier, Jr. of 7041 River Road (the “Applicant”) has applied for area variance relief from Section 200-45 of the Town of Van Buren Zoning Code relating to the construction

of a garage, measuring 30' x 40', in the front yard of the property. The property is located in the AR-80 District and is identified as Tax Map No. 045.-04-05.0 ("Property").

Applicant appeared before the Zoning Board of Appeals and, speaking in favor of the application, described the proposed construction of detached garage measuring 30' x 40' in the front yard of the Property. Section 200-45 of the Zoning Code prohibits the placement of detached accessory structures within the front yard. Applicant explained that there is an existing gravel driveway area, measuring 40' x 50' in his front yard off the driveway leading to the residential structure, and it is his intention to use the gravel driveway area as a base for the proposed garage.

There was no objection to the proposal at the Zoning Board of Appeal's public hearing, which was held on October 9, 2018, 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, and two (2) copies of a survey of the Property, dated May 4, 2017, prepared by Dussing Land Surveying, LLC, one of which had been altered to reflect the proposed location of the detached garage.

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 produce an undesirable change in the residential character of the neighborhood and will be a detriment to nearby properties. Variance relief to allow the proposed detached garage in the front yard will 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 an apparent method to achieve the benefit Applicant wishes to obtain, other than a variance and the benefit to Applicant does not outweigh any detriment to the neighborhood or community because of granting the variance relief. The Board reasoned that the applicant’s proposal for the garage was located too close to the road right of way and other locations were not explored by the Applicant.

4. An area variance to allow for construction of a detached residential garage measuring 30’ x 40’ on property located at 7041 River Road, Tax Map No. 045.-04-05.0 is hereby denied.

Dated: December 11, 2018

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 hold a public hearing for Fox Creek Subdivision at Village Blvd. South Tax Map ID# 31-10-4.1.

**Mr. Geiss stated no one was present to address the Board.
Mr. Geiss continued the public hearing until next month.**

FOX CREEK SUBDIVISION (PUD)
Village Blvd. South Tax Map ID# 31-10-4.1

Mr. Geiss stated no one was present to address the Board.

Mr. Geiss stated we will continue the public hearing until next month.

Mr. Geiss stated I would like to recess the meeting to hold a public hearing for Petro Petrovets Special Use Permit Section 200-30 at Pottery Road Tax Map ID# 055-01-14.3.

Mr. Ric Maar was present to address the Board.

Mr. Maar stated in November the applicant started filling a 1.18 parcel they own on Pottery Road.

Mr. Maar stated they are filling this area to build a house for a family member.

Mr. Maar stated the plans show what they plan on filling to provide space for a single family house.

Mr. Maar stated the applicant is aware now that they need approval from this Board.

Mr. Maar stated since they are disturbing less than an acre they will not need a SWPPP.

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

Mr. Nick Desantis at 6645 Pottery Road, residing in the Town of Camillus spoke.

Mr. Desantis stated I was contacted by our Code Enforcement Officer Tom Price, if I had any comments about this to come and address them here.

Mr. Desantis asked if the fill permit going to be for lot 2 and 3?

Mr. Maar stated this is just for lot 3.

Mr. Desantis stated as lot 2 is all filled, correct?

Mr. Maar stated yes.

Mr. Desantis asked what is the depth of the current fill?

Mr. Maar stated the elevation will be 502.

Mr. Ron Snow at 6694 Pottery Road was present to address the Board.

Mr. Snow stated he has already had two years of constant dump trucks with loads of dirt, how much more dirt does he need.

Mr. Snow stated he was tired of the noise and the dirt.

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

No one else spoke.

Mr. Geiss closed the public hearing.

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

PETRO PETROVETS SPECIAL USE PERMIT SECTION 200-30 (R-40)

Pottery Road Tax Map ID# 055-01-14.3

Mr. Ric Maar was present to address the Board.

Mr. Geiss asked when was this fill started?

Mr. Maar stated I am honestly not aware of when. We did not get involved until later.

Mr. Geiss stated I believe it was over two years ago.

Mr. Geiss stated we will not make a decision tonight and you may want to take time and address the comments that were brought up. We will put this on the agenda for next month.

Mr. Geiss stated we need to send this to County as well.

Mr. Geiss stated I would like to know the volume of fill and what slopes you are proposing.

Mr. Virginia asked was lot 2 and lot 3 originally one lot?

Mr. Maar stated yes.

Mr. Virginia asked was that subdivided and when?

Mr. Maar stated yes about 10 years ago.

Mr. Virginia asked when the building permit on lot 2 issued?

Mr. Maar stated about 8 years ago.

Mr. Virginia asked when did lot 2 receive fill?

Mr. Pringle stated about 2 years ago.

Mr. Virginia asked was he issued a citation for that?

Mr. Pringle stated yes.

Mr. Virginia stated if he has filled lot 2 and was noncompliant with your stop work order and he is filling lot 3 currently then we are beyond 1 acre and we need a SWPPP.

Mr. Virginia stated I feel we need a full drainage assessment now.

SENECA GOLF COURSE ZONE CHANGE

7360 State Fair Blvd. Tax Map ID# 064.-03-01.1

Mr. Michael Fogel, Attorney was present to address the Board.

Mr. Brandon Jacobson was present to address the Board.

Mr. Fogel stated we would be asking for an amendment to the existing zoning and amend it to a PUD to give us more flexibility to build the development.

Mr. Fogel stated there would be 206 single family lots and 2 commercial lots as well.

Mr. Fogel stated we were with the Town Board last week and they referred us over to this Board.

Mr. Geiss stated you are proposing 75 foot by 150 foot lots correct?

Mr. Fogel stated that is correct.

Mr. Geiss stated I am aware you have requested to look at the Marion Meadows project.

Mr. Geiss stated if you are looking at patio homes you may want to look at the subdivision on Niblick Circle.

Mr. Geiss stated I would look at the drainage as well and how you will be laying it out.

Mr. Geiss stated you have some trees on the property as well and I would like to see how they could be saved.

Mr. Jacobson stated we are proposing preserving some of the tree line on Henderson Blvd.

Mr. Geiss stated I know that we are making a committee for this project from the Town Board it will be Mary Frances Sabin and Ron Dudzinski and from our Board it will be Jim Schanzenbach, myself and James Virginia.

INFORMATION ONLY

OTHER BUSINESS

Mr. Geiss stated the Annual Planning Federation will be March 7, 2019.

Mr. Geiss stated that Mr. Claude Sykes stated we must have the education this year.

Mr. Geiss stated if you choose to do something else for the hours Mr. Sykes would like to see it.

Mr. Geiss stated you must have four hours.

ADJOURNMENT

Motion Mr. Geiss made the motion to close the meeting. Mr. Ruddock moved to accept the motion, seconded by Mr. Budosh. There was no further discussion. Motion carried unanimously. The meeting was adjourned at 7:05 p.m.

Respectfully Submitted,
Melissa MacConaghy
Zoning/Planning Board Secretary