

The January 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 December meeting minutes for both Planning Board and ZBA as written.

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

Mr. Geiss stated I would like to recess the meeting to call a public hearing for Marion Meadows Subdivision Ellsworth Road and Van Buren Road Tax Map ID # 031-02-03, 031-02-04.1 and 031-02-06.2.

Mr. Geiss asked if anyone was present to address the Board.

Mr. Mario D’Arrigo was present to address the Board.

Mr. D’Arrigo stated we made a slight change since the last meeting and I have a new map with me tonight.

Mr. D’Arrigo stated this is section one of Marion Meadows, initially we had on here a commercial lot and this lot with apartments and neither one of them are ready for that.

Mr. D’Arrigo stated we have 35 lots which is fairly large which represents about 1/3 of the total subdivision.

Mr. D’Arrigo stated lot 59 was given a building permit so that they could put their model home on there and it is almost finished.

Mr. D’Arrigo stated I believe they have some sales already.

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 into regular session.

MARION MEADOWS SUBDIVISION

Ellsworth Road and Van Buren Road Tax Map ID # 031-02-03, 031-02-04.1 and 031-02-06.2

Mr. Mario D'Arrigo was present to address the Board.

Mr. Geiss stated the difference in the map we were just given is they have taken out the commercial lot future and the apartment lot future.

Mr. Geiss stated there will be park fees which will be \$350 per lot.

Mr. Geiss stated the special districts have already been formed I have been told.

Mr. D'Arrigo stated I believe so.

Mr. Geiss stated the Town Board took lead agency on SEQR on this project.

Motion Mr. Geiss asked the Board to entertain a motion in regards to SEQR for Marion Meadows for section one that we reaffirm the findings of the Town Board there is no adverse environmental impact with regards to this proposal. Mr. Bowes moved to accept the motion seconded by Mr. Ruddock. Motion carried unanimously.

Mr. Geiss stated a couple of items in addition to the park fees, lot 93 which is the lot right out by the road and they have it mounded with dirt 15 feet high and I brought this to the attention of the developer.

Mr. Geiss stated as part of this approval this lot as far as the first floor elevation has to be 4 foot above the road which means they have to do some grading before any house can be built on it.

Mr. D'Arrigo stated in the next week or two this lot will be graded about 4 feet above the street level so you will actually be able to see it.

Mr. Geiss stated very good and we will be putting that as a condition on here.

Mr. Ruddock stated I feel it is important that you look at the grading as the driveway granted is still 100 foot away from the intersection but if it is a steep driveway and you have snowy conditions it is going to be dangerous on both ways, therefore the grading is important.

Mr. Virginia stated I would just like to confirm that we have 75 foot at the building line on lots 28, 29 and 40.

Mr. D'Arrigo stated I believe this is 70 feet at the building lot.

Mr. Virginia asked did we make an exception for that?

Mr. Virginia stated I know we made some modifications as you have certain restrictions on some lots to make the plan work I am just trying to make sure that we accounted for that.

Mr. D'Arrigo stated this map is identical to the previous one.

Motion Mr. Geiss asked the Board to entertain a motion to approve the Marion Meadows Subdivision the final plat for Ellsworth and Van Buren Road. This is for phase 1 of Marion

Meadows which is 35 lots with the following conditions that the applicant will submit park fees for \$350 per lot secondly the grading on lot number 93 will be approximately four foot above the proposed road for the garage level the grading for this lot will be submitted to the Code Enforcement Office for review and approval and the applicant will submit a final signed plan labeled final plat instead of final plan. We are going by the applicants drawing which was dated September 9, 2014 with two amendments one being removing the apartment lot 91 and 92 and added lot 93. Mr. Geiss stated the applicant has to satisfy the requirements of the Town Engineer and the Town Attorney so the Town Board can do final approval on this. Mr. Ruddock moved to accept the motion seconded by Mr. Virginia. Motion carried unanimously.

Park fees as follows:

WHEREAS Town Code Section 175-5 (C) establishes the criteria for the reservation of parkland on residential subdivision plats or the imposition of a sum of money in lieu thereof; and

WHEREAS, the purpose of such a provision is to prevent deterioration in the quality of park and recreational services to residents in the Town of Van Buren as a result of a new residential development; and

WHEREAS, based on the present and anticipated future needs for park and recreational facilities in the Town relative to the projected population growth in the Town to which the Marion Meadows subdivision will contribute, a proper case exists for requiring that a park or parks be suitably located for playground or other recreational purposes within the Town; and

WHEREAS, a suitable park or parks of adequate size to meet the Town's requirements cannot be properly located within the Marion Meadows subdivision, nor is there a need for such additional facilities in the immediate neighborhood,

NOW, THEREFORE, BE IT RESOLVED that a proper case exists regarding the Marion Meadows Subdivision development for requiring the developer pay a park fee of \$350 per lot.

DAUGHTERS OF THE IMMACULATE HEART SITE PLAN & SPECIAL USE PERMIT

6429 Bennetts Corners Road Tax Map ID # 048-05-12.1

Mr. Geiss stated this has been on both the previous Planning Board and the previous ZBA for many months.

Motion Mr. Geiss asked the Board to entertain a motion to remove the applicant from the agenda and they can reapply at any time. Mr. Virginia moved to accept the motion seconded by Mr. Kiselica. Motion carried unanimously.

DCH PROPERTY SITE PLAN MODIFICATION SITE PLAN

2511 Warners Road, Tax Map ID # 053-08-28.1

Mr. Geiss asked if anyone was present to address the Board.

Mr. Doug Henry was present to address the Board.

Mr. Geiss reviewed County comments with the Board.

Mr. Henry stated I started this project in 2011 and my current situation is there is six out of the total of seven buildings erected on my site.

Mr. Henry stated the storage business is doing well and I am looking to expand so I would like to build one more 180 foot building without doing any land development which I will probably do in the spring, this expansion is for 2017.

Mr. Geiss stated to look at the County Planning comments, the comment on Trip Generation, Sysco is across the street from you with traffic going in and out and I do not think that any significant traffic count that you are going to have done with regard to the storage facility is going to compare with the traffic within that street.

Mr. Geiss stated the stormwater we have talked about last time, that you were going to submit something to the Town Engineer.

Mr. Henry stated it is included.

Mr. Jason Hoy stated I do not have anything at this time.

Mr. Henry stated I apologize for that and I will make sure you get this right away.

Motion Mr. Geiss asked the Board to entertain a motion to with regard to SEQR for the DCH Property Site Plan modification which is an expansion from an existing six buildings on the property. There is no adverse environmental impact with regards to this proposal. 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 approve the site plan for DCH Property Site Plan modification at 2511 Warners Road Tax Map ID# 053-08-28.1 with the following comments the applicant must submit Stormwater Pollution Prevention Plan to the Town Engineer and obtain his approval. County Planning has comments from the Department of Transportation regarding Trip Generation on his property and reviewed this on the first proposal and it was acceptable also it should be noted that the neighbor across the street from this facility being Sysco which has many more Trip Generations, well beyond what this applicant has. This project lighting is only wall packs and it is well off the County road with the original facility. The final comment regarding to the Thruway this facility actually has been moved 75 feet off of the property line to the Thruway. The applicant in developing his first project had worked with the Thruway regarding drainage and has settled with the Thruway on drainage from the Thruway on to this property. Mr. Virginia moved to accept the motion seconded by Mr. Ruddock.

ROLL CALL VOTE: Aye Nay Other

James Ruddock	√
James Virginia	√
Joe Kiselica	√
Jamie Bowes	√
Jim Schanzenbach	√
Roger Roman	√
Anthony Geiss	√

VIKTOR MAKARCHUK SUBDIVISION & ZONE CHANGE

Van Buren Road Tax Map ID # 051-03-17.0

Mr. Viktor Makarchuk was present to address the Board.

Mr. Makarchuk stated about one year ago I asked for a zone change but I was denied.

Mr. Makarchuk stated at the end of last year I proposed to subdivide the whole property and I had one lot to be given to the church. The property closer to the road I would leave as Local Business.

Mr. Makarchuk stated the back lot, lot number two be changed to R-40.

Mr. Geiss stated this lot, this entire parcel is Local Business. This strip along Van Buren Road has been Local Business. The R-40, the land behind these properties is zoned R-40.

Mr. Geiss asked the applicant I have noticed a trailer on the property and a structure as well, you have been given notice that you are in violation is that correct?

Mr. Makarchuk stated correct.

Mr. Geiss asked will you be resolving this matter?

Mr. Makarchuk stated yes I was and part of the solution was to change the zoning but I did not expect it to take years to do this.

Mr. Virginia stated the concern I have is what you have done with lot one is you have to have access to the back lands so you have a 50 foot easement there but what you are doing is restricting that parcel for Local Business because you have the pond there and the easement.

Mr. Virginia stated you will need to have building lines off of both of those.

Mr. Virginia stated the issue I have as a member in trying to determine if I should consider this is this plan does not have enough information for me.

Motion Mr. Geiss asked the Board to entertain a motion to send this to the Town Board that this is a Local Business lot of which the Comprehensive Plan is looking at. Also there is insufficient data on this plan to look at dimensions of what is going to be happening to this property therefore it cannot be recommended at this time to do a zone change until the applicant can come up with boundaries on a map. Mr. Ruddock moved to accept the motion seconded by Mr. Virginia. Motion carried unanimously.

PETRO PETROVETS SPECIAL USE PERMIT SECTION 200-30

6699 Pottery Road Tax Map 55-01-14.3

Mr. Geiss stated this is a fill permit on Pottery Road and this has been sitting here for quite a while and I understand he has been asked to do some mapping. He has not provided us with a map.

Motion Mr. Geiss asked the Board to entertain a motion to close the public hearing at this time. The public hearing can be reopened in the future. Mr. Kiselica moved to accept the motion seconded by Mr. Schanzenbach. Motion carried unanimously.

Mr. Geiss stated Walter Strache will be coming in for the February meeting with a new map regarding a Special Use Permit.

INFORMATION ONLY**OTHER BUSINESS**

Mr. Geiss stated you all have the information for the Annual Planning Symposium for March 9, 2016. Please let the Code Office know if you will be attending or not within the next week.

Mr. Geiss stated as far as the agenda for the new Board we will put all ZBA actions first.

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 8:40 p.m.

Respectfully Submitted,
Melissa MacConaghy
Zoning/Planning Board Secretary