

The May 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: Melissa MacConaghy, Zoning/Planning Board Secretary
 Wendy Reese, Attorney
 Jason Hoy, Engineer
 David Pringle, Code Enforcement Officer

MINUTES

Mr. Geiss asked the Board to accept the April meeting minutes for Zoning/Planning Board upon correction. Mr. Ruddock moved to accept the motion, seconded by Mr. Schanzenbach. Motion carried unanimously.

FOX CREEK APARTMENTS SITE PLAN (PUD)

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

Mr. Geiss stated the applicant does not have the completed information therefore they will be returning in June.

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.

Motion Mr. Geiss asked the Board to entertain a motion to send Store More Pay Less 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 declare the Town of Van Buren Zoning/ Planning Board as lead agency single agency uncoordinated review for the

unlisted action under SEQR for the Store More Pay Less Site Plan at 7029 Van Buren Road Tax Map ID # 057-01-04.8. Mr. Ruddock moved to accept the motion seconded by Mr. Virginia. Motion carried unanimously.

SANDRA KIRNAN ZONE CHANGE/BILLBOARD OVERLAY DISTRICT

Winchell Road Tax Map ID# 055-04-02.1

Mr. Geiss stated there is still the question that the billboard is in the easement. Mr. Geiss stated the attorneys were going to discuss, as of last week they had not.

Ms. Reese stated Mrs. Bell reviewed the easement agreement, if having the billboard in the easement would be a concern.

Ms. Reese stated one provision states you cannot put anything in the easement that would obstruct any traffic.

Ms. Reese stated the other provision is that the tract has the right to relocate the easement as long as it is not less than 30 feet in width.

SLATE HILL CONSTRUCTION SITE PLAN MODIFICATION

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

Mr. Jeff Hanlon was present to address the Board.

Mr. Geiss reviewed County comments with the applicant and Board.

Mr. Geiss stated with regards to sanitary, are you putting any new sanitary?

Mr. Hanlon stated we will be using existing.

Mr. Geiss asked will you be landscaping as you did with the existing building?

Mr. Hanlon stated yes it will all match.

Motion Mr. Geiss asked the Board to entertain a motion with regard to SEQR for Slate Hill Construction Site Plan Modification at 6573 Herman Road Tax Map ID # 054-03-15. This is for the construction of a 40' by 54' office addition on a 9.73 acres parcel in an Industrial A zoning district. This building is approximately doubling of the existing building and the applicant has proposed to landscape this similar to the existing building. There is no adverse environmental impact with regard to this proposal. Mr. Schanzenbach moved to accept this motion seconded by Mr. Ruddock. Motion carried unanimously.

Motion Mr. Geiss asked the Board to entertain a motion to approve the Slate Hill Construction Site Plan Modification as submitted by the applicant with the drawings dated May 27, 2016 with revisions of July 6, 2016. Mr. Ruddock moved to accept the motion seconded by Mr. Virginia. Motion carried unanimously.

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 Turner Farm for a subdivision at 2653 East Sorrell Hill Road Tax Map ID # 32-04-01 & 02.1.

Mr. Steve Sehnert was present to address the Board.

Mr. Sehnert stated they own about a 10 ½ acre parcel on the west side of East Sorrell Hill Road. Mr. Sehnert stated there is a two story wood frame house on the southern portion with a street address of 7653.

Mr. Sehnert stated this has an existing blacktop driveway out onto East Sorrell Hill Road.

Mr. Sehnert stated on lot 3 that driveway was place by the New York State DOT in regards to the construction of Route 690.

Mr. Sehnert stated we have divided this into 4 lots with lot 1 being about 2 acres in size, lot 2 similar, lot 3 just about 2 and ½ acres and lot 4 was just under 4 acres.

Mr. Sehnert stated we have had County DOT take a look at driveway accesses, lot 1 and lot 2 are under the speed limit of 55 mph, suitable for driveway accesses.

Mr. Sehnert stated in order to continue with the full subdivision we have asked the Town of Van Buren to provide an application to reduce the speed limit from 55 mph to 40 mph.

Mr. Sehnert stated the Town Board have approved this had has passed this on the County DOT and they have passed in on to the State of New York DOT and they are the ones that have to make that approval of the reduction.

Mr. Sehnert stated we have heard that this may be 12 to 18 months before they review this application and or take action.

Mr. Sehnert stated we will need to come back in with a final plan for lot 4 as it is currently showing on this map and one lot which we have the existing driveway, then at such a time when we hopefully receive the reduction in speed we will then come back and present the three lots.

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

TURNER FARM SUBDIVISION

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

Mr. Steve Sehnert was present to address the Board.

Mr. Geiss reviewed County comments with the Board.

Mr. Geiss stated the biggest issue we have is the driveway and the driveway access.

Mr. Sehnert stated the County DOT has seen this plan and has been out to the site.

Mr. Geiss stated so right now you are looking at a two lot subdivision, correct?

Mr. Sehnert stated correct.

Mr. Geiss stated you will need to get Onondaga County Transportation to ok the driveway and then get us a new map showing us the two lot subdivision so we can act on that.

Mr. Geiss stated you may need to check with OCWA as well.

Mr. Geiss stated I would like to recess the meeting to call a public hearing for Forefront Power LLC Site Plan at 1299 Kingdom Road Tax Map ID # 038-01-21.0.

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

No one spoke

Mr. Geiss adjourned the public hearing until next month June 13, 2017.

Mr. Geiss stated I would like to recess the meeting to call a public hearing for Forefront Power LLC Site Plan at 6719 Pottery Road Tax Map ID # 055-01-10.1.

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

No one spoke.

Mr. Geiss adjourned the public hearing until next month June 13, 2017.

TAROLLI SITE PLAN AMENDED

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

Mr. Geiss stated Mr. Tarolli knew the County comments would not be back until next month therefore he will come back in June.

Mr. Geiss stated I would like to recess the meeting to call a public hearing for Anthony Gugino Variance Section 200-45 100 Bippus Road Tax Map ID # 055-02-14.1.

Mr. Anthony Gugino was present to address the Board.

Mr. Gugino stated I will be having Martin Builders construct a 40' x 32' pole barn. The buildings primary use will be to store my work truck and other vehicles.

Mr. Gugino stated the building will match the color combination of my home.

Mr. Gugino stated the peak height will be 23 foot.

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

ANTHONY GUGINO VARIANCE SECTION 200-45

100 Bippus Road Tax Map ID# 055-02-14.1

Mr. Geiss stated the average height is 20 feet, this is the reason for the variance.

Mr. Geiss stated it is well out of sight of the road.

Mr. Bowes asked will there be any sign on the building at all?

Mr. Gugino stated no.

Mr. Virginia asked what lighting will you have on this and where is it going to be?

Mr. Gugino stated the only lighting will be on the front side over the overhead door and there will be no lights facing the Thruway.

Motion

Mr. Geiss asked the Board to entertain a motion to declare the Town of Van Buren Zoning/Planning Board as lead agency single agency uncoordinated review for Type II action under SEQR. Mr. Ruddock moved to accept the motion seconded by Mr. Virginia. Motion carried unanimously.

**RESOLUTION NO. 1702
OF THE
ZONING BOARD OF APPEALS
OF THE TOWN OF VAN BUREN**

Anthony Gugino has applied for area variance relief from Section 200-45 of the Town of Van Buren Zoning Code to construct a detached accessory structure, described as a “pole barn,” on a parcel located at 100 Bippus Road, Tax Map No. 055.-02-14.1 (the “Property”). The Property is located in the R40 Zoning District.

As proposed, the detached accessory structure will have an average height of 20 feet. Under Section 200-45 of the Zoning Code, the maximum permitted height for a detached accessory structure in the R40 Zoning District is 15 feet. Accordingly, Applicant requires an area variance to allow the height of the proposed detached structure to exceed the maximum permitted height by five feet (5').

In support of the application, Applicant submitted an Application for Variance, Agricultural Data Statement, Notification to Surrounding Property Owners, Short Environmental Assessment Form, an undated portion of a survey map, and correspondence Applicant sent to adjoining property owners.

Applicant appeared at the public hearing to describe the proposal and address the concerns of the Board. Applicant explained that because the proposed structure is intended to provide storage for a commercial vehicle used for his livelihood, the 20 foot average height of the building was required. There was no opposition to the application at the public hearing.

Based upon the submissions of Applicant and the testimony presented at the public hearing, 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.

3. For the reasons set forth, an area variance is **granted** to allow for the construction of a detached accessory structure measuring an average of 20 feet in height, which exceeds the maximum permitted height by five feet (5'), on property located at 100 Bippus Road, Tax Map No. 055.-02-14.1.

Dated: May 9, 2017

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

Roll Call Vote:

	Aye	Nay	Other
Mark Budosh	<u>√</u>	_____	_____
James Virginia	<u>√</u>	_____	_____
James Ruddock	<u>√</u>	_____	_____
Roger Roman	<u>√</u>	_____	_____
James Bowes	<u>√</u>	_____	_____
James Schanzenbach	<u>√</u>	_____	_____
Anthony Geiss	<u>√</u>	_____	_____

RADLIFF RENTALS INC. SITE PLAN (OUTDOOR DISPLAY)

2265 Downer Street Tax Map ID# 034-04-06.1

Mr. Steve Radliff was present to address the Board.

Mr. Geiss asked what are you proposing here?

Mr. Radliff stated I operate Express Rentals in River Mall. I have been there nearly 12 years.

Mr. Radliff stated I am proposing putting 12 buildings in the grass area between the two main buildings at the shopping center.

Mr. Radliff stated I feel this will bring revenue to the Town.

Mr. Radliff stated these buildings are portable and they will only be there seasonally.

Mr. Radliff stated we will bring them into the area and they will continue to sit there, we will not be bringing them in and out of the plaza.

Mr. Geiss stated there is a man hole and some type of vent back there.

Mr. Radliff stated yes there is a drain out by the Chinese Restaurant and we will avoid that area.

Mr. Geiss asked do you plan on doing any landscaping?

Mr. Radliff stated we would like to put them back behind the muddy area, I do not want them right up to the parking lot.

Mr. Ruddock stated it would be nice to know the area of where these will be located.

Mr. Geiss stated yes we would like a definition of where you will be.

Mr. Bowes stated one concern I have is how will you be getting these structure in and out of there?

Mr. Radliff stated they will come in on a flatbed, about four buildings at a time and they have what they call a mule which is a forklift and this lifts the building does not damage the lawns.

Mr. Ruddock asked how do you plan to protect against vandalism?

Mr. Radliff stated we will lock them nightly.

Mr. Virginia stated the area that you will be occupying, that grass is going to not look attractive once you pull the sheds out.

Mr. Virginia stated I have seen these areas in the Southern tier and they put mulch around it and have a mulching trail, I am not recommending that but I feel it would help.

Mr. Virginia asked what would you be doing about this?

Mr. Geiss stated I wouldn't be against an attempt to seed the area in some way.

Mr. Geiss stated I don't care if you fertilize or not.

Mr. Virginia stated I am not asking for fertilizing but I feel we need some type of turf management.

Mr. Bowes asked what will your hours of operation be?

Mr. Radliff stated it will be 10 to 7 during the week and 9 to 5 on Saturday.

Mr. Geiss asked will there be any lighting on this?

Mr. Radliff stated no.

Mr. Ruddock asked what will you be doing for signage?

Mr. Radliff stated signage will be inside, and if it is approved by the Codes Officer we may put a small sign on one or two of the buildings.

Mr. Geiss stated so we will need definition of the lot of where you will be, and locate where the utilities are, and also we will condition it on the fact that you will do some seeding in the fall.

Motion Mr. Geiss asked the Board to entertain a motion to declare the Town of Van Buren Zoning/Planning Board as lead agency single agency uncoordinated review for the unlisted action under SEQR for the Ratliff Rentals Inc. Site Plan for outdoor display at 2265 Downer Street Tax Map ID # 034-04-06.1. Mr. Ruddock moved to accept the motion seconded by Mr. Virginia. Motion carried unanimously.

INFORMATION ONLY

OTHER BUSINESS

Mr. Geiss stated one of the issues we have run into with the last two months is a scheduling problem with Onondaga County Planning.

Mr. Geiss stated with the Boards permission I would like to when we run into this issue is that Mr. Pringle and I review the application and forward it to County so that we can be able to get comments back before the next month.

Motion Mr. Geiss asked the Board to entertain a motion to allow the Chairman to make a referral to Onondaga County Planning upon review with the Code Enforcement Officer without input from the Board. Mr. Ruddock moved to accept the motion seconded by Mr. Budosh. Motion carried unanimously.

ADJOURNMENT

Motion Mr. Geiss made the motion to close the meeting. Mr. Budosh moved to accept the motion, seconded by Mr. Ruddock. There was no further discussion. Motion carried unanimously. The meeting was adjourned at 8:30 p.m.

Respectfully Submitted,
Melissa MacConaghy
Zoning/Planning Board Secretary