

The September 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	excused
	James Ruddock	present
	Roger Roman	excused
	Jamie Bowes	excused
	Jim Schanzenbach	present
	Anthony Geiss, Chairman	present

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

MINUTES

Mr. Geiss asked the Board to accept the August meeting minutes for Zoning/Planning Board as written. 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 hold a public hearing for Carolyn Blair for a Variance Section 200-45 at 201 Resseguie Drive Tax Map ID # 061-04-12.0.

Mrs. Carolyn Blair was present to address the Board.

Mrs. Blair stated I would like to build a detached 1 ½ car garage.
 Mrs. Geiss stated this is on the corner of Resseguie Drive and Snowdale, correct?
 Mrs. Blair stated correct.

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

CAROLYN BLAIR VARIANCE SECTION 200-45
201 Resseguie Drive Tax Map ID# 061-04-12.0

Mrs. Carolyn Blair was present to address the Board.

Mr. Geiss stated you have a large tree, is that coming down?

Mrs. Blair stated there is a tree more towards the front of the property that's near the stop sign and it will not have any effect on this.

Mrs. Blair stated I have some pictures I took today and she showed the Board members.

Mr. Ruddock asked did you get the signature for the property that is to the south of your property?

Mrs. Blair stated yes that is Andrew Wright at 215 Snowdale Drive.

Mr. Ruddock stated he is going to be looking at the end of the garage and you are really changing the look of Snowdale as all the other houses are set back a certain distance.

Mr. Geiss stated as I looked at that I had that in mind but I didn't feel it was off that much.

Mr. Schanzenbach stated I did look at this on google earth, as you are looking everything is in a nice straight line as all the houses have that 30 feet setback.

Mr. Schanzenbach stated this structure would be sticking out of all those and I do have a problem with that.

Mr. Schanzenbach stated I feel is distracts from the character of the neighborhood.

Mr. Schanzenbach asked what is the side yard setback?

Mr. Pringle stated it is 25 total 10 minimum.

Mr. Schanzenbach stated I suppose if it were attached and the variance were smaller I would like to go out and look at it and see what that line would look like.

Mr. Schanzenbach stated that would be something to consider if it were attached and brought everything better into line.

Mr. Geiss asked is this something you could agree with that this garage be attached and not sticking out so much?

Mrs. Blair stated absolutely yes.

Resolution to follow:

**RESOLUTION NO 1706
OF THE
ZONING BOARD OF APPEALS
OF THE TOWN OF VAN BUREN**

Carolyn Blair has applied for area variance relief from Section 200-45 of the Town of Van Buren Zoning Code to build an attached garage within the front yard setback on a parcel located at 201 Resseguie Drive, Tax Map No. 061.-04-12.0 (the "Property"). As proposed, once the garage structure is complete the front yard building setback will consist of 24 feet. The Property is located in the R10 Zoning District.

The Property is situated on the corner of Resseguie Drive and Snowdale Road. Applicant proposes to construct an attached garage structure measuring 16 feet by 25 feet between the residential structure and Snowdale Road. Because the Property is a corner parcel, the proposed location for the attached structure is considered part of the Property's "front yard." Under Section 200-45 of the Zoning Code, the required front yard setback distance for an attached residential accessory structure in the R10 Zoning District is the existing building line, which is 30 feet in the instant matter. Accordingly, Applicant seeks a variance of 6 feet to allow for the placement of a detached garage 24 feet off the property line.

In support of the application, Applicant submitted an Application for Variance, Agricultural Data Statement, Notification to Surrounding Property Owners, Short Environmental Assessment Form, an altered survey map, dated October 18, 1994, showing the Property with existing structures and the proposed detached garage, a photograph of the existing garage and front elevation of the proposed addition; correspondence from Applicant addressing the construction process, and an estimate from CNY Homestead Renovations, LLC.

Applicant appeared at the public hearing to describe the proposed garage addition and the need for such garage structure. Applicant addressed the concerns of the Board; particularly, the potential impact upon the visual character of Snowdale Road. 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 residential character of the neighborhood and will not be a detriment to nearby properties. Due to the configuration of the existing structure on the Property and the size of the Property, the benefit sought by Applicant cannot be achieved by any other feasible method.

3. The proposed variance relief will not have an adverse effect or impact on the physical environmental conditions in the neighborhood or district. The benefit to Applicant outweighs any detriment to the neighborhood or community as a result of granting the variance relief and the variance requested is the minimum relief necessary to allow Applicant relief from the Town’s Zoning regulations.

4. For the reasons set forth, a variance is granted allowing Applicant to construct an attached garage structure situated on a parcel located at 201 Resseguie Drive, Tax Map No. 061.-04-12.0, such that the front yard building setback will consist of 24 feet.

Dated: September 13, 2017

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

Roll Call Vote:

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

ANTHONY CRISAFULLI SITE PLAN

6945 Winchell Road Tax Map ID # 055-03-02.1,03.0 & 04.2

Mrs. Terry Horst was present to address the Board.

Mrs. Horst stated I have some new drawings for you all.

Mrs. Horst stated after the first meeting we discussed his plan and in our conversation we prioritized with what Mr. Crisafulli would like to do.

Mrs. Horst stated he will be doing a new fence around all three properties.

Mrs. Horst stated I have also met the with chairman and Mr. Pringle on the site to discuss some of the issues on the site.

Mrs. Horst stated there is three total properties that he owns and it was recommending that we get a combined deed so I contacted the surveyor and he is in the process of writing that up.

Mrs. Horst stated one of the issues on the property is the tires on the site, he would like to store tires in this existing metal building and he would like to add a second building to store more tires.

Mrs. Horst stated the second issues was the cars, he has been removing cars and he will continue to remove the cars. He would also like to apply to have a licensed repair shop, an auto sales and repair shop.

Mrs. Horst stated we have not prepared a SWPPP yet for this project.

Mr. Geiss stated I went back to 2011 when this was first in for site plan and at that time it showed a ditch all the way across the back and now it does not go all the way across.

Mrs. Horst stated he did not put that in.

Mr. Geiss stated it also showed trees being planted and this never got done.

Mrs. Horst stated correct.

Mr. Geiss stated basically nothing has been done in six years.

Mr. Geiss stated we cannot do anything tonight until the properties are combined.

Mr. Geiss stated we will need some assurance that this will all happen as it has been six years and nothing has been done.

Mr. Geiss stated I would like to see the parcels combined and then we can do site plan review.

Mr. Geiss stated I would like to recess the meeting to continue a public hearing for Ryan Homes for a Variance Section 200-33 B (5) at 115 Milan Way.

Mr. Marty Moore was present to address the Board.

Mr. Geiss stated the existing variance is a total of 25 and you would like to reduce as you are adding a three car garage therefore you would like to reduce the setback to a total of 23.

Mr. Moore stated that is correct.

Mr. Geiss stated this is a new development.

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

Mr. Mario D'Arrigo, developer of Marion Meadows, spoke in favor for the proposal.

No one else spoke.

Mr. Geiss closed the public hearing.

Mr. Geiss stated we are now back in regular session

RYAN HOMES VARIANCE SECTION 200-33 B (5)

115 Milan Way

Mr. Marty Moore was present to address the Board.

Mr. Geiss stated we are looking at a reduction of total setback from 25 to 23 with a minimum of 10 feet on one side.

Resolution to follow:

**RESOLUTION NO 1707
OF THE
ZONING BOARD OF APPEALS
OF THE TOWN OF VAN BUREN**

Ryan Homes has applied for area variance relief from Section 200-33(B)(5) of the Town of Van Buren Zoning Code to build a single-family home with an attached three-car garage within the side yard setback on a parcel located at 115 Milan Way (the “Property”). As proposed, once the residential structure with garage is complete the total side yard building setback will consist of 23 feet. The Property is located in the PUD Zoning District.

Under Section 200-33(B)(5) of the Zoning Code, the required side yard setback distance for a principal and attached accessory structure in the PUD Zoning District is a minimum of 10 feet on one side and 25 feet total. Applicant proposes to build a residential structure with attached garage that encroaches two (2) feet into the side yard setback area, resulting in a total side yard setback of 23 feet.

In support of the application, Applicant submitted an Application for Variance, Agricultural Data Statement, Notification to Surrounding Property Owners, Short Environmental Assessment Form, and a survey map, showing the Property with the proposed residential structure with attached garage.

A representative for Applicant appeared at the public hearing to describe the proposed

residential structure with attached garage and the potential impact upon neighboring properties. Applicant's representative confirmed the narrow configuration of the Property, which is 75 feet in width and approximately 250 feet in depth. Applicant's representative further provided proof of the landowner's authorization of the application. 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 residential character of the neighborhood and will not be a detriment to nearby properties. Due to the width of the Property and the dimensions required to construct a three-car garage, the benefit sought by Applicant cannot be achieved by any other feasible method.

3. The proposed variance relief will not have an adverse effect or impact on the physical environmental conditions in the neighborhood or district. The benefit to Applicant outweighs any detriment to the neighborhood or community as a result of granting the variance relief and the variance requested is the minimum relief necessary to allow Applicant relief from the Town's Zoning regulations.

4. For the reasons set forth, a variance is granted allowing the construction of a house with a three-car garage situated on a parcel located at 115 Milan Way, such that the total side yard building setback will consist of 23 feet, with a minimum of 10 feet on one side.

Dated: September 13, 2017

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

Roll Call Vote:

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

MARION MEADOWS FINAL PLOT PLAN PHASE III B

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

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

Mr. D’Arrigo stated I am here to receive final plot approval for section III B and we were here about a month ago for section III A and we have that filed.

Mr. D’Arrigo stated I have checked the cul-de-sac where we had the problem with the turn around and it is now completed and it has been paved right up to the property line.

Mr. D’Arrigo stated now we have the last section and the only item we have to do is the dedication to the roads and easements.

Motion Mr. Geiss asked the Board to entertain a motion with regard to SEQR for Marion Meadows final plot plan phase III B which is a PUD in the Town. The Town previously had done the Environmental Review for the entire property and this is the final phase of the property. The Board wishes to ratify and reaffirm SEQR findings on this project. We did issue a negative declaration with this project. 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 approve the Marion Meadows final plot plan phase III B as submitted by the applicant with drawings dated August 22, 2017 with the condition that the applicant will comply with the Town Attorney and the Town Engineer items for review and receive their approval. The applicant will pay the park fees in the amount of \$350 per lot. Mr. Ruddock moved to accept the motion seconded by Mr. Budosh. Motion carried unanimously.

THIRD DAY WORSHIP CENTRE SITE PLAN

6987 Jones Road Tax Map ID # 058-01-35.1

Mr. John Wicks was present to address the Board.

Mr. Wicks stated this is an existing place of assembly formally a church. Our intentions are to use it as a church.

Mr. Wicks stated it is designed today as a church. The changes that we would like to make, one is to make this facility operate properly a couple of things have to happen.

Mr. Wicks stated they are proposing the front entrance porch that is an overhang supported by four columns with a 12 feet extension off the front which according to your code does violate a 50 feet setback from the front.

Mr. Wicks stated it makes the new setback 38 feet. The second change would be we have added steps off the side so they would have appropriate for exiting in case of emergency.

Mr. Wicks stated the third change we will be doing is moving these steps slightly south away from the building as it will allow better flow out the back exit.

Mr. Wicks stated the fourth change will be that we will expand the parking lot, it will add four spaces out the back and also reduces the berm area next to the church down to about 10 feet.

Mr. Wicks stated we have now raised the parking lot about 4 or 5 inches for a couple of reasons.

Mr. Wicks stated if you go to the grading and erosion plan, we are showing the silt fence going around the changed areas.

Mr. Wicks stated the light pole configuration for the foundation. I have put in four light poles and then for the steps on the front.

Mr. Geiss stated I have a couple questions for you, you are showing two entrances?

Mr. Geiss stated existing you only have one the other is overgrown as it was illuminated when the Moose Lodge received approval.

Mr. Geiss stated you are close to 690 and the Thruway, you will need a lighting plan.

Mr. Geiss stated you will need a variance in reduction and the front setback.

Mr. Geiss asked are you doing any other landscaping?

Mr. Wicks stated I wanted to but budget wise I am trying to be careful, I feel that is something they can do once they are there and see more of what they would like.

Mr. Wicks stated if you'd like I can design something I can but I was waiting on that.

Mr. Geiss stated we would like to see something to dress it up and maybe we can condition it that it does not have to be done immediately.

Mr. Geiss asked Mr. Hoy as far as drainage what will they need?

Mr. Hoy stated it is less than an acre.

Mr. Geiss asked what is your timetable for this whole project?

Mr. Wicks stated we would like to do this as soon as possible.

Mr. Geiss stated we need to application for the variance and we do need to send this to County.

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 Third Day Worship Centre Site Plan at 6987 Jones Road Tax Map ID # 058-01-35.1. Mr. Ruddock moved to accept the motion seconded by Mr. Budosh. 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. Budosh. There was no further discussion. Motion carried unanimously. The meeting was adjourned at 8:45 p.m.

Respectfully Submitted,
Melissa MacConaghy
Zoning/Planning Board Secretary