

Planning/Zoning Board of the Town of Van Buren, 7575 Van Buren Rd, Baldwinsville, New York, held on December 13, 2022 at 6:00 p.m.

Those present joined in the Pledge Allegiance to the Flag.

Roll Call:	James Virginia	arrived late
	Mark Budosh	present
	Jamie Bowes	present
	Roger Roman	present
	Claude Sykes	present
	Jim Schanzenbach	present (excused at 6:45 PM)
	Anthony Geiss	present

Also Present: Nadine Bell, Town Attorney
 Jason Hoy, Town Engineer
 Christopher Perdue, Codes Officer
 April Herrick, Codes Clerk

MINUTES

Motion made to approve the November 15, meeting minutes as amended. Motion Carried.

- **APPLICATION BY: Marvelis Palmero, 301 Birchwood Blvd., Baldwinsville, NY to the Planning Board of the Town of Van Buren, for an area variance Section 200-72 A for a 6 ft. fence within the setback located at 301 Birchwood Blvd., Tax Map ID #031.2-13-01.0 in an R10 Zoning District.**

Discussion: Applicant presented photos of the property to the board. Chairman Geiss asked the applicant the reason for the fence. Applicant responded it is for safety of the children and privacy.

Chairman Geiss stated that the drainage easement presented located in the rear/back of the property is not on the map. The codes officer had a discussion with the resident. Chairman Geiss stated that a new map showing the drainage easement is needed. The company installing the fence can do the mapping and dimensions for her.

- Regarding the reduction in the side yard setback from 18 ft. to 10 ft. and installing the fence in an 8 foot area. Chairman Geiss stated this requires an area variance due to the property being a corner lot and a side entrance is required to be open. Chairman Geiss stated there needs to be justification for the changes to the dimensions. Chairman Geiss went over the criteria the board would review for an area variance.
- Chairman Geiss stated that for the Public Hearing we need an Environmental Assessment Form (EAF), an updated map submitted to the codes office for review before the end of the month before we can advertise the Public Hearing.

- The line of site will be discussed at the public hearing. The board stated that if she keeps the 3ft fence no variance is required only a permit.
- Chairman Geiss made a Motion to call Public Hearing for **Marvelis Palmero, 301 Birchwood Blvd.** for an area variance and site plan for property **at 301 Birchwood Blvd., Tax Map ID #031.2-13-01.0 in an R10 Zoning District** scheduled on 01/10/23.

Chairman Geiss entertained a motion to Motion made and seconded, motion carried.

- **Attorney Bell interjected stating no SEQR review is necessary nor EAF Form to be completed as fences falls under Type 2 action under 617 of the DZ regulations.**
- **Jammers 3417 Walters Rd, Subdivision Amended 3, Tax ID# 055.-04-02.1 and 055.-04.2.6**

SEQR Documents Received, and Jason Hoy, Town Engineer presenting.

Mr. Hoy (7575Van Buren Road, Baldwinsville) presented the proposed subdivision for a land swap between the Town of Van Buren (3417 Walters Road) and Jammers Sports Bar (3535 Walters Road). The Town would give up a strip of land along the east side of the Highway Garage property, which would now put Jammers stage and parking lot curb on the Jammers property. In return, Jammers would swap an 80'x160' area adjacent to the northwest corner of the highway garage property. This will help Jammers to be in compliance with their site plan, curb line, stage and transfer of their property.

Chairman Geiss stated the land trade would be so that Jammers will be in compliance with setbacks division

No questions, move to approval

Chairman Geiss entertained a motion to declare the Town of Van Buren Zoning /Planning Board's lead agency, a single agency uncoordinated review for the unlisted action under SEQR for the subdivision of properties both the Jammers property and the town property. This is a trade of land to make Jammers side yard setback in compliance with code. There is no adverse environmental impact with regards to this proposal.

End of motion, so moved, second

Motion has been made to second, No questions or comments, carried.

- Chairman Geiss entertained a motion to approve the subdivision of Jammers **at 3417 Walters Rd, Subdivision Amended 3, Tax ID# 055.-04-02.1 and 055.-04.2.6. This is per the applicants drawing dated 09/19/22. Map 1 of 1 with no revisions.**

- **Per Town Attorney Bell, please add that such approval is subject to permissive referendum upon resolution by the Town Board because you are subdividing it and making this a swap. We can't convey or sell property without permissive referendum. This is the condition of the approval.**

Chairman Geiss stated that the amendment is added that approval is subject to permissive referendum and it is required by the applicant is to submit the map to the county.

So moved, seconded

Chairman Geiss states motion has been made and seconded, no comments. Motion is carried

- **DG New York CS LLC, Solar Farm, E. Sorrell Hill Road, Tax Map # 033.-06-05.1 an Industrial-A Zoning District.**

Chairman Geiss stated that the Town Supervisor met with National Grid today and property owner regarding location of the poles. National Grid cannot put the line across the street due to easements and a water pipeline. National Grid agreed to move the location of the poles further apart. We cannot take action until this is finalized.

Informational:

Chairman Geiss stated that Tessy Plastics was not on the agenda but has updated information they would like to present.

Mr. Jim Kuryla is present representing Tessy Plastics and stated Plumley Engineering will be presenting on their behalf. Tessy Plastic is looking to add 8 additional 60 ft. silos. Plumley Engineering presented to the board a map, photos and the previously requested information.

Board Member, Jim S. suggested that Plumley Engineering reach out to the Codes Office to discuss the codes concerning height restrictions.

Chairman Geiss states that SEQR is needed; an EAF long form is to be completed as well as a formal application for an area variance.

Chairman Geiss entertained a motion to call a public hearing for Tessy Plastic Site Plan at **Tessy Plastics, at 7474 State Fair Blvd., Syracuse NY 13209, for a Site Plan and Area Variance, Tax Map ID#064.-02-19.1, Ind A Zoning District.**

Chairman Geiss ended of Motion to call a Public Hearing for January 10, 2023, end of motion, so moved, seconded, motion has been made and seconded no comments, motion carried.

- **Informational:**

FedEx is still working on their EAF to submit

TJA Energy on Kingdom Road is still working on the resolutions previously requested by the County. They need to put up a bond with the Town for a closure regarding that and that planting be continuously maintained for the life of the contract

Cody Grunder at Jones Road is moving forward with applying for an amendment for a PUD zone change at the CNY Soccer Center. Pete Ramin has been made aware of this.

Meeting adjourned at 7:00 p.m.

April Herrick
Town of Van Buren
Codes Department