

Planning/Zoning Board of the Town of Van Buren, 7575 Van Buren Rd, Baldwinsville, New York, held on January 10, 2023 at 6:00 p.m.

Those present joined in the Pledge Allegiance to the Flag.

Roll Call:	James Virginia	present
	Jamie Bowes	excused
	Roger Roman	present
	Claude Sykes	present
	Jim Schanzenbach	present
	Joe Cavender	present
	Mark Budosh	present

Also Present: Nadine Bell, Town Attorney
 Jason Hoy, Town Engineer
 Mary Frances Sabin, Town Supervisor
 Christopher Perdue, Code Enforcement Officer
 April Herrick, Codes Clerk

MINUTES

Motion made to approve the December 13, 2022 meeting minutes. Motion Carried.

Adjourn to Public Hearing

- **Public Hearing - Tessy Plastics Area Variance and Site Plan- 7474 State Fair Blvd., Syracuse NY 13209, (INA) Tax Map ID #064.-02-19.1**

Public Hearing

Mr. Clark from Plumley Engineering was present to represent the applicant. Mr. Budosh asked Mr. Clark to describe the project.

The applicant is looking to erect eight (8) 60 feet silos on a concrete pad. The silos will be located at the southwest corner of an existing building. The new silos are needed in order to store more product on site vs continuing the numerous trips between Elbridge and Van Buren required in order to keep the plant with supplies.

The applicant is requesting that the Board approve the Area Variance, Site Plan and Special Use permit.

Mr. Clark stated that he has provided the long form EAF as requested at the December meeting.

No public comments were made. Motion made by Mr. Schazenbach to close the Public Hearing, seconded by Mr. Sykes to close the Public Hearing and returned to regular session.

Motion passed unanimously and the Public Hearing ended at 6:04 p.m. and returned to regular session.

Discussion following the Public Hearing:

- Chair noted that the EAF needs to be signed. Mr. Clark will provide a signed copy tomorrow.
- Mr. Schazenbach asked for clarification about the height of the proposed silos as the building is 40' high and the silos requested are 60'. Attorney Bell stated that an Area Variance is needed. She stated that Codes Officer Perdue verified that the previously approved site plan required an Area Variance as town Code only allows 48' tall tanks and the previously erected silos were also 60' tall. Attorney Bell stated that since there is precedent, the application does require another Area Variance decision.
- Per Attorney Bell, no Special Use Permit is needed, as the property is zoned industrial.
- Mr. Virginia asked if the silos would be painted or have branding on them. Mr. Clark replied no to painting or branding.
 - Special Permit Use received but not needed
 - EAF form received but is not signed
- Mr. Clark was asked if a noise level survey was taken regarding the noise produced by silos. Mr. Clark stated Clark stated that no survey was taken, as the noise is the same as the existing silos.
- Mr. Virginia requested a roll call to vote on the Area Variance application. Motion seconded by Mr. Roman. Motion passed.

Mr. Schazenbach told Mr. Clark that since machinery decibel levels was not researched that if the noise level is above the allowed decibel code, Tessy Plastics will be issued a violation by the Codes Officer. Mr. Clark said that he would inform the applicant of the noise code.

- Motion by Mr. Sykes and seconded by Mr. Cavender to Approve the Site Plan as amended as per sheets C201-C202. Approval is conditioned on meeting Town Code.
- Motion passed.
- **FED EX Gateway Building, 7020 Van Buren Rd., Baldwinsville, NY , Site Plan, Tax Map ID #058.-01-38.3 in an Ind. A Zoning District**

John Mancini with BL Companies addressed the board representing the Applicant. Mr. Mancini stated that existing guardhouse is remaining and the 2300' addition is to enhance employee security and screening.

Mr. Mancini stated that the addition would take up 10 of the existing parking spaces. There will be no impact to the storm water drainage as 1 additional storm water basin is being added.

Mr. Mancini stated that the addition goes toward the building rather than toward Van Buren Rd.

Mr. Budosh stated that the Public Hearing was held and closed at the November 15, 2022 meeting

Mr. Budosh reviewed the County Comments, which determined that reviewed, there is no adverse Environmental impact, and that the Town may proceed as it desires.

The board questioned if the lighting was sufficient. Per Mr. Mancini, existing lighting is adequate.

Mr. Sykes asked and Mr. Mancini confirmed that new building would have wall pack lighting

Chair introduced the SEQR review. Motion was made by Mr. Schazenbach and seconded by Mr. Sykes to approve SEQR. Motion carried.

Chair reported that the County comments stated there was no adverse environmental impact.

Motion made by Mr.Schazenbach and seconded by Mr. Sykes to approve the Amended Site Plan, which was amended on Page 3 of 8 from drawings signed and submitted 10/28/22.

Motion unanimously approved.

- **TJA Clean Energy – TJA-NY-Van Buren Solar Farm, LLC, 1245 Kingdom Rd, Baldwinsville, NY 13027 Site Plan and Area Variance Tax Map ID#042.-01-03.1**

Michael Frateschi, PE and Eric Kenna with C&S Companies addressed the board. Mr. Budosh talked about the wetlands that exist on the landfill, which is owned by the Town.

Eric Kenna stated that regarding the wetlands, ACOE has the jurisdiction not the DEC. C&S will need to submit a request to ACOE regarding the use change and DEC will be notified but C&S sees no reason for any DEC comments.

Mr. Cavender asked about the size of the wetlands on the landfill. Mr. Frateschi stated that the wetlands are .35 acres and there is no change to the size or impact on the wetlands.

TJA has provided the storm water plan to the engineer for review.

The Right of Way swale to the fence is narrow and only one row of trees will fit at the Right of Way by the fence. Mr. Sykes stated that he would hate to see the trees planted at the roadside die due to the nearness to the swale. Mr. Eric stated that they would look at planting non-evergreen different trees to plant there. Approval will have a condition that the applicant maintain the ‘buffering trees’.

Mr. Kenna stated that TJA is looking to be approved for the Area variance about the setbacks. Existing setback is 100' but is asking for variances of 58', 50' and 20' on three sides of the property. TJA will look to move the Town's fence back 10' which will put it back on the landfill. They are asking for the area variance prior to submitting the application for a change of use on the landfill. If C&S doesn't get the area variance, then they would have to submit a new permit application for the change, which would start the process all over again.

Mr. Frateschi asked about SEQR with the Town taking lead agency, what happens to the other involved agencies.

Attorney Bell stated that the Board approved the SEQR at the 11/15/2022 meeting and can vote on the Area Variance at this meeting. However, with the Applicant's approval, the Board can push the vote on Area Variance to the February 2023 meeting in order to perform more review of the EAF. The applicant agreed to extend the 62-day requirement.

Chair Budosh stated that he had no concern on the Area Variance setback requests but does want to look at the EAF in more depth and vote on the Area Variance application at the February 2023 meeting.

Mr. Sykes stated that he had no concern about the Area Variance setback requests.

Mr. Frateschi stated that per 911, the official address at the entrance to the farm is 1320 Kingdom Rd.

Mr. Sykes stated that the drawings stated the location as Belgium NY and need to be changed to reflect Baldwinsville, NY.

Other/Informational:

The Town Supervisor has a meeting with National Grid on Tuesday 01/17/22 regarding the pole placement of the new distribution line extension regarding the DGNV II Solar farm on E. Sorrell Hill Rd. Solar Farm project.

Mr. Virginia inquired as to the status of the Rt. 31 Solar Farm project that was approved quite some time ago. If the approval was given more than one year ago, the applicant will need to come back before the Board for review and approval. Ms. Herrick will investigate the approval date and notify the Board

Informational:

The Town Supervisor has a meeting with National Grid on Tuesday 01/17/22 regarding the E. Sorrell Hill Solar Farm project.

Mr. Virginia made an inquiry on the Snow Farm as an approval was done quite some time ago. An updated status is pending.

The signage issue on Downer St. has been resolved.

Motion moved to close the meeting
Moved, second, all in favor, carried.

Meeting adjourned at 7:00 p.m.

The next Zoning / Planning Board meeting is February 14, 2023 at 6:00 p.m.

Save the Date! The Annual Onondaga County Training Symposium will be held at the Marriott in Downtown Syracuse on Thursday, March 9, 2023. Registration materials will be distributed in early January and need to be returned to the supervisor by 01/27/23.

April Herrick
Town of Van Buren
Codes Department