



# Town of Van Buren Planning Board Meeting Minutes

7575 VAN BUREN RD. BALDWINVILLE, NY 13027

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## Roll Call

- Mr. Claude Sykes
- Mr. Roger Roman
- Mr. Jim Schanzenbach
- Mr. Jamie Bowes
- Mr. James Virginia
- Mr. Mark Budosh

### Also in Attendance:

**Town Attorney-** Ms. Nadine Bell

**Town Engineer-** Mr. Jason Hoy

**Code Enforcement Officer-**  
Mr. Christopher Perdue

**Codes Clerk-**  
Ms. Selena Buckner

## SEPTEMBER 12, 2023

Chair entertains the motion to approve the August 8, 2023 meeting minutes. Moved by Mr. Sykes. Seconded by Mr. Roman. Motion Approved.

### **Katarina Hart of 422 Dewport Road, Baldwinsville, NY 13027, Tax ID: #064.-03-46.1. Area Variance to increase lot coverage.**

**Chair entertains the Motion to open the Public Hearing for Katarina's Area Variance to increase her lot coverage.**

Moved: Mr. Schanzenbach

Second: Mr. Bowes

All are in Favor- no one against.-**Carried**

**DESCRIPTION:** An indoor recreational basketball facility. The building will match the house. **Katarina answers questions to the board about why a Variance is important for her property.**

- Q.** Will the granting of the variance produce undesirable change in the character of the neighborhood?
- A.** No the proposed variance will not affect the surrounding properties given the grading of the site and recreation of the structures given they are in the backyard and will be minimally visible from the road.
- Q.** Could the benefit sought by the applicant be achieved any other way without using an area variance?
- A.** No, while it is not necessary for the site, it would not be possible to include without an area variance due to the lot size being developed at a lot coverage of 19% and that includes the house, the paving, deck, and the pool.
- Q.** Is the requested area variance substantial?
- A.** 5% increase of coverage-could be interpreted either way. We believe that it maintains neighborhood character. And done in the same style as the existing house. Doesn't have a large environmental impact.



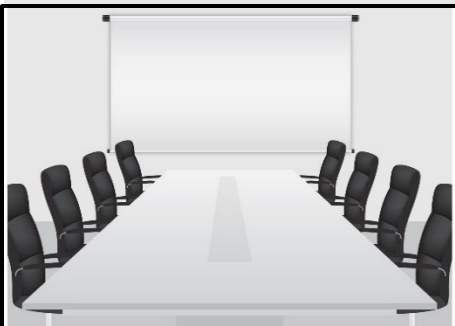


# Meeting Minutes Continued

## Agenda For Meeting

- **Katarina Hart of 422 Dewport Road, Baldwinsville, NY 13027, Tax ID: #064.-03-46.1.**  
Area Variance to increase lot coverage.

- **Katarina Hart of 422 Dewport Road, Baldwinsville, NY 13027, Tax ID: #064.-03-46.1.**  
Area Variance for side yard setbacks.



**Q.** Will the proposed variance have an adverse effect on the physical or environmental conditions in the neighborhood?

**A.** No, refer to SEQR; the site was marked as being adjacent to wetlands. There will be no impact on the development to water and flooding resources. Proposed action doesn't include any vegetation disturbance.

**Q.** Is the alleged difficulty self-created?

**A.** Yes, it is because it is a recreational structure, but we were under the impression that this would be ok. That was why we bought two lots.

**Chair entertains the motion to close the Public Hearing.**

Moved: Mr. Bowes

Second: Mr. Sykes

All are in Favor- no one against.-Carried

**Katarina Hart of 422 Dewport Road, Baldwinsville, NY 13027, Tax ID: #064.-03-46.1.**  
**Area Variance for side yard setbacks.**

**Chair entertains the Motion to open the Public Hearing for Katarina's area variance for the side yard setbacks.**

Moved: Mr. Bowes

Second: Mr. Roman

All are in Favor- no one against.-**Carried**

**Katarina**-Our swimming pool was approved in 2022-not aware that it was not compliant. Got the aluminum fence installed recently from Butler Fence.

**Q.** Will the granting of the variance produce undesirable change in the character of the neighborhood?



# Meeting Minutes Continued

## Agenda Continued

- **Richard Sapp Jr. of  
22 Dolphin Drive,  
Baldwinsville, NY  
13027. Tax ID:  
#036.-10-07.0.  
Area Variance.**
  
- **CDS Housing,  
East side of Van  
Buren Rd across from  
Caserta Drive,  
Tax ID: #031.-03-06  
and 031.-03-07.  
Site Plan Proposed  
Approval.**

- A.** No the proposed variance will not affect the surrounding properties, there will be no physical changes to this site if the request is approved, the amendment will bring the existing pool into compliance.
- Q.** Could the benefit sought by the applicant be achieved any other way without using an area variance?
- A.** No, the pool was already built and without the rear yard setback, the pool will remain non-compliant.
- Q.** Is the requested area variance substantial?
- A.** No, it is a request to bring the existing structures up to Code.
- Q.** Will the proposed variance have an adverse effect on the physical or environmental conditions in the neighborhood?
- B.** No, because it has already been developed and there were no notable impacts from the land.
- Q.** Is the alleged difficulty self-created?
- A.** No, site plans were created and it was an oversight that the applicant is trying to amend.

### **Chair entertains the motion to close the Public Hearing.**

Moved: Mr. Sykes

Second: Mr. Schanzenbach

All are in Favor- no one against.-Carried



**Roll call for the Resolution in the panel  
on the next page.**



# Meeting Minutes Continued

## RESOLUTION FOR

Hart Residence's Area Variance to increase lot coverage and for side yard setbacks.

**Mr. Budosh**-Reads the Dual resolution for the **Lot Increase** and **Rear Setback**.

(Resolution available in the Codes Office)

### **Roll Call**

(Board Members Vote)

Mr. Sykes	✓
Mr. Roman	✓
Mr. Schanzenbach	✓
Mr. Bowes	✓
Mr. Virginia	✓
Mr. Budosh	✓

## **Richard Sapp Jr. of 22 Dolphin Drive, Baldwinsville, NY 13027. Tax ID: #036.-10-07.0. Area Variance.**

- Wants to install a 5ft tall picket fence on a corner lot. (2 front yards)
- Wants the 5ft fence-to protect his dogs.

Mr. Budosh-Needs to schedule a Public Hearing.

- Please have Arrow Fence submit a clear document of where the fence will go with all the dimensions; maybe mark it up on the survey.

**Chair entertains the Motion to schedule a Public Hearing at the next meeting in October 10.**

Moved: Mr. Roman

Second: Mr. Schanzenbach

All are in Favor- no one against.-Carried

**Mr. Budosh has to leave for another meeting so he anoints Mr. Schanzenbach to take over as Chair head in his absence.**

## **CDS Housing, East side of Van Buren Rd across from Caserta Drive, Tax ID: #031.-03-06 and 031.-03-07. Site Plan Proposed Approval.**

**Al Yager**

- Submitted all of our documentation
- 270 apartment units
- 137 parking spaces
- Enmities-
  1. Bus stop shelter for the school kids
  2. Playground





# Meeting Minutes Continued

## Agenda Continued

- **R&R Properties of CNY, LLC.**  
**7574 Van Buren Road**  
**Baldwinsville, NY**  
**13027, Tax ID:**  
**#031.-03-08.0,**  
**#031.-03-10.0.**  
 Tabled for now.

- **Richard Rome of Rome Enterprises II INC,**  
**7153 State Fair Blvd**  
**Syracuse, NY 13209.**  
**Tax ID: 059.-01-15.0.**  
 Change of  
 Occupancy/Site Plan  
 Review.

- We would really like to accomplish a site plan approval for the October meeting and are willing to do what we can to accomplish this. Will drop off copies tomorrow of the Site Plan for the Board to review.
- Hard copies will be sent and comments will be made in a week from the board.

### **Utility Plan**

- OCWA has not given a plan yet.
- National Grid will put the transformer where they want and they will probably request two.

### **Sewage Plan**

- Did have a surveyor go back out and locate the survey dismantle-it was a little deeper than the what was provided by town engineers.

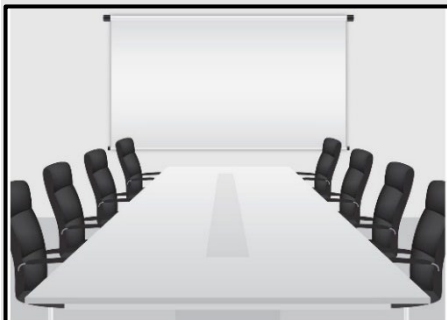
### **Fire Hydrants are in good places.-Mr. Perdue confirms.**

### **Vegetation**

- Included trees (evergreen, blue spruce) along the Northside of property.
- Trees along the playground.
- Trees behind the building by the storm-water management area and the 10-unit townhouse style building.
- Trees out front. Will add some more to keep water from coming to the building.
- Trees also along property line that were not taken down.
- Shrubs and plants near the parking area-visual appeal.
- Picked plants that were deer tolerant.
- Grass area between the sidewalks.

### **Light Plan**

- Compliant
- Small spillage on the southern property line. Vegetation there that will help prevent spillage on the neighboring properties.





## Summary of Other Orders of Business

- R&R Properties of CNY, LLC, 7574 Van Buren Rd Baldwinsville, NY 13027  
Tax ID: #031.-03-08.0, #031.-03-10.0.  
-On hold  
-Need to wait to do things  
-SWPP
  
- Crego Farm, Inc. Baldwinsville, NY Tax ID #034-03-01.1.  
-updated plan-hydrant location  
-Traffic Study-Planning Board will review.



# Meeting Minutes Continued

- Driveway has a small spillage from the light on the bus shelter.

These things have changed since we last presented this plan.

Letter from the county says that they can use the existing pump station.

Going to have a pipe across the driveway, capped off for future connection. Will create a ditch line and maintain it.

Not done the access easement yet, because they have not closed on the property yet and don't want to do the subdivision process until they have the site plan approval.

Ms. Bell wants to see an easement draft.

Public Hearing? The Planning Board's option, Planning Board says they don't need one.

**Richard Rome of Rome Enterprises II INC, 7153 State Fair Blvd, Syracuse, NY 13209. Tax ID: 059.-01-15.0. Change of Occupancy/Site Plan Review.**

**Kevin Kane of KL Kane Consulting** representing Richard Rome

My client would like to open a bathroom-remodeling place in the place where Timber Tavern used to be.

- Would not be a retail spot.
- Can go there to decide how you want to remodel your bathroom. Designers work with clients.
- Actual work done in client's home.



# Meeting Minutes Continued

## Upcoming Events at the Next Planning Board Meeting

- Richard Sapp Jr. of 22 Dolphin Drive, Baldwinsville, NY 13027. Tax ID: #036.-10-07.0.  
**Public Hearing for an Area Variance for a Corner Fence.**

This would be a hybrid. The change of use from a restaurant D8 to a D2, Which is Professional Services, or D3, Indoor Sales.

### **Mr. Kane**

- Doesn't believe we need to do a Zone Change, or Variance.
- He feels that they would not really need to change anything.
- Hasn't done anything with architecture yet, so doesn't have anything on the building.

**Mr. Schanzenbach** questions if this was supposed to be a Change of Occupancy instead of a Site Plan Review.

**Mr. Kane** confirms this.

**Mr. Perdue** states that in order to do a Change of Occupancy, they first need to do a Site Plan Review.

### **Comments/Questions**

- **Mr. Sykes** asked what they would do with the motel part.
- **Mr. Kane** responds that there will be no change, will just use that as another form of income.
- **Mr. Sykes** asked if there were plans to pave the parking lot.
- **Mr. Kane** responds that the current paved lot gives them what is required according to their plan. They do not plan to pave the unpaved area.

**Mr. Schanzenbach** states that as part of the Change of Use they will need to Submit a Site Plan.



# Meeting Minutes Continued



## Next Zoning & Planning Board Meeting:

October 10, 2023  
6:00PM.

- **Mr. Kane** responds that they are not changing anything, why do they need a Site Plan? He states that they are there to do a Change of Occupancy.
- **Mr. Perdue** States that in order to do a Change of Occupancy, they must first do a Site Plan Review. This is what is in the Code. We have to follow the rules.
- **Ms. Bell** States clarity that this is not a Town of Van Buren thing, these steps are a State thing. She give the advice that Mr. Kane could go to the seller of the property and get the site plan that was originally on the property and just update it to be more economical.

## Chair entertains the Motion to close the meeting.

Moved: Mr. Sykes

Second: Mr. Roman

All are in Favor- no one against.-Carried

