

Regular Meeting of the Town Board of the Town of Van Buren, held on January 15, 2025 at 7:00 pm at the Van Buren Town Hall, 7575 Van Buren Road, Baldwinsville, New York.

Mr. Michael Burke	Councilor
Mr. Roger Hand	Councilor
Mrs. Jennifer Sullivan	Councilor
Mr. Robert Grover	Councilor
Mrs. Wendy Van Der Water	Supervisor

Absent: Ms. Darcie Lesniak, Councilor

Also Present:

Ms. Nadine Bell	Town Attorney
Mr. Jason Hoy	Town Engineer
Mr. David Blaisdell	Acting Highway Superintendent
Mr. Tim Gainey	Code Enforcement Officer
Mr. Tom Fuzia	Deputy Code Enforcement Officer
Ms. Lynn Precourt	Town Clerk

Pledge of Allegiance and Roll Call.

Approve Organizational and Regular Meeting Minutes from January 1, 2025:

029-25-000 MOTION BY Mr. Grover, seconded by Mr. Burke, to approve the meeting minutes of Organizational and Regular Town Board Meeting minutes from January 1, 2025 as published.

Mr. Burke – Yes, Mr. Hand – Yes, Mrs. Sullivan – Yes, Mr. Grover – Yes, Mrs. Van Der Water – Yes

Motion Carried & Adopted

Citizens Comments: None

Public Hearing to hear comments on Local Law F-2024, Amending Zoning Map to Change the Zoning Designation for Certain Real Property from Being Residence District 40 (R-40) to Being Zoned Residence District 15 (R-15) for tax map 036.-03-21:

030-25-000 MOTION BY Mr. Hand, seconded by Mr. Grover, to recess the regular meeting, open the public hearing and waive reading the legal notice published in *The Post Standard* on January 9, 2025.

Mr. Burke – Yes, Mr. Hand – Yes, Mrs. Sullivan – Yes, Mr. Grover – Yes, Mrs. Van Der Water – Yes

Motion Carried & Adopted

Mr. Dan Barnaba, Eldan Homes, was present to address the Board. He said he is a graduate of Baldwinsville Schools and has always taken pride in developing in this area. He said original plans for Harbor Heights included a boating community with differing types of around 1100 homes. He said there were improvements to the sewer pump station in the late 1990s and that is when Eldan Homes purchased property to build out the community in the early 2000s.

He said the town has granted six zone changes for new developments over the last 20 years.

Mr. Barnaba said this current lot of 11.9 acres off Route 31 is zoned R-40. He said if the zone change is granted, he is proposing 25 home sites that are consistent with other subdivisions. He said he has been before the Planning Board and they gave a positive recommendation to change from R-40 to R-15. He said the town code allows clustering, the same number of homes but allows for differing lot sizes, shorter roads and deeper lots.

Mr. Grover asked how this development would affect drainage because they currently have issues with water on Commene Road.

Mr. Barnaba said during the planning process the Town Engineer reviews plans relative to drainage. He said under the law his development cannot increase the amount of water coming from the site or the condition of that water.

Mr. Grover said there is a blind spot turning off Commene Road onto Rt. 31 and asked where his road cut is proposed.

Mr. Barnaba said every property owner is entitled to one road cut. He said the agency responsible for the road determines where that can be placed.

Mrs. Sullivan asked what the benefit of the zone change is for the town.

Mr. Barnaba said with the R-15 zoning he is proposing 25 single family homes with a price range of \$350,000 to \$400,000.

Mrs. Sullivan said the last time you were before the Board you discussed two family homes.

Mr. Barnaba said his company has looked into two family homes, one upstairs and one downstairs. He said this is helpful for multigenerational families or younger families that can use one story for a tenant to help with cost of the home.

Mr. Barnaba said under the current town code two family homes are allowed in R-40.

Mr. Hand said under R-40 he cannot build as many homes.

Mr. Barnaba said potentially, but he can ask for variances. He said his preference is single family homes, but under R-40 zoning attached homes are allowed.

Mr. Hand asked if he will keep a buffer between Rt. 31 and the development.

Mr. Barnaba said he doesn't know until he starts clearing the land but there are options like a berm for buffer.

Mr. Burke said if the town denies this zone change, what would you build under current R-40 zoning.

Mr. Barnaba said he will still build the infrastructure and houses allowed under R-40 zoning.

Mrs. Van Der Water asked if there was anyone to speak in favor of this zone change.

Mr. Louis Goeckel, 16 Fishermans Creek, asked if there will be any subsidized housing. Mr. Barnaba said no. Mr. Goeckel said he is in favor of this zone change, if not approved, the land could be sold to a developer who wants to build that type of housing.

Mrs. Van Der Water asked if there was anyone to speak against this zone change.

Mr. Paul Schmid, 23 Commune Road, said he is concerned about water runoff, wildlife relocation, setbacks and what buffer for existing homes will be kept, traffic and how much taxes will go up because of the development.

Mr. Mike Meyer, 144 Commune Road, said he moved to Harbour Heights in 1986 because of the rural character. He said they didn't want the new homes when it was built out in early 2000s and they voted this Board in; they do not want this zone change.

Ms. Janet Rasbeck, 24 Commune Road, said she owns the house that flooded when they had drainage issues. She said she doesn't think the zoning should be changed, if it is changed, then

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why have it at all. She is concerned about how this increase her taxes, create traffic congestion and the impact on the schools.

Ms. Sheila Johnson, 114 Commene Road, said just because you can do something doesn't mean you should do it. She said she dislikes how saturated the neighborhood has become.

Ms. Sharon Stack, 1 Lanyard Lane, said her yard backs up to this land. She asked how many homes can be built if there is no zone change.

Mr. Hoy said it is a 12 acre lot, currently zoned R-40, under current code could build 12 duplexes.

Mr. Kevin Johnson, Commene Road, thanked the neighbors for coming out for this and said he is not in favor of the change.

Mr. Tom Rasbeck, 24 Commene Road, said he attended the Planning Board meetings but they do not allow public input. He said traffic studies only look at small areas. He said 25 years ago they opposed the zone change and it didn't do any good.

Mr. Bob Menken, 3 Lanyard Lane, said he can hear traffic at night and having a buffer helps.

Mr. Barnaba said he could look into a conservation easement if there are no design constraints.

Ms. Kathy Argus, 214 Commene Road, said she is concerned about the ecosystem, the impacts on septic systems, lawn chemicals, deforestation, run-off and the area is home to eagles.

Mr. Tim Morgan, 11 Lanyard Lane, said he lives on the wooded side and asked the board to leave the zoning as it is now. He said he knows we will have progress but wants the character of the neighborhood to stay the same with single family homes.

Mr. Andy Stack, 1 Lanyard Lane, said he is concerned about traffic.

Ms. Bridget Cali, 202 Commene Road, asked the Board to leave the zoning as it is now.

Ms. Jennifer Martin, 2 Commodore Circle, said she is concerned the road cut onto Commene Road is too close to the corner.

Lynn Miller, 9 Commene Road, said her concern is making the drainage worse.

Grace White, 244 Commune Road, said maybe if there were more answers people would support this, but, they do not have the information. She said she would prefer to leave the R-40 zoning.

Ms. Kathy Lamanna, 146 Commune Road, agreed with others that the zoning should be kept the same.

Ms. Gina Coomey, 20 Commune Road, said she is concerned about increased traffic and the loss of green space.

Mrs. Van Der Water read letters from Harold and Gail Baker, 12 Kidd Kove, James LaManna, 202 Commune Road and Marcia and Michael White, 8 Buccaneer Bend, all opposed to the proposed zone change.

Mr. Barnaba said many of the issues brought up tonight are pre-existing problems, such as traffic and drainage. He said keeping the lot zoned R-40 still allows for 24 residences.

030-25-000 MOTION BY Mrs. Sullivan, seconded by Mr. Grover, to close the public hearing and resume the regular meeting at 8:28 pm.

Mr. Burke – Yes, Mr. Hand – Yes, Mrs. Sullivan – Yes, Mr. Grover – Yes, Mrs. Van Der Water – Yes

Motion Carried & Adopted

Action on Local Law F-2024, Amending Zoning Map to Change the Zoning Designation for Certain Real Property from Being Residence District 40 (R-40) to Being Zoned Residence District 15 (R-15) for tax map 036.-03-21:

Mrs. Van Der Water said the town has received comments back from the Onondaga County Planning Board as follows: The Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county-wide implications and may consequently be acted on solely by the referring Board.

Mrs. Van Der Water noted that the County Planning Board did note that the site may contain the Bald Eagle, or its associated habitat, which has been listed by the state or federal government as a threatened or endangered animal species.

**A Local Law Amending the Zoning Map of the Town of Van Buren
to Change the Zoning Designation for Certain Property from Being Residence District 40
(R-40) to Being Zoned Residence District 15 (R-15) in the Town of Van Buren**

031-25-014 The following resolution was offered by Councilor Grover who moved its adoption, seconded by Councilor Sullivan to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. F-2024, “A Local Law Amending the Zoning Map of the Town of Van Buren

to Change the Zoning Designation for Certain Property from Being Zoned Residence District 40 (R-40) to Being Zoned Residence District 15 (R-15) in the Town of Van Buren” was presented and introduced at a regular meeting of the Town Board of the Town of Van Buren held on December 18, 2024; and

WHEREAS, a public hearing was held on such proposed local law on the 15th day of January, 2025 by the Town Board of the Town of Van Buren and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Van Buren in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

WHEREAS, the enactment of Proposed Local Law No. F-2024 has previously been determined to be an Unlisted action and the Town Board declared itself as lead agency for purposes of completing its environmental review pursuant to the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, this proposed local law was duly referred to the Onondaga County Planning Board for review pursuant to General Municipal Law §239 and, by Resolution #Z-25-11, the OCPB concluded that the referral will have no significant adverse inter-community or county-wide implications and may be acted on solely by the referring board; and

WHEREAS, the Town Board did further refer the request for a zone change to the Town of Van Buren Planning Board/ Zoning Board of Appeals for an advisory opinion and, by resolution dated November 12, 2024, the Planning Board did render a positive recommendation to change the zoning designation from Residence District 40 (R-40) to Residence District 15 (R-15), with a further recommendation that such plan cluster the residential development; and

WHEREAS, upon consideration of the information submitted and the public comment received, it is not in the public interest to enact said Proposed Local Law No. F of 2024.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, the Town of Van Buren Town Board has determined this action is an Unlisted action and having, reviewed the Short Environmental Assessment Form; that, an environmental impact statement (EIS) shall not be required and that this resolution shall constitute a negative declaration under SEQRA; and it is further

RESOLVED AND DETERMINED, that the Town of Van Buren Town Board does determine that it is not in the interest of the public to enact proposed Local Law No. F of 2024; accordingly, the Town Board does hereby deny the Zone Change Request Application, submitted by Eldan Homes, Inc., requesting to change the zoning designation of property on Downer Street Road, known as Tax Map No. 036.-03-21.0, from being zoned Residence District 40 (R-40) to Residence District 15 (R-15).

Roll Call Votes: Mr. Burke – Yes, Mr. Hand – Yes, Mrs. Sullivan – Yes, Mr. Grover – Yes, Mrs. Van Der Water – Yes

Motion Carried & Adopted

Approve the salary increase for the Codes Enforcement Officer from \$40.00/hr to \$45.00/hr, part-time effective 1/1/25:

032-25-038 MOTION BY Mr. Burke, seconded by Mr. Hand, to approve the salary increase for the Codes Enforcement Officer from \$40.00/hr to \$45.00/hr part-time, effective 1/1/25.

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Mr. Burke – Yes, Mr. Hand – Yes, Mrs. Sullivan – Yes, Mr. Grover – Yes, Mrs. Van Der Water – Yes

Motion Carried & Adopted

Increase amount from Highway Reserve Funds for a Freightliner cab and chassis:

033-25-026 MOTION BY Mr. Grover, seconded by Mr. Hand, to increase the amount of money to be spent from Highway Reserve Funds from \$140,802.00 to \$161,119.00 for the purchase of a 2024 Freightliner cab and chassis, with plow equipment, approved on 9/20/23, subject to permissive referendum.

Mr. Burke – Yes, Mr. Hand – Yes, Mrs. Sullivan – Yes, Mr. Grover – Yes, Mrs. Van Der Water – Yes

Motion Carried & Adopted

Increase amount from Highway Reserve Funds for 2024 Ford F-550:

034-25-026 MOTION BY Mr. Hand, seconded by Mr. Burke, to increase the amount of money to be spent from Highway Reserve Funds from \$98,205.83 to \$108,467.83 for the purchase of a Ford F-550 approved by the Town Board on March 20, 2024, subject to permissive referendum.

Mr. Burke – Yes, Mr. Hand – Yes, Mrs. Sullivan – Yes, Mr. Grover – Yes, Mrs. Van Der Water – Yes

Motion Carried & Adopted

Approve contract with Barton & Loguidice for consulting services related to Land Use Plan:

Mrs. Van Der Water said they reviewed proposals and are recommending Barton & Loguidice.

035-25-052 MOTION BY Mrs. Sullivan, seconded by Mr. Grover, to accept the proposal from Barton & Loguidice for consulting services related to the town's Comprehensive Land Use Plan and authorize the Supervisor to execute any and all related documents.

Mr. Burke – Yes, Mr. Hand – Yes, Mrs. Sullivan – Yes, Mr. Grover – Yes, Mrs. Van Der Water – Yes

Motion Carried & Adopted

Councilor Committee Reports & Comments:

Mr. Burke said the Safety Committee met and discussed future plans and projects related to the Highway Department.

Mr. Hand said they are doing well with the installation of new computers and phones.

Mrs. Sullivan said there is a Facilities Committee Meeting on January 23rd at 3:00 pm at the Van Buren Park Office.

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Mrs. Sullivan said there is an opening for a Recreation Leader at the Canton Woods Senior Center, anyone interested should contact the Village of Baldwinsville.

Mr. Grover said Mr. Bruke will be the Chair of the Safety Committee this year.

Supervisor Comments:

Mrs. Van Der Water said she received a monthly report from the Codes Office and they have been very busy.

Mrs. Van Der Water said the department of transportation has approved a speed limit reduction on Pottery Road to 40 mph.

Highway Superintendent Comments: None

Engineer Comments: None

Attorney Comments: None

036-25-000 MOTION BY Mrs. Sullivan, seconded by Mr. Burke, to adjourn to the next regular meeting on February 5, 2025 at 7:00 pm.

Mr. Burke – Yes, Mr. Hand – Yes, Mrs. Sullivan – Yes, Mr. Grover – Yes, Mrs. Van Der Water – Yes

Motion Carried & Adopted

Meeting closed 8:50 pm

Respectfully submitted,

Lynn Precourt
Town Clerk

Dated: 1/17/25

