

The November meeting of the Zoning/Planning Board of the Town of Van Buren, held at the Town building, 7575 Van Buren Rd, Baldwinsville, New York, was called to order at 6:05 p.m.

Those present joined in the Pledge Allegiance to the Flag.

Roll Call:	James Virginia	present
	Mark Budosh	present
	Jamie Bowes	present
	Roger Roman	present
	James Ruddock	present
	Jim Schanzenbach	present
	Tony Geiss	present

Also Present: Nadine Bell, Attorney
Casey Palmer, Codes Enforcement Officer
January Baker, Zoning Planning Board Secretary

MINUTES

Motion by Mr. Ruddock to approve the October meeting minutes as amended. Seconded by Mr. Roman. Motion Carried. Motion by Mr. Ruddock to adjourn to Public Hearing for DG NY, LLC East Sorrell Hill solar project , seconded by Mr. Budosh. Motion carried.

PUBLIC HEARING- DG NY LLC-EAST SORRELL HILL-BALDWINSVILLE-SPECIAL USE & SOLAR SITE PLAN-TAX MAP ID#032.-04-02.2 (AR-80)

Chairman opens for comments. No comments from public. Motion made by Mr. Ruddock to close public hearing, seconded by Mr. Schanzenbach. Motion carried. Regular meeting begins.

DG NY LLC-EAST SORRELL HILL-BALDWINSVILLE-SPECIAL USE & SOLAR SITE PLAN-TAX MAP ID#032.-04-02.2 (AR-80)

Ms. Janet Ward, of 20 Center St., Brewster, NY from NextEra Energy was present on the Applicants behalf. Ms. Ward spoke on the noise study done by Tetra Tech included an on-site visit to the East Sorrell Hill project for the existing sound levels at present time, with 4 locations on this particular site, tested. The sound value, she stated, stayed between 30 decibels, which is comparable to a whisper up to 50 decibels, which Ms. Ward compared to a well working refrigerator. The 50 decibels of noise occurred closer to the highway. Another study done at a similar operating farm, noise levels found to be values in the 50's and this was within 75ft of the site. The site at East Sorrell Hill is about 425ft away from any equipment. Noise study findings was that of, not much noise. Rotation of panels, at the end of day, turning away from the sun using same speed as when they rotate toward the sun. Sound levels here remain the same.

Mr. Ruddock asked if the panels track the sun throughout the day, how longer hours effect this process. If all panels are moving at the same speed, all throughout, how does it work when the sun is out later, during the summer hours? Ms. Ward will find out how they move same speed throughout, if the days vary in daylight hours. Mr. Bowes asked if there are high winds, the panels go back to a safe position to stow, until the wind subsides? Ms. Ward stated that was

correct. Ms. Ward insisted the noise remains the same, regardless. The panels move at the same speed, producing the same amount of noise. Again, the study performed at a similar operating facility. Noise was minimal, and closer to equipment than the current East Sorrell Hill project. Mr. Geiss asked if each motor has its own operation, do the panels act on their own sensing the sun, or if there was a master system that tells them when to move? Ms. Ward answered it was a combination of both. Mr. Bowes referenced doing his own research on these types of farms, stating that the panels can be in arrays to track the sun, with programs and GPS. Mr. Geiss asked how they work at night, with no battery after the sun is down? Ms. Ward stated that there is not energy storage included in the plans, some utilities/electricity will be the power source. Mr. Geiss asked how many motors, and Ms. Ward stated that will be included in the building permit application.

The entrance is in works with the fire department- 50ft. of paving, per DOT requirements, with 50ft. of paving from property line. This can be conditioned to approval, along with the fire department conditioned a 5% grading. Mr. Geiss asked if panels could leak any liquid out of them. Ms. Ward said no they would not, being solid glass panels. Mr. Ruddock asked about the 1/3 of panels on the plans appearing to look different? Ms. Ward stated it was two different types of panels used, and that is why some appear different, graphically. Some are smaller ones, and these are showing up differently on the plans. No capacity listed for the ground screws. This will also be included with the construction plans. Ms. Ward stated that was part of the advanced engineering plans and the capacity will be added in. Mr. Ruddock made note this should of been filled in for the Board approval. Mr. Ruddock also inquired why the sound study done was between the hours of 9am-12pm, 3 hours not at peak time for traffic or surrounding noises? Seems the other study was done 11-4pm. Ms. Ward stated it was done at peak time at site, with loudest conditions. Mr. Geiss asked about the tax agreement being settled. Ms. Ward said they are still in process with the school at this time. Town taxes they will pay.

The lifespan of the panels, also discussed. They are said to last at least 20 years, the contract being for 25, and once technology is improved, the panels would need replacements and upgrades. MS4 fees discussed @ \$1650.00/acre, which comes out to \$56,000 deposit, any leftover, returned to the applicant. SWPPP review is legal and engineering fees-\$6000 deposit. Pottery Rd. is \$37,950 still owed. Ms. Nadine Bell stated it will be conditioned to approval with MS4 fees included. Resolution read as follows:

RESOLUTION NO. 20____
OF THE
ZONING BOARD OF APPEALS
OF THE TOWN OF VAN BUREN

DG New York CS, LLC seeks a special use permit to operate a 5-megawatt ground-mounted photovoltaic solar energy facility on 32.6 acres of a 64.9 acre parcel of property located at 7751 East Sorrell Hill Road, Tax Map Nos. 033.-06-01.2 and 033.-06-05.1 (the "Property"), pursuant to Section 200-21 and

Article XV of the Town of Van Buren Zoning Code. The Property is located in the AR-80 (Agricultural Residential) Zoning District.

In support of the request, Applicant submitted an application, an Agricultural Data Statement, a Notification to Surrounding Property Owners of Pending Action, an "Emergency Action Plan," dated January 30, 2020, plans prepared by NEXtera Energy Resources, titled "Sorrell Hill II, DG New York CS, LLC," consisting of Sheets C-001, C-002, C-101, C-201, C-202, 203, C-401 through C-403, S-001, S-201, and S-401, dated October 12, 2020, a site plan prepared by NEXtera Energy Resources, consisting of Sheet E-101, last revised September 24, 2020, a sound measurement study prepared by Tetra Tech, last revised October 30, 2020, a description of the proposed use, decommissioning plan, and a Full Environmental Assessment Form ("EAF"). In addition, a representative for the Applicant appeared at the public hearing to explain the proposal and address the concerns of the Board. In response to the Board's concerns regarding the batteries to be located on site, the Applicant amended its application and removed the proposed battery installation.

Upon review by the Onondaga County Planning Board, Case # Z-20-194, it has been recommended that the proposal be modified to meet the Onondaga County Department of Transportation's commercial driveway standards. The OCPB further encouraged the Applicant to site large scale solar arrays so as to avoid placement on actively farmed land with prime agricultural soils, recommended that the Town coordinate with the CNY Regional Planning Department Board Energy Management Office, and further recommended that the Town ensure battery storage systems meet applicable requirements for fire prevention and safety and handling of potentially hazardous materials.

Notice of the public hearing was duly published. The public hearing was opened on June 9, 2020 and closed on November 10, 2020. No one appeared in opposition to the application.

Based upon the submissions of Applicant and proof taken at the public hearing, the Board resolves as follows:

1. Because more than ten (10) acres of land will be disturbed by the project, this matter is subject to the State Environmental Quality Review Act and is classified as a Type I action. The Board, as Lead Agency, issued a negative declaration on November 10, 2020, concluding that there were no adverse environmental impacts.

2. Relative to Section 200-80(C)5 of the Zoning Code, the Board issues the following findings and determinations:

- a. Because the proposed use is allowed by Special Use Permit, the use complies with the applicable intent and regulations of the Code;
- b. The proposed use is located on a parcel zoned AR-80 and is consistent with the long-term development objectives of such area. The proposed use is appropriate for the amenities available to the Property and will not impede development of the area as intended by the Town's Comprehensive Plan;
- c. The scale and design of the use is in compliance with Town requirements and, as a result of the placement of the facility on the Property, shall be visually compatible with conditions of the site and surrounding properties;
- d. The design of the site does not create any significant traffic issues;
- e. The use is designed and shall be operated in a manner that minimizes off site disturbance of natural and cultural resources. Because the proposed solar arrays are ground-mounted or pile driven, the use minimally disturbs prime agricultural soils and is consistent with the soil capabilities of the site to accommodate the use and water runoff has been properly controlled;
- f. Emissions from the site are minimal and shall not impact surrounding properties;
- g. The physical characteristics of the Property are suitable for and conducive to the proposed solar facility, without modification to the established character of the surrounding area; and
- h. The cumulative impacts of the solar array use, consisting of 32.6 acres of a 64.9 -acre parcel, will not unreasonably interfere with or diminish the continued use, enjoyment or growth of the surrounding area or community.

3. Relative to Section 200-93(E) of the Zoning Code, the Board issues the following findings and determinations:

- a. As proposed, the solar farm will not substantially detract from or block the views of all or a portion of a scenic viewshed, as viewed from any public road, right-of-way or publicly owned land;
- b. The proposed solar farm shall not be installed upon any wetlands as identified by the New York State Department of Environmental Conservation or the U.S. Army Corps of Engineers;
- c. The Applicant has demonstrated the existence of adequate emergency/ safety measures;
- d. The proposed solar farm will be secure to the maximum extent possible;
- e. East Sorrell Hill Road will be used for access to the site and its improvements;
- f. The development and operation of the solar farm will not have a significant impact on fish, wildlife, animal or plant species or their critical habitats; and
- g. The Board is satisfied with the sufficiency of the proposed setbacks.

- 4. A Special Use Permit is hereby granted, in accordance with Section 200-21 of the Zoning

Code, subject to the following conditions:

- a. Applicant shall submit a Stormwater Pollution Prevention Plan to the Town of Van Buren Engineer for review and approval;
- b. Applicant shall submit documentation evidencing the Fire Department's approval of the proposed 5% grade;
- c. Applicant shall submit a detail of the paved access road off East Sorrell Hill Road to comply with New York State Department of Transportation requirements;
- d. Applicant shall have a noise study performed after the solar farm commences operation to confirm compliance with the sound measurement study prepared by Tetra Tech, as submitted by Applicant, and the results of the updated noise study which shall be submitted to the Town of Van Buren Code Enforcement Office. In the event the noise study evidences noncompliance, Applicant shall be required to implement mitigation techniques to ensure future compliance;
- e. Applicant shall be required to pay the MS4 fee, as required by the Town of Van Buren Code, in the amount of \$1650.00 per acre, for a total fee of \$56,000.00, and shall

reimburse the Town for legal and engineering fees incurred in the review of the application; and

- f. Applicant shall submit a bond for the decommission of the photovoltaic solar energy facility in an amount equivalent to 150% of the cost of removal and restoration of the site, in accordance with Section 200-93(o)(2) of the Town Code.

5. The Board does further grant site plan approval in accordance with the following site plan documents prepared by NEXtera Energy Resources:

1. C-001, "Civil Title Sheet," dated October 12, 2020;
2. C-002, "Notes," dated October 12, 2020;
3. C-101, "Existing conditions," dated October 12, 2020;
4. C-201, "Site Plan," dated October 12, 2020;
5. C-202, "Grading/ E&SC Plan," dated October 12, 2020;
6. C-203, "Landscaping Plan," dated October 12, 2020;
7. C-401, "Site Details," dated October 12, 2020;
8. C-402, "Fence & Gate Details," dated October 12, 2020;
9. C-403, "Erosion & Sediment Control Details," dated October 12, 2020;
10. S-001, "Foundation Notes," dated October 12, 2020;
11. S-201, "Foundation Plans," dated October 12, 2020;
12. S-401, "Foundation Details," dated October 12, 2020; and
13. E-101, "Site Plan," last revised September 24, 2020.

Dated: November 10, 2020

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> x </u>	<u> </u>	<u> </u>
James Ruddock	<u> x </u>	<u> </u>	<u> </u>
Roger Roman	<u> x </u>	<u> </u>	<u> </u>
James Bowes	<u> x </u>	<u> </u>	<u> </u>
James Schanzenbach	<u> x </u>	<u> </u>	<u> </u>
Anthony Geiss	<u> x </u>	<u> </u>	<u> </u>

Motion carried by Mr. Ruddock for approval based on conditions, seconded by Mr. Roman.
Motion carried. Roll Call Vote done as follows:

Mr. Virginia- yes	Mr. Bowes- yes
Mr. Roman- yes	Mr. Schanzenbach- yes
Mr. Budosh-yes	Mr. Geiss- yes
Mr. Ruddock- yes	

Motion by Mr. Ruddock for Pottery Rd. MS4 fees as well, at \$1650/acre equaling \$37,950 deposit, seconded by Mr. Budosh. Motion carried. Mr. Virginia motioned for a decommissioning fee at 150% deposit, seconded by Mr. Schanzenbach. Ms. Bell stated this does not include a site plan resolution along with the Special Use Permit, would the Board like a separate resolution, or for it to be added to the current one. Mr. Geiss answered to add it to the same resolution, so have it all together as one. Motion by Mr. Ruddock to amend the resolution, seconded by Mr. Roman. Motion carried.

PUBLIC HEARING-MARION GARDENS APARTMENTS-AREA VARIANCE-407
TUSCANY LANE-BALDWINSVILLE-TAX MAP ID #031.8-01-17.0 (PUD)

Mr. Mario D'Arrigo of 40 Timberland Lane, was present along with Mr. Michael D'Arrigo. Mr. Mario D'Arrigo spoke on the site plan submitted, plans for the small office building off Tuscan Lane and a mail kiosk built along with it, making a total of a 10ft. variance needed. Chairman asked for any comments. No comments made. Mr. Roman motioned to close public hearing, seconded by Mr. Ruddock. Motion carried. Regular meeting begins.

MARION GARDENS APARTMENTS-AREA VARIANCE-407 TUSCANY LANE-
BALDWINSVILLE-TAX MAP ID #031.8-01-17.0 (PUD)

Chairman asked the board if there were any comments or questions. No comments. Mr. Geiss then read the resolution as follows:

RESOLUTION NO. 20__
OF THE
ZONING BOARD OF APPEALS
OF THE TOWN OF VAN BUREN

Marion Garden Apartments, LLC of 106 Turning Leaf Drive, Manlius, New York has applied for area variance relief from Section 200-33(B)(5) of the Town of Van Buren Zoning Code relating to the location of a small office building 27 feet from the rear yard property line and 25 feet from the rear property line

for a mail kiosk. The property is located at 407 Tuscan Lane in the PUD District and is identified as Tax Map No. 031.8-01-17.0 ("Property").

Mario D'Arrigo and Michael D'Arrigo appeared on behalf of the applicant before the Planning Board/ Zoning Board of Appeals and, speaking in favor of the application, described the proposed location of a small office building structure approximately 27 feet from the rear yard property line and a mail kiosk approximately 25 feet from the rear yard property line at the entrance of the Marion Garden Townhouse complex. In addition to providing office space, it was represented that the structure will house the water meter and back-flow preventer for the private water system. Pursuant to Section 200-33(B)(5) of the Zoning Code, the rear yard setback for the PUD District within which the Property is located is 35 feet. As requested, the applicant seeks relief of eight (8) feet for the office structure and ten (10) feet for the mail kiosk.

There was no objection to the proposal at the Zoning Board of Appeal's public hearing, which was held on November 10, 2020, pursuant to public notice.

In support of the application, Applicant submitted an Application for Variance, Agricultural Data Statement, Notification to Surrounding Property Owners, Short Environmental Assessment Form, a plan prepared by Plumley Engineering, dated April 2020, titled "Marion Garden Townhouses, Final Site Plan, Sheet C201," and elevations of the proposed structure, titled "Marion Garden Townhouses, Sheet A1," prepared by RAV Architect P.C., dated November 16, 2019.

Based upon the foregoing, the Board resolves as follows:

1. This matter is an Unlisted Action under the State Environmental Quality Review Act as it involves the granting of an area variance related to a multi-family residential use.
2. It is determined that variance relief will not produce any undesirable change in the residential character of the neighborhood and will not be a detriment to nearby properties. Variance

relief will not have an adverse effect or impact on the physical environmental conditions in the neighborhood or district. Neighbors did not express any opposition to the variance. There **is/ is no** apparent method to achieve the benefit Applicant wishes to obtain, other than a variance and the benefit to Applicant does outweigh any detriment to the neighborhood or community because of granting the variance relief.

3. Area variance relief from Section 200-33(B)(5) is hereby granted to allow the construction and placement of an office building structure 27 feet off the rear yard property line and a mail kiosk located approximately 25 feet off the rear property line on property located at 407 Tuscany Lane, Tax Map No. 031.8-01-17.0, subject to the following conditions:

- a. Applicant shall be required to pay the MS4 fee, as required by the Town of Van Buren Code, in the amount of \$1650.00 per acre, for a total fee of \$11,352.00; and
- b. Applicant shall be required to pay the in lieu of parks fee for the first phase of the Marion Meadows subdivision, which consists of 21 units at \$350.00 per lot, for a total fee of \$5,500.00.

Dated: November 10, 2020

Anthony Geiss, Chairman

Zoning Board of Appeals

Town of Van Buren

Roll Call Vote:

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

James Schanzenbach x Anthony Geiss x

Lot fees discussed at \$11,000, with \$5,500 owed for Phase I. Motion made by Mr. Ruddock, seconded by Mr. Budosh. Motion carried. Chairman called a roll call vote. Votes as follows:

Mr. Virginia- yes

Mr. Bowes- yes

Mr. Roman- yes

Mr. Schanzenbach- yes

Mr. Busosh- yes

Mr. Geiss- yes

Mr. Ruddock- yes

Mr. Ruddock motioned to adjourn to Public Hearing for Terpening LLC, seconded by Mr. Virginia. Motion carried.

PUBLIC HEARING-TERPENING-AREA VARIANCE-115 FARRELL RD.-SYRACUSE-TAX MAP ID# 059-02-02 (LB)

Mr. Craig Billinson of 332 South Salina St., Syracuse, was present on the Applicants behalf. Chairman asked Mr. Billinson about the Town line, clarification that it is not a boundary line. Plans updated showing a dotted line to show it is not a boundary. It being one whole parcel on one deed. Mr. Billinson made copies of the deed to show the Board. Terpening is asking for a setback reduction from 20ft. to 8ft.. Chairman asked if there were any comments. No comments made. Motion made by Mr. Ruddock to close Public Hearing, seconded by Mr. Virginia. Motion carried.

TERPENING-AREA VARIANCE-115 FARRELL RD.-SYRACUSE-TAX MAP ID# 059-02-02 (LB)

The Board received copies of the deed to review property line. Discussion on it being one parcel, with Town of Van Buren and Town of Geddes dividing it up for tax purposes only. Mr. Billinson addressed the loss of trailers with the current 20ft. setback previously agreed on. The new plans show trailers impacted by that setback, this is why the 8ft. is needed. All the trailers vary in size, so exact number of trailers affected is hard to determine and with the setback of 20ft., this brings the driveway down to 13.5ft. Mr. Billinson explains it is hard to maneuver 35ft. trailers through there.

Chairman asked if it will be allowed for the roadway to be added with the setback, with no trailers being allowed to park on this roadway. This will keep the 20ft. setback and allow movement for tractors. The lay of the land already gives a 20ft. setback with the hillside. Roadway/ driveway would be included in the 20ft. setback, no property line in rear, eliminating a setback requirement. No structures or trailers parked within 20ft of property line. Mr. Virginia asked why applicant wanted to come 12ft. off the hillside of property. Mr. Billinson explained the owner didn't want to hinder the ability to develop land in the future. Ms. Nadine Bell clarified the Board is approving and denying. Most, remaining same as before, Town line is not a property line- no setback required, request on Northern boundary denied, and no action to be taken on Western boundary, with applicant being satisfied with inclusion of driveway to setback.

Mr. Virginia asked if boundary lines remained. Yes they do. Denial of both, with the understanding that driveway use, will not be impacted. Chairman read resolution as follows:

RESOLUTION NO. 20__
OF THE
ZONING BOARD OF APPEALS
OF THE TOWN OF VAN BUREN

George Terpening, on behalf of Terpening Properties, LLC ("Applicant"), of 115 Farrell Road, Syracuse, New York has applied for area variance relief from Section 200-45 of the Town of Van Buren Zoning Code seeking relief from the 20-foot side yard setback requirement to allow an eight (8) foot setback along the northern and eastern side yard of property located at 7124 State Fair Boulevard. The property is situated in the LB Local Business District and is identified as Tax Map No. 059.-02-02.0 ("Property").

Attorney Craig Billinson appeared on behalf of the Applicant before the Planning Board/ Zoning Board of Appeals and, speaking in favor of the application, requested a reduction in the side yard setback from 20 feet to eight (8) feet. In support of the Applicant's request, Attorney Billinson cited to the unique configuration of the Property and explained that adherence to the 20-foot side yard setback requirement would "cause a severe restriction on trailer inventory" and "inhibit the maneuverability of the trailers as they are sold to customers and the inventory is replenished." The Board requested, and subsequently received, documentation confirming that the rear property line, as depicted on the "Proposed Trailer Storage Area" Plan, Sheet S1, prepared by Paul Billings, dated November 2, 2020, represented a boundary line between the Town of Van Buren and the Town of Geddes. In support of the request, Attorney Billinson further indicated that the Applicant owned the adjacent parcels for which zero setbacks were initially proposed. The Board did express concern with the resulting sight distance along State Fair Boulevard if zero setbacks, as originally requested, were permitted.

There was no objection to the proposal at the public hearing, which was held on November 10, 2020, pursuant to public notice.

In support of the application, Applicant submitted an Application for Variance, Agricultural Data Statement, Notification to Surrounding Property Owners, Short Environmental Assessment Form, "Proposed Trailer Storage Area" Plan, Sheet S1, prepared by Paul Billings, dated September 28, 2020, and Supporting Statement.

Based upon the foregoing, the Board resolves as follows:

1. This matter is an Unlisted Action under the State Environmental Quality Review Act as it involves the granting of an area variance related to a commercial storage use.
2. Area variance relief from Section 200-45 is hereby denied to allow for a reduction in side yard setback along the northern and western property lines of the property located at 7124 State Fair Boulevard, Tax Map No. 059.-02-02.0, no relief being deemed necessary to allow for the proposed access use within the 20 foot setback area.

Dated: November 10, 2020

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> x </u>	<u> </u>	<u> </u>

James Ruddock	<u> x </u>	<u> </u>	<u> </u>
Roger Roman	<u> x </u>	<u> </u>	<u> </u>
James Bowes	<u> x </u>	<u> </u>	<u> </u>
James Schanzenbach	<u> x </u>	<u> </u>	<u> </u>
Anthony Geiss	<u> x </u>	<u> </u>	<u> </u>

Mr. Ruddock motions first, seconded by Mr. Budosh. Motion carried.

GYPSUM-MIKE FLYNN-SITE PLAN REVIEW-VAN BUREN RD.-TANDUM LLC-TAX MAP ID #058-01-36.3 & #058-01-38.2

Mr. Julian Clark of Plumbly Engineering, and Gypsum representative Michael Flynn were both present to speak on the site plan. Mr. Clark presented Board with an email from the Thruway for approval of the Applicants plans to connect to Thruway Lot. The plans are still up for FHWA-Federal Highway Authority approval. Site Plan includes that it will be, in compliance, with FHWA & NYS. Chairman asked for any comments. Mr. Schanzenbach commented on conditional approval based on full Thruway approval. The right of way concern mentioned, is it a right of way? Yes, it is a right of way, without access. May not be crossed without, Thruway approval. Back line showing on site plan is a Thruway right of way with County right of way, butting up to it. Both property line and right of way. Chairman opened SEQR declaring Town of Van Buren lead agency under an unlisted action, under SEQR, for property along Van Buren Rd., including tandem trailer parking lot with access to Thruway tandem lot. There is no adverse environmental impact for this project. Motion made by Mr. Ruddock, seconded by Mr. Schanzenbach. Motion carried. Motion to pass conditioned on SWPPP and Thruway approval, no signs or lighting, made by Mr. Schanzenbach, seconded by Mr. Roman. Motion carried. Approval pending county comments and receipt of GL239. Motion by Mr. Ruddock, seconded by Mr. Roman. Motion carried.

MCCONNELL LEASING-SITE PLAN REVIEW-6920 WINCHELL RD, WARNERS-TAX MAP ID #055-04-02.5 (IND-A)

Jim Hagen, Architect and Michael McConnell, landowner, were both present to discuss site plan for several storage units, similar to a small warehouse, to be built on property. The site will include a small office building, be a fenced in property, secured gate with electronic access. The buildings will sit back about 58ft. from front property line. There is a storm water basin servicing this property and adjacent one, a buffer to protect the wetlands on property, and two bio filters to collect the onsite drainage & disperse to wetlands. SWPPP not completed as of yet, and DEC has been contacted in regards to plans. Southern side of property remains untouched, essentially. Mr. Geiss asked if it is all one property? Mr. Hagen responds there are two properties-Northern and Southern. Property line, must be added to plans. Mr. Schanzenbach asked about lighting and if there was any cold storage. Lighting plans will be provided next meeting and no to cold storage. Also, asked on driveway approval and if whole lot was paved. Mr. Hagen said it is all crushed stone as of now, that will be paved over. Mr. Schanzenbach asked why the gate was so tight to

building on the West. The back of building will be fence closure, Mr. Hagen responded. Office building will have a bathroom. Mr. Virginia asked if there is 24/hr. access. Yes, each customer will have an access code. Paving, must be included on new plans.

Chairman opened SEQR, declaring Town of Van Buren lead agency under this unlisted action, under SEQR, for McConnell Leasing site plan on Walters Rd. Motion by Mr. Ruddock, to send plans to County for comment, seconded by Mr. Schanzenbach. Motion carried. Note: drawings need to be stamped.

SLADE & NIECIEKI SUBDIVISION-NEW STATE ROUTE 31- TAX MAP ID #033-02-01 & #033-01-08 (AR80)

Charles Farrell, Attorney for the Applicant was present to speak. Explaining the property is inherited land, siblings would like to divide up amongst themselves, to be fair. A Public Hearing needs calling. Referral to County as well. Chairman opened SEQR, declaring Town of Van Buren lead agency for an unlisted action of Subdivision of land on New Route 31. Mr. Ruddock motioned, seconded by Mr. Roman. Motion carried. Motion by Mr. Virginia to call Public hearing for Dec 8th meeting. Seconded by Mr. Ruddock. Motion carried. Motion by Mr. Schanzenbach to send to County for review, seconded by Mr. Bowes. Motion carried.

NRJ PROPERTIES-AREA VARIANCE-7670 VANBUREN RD, BALDWINSVILLE-TAX MAP ID #-030-04-11.0 (R40)

No one to represent applicant.

HOSPITALITY SYRACUSE INC.-SITE PLAN REVIEW/SPECIAL USE 2220 DOWNER ST-PREVIOUSLY 84 LUMBER-BALDWINSVILLE-TAX MAP ID #33.1-04-02.2 (GB)

Tim Freitag, of Bohler Engineering, was present to speak on a site plan for the old 84 Lumber property. Plans to put a Taco Bell restaurant in with a drive thru. Mr. Freitag spoke on developing plans for the 5 1/2 acre property, which includes adding greenery and removing existing building. The new building, will be built within setback requirements, with two drive thru lanes and parking included. There will be an entrance on Downer St. as well as Sun Meadows Way. Mr. Freitag stated there will be a 20ft. buffer, shielding any surrounding properties, and they will increase green space by 35%.

Existing utilities being used, connecting to sewer along Sun Meadow. Working with DOT for road access. Chairman stated he anticipates there to be DOT comment back from the County and they will more than likely request a traffic study, that being such a busy spot. Check if access can be in and out, off Downer St. with approval. Sidewalk, will be extended from Fast Trac Market. Mr. Schanzenbach asked for lighting and landscaping plans, and if the sheds from old lumber yard are being kept. The sheds are staying. Mr. Schanzenbach asked about the position of crosswalk between spots, which creates a path to the trash enclosure. Mr. Virginia asked if there will be a fence to block the view of the old sheds. Mr. Budosh asked about signage, there is no details yet. Mr. Geiss opened SEQR, declaring Town of Van Buren lead agency in an unlisted action, under SEQR, for a Taco Bell Restaurant along Downer St. Motion by Mr. Ruddock, seconded by Mr. Budosh. Motion carried. Motion by Mr. Ruddock to call Public Hearing for

Dec 8th, seconded by Mr. Budosh. Motion carried. Motion by Mr. Ruddock to send plans to County, seconded by Mr. Schanzenbach. Motion carried.

**NATALIE BOWLES- SITE PLAN REVIEW-7249 STATE FAIR BLVD- PREVIOUSLY
SENECA KNOLLS DINER-TAX MAP ID #059-01-01.0 (LB)**

Ms. Mary Phillips was present on Applicants behalf. Ms. Phillips discussed plans to turn old Seneca Knolls diner into a Pizza Shop with take out. Chairman asked about where is property line and highway right of way. The rest of building currently is a bar and five apartments upstairs. Mr. Schanzenbach asked why this is in need of a site plan, Mr. Casey Palmer answered that because of position of building, along with the restaurants that have come and gone, this should get site plan approval, for parking, etc. Mr. Geiss asked about seating in the middle of building. Very few, limited seating. Back room will be storage. Mr. Palmer will look into how many handicapped spots needed, if one is enough. Mr. Ruddock asked for more detail on next site plan, addressing safety and access. Chairman declared Town of Van Buren lead agency in an unlisted action, under SEQR, with motion by Mr. Ruddock, seconded by Mr. Roman. Motion carried. Motion by Mr. Ruddock, seconded by Mr. Budosh, to send plans to County. Motion carried.

Motion to adjourn by Mr. Budosh, seconded by Mr. Roman. Motion carried.
Adjournment @ 9:20pm.

