

The November 12, 2024 meeting of the Van Buren Planning/Zoning Board, held at the Van Buren Town Hall, 7575 Van Buren Road, Baldwinsville, New York was called to order at 6:00 pm.

Those present joined in the Pledge of Allegiance to the Flag.

Roll Call:	Ms. Jesse McMahon	Present
	Mr. James Virginia	Arrived 6:10 pm
	Mr. Claude Sykes	Present
	Mr. Roger Roman	Present
	Mr. James Bowes	Present
	Co-Chair James Schanzenbach	Present
	Co- Chair Mark Budosh	Present

Also Present:

Ms. Wendy Loughnot, Town Attorney

Jason Hoy, Town Engineer

Mrs. Wendy Van Der Water, Town Supervisor

Mr. Tim Ganey, Codes Enforcement Officer

Mr. Thomas Fuzia, Deputy Code Enforcement Officer

Ms. Lynn Precourt, Town Clerk

Chairman Budosh introduced Mr. Thomas Fuzia, the town's newly hired Deputy Code Enforcement Officer.

### **MINUTES**

Motion by Mr. Sykes, seconded by Ms. McMahon, to approve the minutes with one amendment, correcting the date of the meeting to October 8, 2024. Motion carried unanimously.

**PUBLIC HEARING - HAZA FOODS (WENDY'S), 2220 DOWNER STREET,  
BALDWINSVILLE, TAX MAP ID# 033.1-04-02.2 - SITE PLAN REVIEW**

Motion by Mr. Sykes, seconded by Mr. Bowes, to recess the regular meeting, open the public hearing and waive reading the legal notice published in *The Post Standard* on 11/7/24. Motion carried unanimously.

Mr. Sam Burden, Bohler Engineering, 17 Computer Drive W, Albany, was present to address the Board. Mr. Burden said the applicant is looking to develop the site, adjacent to the existing Taco Bell, into a 2024 sq ft quick serve restaurant with a drive-thru. He said they will have shared access with Taco Bell and there will be no new road cut on Downer Street. They have received comments back from the town for stormwater management and have addressed comments or received letters of no negative effect from SHPO, County DOT, and the fire department. They are continuing to work with Onondaga County WEP and OCWA for water and sewer. Once they have Onondaga County Planning Board comments they will present a full package for the Board's consideration.

Chairman Budosh asked if there was anyone to speak in favor or against this proposed development. No one spoke.

Motion by Mr. Roman, seconded by Mr. Sykes, to keep open the public hearing and resume the regular meeting at 7:08 pm. Motion carried unanimously.

#### **SITE PLAN AMENDMENT – TACO BELL – DOWNER STREET**

Mr. Sam Burden, Bohler Engineering, 17 Computer Way W, Albany, was present to address the Board. He said this site plan amendment is for the shared access for pedestrians, concrete sidewalk, cross walks and relocation of a light pole.

Chairman Budosh asked if there were any comments from the Board. No one spoke.

Chairman Budosh said the Board can consider this site plan amendment next month.

#### **SITE PLAN REVIEW – TJ'S CANNABIS - 2239 DOWNER STREET, BALDWINSVILLE - TAX ID # 034.-04-07.0**

Mr. Brian Manthey, Brian Manthey Architects, 1919 Patterson Road, Marietta, was present to address the Board. Mr. Manthey said he has previously submitted renovation plans for the former Pizza Hut site. He said they have submitted supplemental information regarding traffic and generator noise.

Chairman Budosh asked if the dumpsters can be relocated.

Mr. Manthey said yes, they are getting rid of the dumpsters and will use totes that will be kept inside the building.

Mr. Manthey said he submitted an application for variance today for rear and side yard setbacks. He said due to the undersized lot and shared parking with businesses on each side it limits the use of the lot.

Chairman Budosh told the applicant he should be prepared to meet the state criteria for relief through a variance.

Chairman Budosh asked about the hours of operation.

Mr. Manthey said the owner will work within the current zoning regulation and be open 9 am to 6 pm.

Motion by Mr. Roman, seconded by Ms. McMahon, to schedule a public hearing for site plan review and area variances for TJ's Cannabis, 2239 Downer Street, Baldwinsville, Tax Map ID# 034.-04-07.0 on December 10<sup>th</sup> at 6:00 pm. Motion carried unanimously.

Chairman Budosh said Mr. Manthey should connect with the Codes Department regarding notifying nearby property owners of the variance request.

**SITE PLAN REVIEW – CROWN CASTLE/T MOBILE, 2380 ELLSWORTH RD, BALDWINSVILLE - TAX ID # 032.-06-03.0**

Chair Budosh said this applicant is located in Canada so there is no one here tonight to speak. He said they are looking to amend the original site plan that allowed for construction of a cell tower between East Sorrell Hill Road and Rt. 690. He said they have proposed modifications to the pad, fencing, generator and extending the height of the tower. He said this action does not require a public hearing or recommendations from County Planning.

Motion by Mr. Schanzenbach, seconded by Ms. McMahon, to reaffirm SEQR (Motion 09-02, February 4, 2002) from previous site plan approval (Motion 10-02, February 4, 2002) based on Site Plan Map dated October 18, 2001.

Ms. McMahon – Yes, Mr. Virginia – Abstain, Mr. Sykes – Yes, Mr. Roamn – Yes, Mr. Bowes – Yes, Mr. Schanzenbach – Yes, Mr. Budosh – Yes – Motion Carried & Adopted

Motion by Chairman Budosh, seconded by Mr. Schanzenbach, to approve the site plan from Crown Castle/T Mobile for 2380 Ellsworth Road, Tax Map ID# 032.-6-03.0, as shown on map stamped by Patrick Marshall, P.E. with a dated 3/18/24 revision date on all pages, conditioned upon removal of all waste and demolished materials, equipment, cable, etc. from the site and that the noise from the generator meets the noise regulations in Town Code at the property line. The modification doesn't need FAA review because it is under 200 feet.

Ms. McMahon – Yes, Mr. Virginia – Abstain, Mr. Sykes – Yes, Mr. Roamn – Yes, Mr. Bowes – Yes, Mr. Schanzenbach – Yes, Mr. Budosh – Yes – Motion Carried & Adopted

**SITE PLAN REVIEW – MICHAEL ALLEN, 7653 AND 7663 EAST SORRELL HILL ROAD – TAX MAP ID# 032.-04-01**

Chair Budosh said the applicant is not present. The Board has some questions regarding the shared driveway so this application will be tabled to the December meeting.

**ZONE CHANGE REQUEST – ELDAN HOMES, DOWNER STREET – TAX MAP ID# 036.-03-21.0**

Mr. Dan Barnaba, Eldan Homes, 7854 Oswego Road, Liverpool, was present to address the Board. Mr. Barnaba said he has presented the Board with two conceptual plans, both with 25 lots. He said the first map shows a straight road off Commene Road with R-15 lots. He said the second shows R-15 with clustering. He said the clustering allows for some modulation for the road cut on Commene Road and different lot sizes that would be pre-approved deviations from what is allowed in a traditional R-15 zone.

Mr. Schanzenbach said the clustering is similar to a PUD.

Mr. Barnaba said yes, it's close, which is why the Board probably always considered PUD. He said this could be a PUD but it is not large enough.

Mr. Hoy said clustering can allow for shorter utility lengths and more green space.

Motion by Mr. Schanzenbach, seconded by Mr. Sykes, to make a positive recommendation to the Town Board for the requested zone change for Eldan Homes, Downer Street, Tax Map ID # 036.-03-21.0 from R-40 to R-15 with clustering.

Roll Call Votes:      Yes              No

Mc McMahon              X

Mr. Virginia              X

Mr. Sykes              X

Mr. Roman              X

Mr. Bowes              X

Mr. Schanzenbach      X

Mr. Budosh              X

Motion Carried & Adopted

Motion by Mr. Schanzenbach, seconded by Ms. McMahon, to adjourn to the meeting on December 10, 2024 at 6:00 pm. Motion carried unanimously.

Meeting closed 7:15 pm

Respectfully submitted,

Lynn Precourt

Town Clerk

Dated: 11/14/24