

January 15, 2025, 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. Claude Sykes	Present
	Mr. Roger Roman	Present
	Mr. James Bowes	Present
	Mr. James Virginia	Present
	Co-Chair James Schanzenbach	Present
	Co- Chair Mark Budosh	Present

Also Present:

Ms. Nadine Bell, Town Attorney

Jason Hoy, Town Engineer

Mr. Tim Ganey, Codes Enforcement Officer

Mr. Thomas Fuzia, Deputy Code Enforcement Officer

Ms. Kim Vandemark, Codes Clerk

MINUTES

Motion by Mr. Sykes, seconded by Mr. Roman, to approve the minutes of December 10, 2024, as published. Motion carried unanimously.

Mr. Budosh mentioned that the first item on the agenda was Micheal Allen, 7653 and 7663 East Sorrell Hill Rd, Warners Tax Map ID#032.-04-01. He entertained a motion to exit the general meeting and to enter into a public hearing, so he asked if there was anyone to speak in favor or against this and there were no comments.

Motion into public hearing by Mr. Roman, seconded by Mr. Sykes.

PUBLIC HEARING /SUBDIVISION/SITE PLAN REVIEW-MICHAEL ALLEN, 7653 AND 7663 EAST SORRELL HILL ROAD, WARNERS – TAX MAP ID# 032.-04-01

Mr. Michael Allen was present to address the board. Mr. Allen was asked to go back to the surveyor and have the survey reflect the removal of the driveway. He presented the new changes of the survey to the board.

Motion by Mr. Roman, seconded by Mr. Sykes, to approve the site plan.

Mr. Budosh asked how the property is accessed. Mr. Allen spoke about the person that purchased the property and how he would access the property. Mr. Schanzenbach reminded him that lot 2 is non-residential and there is no building allowed on that lot. The new lot owner would have to get a building permit and then it would be subject to a septic design, and he'd have to get a driveway permit. Mr. Budosh asked if there were any comments. No one spoke.

Mr. Budosh stated that the board does declare itself a lead agency proceeding with an uncoordinated review that this matter is an unlisted action and after reviewing he short environmental assessment form does hereby render a negative declaration finding there are no adverse environmental impacts to be realized. End of motion

Motion by Mr. Roman, seconded by Mr. Sykes, to approve the plan.

Motion Carried, unanimously.

Chair entertained a motion to approve the subdivision of Michael Allen, 7653 and 7663 East Sorrell Hill Rd, Warners Tax Map ID#032.-04-01 as shown on the subdivision plan that is stamped and signed by a licensed surveyor dated 10-16-2024 with revisions on 12-01-24.

Motion by Mr. Sykes, seconded by Ms. McMahon to approve the plan.

Mr. Budosh asked if there were any comments and Mr. Virginia asked, how are we going to record non-residential fees that need to be collected at a later time? Should there be park fees on this divided property in the future? He suggested that we keep a close eye on the property in the future to make sure that fees are collected. Mr. Schanzenbach mentioned that it will be more of a lot line adjustment.

Mrs. Bell said that there were no concerns, and we would have to look at it when there is an application filed for a park fee.

Chairman Budosh stated that after hearing that comment by Mrs. Bell, and adding that comment as a condition, all those in favor or against, no one spoke, so he approved.

Mr. Budosh stated that Mr. Allen can check in with the codes office and they will let him know how many copies that he is going to need and also how many mylar copies. Mr. Hoy said that we'd need 3 or less for a minor separation and the codes department will set the fee amount.

MODIFICATION TO EXISTING SITE-CENTERLINE COMMUNICATIONS-T-MOBILE 2116 WARNERS RD, WARNERS NY 13164, TAX MAP ID# 047.-03-55.0

Mr. Budosh asked if anyone was present from Centerline Communications to address the Board.

There was no one here to speak.

Mr. Budosh mentioned that this was similar to an application presented months ago that was looking for modifications to a cell tower on an existing site.

Mr. Ganey said that there was no communication with the company and that he emailed them on Jan.13,2025.

Mrs. Bell said to table it.

Motion by Mr. Schanzenbach, seconded by Ms. McMahon

Chairman Budosh asked if there was anyone to speak in favor or against this. All in favor.

SITE PLAN MODIFICATION- LOU'S CAR CARE-L.C. ENTERPRISES LLC, 7361 STATE FAIR BLVD, BALDWINSVILLE, TAX MAP ID# 064.-01-33.2

Mr. Luigi Cannala was present to address the board. Mr. Cannala stated that he would like a site plan modification. Three years ago, he added a 500ft pole barn structure that has two bays and two drains. He would like to add three more bays, 3,000 ft that will be attached with concrete slabs with no drains and it will have two lifts to work on vehicles.

Mr. Budosh asked if there were any questions from the board. There were no questions. Mr. Budosh also mentioned that the board will need to set up a public hearing and have the board prepare questions and comments on anything that needs to be addressed ahead of that meeting.

Mr. Virginia stated that it looks like there is a little over 3,000ft and most of its already gravel. He questioned if it's impervious and won't trigger any swip. Mr. Hoy stated that it won't.

Mr. Schanzenbach asked if there was a holding bin to pump water out. Mr. Cannala said that they don't typically wash cars so there isn't much water collected but the holding bin is there. He also mentioned that the current building has 2 lifts and programming.

Mr. Schanzenbach questioned the details of the new addition and Mr. Cannala said that the new addition will have 3 bays and 2 lifts on the far left of the building with a flat bay with a heavier duty capacity lift for safety.

Mr. Budosh said that parking needs to meet the town code. Mr. Fuzia explained that the facility has 22 parking spaces and one handicap spot.

Mrs. Bell explained that the 3rd building should be for this business' use only. He should not be leasing it out. Mr. Cannala said that he has no plans to lease or sell the building.

Mr. Sykes asked if lighting would be added to the new building. Mr. Cannala said that he will be adding lighting, and it will be like what he has on the other existing building.

Mr. Bowes asked if there is 20ft. of asphalt in front of the building's door and Mr. Cannala said that there is already plenty of room for the vehicles to get into the building and there shouldn't be an issue.

Mr. Budosh asked if there were any more questions from the board. He motioned to schedule a public hearing for February 11, 2025.

Motion by Mr. Schanzenbach, seconded by Ms. McMahon.

Chairman Budosh asked if there was anyone to speak in favor or against this. All in favor.

Mrs. Bell said that this will require a referral from the county. Codes department needs to send a referral to the county planning board for their approval by Jan. 24 for the next meeting on Feb. 15, 2025.

CHANGE OF USE FROM D2 TO D4/D5 – APEX MOTOR, SMALL ENGINE REPAIR-7905 CREGO RD

Mr. Casey Stock, Apex Motor 7905 Crego Rd, was present to address the Board. He said this is a change of use of the business that was formerly used for an inside sales retail store. He is looking to do small engine repair sales for outdoor power equipment.

Mr. Budosh asked if he had made any adjustments to the plan, he had originally sent in.

Mr. Stock stated that the adjustments made were the signage and the right of way issue.

Mr. Budosh asked Mr. Stock to explain what he will be displaying outside of the business.

Mr. Stock explained that there will be a display of brand-new equipment in front of the building to demonstrate the different types of equipment for sale. All other equipment will be inside the building.

Mr. Schanzenbach asked if the lighting was going to be changed. Mr. Stock stated that it is not going to be changed because there is enough there already, and the equipment will be brought in nightly and stored behind the building once the store is closed for the evening. The hours of operation will be from 8am-5pm.

Mr. Budosh questioned that the only modification to the outside of the building is a minor change to the size of the overhead door and Mr. Stock agreed. Mr. Budosh reminded him that he will need a permit for that. Mr. Budosh also mentioned that when he needs signage that he should come back and get a permit from the Codes Department.

Mr. Budosh told Mr. Stock that a sidewalk is required to be put in that will be like the other properties in that area. Mr. Stock said that he leased the property, and he contacted the owner but didn't hear back from him because he is in the hospital. He is hoping that the owner will put the sidewalk in.

Mr. Budosh stated that the site map will need to show that there will be a sidewalk for the length of the property and then we can work out the details of the timing and schedule and who would be responsible for that before the next meeting.

Mr. Schanzenbach said that the sidewalk doesn't need to go through the driveway, that the crosswalk can be painted on. The board agreed and stated that they will further discuss this.

Mr. Virginia asked if this was zoned for D.6. use. Mr. Fuzia stated that any service will be done inside of the building. D.6. design excludes auto vehicles.

Mr. Schanzenbach stated that the town board may need to amend the code where there's another use. Possibly for light engine repair not, motor vehicles and put a weight limit on it.

Mrs. Bell explained the differences between D.3, D.4 and D.6.

Mr. Budosh asked if this is going to need a 239 review. The application should be changed from D.3. to D.4.

Mrs. Bell clarified that the NY State Building code reads that a change of use or a change of occupancy requires a site plan. So, it makes it easier to the extent that you're not changing the use if the use was D3 and you're still a D3 but because of the change of occupancy it still triggers the need for a site plan.

Mr. Budosh also stated that the application needs to be a Change of Occupancy, and it is a D.3. and that covers what the use of this property is going to be.

Motion by Mr. Roman, seconded by Mr. Virginia, to Schedule Public Hearing on February 11, 2025. No comments and all in favor.

Mr. Stock will need revised site plans with the sidewalk for the length of the property except for the driveway which will have a painted crosswalk. If we get the plans before the end of the week it can be submitted to the county for review. Mr. Stock will also need to provide permission to apply from the owner of the property.

Motion by Mr. Sykes, seconded by Mr. Schanzenbach, to adjourn to the meeting on February 11, 2025, at 6:00 pm. Motion carried unanimously.

Meeting Closed at 6:45 pm

Respectfully submitted,

Kim C Vandemark

Codes Clerk

Dated: 01/16/2025

