

Planning/Zoning Board Meeting of the Town of Van Buren held on November 12, 2025, at the Van Buren Town Hall, 7575 Van Buren Road, Baldwinsville, New York was called to order at 6:00pm.

Pledge of Allegiance

Roll Call:

Mr. Claude Sykes	Present
Ms. Jesse McMahon	Absent
Mr. Roger Roman	Present
Mr. James Bowes	Present
Mr. James Virginia	Absent
Mr. James Schanzenbach	Absent
Mr. Mark Budosh	Present

Also Present:

Ms. Nadine Bell	Town Attorney
Mr. Jason Hoy	Town Engineer
Mr. Chaz Gambino	Director Codes
Mrs. Wendy Van Der Water	Town Supervisor
Ms. Kamri Kiteveles	Codes Clerk

Minutes:

Motioned by Mr. Sykes, seconded by Mr. Roman, to approve the minutes of October 14, 2025, as published.

Mr. Sykes- Yes, Mr. Roman- Yes, Mr. Bowes- Yes, Mr. Budosh- Yes

Public Hearing – Subdivision Application – Mary Crego, 47 Cross Country Drive, Tax Map ID# 033.1-05-31.0

Motion made by Mr. Sykes, seconded by Mr. Roman to adjourn general session and enter into a public hearing.

Mr. Sykes- Yes, Mr. Roman- Yes, Mr. Bowes- Yes, Mr. Budosh- Yes

Mary Crego was present to address the board. Applicant advised she is looking to subdivide the east end of her lot to sell to her neighbors.

Chair asked if anyone would like to speak in favor, or against this application. No one spoke.

Motion by Mr. Sykes, seconded by Mr. Roman to close the public hearing and return to general session.

Mr. Sykes- Yes, Mr. Roman- Yes, Mr. Bowes- Yes, Mr. Budosh- Yes

Chair asked if anyone on the board had any additional comments for the applicant.

Motion by Mr. Sykes, seconded by Mr. Bowes, to declare this board lead agency, to proceed on an uncoordinated review, to declare the matter an unlisted action under SEQR, and, based upon the short EAF submitted, render a negative declaration, determining there are no adverse environmental impacts to be realized.

Mr. Sykes- Yes, Mr. Roman-Yes, Mr. Bowes- Yes, Mr. Budosh- Yes

Motion by Mr. Sykes, seconded by Mr. Roman, to approve the subdivision as shown on the stamped and signed drawings made by CNY Land Survey dated September 30, 2025.

Mr. Sykes- Yes, Mr. Roman- Yes, Mr. Bowes- Yes, Mr. Budosh- Yes

Public Hearing – Area Variance – Sarah McBride, 532 Crandon Terrace, Tax Map ID# 031.7-01-01.0

Motion made by Mr. Sykes, seconded by Mr. Roman to adjourn general session and enter into public hearing.

Mr. Sykes- Yes, Mr. Roman- Yes, Mr. Bowes- Yes, Mr. Budosh- Yes

Sarah McBride was present to address the board. Applicant is requesting an area variance for installation of a 6 ft fence in her front yard, in addition to an area variance relief for a preexisting shed.

Applicant stated that the variance is necessary due to the triangle shape of their lot.

Applicant added that the 3.5 ft fence height variance would not interfere with visibility from the roadway.

Chair asked if anyone would like to speak in favor, or against this application. No one spoke.

Motion by Mr. Sykes, seconded by Mr. Bowes to close the public hearing and return to general session.

Mr. Sykes- Yes, Mr. Roman- Yes, Mr. Bowes- Yes, Mr. Budosh- Yes

Chair explained that the applicant is requesting a variance to increase the fence height from 3.5 ft to 6 ft, being that they are located on a corner lot with minimal backyard.

Chair stated that the shed is also located in the front yard and was in place before the applicant moved in.

Applicant responded that the shed has been there since 2009.

Chair responded that any modifications to the shed would require the applicant to return before the board for approval.

Applicant understood stating as of now they have no plans of doing anything with it.

Chair stated that the west corner of the lot next to the patio would not be ideal for mowing.

Applicant responded that area will be filled with gravel.

Chair advised the applicant to obtain an as-built survey upon completion of the fence for record-keeping purposes.

Chair asked if there were any questions from the board. No one spoke.

**RESOLUTION NO. 2025-8
OF THE
ZONING BOARD OF APPEALS
OF THE TOWN OF VAN BUREN**

Sarah McBride (“Applicant”) of 532 Crandon Terrace has applied for area variance relief from Section 200-72 (B) of the Town of Van Buren Zoning Code relating to the installation of a fence measuring six (6) feet in height in her front yard along Crandon Terrace and O’Brien Road, as well as area variance relief to allow the continued placement of an

existing shed, measuring 10 feet x 10 feet, beyond the building line along O'Brien Road. The property, identified as Tax Map No. 031.7-01-01.0, is zoned PUD and is located at the intersection of Crandon Terrace and O'Brien Road ("Property").

Pursuant to the Zoning Code, because a corner parcel has two (2) lot lines coincident with the line of a public street right-of-way, it has two (2) "front lot lines." Section 200-72(B) of the Zoning Code provides, "[o]n all lots, no wall, hedge or fence over 3 ½ feet in height shall be erected within the front yard." Accordingly, the Applicant is seeking approval for the placement of a six (6) foot high fence in her front yard along Crandon Terrace and O'Brien Road. In addition, Applicant seeks relief, in the amount of 13 feet from the required front yard setback of 30 feet, to place an existing shed 17 feet from the front yard boundary line along O'Brien Road.

A public hearing on the applications was held on November 12, 2025. During its deliberations, the Board acknowledged unique triangular shape of the Property, that there are no sight distance concerns presented by the proposed variance relief for the fence or shed structure, and that the shed has existed since 2009. No one appeared in opposition to the application.

In support of the application, the Applicant submitted an Application for Area Variance for the fence dated October 3, 2025, an Application for Area Variance for the shed structure, dated October 24, 2025, Agricultural Data Statement, Notification to Surrounding Property Owners, a Short Environmental Assessment Form, and a survey prepared by Dussing Land Surveying, LLC, dated July 17, 2024.

Based upon the foregoing, upon motion of Mr. Bowes, seconded by Mr. Roman, the Town of

Van Buren Planning Board/ Zoning Board of Appeals resolves as follows:

1. This matter is Type II under the State Environmental Quality Review Act as it involves the granting of an area variance related to a single-family residential use and an accessory structure.

2. It is determined that the requested variance relief will not produce any undesirable change in the residential character of the neighborhood and will not be a detriment to nearby properties as it was noted by the Board that there are no line-of-sight issues. Variance relief for the proposed fence and shed 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. Due to the unique triangular shape of the Property, there no apparent method to achieve the benefit the Applicant wishes to obtain, other than a variance and the benefit to the Applicant does outweigh any detriment to the neighborhood or community because of granting the variance relief.

3. An area variance is hereby granted allowing a fence measuring six (6) feet in height to be situated in the front yard along Crandon Terrace and O'Brien Road, and the placement of a shed, measuring 10 feet x 10 feet, 17 feet off the front yard boundary line along O'Brien Road, as shown on the survey prepared by Dussing Land Surveying, LLC, dated July 17, 2024, on property located at 532 Crandon Terrace, Tax Map No. 031.7-01-01.0, conditioned upon the submission of an as-built survey to the Code Enforcement Office depicting the installation of the fence.

Roll Call Vote:

	Aye	Nay	Other
Mark Budosh	<u> x </u>	<u> </u>	<u> </u>

James Virginia	_____	_____	<u> X </u>
James Schanzenbach	_____	_____	<u> X </u>
James Bowes	<u> X </u>	_____	_____
Roger Roman	<u> X </u>	_____	_____
Claude Sykes	<u> X </u>	_____	_____
Jesse McMahon	_____	_____	<u> X </u>

Subdivision: Treybrook Phase 3 – Brolex Properties LLC, Lexi Lane, Tax Map ID# 064.-03-01.0

Brandon Jacobson was present to address the board. Applicant is seeking final approval of final plat for Phase 3 of the Treybrook Development, which includes 22 lots.

Applicant stated nothing has changed since the 2019 original approval of the preliminary plat for the entire subdivision.

Applicant added that they are awaiting a grading and construction agreement but would like to proceed with a contingent agreement for the upcoming Town Board meeting.

Chair requested an updated phasing map for the entire parcel depicting all the new phasing lines of the development. Chair also stated at this time, we do not have a construction and grading agreement in place.

Chair asked for any other questions or comments from the board.

Mr. Sykes asked if a partially constructed road is currently at that location.

Applicant responded that they are anticipating paving to begin by mid-next week. Currently crossings have begun with a design being given by National Grid.

Chair asked what the timing of the construction and grading agreements would be.

Applicant responded OCWA will be complete prior to the end of the year, and National Grid is awaiting the crossings to be complete.

Applicant added that OCWA crossings are being put in due to time constraints with the asphalt plants. OCWA is expected to be sometime in first week of December.

Chair questioned why the rush for approval.

Applicant explained that the builder for Phase 2B has sold all available lots. They are looking to bring the next phase online and want to ensure the maps are accurate prior to marketing.

Chair asked if postponing another month would be an issue, while awaiting the agreements to be in place.

Applicant responded that the Town Attorney and Town Engineer have been working on this since last week and that the matter is currently in process.

Chair asked the board for their thoughts, while stating that he would like to hold off until all agreements are in place.

Mr. Sykes asked the Town Engineer what the process was for the previous phase, and if all agreements were in place prior to approval.

The Town Engineer and Town Attorney confirmed that agreements were in place for all except Phase 2B, which is currently being finalized along with Phase 3, explaining the phasing confusion.

Applicant noted that the topping for all roadways in the existing phases has been complete, adding that they are looking to deed the road in Phase 2A to the Town.

The Town Attorney advised Applicant that before the road can be dedicated to the Town, she will need the title insurance and the title report showing there are no liens, and everything has been released will be required beforehand.

Applicant responded that there was a National Grid easement that he believed was taken care of but that needs to be confirmed with his attorney.

Chair stated from what he just heard Phase 2B was approved without these agreements being in place, explaining the current phasing confusion.

Chair asked for any further comments from the board.

Mr. Sykes asked what the ramifications would be if the Board waited another month to approve.

Applicant stated his customer who purchased the lots is not comfortable marketing lots until the map has been finalized.

Chair asked if the lots could be marketed with preliminary approval.

Town Attorney responded no, she does not recommend.

Mr. Roman stated he felt it would be risky to approve the plan without the agreements.

Mr. Sykes agreed.

Mr. Bowes responded if an agreement has changed, that must be resolved prior to approval.

Chair asked the Applicant to submit a revised overall site plan with all new phasing and the Town will get the construction and grading agreements together for approval at next month's meeting.

Applicant confirmed that it would be fine.

Height Variance – Mark Gummer, 7465 Canton Street, Tax Map ID# 032.-06-07.3

Mark Gummer was present to address the board. Applicant is requesting a height variance from 15 ft to 20 ft for an 80 ft x 40 ft pole barn.

Chair stated stamped engineered plan were submitted showing the layout of the pole barn and the elevation. Chair asked what the height was to the peak.

Applicant responded that it measures 16 feet under the trusses, and nearly 7 foot above the trusses.

Director of Codes stated that the trusses measure 7 ft 6 in, resulting in a total height of 19 ft 9 in. Since the allowable height is 15 ft, a 4 ft 7 in variance is required.

Chair responded they will go with a 20 ft variance request.

Chair informed the Applicant that this application will require a public hearing.

Chair asked if there were any other questions or comments from the board.

Mr. Bowes stated elevation showing the actual height of the building must be depicted on the plans.

Chair agreed.

Motion by Mr. Roman, seconded by Mr. Bowes to schedule a public hearing for December 9, 2025

Mr. Sykes- Yes, Mr. Roman- Yes, Mr. Bowes- Yes, Mr. Budosh- Yes

Zone Change Recommendation to the Town Board from AR40 to PUD - Harbor Heights/Small Parcel, Downer Street, Tax Map ID# 036.-03-21.0

Al Yager, CHA Consulting, was present to address the board. Applicant is seeking approval of a proposed site plan regarding Harbor Heights, small lot.

Applicant stated the current project now includes 21 single family lots which is revised from the previous proposed site plan.

Applicant added that the wetland located on the eastern end of the site has been delineated reducing their buildable area. There is a 25 ft buffer that is depicted based on a NYS DEC permit that was issued in draft form. The Home Builders Association has been made aware that the DEC intends to adopt that allowing single and multifamily residential construction with only a 25 ft wetland setback. A copy was emailed to Chair yesterday.

Chair asked if that differs from the existing permit.

Applicant responded yes; the current buffer for state regulated wetlands is 100 ft.

Chair requested an estimated timeframe of approval.

Applicant stated it is imminent, pending feedback from the Home Builders Association.

Applicant explained that, due to the reduced building area, they moved to a cul-de-sac layout and removed the second exit/entry way to Downer Street Road.

Applicant added that this design reduces the amount of road for Town to maintain while offering cul-de-sac lots that are both desirable and assessed at a higher value.

Applicant noted that the minimum lot size is 12,900 ft. and the minimum lot depth is 124 ft., which varies slightly from what was discussed at the previous Planning Board meeting.

Applicant presented a layout that complies with the 13,500 ft minimum lot size and 150 ft lot depth requirements, though it results in awkward shaped lot lines reducing useable property for the homeowners.

The applicant explained that reducing the lot size by 600 ft represents a 4.4% difference, and reducing the lot width to 124 ft reflects a 17.3% difference. The building setbacks remain unchanged: minimum front yard of 25 ft, minimum side yard of 20 ft with a minimum of 5 ft on one side, and a rear yard setback of 25 ft. The maximum permitted lot coverage allowed of 35%.

Chair replied that to his understanding the agreed side yard setback was 25 ft combined.

Applicant replied that 20 ft is what was presented previously, 5 ft on one side 15 ft on the other side.

Applicant added that a monument sign will be at the entrance of the development and will comply with all Town Code requirements. However, detailed plans for the sign have not yet been prepared.

Applicant stated there is no open space included in the layout, the developer would prefer to pay a fee in lieu of park plans as allowed by the Town Code.

Applicant confirmed that the roadway design complies with the Town of Van Buren standards. The maximum slope is 5%, the low point where the powerline crosses the site aligns with the two catch basins set at existing grades, with no changes from previous design.

Applicant addressed Mr. Sykes' concern regarding stormwater runoff toward the eastern parcels where there is no existing drainage easement. The Applicant has designed two stormwater ponds in accordance with the NYS DEC Stormwater Design Manual. Upon completion, the Hydrocad model will be submitted to the Town Engineer for review.

Applicant stated that the cul-de-sac design complies with the Town standards and maintains the required 2% slope. The public sewer connection is located at the corner of Commane Road and Lanyard Lane, with the ability to service all the lots while meeting the health department and state requirements for slope and sewer size.

Applicant indicated that the water supply will be sourced from Commane Road. They have requested capacity assurance from OCWA. However, given that the 21 lots would connect to a major main, they expect no issues with pressure or flow in that location.

Mr. Sykes asked if they were going to loop the main back out to Downer Street.

Applicant stated that a design cannot be prepared until a deposit is paid, and they will not make a payment until the zoning change is finalized.

Mr. Sykes stated he believes they will loop.

Applicant stated is an easement is necessary they will do so between Lots 10 and 11.

Applicant adds that the project aligns with Town of Van Buren land use plan, featuring single family housing in an AR-40 zoning district. The proposed lots will have sizes and densities comparable to those in the existing Harbor Heights development, where some lots measure just under 10,000 sf with depths of 100 ft.

Applicant noted that GTS Consulting prepared a trip generation memo based on the previous 27-lot site plan. With the revised 22 lot plan, trip generation is expected to decrease by 22%. The AM peak hour stated 11 exiting trips and the PM peak hour stated 13 entering trips- both considered minor increases for an intersection on a state highway. Adequate gap capacity exists to accommodate these turning movements and slight increase in peak trip generation compared to the current Harbor Heights development density.

Applicant addressed the comments received yesterday morning related to the layout change. They would like to request a referral back to the Town Board for the zone change to be able to move the project forward to the subdivision phase.

Chair stated a PUD committee was formed for this project. After only one meeting with the committee, the Applicant is back before the whole board. The purpose of the committee was to get these items approved and agreed upon within the committee. Additionally, two of the PUD committee members are not present tonight to speak to the presentation. Chair is unsure what has been reviewed by the PUD committee and discussed. The Chair stated that the Applicant went ahead and made all of these changes and submitted them to the Board, but they should have been handled by the PUD committee rather than being brought before the board.

Applicant expressed that he believed the changes were minor.

Chair stated although the changes may appear minor to the Applicant, they differ from what was previously presented to the PUD committee members.

Applicant stated he received an email from Mr. Schanzenbach stating that he wasn't necessarily opposed to the revised layout.

Chair followed by mentioning that Mr. Schanzenbach advised he would like to have a discussion on these changes.

Applicant stated a committee meeting would have been requested had comments been received prior to yesterday.

Applicant (Mr. Barnaba) replied that they were under the impression that the accommodations they are asking for is not a big request.

Mr. Bowes responded that at the very least he would like to see documentation on the drawings that indicate the NYS DEC allows a 25 ft buffer. This was the first he was hearing about this change in the buffer.

Discussion was had between Applicant and the Board, resulting in the Chair stating that he cannot make approval when 2 out of 3 of the PUD committee members are not present tonight.

Applicant responded that they are only requesting a referral to the Town Board for a vote and will return to this board for final approval as required.

Chair stated if they were to send it to the Town Board with insufficient material it could result in denial leaving them in a worse position.

Applicant stated there will be two meetings before the Town Board votes, one meeting to set a hearing date and another meeting for the hearing, giving time to meet with the PUD committee.

Applicant added they would like the referral to be moved forward so they don't miss another meeting.

Chair acknowledges that the wetland delineation could have been completed prior to now.

Applicant stated they would like to get in front of the Town Board so they can get a public hearing scheduled. The public hearing could be scheduled after the next planning board meeting, allowing time to meet with the PUD committee before the next Planning Board meeting.

Chair stated the only way to refer to the Town Board would be if this Board made their referral tonight. Chair reiterates that they cannot give approval without the entire PUD committee being present and agreeing to everything that has changed.

Applicant requested a PUD committee meeting to be scheduled for the beginning of next week with a special Planning Board meeting to follow in two weeks.

All board members agree.

Chair stated the wetland buffer is 25 ft based on new regulations that will be approved down the road, but it might be worthwhile to show what a 100 ft buffer would look like.

Applicant stated they could pursue an individual permit rather than a general permit. The ongoing negotiation between the State Builders Association, the DEC, and other interested parties suggests that the draft would not have been released unless there was confidence in its eventual approval.

Chair agreed and expressed concern that all traffic would rely on the Commane Road intersection. No information was provided on potential delays in background traffic at the unsignalized intersection where the public enters/exits Commane Road.

Applicant responded that it does not seem to warrant a traffic study. If they get to the point with the next project that there are concerns at that time, they will consider completing a full traffic study.

Chair asked if there were any other comments from the board. No one spoke.

Chair stated after speaking with Mr. Schanzenbach a request will be made for a PUD committee meeting to be scheduled.

Chair asked for a copy of the wetland delineation report.

Applicant responded that the report has not yet been finalized. The mapping has not been completed, and they will submit the report as soon as it is complete.

Chair stated that he agrees with the layout depicting uneven lines.

Applicant responded that if that is what the board wants to see he would do. However, doing so results in lots that have unusable space, awkward lot lines, and are not desirable for the homeowner or the Town.

Applicant suggested a hammerhead design if that is something the town would prefer.

Chair stated that it is a discussion that they would need to have with the highway department when completing the site plan layout.

Chair asked if the wetland buffer ends up remaining at 100 ft, would there be thought of adding a secondary connection onto Downer Street.

Applicant stated even with the 100 ft buffer, adding a secondary entrance would result in the loss of at least one additional lot.

Mr. Sykes inquired about Mr. Tree Guy and asked if any further information was brought forward.

The Town Engineer stated that he has not been back and does not recall what the holdup was.

The Town Attorney stated it was an issue with the property owner. She believes the property owner was reluctant to prepare a real site plan.

The Town Attorney confirmed the submission lacked significant information.

Mr. Sykes added he was supposed to bring everything back to scale and plotted.

Chair suggested that the Director of Codes speak to the Code Officer regarding this, and report back to the Planning Board.

Motion by Mr. Sykes, seconded by Mr. Roman to adjourn to the next regular meeting on December 9, 2025, 6:00pm

Mr. Sykes- Yes, Mr. Roman- Yes, Mr. Bowes- Yes, Mr. Budosh- Yes

Meeting Closed at 7:05pm.

Respectfully submitted,
Kamri Kiteveles, Codes Clerk