

Planning/Zoning Board Meeting of the Town of Van Buren held on December 9, 2025 at the Van Buren Town Hall, 7575 Van Buren Road, Baldwinsville, New York was called to order at 6:00 PM.

Pledge of Allegiance

Roll Call:

Mr. Claude Sykes	Planning Board Member
Ms. Jesse McMahon	Planning Board Member
Mr. James Bowes	Planning Board Member
Mr. James Virginia	Planning Board Member
Mr. James Schanzenbach	Vice Chair
Mr. Mark Budosh	Chair

Absent:

Mr. Roger Roman	Planning Board Member
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Also Present:

Ms. Nadine Bell	Town Attorney
Mr. Jason Hoy	Town Engineer
Mr. Chaz Gambino	Director of Codes
Ms. Kamri Kiteveles	Codes Clerk

Minutes:

Motioned by Mr. Sykes, seconded by Mr. Virginia, to approve the minutes of November 12, 2025, and November 25, 2025 as published.

Mr. Sykes- Yes, Mr. Bowes- Yes, Mr. Virginia- Yes, Ms. McMahon- Yes, Mr. Schanzenbach- Yes, Mr. Budosh- Yes

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

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

Chair stated that a full phase layout for the development in its entirety was requested following the previous meeting and has been provided. With the exception of Phase 1A, which is not included, all the additional phases are in order.

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

Mr. Sykes asked if paving had been completed.

Applicant responded that paving had begun and will resume in the spring. At which time, any necessary corrections recommended by the Town Engineer will be completed.

Mr. Sykes asked if OCWA was on site.

Applicant stated that a payment was made, and they are still awaiting the time frame for installation.

Mr. Schanzenbach asked what paving changes may be required.

Town Engineer responded regarding concerns with the road grading and noted that any necessary adjustments will be addressed in the spring.

Applicant confirmed.

Mr. Bowes asked if paving is complete for the section of Dewport Road between Bloomfield Street and Lexi Lane.

Applicant indicated that, if required, they would complete it beforehand but advise against doing so until construction is complete to avoid excessive wear on the roadway.

Mr. Sykes reiterated that topping will not be complete until Phase 3 is finished.

Applicant confirmed.

Mr. Schanzenbach asked if Phase 2A was topped.

Applicant responded yes.

Chair asked if the construction agreement had been completed, and if the board had any further questions or comments.

Town Attorney confirmed the construction agreement has been finalized.

Motioned by Mr. Sykes, seconded by Ms. McMahon to approve the Treybrook subdivision phase 3 final plat as shown on the drawings stamped and signed by Sequin Land Surveying on October 31, 2025, with a ratification and reaffirmation of the previous approved SEQR.

Mr. Sykes- Yes, Mr. Bowes- Yes, Mr. Virginia- Yes, Ms. McMahon- Yes, Mr. Schanzenbach- Yes, Mr. Budosh- Yes

Chair asked if there were any other comments.

Mr. Sykes asked the Town Engineer if all the SWPPPs were up to date.

Town Engineer confirmed.

Chair asked for any further comments. No one spoke.

Mr. Sykes- Yes, Mr. Bowes- Yes, Mr. Virginia- Yes, Ms. McMahon- Yes, Mr. Schanzenbach- Yes, Mr. Budosh- Yes

Public Hearing – Area Variance & Height Variance: Mark Gummer, 7465 Canton Street, Tax Map ID# 032.-06-07.3

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

Mr. Sykes- Yes, Mr. Bowes- Yes, Mr. Virginia- Yes, Ms. McMahon- Yes, Mr. Schanzenbach- Yes, Mr. Budosh- Yes

Mark Gummer was present to address the board. Applicant requested approval for two variances: a height variance from 15 ft. to 20 ft. for an 80 ft. x 40 ft. pole barn, and an area variance permitting the placement of an accessory structure in the front yard.

Chair asked if the structure would be used for business purposes.

Applicant responded that the structure would be used exclusively for personal residential storage purposes.

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

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

Mr. Sykes- Yes, Mr. Bowes- Yes, Mr. Virginia- Yes, Ms. McMahon- Yes, Mr. Schanzenbach- Yes, Mr. Budosh- Yes

Chair stated that the applicant is requesting a height variance from the allowed 15 ft. to 20 ft., in addition to an area variance for an accessory structure in the front yard of the property.

Chair added that an updated elevation view with dimensions has been provided by MAS Engineering.

Chair asked if there were any comments from the board.

Mr. Virginia questioned the distance of the structure from the residence, given its intended use for residential storage.

Applicant explained that the rear portion of the property contains a wet area, the residence septic system, and an antenna tower, making the proposed area the most ideal level spot.

Mr. Schanzenbach asked if the structure could be constructed shorter to eliminate the need for a height variance.

Applicant stated the purpose for the building is for storage, including large machinery like a backhoe, forklift, or trailer, reducing its size would make it unsuitable for accommodating these machines.

Mr. Schanzenbach reiterated that the height requested was necessary to which the applicant confirmed.

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

RESOLUTION NO. 2025-10
OF THE
ZONING BOARD OF APPEALS
OF THE TOWN OF VAN BUREN

Mr. Sykes made the following motion, seconded by Mr. Schanzenbach:

Mark Gummer (“Applicant”) of 7463 Canton Street has applied for area variance relief from Section 200-45 of the Town of Van Buren Zoning Code to allow the placement of a detached accessory storage structure in the front yard and to allow the accessory

structure to have a mean height of 20 feet. The property is located in the R-40 Zoning District and is identified as Tax Map No. 032.-06-07.3 (“Property”).

Pursuant to Section 200-45 of the Zoning Code, the existing building line is the front yard setback for a detached accessory structure and an accessory structure is limited to 15 feet in height. Applicant seeks variance relief to allow the placement of the detached accessory structure in front of the existing residential structure and to construct an accessory structure with a mean of 20 feet in height, five (5) feet higher than the 15 feet height that is permitted.

In support of the application, the Applicant submitted an Application for Variance for the placement of the structure in the front yard and the building height, dated October 27, 2025, building elevations and details, prepared by MAS Engineering, dated November 9, 2025, consisting of Sheets 1 through 6, Building Permit Application materials, and a Boundary Survey Map, prepared by Robert Burliegh, L.L.S., dated October 3, 2025. A public hearing on the application was held on December 9, 2025, and the Applicant addresses the area variance criteria. Letters of support for the Application from Kathryn Lane, Matthew D. Antonio, and Christopher Moreland, neighboring property owners, were received by the ZBA and entered into the record. During the public hearing, the unique configuration of the Property, limiting placement of the accessory structure, was acknowledged.

Based upon the foregoing, the Board 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 detached accessory structure for

single-family residential use.

2. It is determined that the requested variance relief will not produce any undesirable change in the character of the neighborhood and will not be a detriment to nearby properties. Variance relief to allow the placement of the accessory structure in the front yard and increase the building height of the accessory structure 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 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. The requested area variance relief is hereby granted to allow the placement of the detached accessory structure in the front yard and increase the structure’s mean height to 20 feet, in accordance with the Boundary Survey Map, prepared by Robert Burliegh, L.L.S., dated October 3, 2025, and the building elevations and details, prepared by MAS Engineering, dated November 9, 2025, consisting of Sheets 1 through 6, for property located at 7465 Canton Street, Tax Map No. 032.-06-07.3.

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 Schanzenbach	<u> x </u>	<u> </u>	<u> </u>
James Bowes	<u> x </u>	<u> </u>	<u> </u>
Roger Roman	<u> </u>	<u> </u>	<u> x </u>
Claude Sykes	<u> x </u>	<u> </u>	<u> </u>
Jesse McMahon	<u> x </u>	<u> </u>	<u> </u>

Battery Storage Facility: Paul Cappuccilli, 7240 O'Brien Road, Tax Map ID# 051.-04-01.1

Paul Cappuccilli was present to address the board. Applicant requested a discussion in regard to developing O'Brien Road. Applicant expressed interest in inquiring about a battery energy storage unit, or alternatives due to limited property use.

Applicant explained that this project represents Phase 20 of the Village Green Planned Unit Development, one of the two remaining phases to be completed. Townhouses had originally been planned for this site; however, it had been determined that the location lacks water service.

Applicant added that a storage facility had been considered for this location, but after a study had been conducted by a consulting company it was determined the location was too saturated; a more in-depth study is under consideration.

Applicant explained that the only feasible access point for this site would be off of O'Brien Road due to the steep incline and inability to access it elsewhere. Applicant noted that water and sewer are not located along that portion of the road limiting the development possibilities.

Chair asked the height of the energy storage system.

Applicant responded between 7 ft. to 10 ft.

Chair asked what the current zoning was.

Mr. Schanzenbach responded PUD.

Mr. Sykes asked what square footage the battery storage would use.

Applicant responded that of the 600,000 sq ft. site they would isolate 55,000 sq ft. and use between 10,000 sq ft. and 20,000 sq ft. leaving space for additional development, such as a storage facility.

Mr. Schanzenbach stated that National Grid recently stated that these facilities are going to be essential to level out the usages.

Applicant explained that these systems are designed to draw power from the grid during periods of low demand and return it during peak times to help meet high energy needs.

Mr. Schanzenbach stated he would like to know the necessary zoning, to which members of the board responded Industrial A.

Mr. Schanzenbach stated that zoning would be a challenge.

Chair agreed, noting that constructing townhomes in the location without putting a significant amount of money into the development would be a challenge.

Chair added that additional research is necessary for these types of facilities, but the topic is open for discussion.

Town Attorney acknowledged that although the need for these facilities is undisputed, the primary concern is public safety.

Applicant agreed, stating that although the likelihood of a fire is low, such incidents typically result in the units burning in place. Applicant added that fire suppression systems are being incorporated into the design of the units.

Mr. Sykes stated that there is a potential to extend water and sewer services to the site although a booster pump may be required. Mr. Sykes suggested that the sewer connection could originate from either Blanchard Boulevard or Hosmer Drive.

Applicant indicated that Hosmer Drive would be the more practical option, but additional research into the costs would be necessary for multiple housing development.

Ms. McMahon asked what the interconnection would look like, and if it would go directly into the overhead line.

Applicant stated that the energy company conducted a study to determine potential connection points, but he remains uncertain about the final details.

Ms. McMahon responded she believed it would be to the lines across the highway but questioned how they would be accessed.

Mr. Virginia responded underground.

Applicant stated that the energy companies work with National Grid and NYSEG to identify suitable locations and accessibility of the powerline to feed into and extract electricity out of.

Mr. Virginia stated that close proximity to residential development could cause alarm, adding that there is not enough barrier in between.

Mr. Sykes stated that any change in zoning would require submission of a complete master plan for the entire property.

Town Attorney explained that, due to the property being part of a PUD, a complete site proposal must be provided even if the zoning remains unchanged. Any modifications must be presented to the Town Board, then referred to the Planning and Zoning Board for review

and returned to the Town Board with recommendation for a public hearing. Any deviation from the original plan will require this process.

Applicant responded that he does not see how it is possible to develop townhouses on the site, considering the location of the water and the low pressure.

Mr. Sykes stated a pump station would be do-able, and something to look into.

Applicant questioned if that would be for each residence.

Mr. Sykes responded that it would be approved by the Onondaga County Health Department for each residence, but it would be for a geographic area.

Applicant asked to be provided with more information.

Mr. Sykes stated he would get that information.

Chair reported discussing with the Code Enforcement office the possibility of revising the application submission deadline, noting that many applicants currently submit materials late in the day, after office hours, or even past the established deadline.

Chair advised the board that, starting in the New Year, late submissions will no longer be accommodated. The deadline will be Wednesday before the pre-agenda meeting, with Friday at noon as the absolute cutoff. Any materials submitted after this time will not be placed on the current agenda and will be pushed to the following months meeting.

Motion by Mr. Sykes, seconded by Mr. Virginia to adjourn to the next regular meeting on January 13,2025 at 6:00 PM.

Mr. Sykes- Yes, Mr. Bowes- Yes, Mr. Virginia- Yes, Ms. McMahon- Yes, Mr. Schanzenbach- Yes, Mr. Budosh- Yes

Meeting Closed at 6:48pm.

Respectfully submitted,

Kamri Kiteveles, Codes Clerk