

Planning/Zoning Board Meeting of the Town of Van Buren held on March 10, 2026, 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. Roger Roman	Planning Board Member
Mr. James Bowes	Planning Board Member
Mr. James Virginia	Planning Board Member
Mr. Mark Budosh	Chairman

Absent: Mr. James Schanzenbach Vice Chairman

Also Present:

Ms. Nadine Bell	Town Attorney
Mr. Jason Hoy	Town Engineer
Mrs. Wendy Van Der Water	Supervisor
Charity Gustke	Town Councilor
Jennifer Sullivan	Town Councilor

**Minutes:**

Motioned by Mr. Roman, seconded by Mr. Sykes, to approve the minutes of February 10, 2026, as published.

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

**Public Hearing – Area Variance: Alex Town, 1775 Warners Road, Tax Map ID# 049.-01-05.1**

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

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

Alex Town was present to address the Board. Applicant requested an area variance for an 80 ft. x 50 ft. detached accessory structure for personal storage (cars & RV's) in the front yard, as the property is a corner lot and therefore has two designated front yards.

Chair asked if anyone in the audience would like to speak for or against the application. No one spoke.

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

Mr. Sykes reminded the Applicant he will need to obtain a driveway permit from the Highway Superintendent for the access off East Dead Creek Road.

**RESOLUTION NO. 2026-01  
OF THE  
ZONING BOARD OF APPEALS  
OF THE TOWN OF VAN BUREN**

Member Sykes made the following motion, seconded by Member McMahon:

Alex Town (“Applicant”) of 1775 Warners Road has applied for area variance relief from § 200-45 of the Town of Van Buren Zoning Code to allow the placement of a detached accessory storage structure in a location with 120 feet of front yard setback distance and to allow the accessory storage structure, measuring 80 feet x 50 feet, to have a mean height of 23 feet. The property, identified as Tax Map No. 049.-01-05.1 (“Property”), is located in the Rural Hamlet (RH) Zoning District at the intersection of Warners Road and East Dead Creek Road. Access to the accessory detached structure is by means of East Dead Creek Road.

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.” In accordance with § 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, which is measured by the vertical distance from the average elevation of the finished grade surrounding the building to the average

height between ridge and eaves for gable, hip, pitched or gambrel roofs. Applicant seeks variance relief to allow the placement of the detached accessory structure with a front yard setback of 120 feet, instead of the required setback of 189.25 feet, and to construct an accessory structure with a mean height of 23 feet, eight (8) 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 December 26, 2025, building elevations and details, prepared by Rod A. Vanderwater Architect, P.C., dated December 23, 2025, consisting of Sheets 1 through 5, and “Turning Point Land Survey,” prepared by R.J. Lighton, Jr., Licensed Land Surveyor, dated February 1, 2025, altered to reflect the proposed improvements. A public hearing on the height variance application was held on February 10, 2026, and a public hearing on the variance application to allow the placement of an accessory structure within the front yard setback was held March 10, 2026. The Applicant appeared at the public hearing to address the area variance criteria and the concerns of the Board.

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 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 a location with 120 feet of front yard setback distance and to increase the structure’s mean height to 23 feet, in accordance with the building elevations and details, prepared by Rod A. Vanderwater Architect, P.C., dated December 23, 2025, consisting of Sheets 1 through 5, for property located at 1775 Warners Road, Tax Map No. 049.-01-05.1, conditioned upon the submission of an as-built survey to the Code Enforcement Office depicting the installed accessory detached structure.

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

**Public Hearing – Area Variance: George McNabb, 7714 Morgan Road, Tax Map ID# 029.-04-01.0**

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

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

George McNabb was present to address the Board. Applicant is seeking an area variance for an accessory structure in the front yard. The 8’ x 8’ shed was on the property when the home was purchased and is identical in appearance to the primary residence. The Applicant further noted that his rear yard contains a leach field and wetlands, leaving no suitable alternative location for the shed.

Chair noted that the property is located within a designated floodplain and is before the Board as a result of a DEC audit, which required the applicant to obtain area variance approval and to implement flood-proofing measures for the structure.

Applicant confirmed, stating that the flood-proofing measures have been completed.

Chair asked if anyone in the audience would like to speak for or against the application. No one spoke.

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

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

**RESOLUTION NO. 2026-02  
OF THE  
ZONING BOARD OF APPEALS  
OF THE TOWN OF VAN BUREN**

Member Sykes made the following motion, seconded by Member McMahon:

George B. and Anngelene McNabb (“Applicants”) of 7714 Morgan Road have applied for area variance relief from § 200-45 of the Town of Van Buren Zoning Code to allow the placement of a detached accessory storage structure in a location with 18.44± feet of front yard setback distance. The property, identified as Tax Map No. 049.-01-05.1 (“Property”), is located in the Residential 20 (R-20) Zoning District.

Pursuant to § 200-45 of the Zoning Code, the existing building line is the front yard setback for a detached accessory structure. Applicants seek variance relief to allow the placement of the detached accessory storage shed structure in their front yard, with a setback of 18.44± feet, instead of the required setback of 41.46± feet. In support of their request, Applicants cited the presence of on-site wetlands and an existing leach field as the obstacles effectively preventing the relocation of the storage structure.

In support of the application, Applicants submitted an Application for Variance for the placement of the structure in the front yard, dated January 27, 2026, an aerial and Google Maps Street View imagery of the Property, topographic survey with wetland zones, and “Location Survey on Part of Lot No. 14, Known as No. 7714 Morgan Road,” prepared by J.R.L. Land Surveying, PLLC, dated May 27, 2021. A public hearing on the variance application was held

March 10, 2026. The Applicants appeared at the public hearing to address the area variance criteria and the concerns of the Board.

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 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 no apparent method to achieve the benefit the Applicants wish to obtain, other than a variance and the benefit to the Applicants 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 a location with 18.44± feet of front yard setback distance, as depicted on the “Location Survey on Part of Lot No. 14, Known as No. 7714 Morgan Road,” prepared by J.R.L. Land Surveying, PLLC, dated May 27, 2021, for property located at 7714 Morgan Road, Tax Map No. 049.-01-05.1.

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

**Public Hearing – Site Plan: Simple Roast Coffee, 2265 Downer Street, Tax Map ID# 034.-04-06.1**

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

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

Matthew Peirson was present to address the Board. Applicant is seeking site plan approval for a drive-through-only coffee shop located in the River Mall Plaza, adjacent to the Tops gas station. The hours of operation will be 7 days a week, from 6am to 6pm.

Chair asked if anyone in the audience would like to speak for or against the application.

One resident voted yes.

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

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

Chair stated that the previously reviewed plan showed slip form curb; however, that design is not sustainable in this climate due to plow usage. The updated plans provided depict a full curb set in a concrete footer with surrounding subbase material.

Chair further noted that there were concerns regarding the capacity of the sewer and stormwater system.

Applicant stated that confirmation had been received from WEP; however, they are awaiting formal issuance of the letter. Applicant further noted that the comment had been incorporated into the drawings distributed this evening to the Board.

Chair stated lighting will be existing lights in parking lot plus some downward facing lights attached to the structure. Applicant agreed.

Chair noted that a submitted letter was received confirming that the enclosed drainage pattern would not be impeded by the proposed development.

Chair stated that the only remaining item for consideration is the proposed island located adjacent to the Tops gas station. Chair noted that the island is designed to be approximately 6 feet in depth and 164 feet in length.

Chair further indicated that questions were raised regarding the overall size of the island and invited the Board members to express any concerns or comments related to the dimensions of the proposed island.

Applicant stated height of the curb is 6 inches that will be exposed with beveled face.

Chair advised that the pavement marking would require refreshing.

Applicant confirmed, adding that it would be completed annually.

Chair stated the parking along the north and south of the structure will be using the standard wheel stops. Applicant confirmed.

Ms. McMahon noted that the revised layout provides improved traffic flow, reducing the likelihood of vehicles cutting through the area, and that she believes the updated plan represents a reasonable and effective compromise.

Mr. Virginia suggested incorporating the planters back into the site plan on the western curbed island to make it more visually appealing and asked if there is required ADA space.

Applicant confirmed and stated that ADA space is not required due to not offering walk-up service.

Motion by Mr. Sykes, seconded by Ms. McMahon, to declare this board lead agency is an uncoordinated review of this unlisted action under SEQR and based upon the short EAF submitted declare a negative declaration with no adverse environmental impacts.

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

Motion by Roger Roman, seconded by Ms. McMahon to approve the site plan for Simple Roast Coffee as shown on the signed and stamped drawings C1, C2, C3 dated 3/9/26 with the condition that planters be included in the western curbed 6 ft island, no more than 25 ft at the nearest point to the exit of the property at the stop sign and conditioned on receiving the letter from WEP for the capacity of the sanitary sewer.

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

**RESOLUTION NO. 2026-03  
OF THE  
ZONING BOARD OF APPEALS  
OF THE TOWN OF VAN BUREN**

Member Sykes made the following motion, seconded by Member McMahon:

Matthew Peirson, as a representative of Simple Roast Coffee (“Applicant”) applied for a special use permit to operate a drive-thru coffee hut on a portion of the existing parking lot for the River Mall Shopping Center, a 21.77 acre parcel pursuant to Sections 200-21 and 200-27 of the

Town of Van Buren Zoning Code, on property located in the General Business Zoning District at 2265 Downer Street Road, Tax Map No.0 34.-04-06.1 (the "Property").

In support of its request for a special use permit, Applicant submitted an Application for a Special Use Permit and an Application for Site Plan, Letter of Intent & Community Commitment, dated January 16, 2026, Drainage Letter, prepared by RZ Engineering, PLLC, dated February 10, 2026, Lighting Letter, prepared by RZ Engineering, PLLC, dated February 10, 2026, Simple Roast Modular Plans, Consisting of Sheets G-000 "Cover," A-100 "Floor Plan," A-101 "Plans," A-200 "Exterior Elevations," A-201 "Interior Elevations," and A-400 "Wall Section," prepared by JF Architect, dated February 5, 2026, Short Environmental Assessment Form, dated January 6, 2026, Sheets C-1 "Demo & ESC Plan," C-2 "Layout Plan," and C-3 "Utility Plan," prepared by RZ Engineering, PLLC, dated March 9, 2026, and authorization from RMP Boom, LLC, the owner of the Property, dated December 24, 2025.

On March 10, 2026, the Applicant appeared at the public hearing to describe his proposal to operate an approximately 400 square foot, single story structure with drive-thru coffee hut on the Property. As proposed, the structure will be located in an existing parking lot and will consist of a wooden structure with porches constructed at either end. There is no customer space within the structure. The coffee hut will have a single drive-thru lane on either side of the hut, with the space defined by curbing, landscaping and river rock. The Applicant addressed the concerns of the Board. There was no opposition to the application at the public hearing. The Board, having duly referred the application to the Onondaga County Planning Board's ("OCPB") for its comments and recommendations pursuant to General Municipal Law Section 239, has subsequently received the OCPB's Resolution #Z-26-26, dated January 28, 2026, for the special use permit, and Resolution #Z-26-25, dated January 28, 2026, for the site plan, which recommended the modifications prior to approval.

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

1. Section 200-27(C) of the Town of Van Buren Zoning Code specifically contemplates the use of the property for drive-thru service upon issuance of a special use permit.
2. The Board does reiterate the following prior determinations:
  - a. As proposed, the use is allowed by special use permit. The use is in compliance with the applicable intent and regulations of the Code;
  - b. The proposed use is located on a general business zoned parcel and is consistent with the long-term development objectives of such area. The Property is serviced by all necessary utilities and is compatible in character to existing land uses in the immediate area;
  - c. The scale and design of the use is in compliance with Town requirements and will be visually compatible with conditions of the site and surrounding properties;
  - d. The use is designed and shall be operated in a manner that minimizes off site disturbance of natural and cultural resources;
  - e. The nature and intensity of operations will not be more objectionable to surrounding properties than those of an expressly permitted use in the district;
  - f. The coffee hut use and the proposed design of the building and site facilities for the use are appropriate in the proposed location and have incorporated reasonable efforts to harmonize with surrounding uses and mitigate any adverse impacts on surrounding uses;
  - g. The cumulative impacts of the use in the proposed location will not unreasonably interfere with or diminish the continued use, preservation, stability, value, enjoyment, prosperity or growth of the neighborhood or community;
  - h. The use will not unreasonably increase traffic congestion or safety hazards or impose traffic volumes on a roadway which is deficient in width or design;
  - i. As designed, the Property has provides for safe and efficient vehicular access, egress, internal circulation, and provision of services without adversely affecting the flow of traffic on abutting streets;
  - j. The design allows for a minimum stacking of vehicles waiting for service to be maintained on-site for the drive-thru windows;
  - k. Appropriate landscaping and buffering will be maintained per the proposed plans; and

1. Waste disposal will be adequately screened from view and maintained to avoid any discharge of hazardous materials to the surface drainage system.
  3. The Special Use Permit to allow the operation of a drive-thru coffee service on the Property is hereby granted, in accordance with Sections 200-27(c) and 80(C)(5) of the Zoning Code.

Roll Call Vote:

	Aye	Nay	Other
James Virginia	<u>  x  </u>	<u>      </u>	<u>      </u>
James Schanzenbach	<u>      </u>	<u>      </u>	<u>  x  </u>
James Bowes	<u>  x  </u>	<u>      </u>	<u>      </u>
Roger Roman	<u>  x  </u>	<u>      </u>	<u>      </u>
Claude Sykes	<u>  x  </u>	<u>      </u>	<u>      </u>
Jesse McMahan	<u>  x  </u>	<u>      </u>	<u>      </u>
Mark Budosh	<u>  x  </u>	<u>      </u>	<u>      </u>

**Public Hearing – Subdivision: Harbor Heights/Small Parcel, Downer Street, Tax Map ID# 036.-03-21.0**

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

Mr. Sykes- Yes, Mr. Roman- Yes, Mr. Bowes- Yes, Mr. Virginia- Yes, Ms. McMahan- Yes, Mr. Budosh- Yes

Town Engineer advised that the representative for the Applicant had to leave for a family emergency. While the public hearing has been opened, no comments will be received but the public hearing will be adjourned to the Planning Board meeting scheduled for April 14, 2026.

Chair stated this proposal is for a 21-lot subdivision, on the corner of Downer Street Road and Commane Road. Including that this subdivision will be done in two phases, Lots 1, 2, 3,4, 20 and 21 and a stormwater management area will be included in Phase 1. The second phase includes the remaining lots, which the amount will be determined upon completion of the wetland delineation.

Paul Schmidt of 23 Commane Road expressed three primary concerns: the functionality of the proposed stormwater management system, the potential traffic impacts on Commane Road, and the measures to ensure adequate protection for the residents of Lanyard Lane.

Janet Rasbeck of 24 Commane Road concurred and questioned how a subdivision could be approved without knowing the location of the wetland buffer. She further inquired how the required easement on the east side would be obtained, giving that the affected areas are located on private property.

Chair stated, for clarification, that the approval for the subdivision pertains only to Phase 1, and that no further approvals will be granted until the wetland delineation from the DEC has been received.

Tim Morgan of 11 Lanyard Lane stated that he believes there is a significant safety concern associated with vehicles entering and exiting onto Commane Road. He acknowledged that the developer does not wish to create an access point onto Downer Street; however, he emphasized that traffic volume on Commane Road is already substantial, presenting a safety issue. He further expressed concern regarding stormwater, noting that a “lake” previously existed on the property and questioning the current water table conditions. Residents of Lanyard Lane also wish to know where the proposed swale will be located and how far it will be from the rear of their properties.

Sharon Stack of 1 Lanyard Lane expressed concern regarding flooding of her yard and home due to the location of the stormwater containment area and questioned how the system would function. She added that the developer has previously agreed to maintain a 15-foot buffer, but all of the trees have been removed. She emphasized that the water issue must be addressed.

Andrew Stack of 1 Lanyard Lane asked whether the development was completed in two phases and inquired about the timing of the project. He expressed that his biggest concern is water, specifically questioning where the water will go.

Bob Sapieszko of 2075 Downer Street Road stated that he lives on the east end of the project and had spoken with the workers clearing the land, who informed him they had been instructed to remove everything. He noted that there is a wetland area adjacent to his property and questioned why that area was being cleared. He further stated that the plans show wetlands west of his property, but according to the DEC information, that wetland area will not fall on his land. He added that people had been trespassing onto his property during the clearing process and asked how long he must have to deal with this.

Andrew Stack of 1 Lanyard Lane added that during the tree-clearing operations, numerous branches fell onto his property. He further asserted that the company will be responsible for removing said debris from his yard.

John Gaughan of 13 Lanyard Lane stated that, although the Board does not have authority over some of the issues raised this evening, the circumstances reflect upon the character of the developer.

Motion made by Mr. Sykes, seconded by Mr. Roman to leave the public hearing open until April 14, 2026

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

**Site Plan: Anila Patel, 7363 State Fair Blvd., Tax Map ID# 064.-01-23.1**

Pat Reynolds from Ianuzi & Romans Land Surveying was present to address the Board on behalf of Applicant Anila Patel who is seeking site plan approval for a liquor store located at 7363 State Fair Boulevard.

Applicant stated that the site contains an existing 4,000-square-foot building with two pump islands, consisting of eight fuel pumps and an overhead canopy. He further noted that the existing gas station and convenience store will remain in operation, and that the proposed liquor store would constitute additional use on the property. The liquor store is proposed to be 1,500 square feet, and the convenience store will occupy 2,600 square feet. The Applicant indicated that the businesses would operate independently and that a separate entrance for the liquor store will be provided by constructing a new entrance on the front of the building.

Applicant added that an application has been submitted for a liquor license, with a turnaround time of up to 26 weeks.

Chair advised that this matter must be referred to the Onondaga County Planning Board for review and comments. In addition, a public hearing will need to be scheduled. Chair stated that his primary question for the Applicant concerns parking, specifically noting the need to determine the parking requirements for both the proposed liquor store and the existing convenience store.

Representative stated that, although he did not have the full breakdown of the parking calculations, the pump station area has been included in the total number of spaces. He further noted that Lou Car Care is not willing to participate in shared customer parking but is willing to permit employee parking in the rear of the building.

Chair reiterated parking must meet Town Code.

Mr. Sykes commented that the Applicant must make room for snow removal.

Chair questioned whether there would be a need for additional lighting, aside from what's already existing.

Representative confirmed additional lighting is not necessary.

Chair reminded Applicant signage must meet Town Code.

Chair asked if there would be any need for an additional dumpster. Representative replied no.

Mr. Virginia questioned cardboard recycling.

Applicant confirmed recycling dumpster is already in place.

Mr. Bowes questioned the parking area and ability to load/unload deliveries.

Applicant stated that deliveries would be before and after business hours.

Representative questioned if site plan approval could be granted while awaiting approval of the liquor license.

Town Attorney stated that to her knowledge the Liquor Authority is precise on the information needed when reviewing applications, adding that they may request full site plans to grant the liquor license.

Representative stated that the application has been submitted on February 25, 2026, and they are awaiting any comments.

Chair stated the Board will go through the process for site plan approval, and the liquor license must be granted prior to the Code Offices' issuance of a certificate of occupancy.

Representative advised they will get architectural drawings assigned and come back in before the Board for approval.

**Subdivision: John Hourigan, 7470 Perry Road, Tax ID# 043.-02-29.0**

Doug Reith was present to address the board. Applicant is seeking subdivision approval of a 56-acre parcel, into 3 lots. Applicant stated the septic systems have been located and are depicted on the new survey submitted.

Applicant stated due site distance issues, they are requesting a 20-foot egress on Lot 3 for access to Lot 1.

Chair asked if there is access to Lot 2. Applicant responded yes.

Chair questioned the ability to make Lot 3 more conforming.

Applicant stated not without the loss of more agricultural land.

Town Attorney reminded the Applicant that, when requesting a variance, they are required to seek the least amount of relief necessary. Furthermore, due to the Applicant owning all the land involved, it's difficult for the Board to grant both the subdivision and variances when the Applicant has full control over the property configuration.

Chair suggested further conversation being had regarding the property lines of Lot 3, and asked Applicant if a public hearing should be scheduled for April 14, 2026.

Applicant responded yes.

Motion by Mr. Sykes, Seconded by Mr. Roman to schedule a public hearing for April 14, 2026, for approval of the subdivision and necessary area variances.

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

**Zone Change: Brolex Living Community, LLC, Crego Road, Tax ID# 034.-03-01.1**

Brandon Jacobson was present to address the board. Applicant is requesting a zone change from R-40 to a PUD in regard to developing land off of Crego Road.

Applicant informed the Board that the single-family home component of the project remains unchanged; however, the previously proposed apartment buildings have been removed and replaced with townhomes. Applicant further noted that the townhome sections will now be situated on a public road, whereas the prior design proposed a private roadway.

Applicant addressed the Board's prior concerns regarding the number of driveway cuts and stated that the revised plan reduces the number of cuts while adding small parking areas. Applicant further noted that each driveway is 40 feet in length, providing space to accommodate two vehicles.

Applicant discussed the proposed right-hand turn at the intersection of Crego Road and Downer Street. Applicant indicated that Walgreens operates under a land-lease agreement, and that the landowner has agreed to sell the necessary portion of land to the developer. Applicant further stated that Walgreens signed off on the arrangement.

Applicant stated that a temporary construction easement will be required during the construction period, and that the landowner is agreeable to granting the easement. Applicant noted that he is awaiting the appraisal for the strip of land located in front of Walgreens so that the necessary portion may be purchased.

Mr. Virginia questioned if any Walgreens parking space would be lost. Applicant responded no.

Chair responded advising the Applicant to submit a physical copy of the agreement in place with Walgreens, and the landowner.

Chair informed the Applicant that the project is effectively starting over and directed the Applicant to address the twenty-two items outlined in Section 200-33 of the Town Code that must be resolved.

Chair further reminded the Applicant that the revised site plan must depict the necessary access to the Town-owned parcel and must include all required information, including topography, drainage, stormwater management, and related details.

Chair requested an updated accident and traffic impact study be submitted as new traffic signals have been installed, noting that all information must be submitted as one package for review – not multiple information submittals.

Mr. Sykes stated that the plans show a proposed 30-foot storm easement stretching along the Town-parcel, which is land the applicant doesn't own.

Chair questioned if it is an existing easement

Mr. Sykes responded no and informed the Applicant that it must be moved.

Mr. Sykes asked to see the HOA agreement for the single-family home section.

Ms. McMahon questioned if the development would be phased construction and informed the Applicant that more greenery and trail systems would be ideal.

Mr. Virginia agreed with adding walking trails.

Mr. Sykes questioned the process of the phasing timeline.

Applicant stated that the construction would be completed in three phases and conclude in approximately 4 years. Applicant informed the Board that Phase 1 would consist of single-family housing, and the Townhomes would be a 2 phased approach, 100 units each phase.

Chair advised the Applicant to depict the phasing on the site plan.

Town Attorney reminded the Applicant that the revised site plan must include all required setbacks for all townhouse units, must depict patios, and must also show the required setbacks for the single-family homes. Further noting that, because a PUD effectively creates its own zoning, all such requirements must be clearly documented on the plan.

Motion by Ms. McMahon, seconded by Mr. Sykes to adjourn to the next regular meeting on April 14, 2026, at 6:00 PM.

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

Meeting Closed at 8:21 p.m.

Respectfully submitted,

Kamri Kiteveles, Codes Clerk