

Planning/Zoning Board Meeting of the Town of Van Buren held on June 9, 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
Mr. Roger Roman	Planning Board Member
Mr. James Bowes	Planning Board Member
Mr. James Virginia	Planning Board Member
Mr. James Schanzenbach	Vice Chairman
Mr. Mark Budosh	Chairman

Absent: Ms. Jesse McMahon	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
Mrs. Wendy Van Der Water	Supervisor

Minutes:

Motioned by Mr. Sykes, seconded by Mr. Bowes, to approve the minutes of May 12, 2026, as published.

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

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

In attendance to address the Board were applicants Josh Heintz and Job Heintz, who were represented by legal representative Greg Faucher. Applicants are requesting a zone change from R-40 to a PUD to construct a development located off of Crego Road.

Representative stated that a comprehensive submission had been provided to the Board, in compliance with the requirements of Town Code section 200-33 (PUD) as requested at the March 10, 2026, Planning and Zoning Meeting.

Representative addressed the modifications made to the site plan, noting that the apartments have been removed and the number of townhomes had been reduced by approximately 100 units. Furthermore, the revised plan now includes 96 single-family homes, the addition of an easement to the town parcel, and the relocation of storm easement.

Representative concluded by noting water and sewer approval from Onondaga County had been obtained, and an updated traffic study had been conducted with the determination that a right turn lane from Crego Road onto Downer Street would be unnecessary.

Chair referenced the updated traffic study and requested a more realistic final build-out year. In addition, Chair noted that the easement to the Town parcel goes through a parking lot, which the Board advised against.

Chair recommended that the SHPO marked areas located within potential lot boundaries be revised.

Mr. Schanzenbach added that smaller lot sizes would be preferred if that eliminated SHPO areas within private areas.

Chair questioned if a wastewater offset plan had been prepared.

Representative stated that would occur during the site plan review process.

Chair stated that sidewalks must be brought to the development entry points.

Chair recommended that the Board form a PUD Committee to further discuss the development plan with the Applicants. All Board members agreed.

Mr. Virginia asked if an agreement was in place with Walgreens for a turn-lane.

Representative stated that an agreement exists, but as of now a turn-lane is not required.

Mr. Virginia expressed dissatisfaction with not requiring a turn lane and requested Town Attorney feedback.

Town Attorney stated that a recommendation may be made but does not have to be implemented due to the traffic study provided.

Mr. Sykes questioned the stormwater plan in which it shows a retention basin leading to a roadside ditch at Tappen Street and Comstock Road that does not exist.

Chair inquired as to which qualified constructions companies were being considered to manage the project.

Applicant Josh Heintz replied Orchard Earth and JK Tobin.

Mr. Schanzenbach acknowledged the site work companies being considered and questioned if a construction management company would be included.

Applicant Josh Heintz stated not currently.

Mr. Schanzenbach expressed concern regarding project management and timeframe while positively encouraging the use of a construction management company to make operations run more smoothly.

Representative questioned if the Board could make the referral to Town Board prior to the PUD Committee meeting.

Chair stated at least one meeting would be necessary prior to the referral.

Representative requested the Town Board begin the SEQR and 239 Referral process.

Town Attorney advises against doing so due to not having a preliminary plan to submit and veering from typical procedures that every developer is required to go through.

Motion by Mr. Sykes , seconded by Mr. Roman to organize a PUD Committee for the Brolex Living Community Crego Road Development.

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

Public Hearing – Mark Moriarty: Area Variance, 7310 New State Route 31, Tax ID # 050.-01-25.0

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

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

Mark Moriarty was present to address the Board. Applicant is seeking an area variance for 46.4 feet of front yard setback relief for a 12' x 24' detached accessory structure. Applicant stated that, due to the topography of the parcel, the proposed location is the only feasible site for said construction.

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 Mr. Schanzenbach to close the public hearing and return to general session.

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

**RESOLUTION NO. 2026-7
OF THE
ZONING BOARD OF APPEALS
OF THE TOWN OF VAN BUREN**

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

Mark Moriarty (“Applicant”) of 7310 New State Route 31 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, measuring 12 feet by 20 feet, in a location requiring 46.4 feet of front yard setback relief. The property, identified as Tax Map No. 050.-01-25.0 (“Property”), is located in the Residential 80 (R-80) Zoning District.

Pursuant to § 200-45 of the Zoning Code, the existing building line is the front yard setback for a detached accessory structure. Applicant seeks variance relief to allow the placement of the detached accessory storage shed structure in his front yard, with a setback of 8± feet, instead of the required setback of 54.4± feet. In support of his request, Applicant provided an overview of the topographical challenges relative to the Property and the lack of alternative areas to place the proposed accessory structure; namely, that the area behind the house contains a steep slope up to an existing farm field and the side yard also contains a slope and stream. The area chosen by the Applicant for placement of the accessory garage structure, which minimizes erosion and flooding damage, is the only practical place for the building.

In support of the application, Applicant submitted an Application for Variance for the placement of the structure in the front yard, dated April 27, 2026, an aerial and Google Maps Street View imagery of the Property and surrounding neighborhood, and a portion of a survey, titled “Map of Part of Lot No. 19, Town of Van Buren,” prepared by Stephen Schnert. A public hearing on the variance application was held June 9, 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. Given the presence of other accessory detached structures within the front yard setback area in the surrounding neighborhood, 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 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 garage structure in a location with 8± feet of front yard setback distance, requiring 46.4 feet of variance relief, as depicted on the survey, titled “Map of Part of Lot No. 19, Town of Van Buren,” prepared by Stephen Sehnert, for property located at 7310 New State Route 31, Tax Map No. 050.-01-25.0.

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> x </u>	<u> </u>	<u> </u>
Claude Sykes	<u> x </u>	<u> </u>	<u> </u>
Jesse McMahon	<u> </u>	<u> </u>	<u> x </u>

Public Hearing – John Romeo: Site Plan, 2290 Downer Street, Tax ID # 033.1-05-10.2

Motion made by Mr. Roman, 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, Mr. Schanzenbach- Yes, Mr. Budosh- Yes

John Romeo and Robert Singletary were present to address the Board. Applicants are requesting a special use permit to construct an urgent care facility to occupy an existing vacant suite located at 2290 Downer Street. Applicant Romeo advised the Board that the original site plan approval was for a drive-through restaurant, which was never constructed. Applicant Romeo further stated that only interior renovations are proposed, with no exterior modifications.

Chair noted that the application has been presented as a change of use; however, the proposed use is permitted within the zoning district. Accordingly, the application was reclassified and reviewed as a site plan approval.

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

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

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

Discussion ensued regarding the photographs of the site that has been provided to the Board. The Director of Codes explained that the photographs were intended to illustrate the 4' x 12' sign usage that was originally approved for the property.

Mr. Schanzenbach asked if the dumpster was located in an enclosure, and if there was a sidewalk at the location. Applicant responded yes.

Motion by Mr. Sykes, seconded by Mr. Virginia, to declare this board lead agency 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, Mr. Schanzenbach- Yes, Mr. Budosh- Yes

Motion by Mr. Virginia, seconded by Mr. Roman, to approve the site plan multi-use commercial building, located at 2290 Downer Street, as shown on the stamped drawings C.4.1 dated January 26, 2021, by Napierala Consulting.

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

Public Hearing – Louis Kimball V: Special Use, Perry Road, Tax ID # 043.-02-29.0

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. Virginia- Yes, Mr. Schanzenbach- Yes, Mr. Budosh- Yes

Representative John Marzocchi of Germain & Germain Law Office, and Applicant Louis Kimball V were present to address the Board. Applicant is requesting a special use permit for approval to store landscaping equipment within a pre-existing structure on a 3.5-acre parcel located on Perry Road. Representative informed the Board that there are currently two barns on the parcel, one of which straddles the northern property boundary line, and that a demolition permit has been submitted for the removal of that encroaching structure.

Applicant informed the Board that the primary business is located in Liverpool, and that the proposed location would be utilized for storage purposes, with lawn mowers to be kept inside the structure and a limited amount of larger equipment stored at the rear of the barn. Applicant further stated that no materials would be stored outdoors on a long-term basis, aside from the large-scale equipment.

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

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

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

Mr. Sykes questioned the timeline for demolition of the additional barn.

Representative stated that would occur upon closing.

Mr. Virginia questioned the application being an accessory structure without primary use.

Town Attorney referenced Town Code Section 200-22(e)(2) Conversion of barns for storage: permits the use of an existing barn for the storage of non-perishable materials, provided that no significant exterior alterations of the structure are made.

Mr. Schanzenbach reiterated that the approved use does not permit exterior alterations, the use of the building for rental storage, or the operation of a business from the premises. Applicant confirmed.

Mr. Schanzenbach informed the Applicant that it also does not permit exterior storage, inquired whether this would present any issues.

Applicant stated that due to the height of the equipment in relation to the door it would not be feasible.

Discussion was had regarding the prohibition of outdoor storage, and the possibility of installation of a new garage door.

Town Attorney informed the Applicant that the installation of a new, taller garage door would not be considered an alteration to the exterior of the structure. Furthermore, outdoor storage is prohibited within the AR-80 Zoning District. To permit outdoor storage, a use variance must be obtained, which is difficult to obtain.

Motion by Mr. Virginia, seconded by Mr. Sykes, to declare this board lead agency 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.

**RESOLUTION NO. 2026-8
OF THE
ZONING BOARD OF APPEALS
OF THE TOWN OF VAN BUREN**

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

Louis Kimball V (“Applicant”), of 115 Meadow River Drive, Liverpool, New York, applied for a special use permit to convert an existing barn into storage for his lawncare/ snowplow removal business pursuant to Section 200-21 of the Town of Van Buren Zoning Code, on property consisting of 3.48 acres located in the AR-80 Zoning District on Perry Road, Tax Map No. 043.-02-29.0 (the “Property”).

Pursuant to Sections 200-21 and 200-22(E)(2) of the Zoning Code, the conversion of an existing barn for the storage of nonperishable materials without significant exterior alterations to such barn is permitted in the AR-80 Zoning District subject to the issuance of a special use permit. In support of his request to convert the barn to a storage use, the Applicant submitted an Application, Short Environmental Assessment Form, dated June 9, 2026, a Boundary Survey of Part of Farm Lots 8, 9 and 10, in the Town of Van Buren, prepared by CNY Land Surveying, dated September 5, 2025, and photograph of the existing barn to be demolished.

On June 9, 2026, the Applicant appeared at the public hearing to describe his proposal to convert an existing barn for the storage of equipment for landscaping and snowplowing. The Applicant explained that the winter equipment to be stored during summer months will consist of trailers, snowplows, a loader, and skid steer; and the summer equipment to be stored during winter months will consist of lawnmowers, trailers, and tractors. There was no opposition to the application at the public hearing.

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

1. Sections 200-21 and 200-22(E)(2) of the Town of Van Buren Zoning Code specifically contemplate the conversion of an existing barn on the property for a storage use upon issuance of a special use permit.
2. In accordance with Section 200-80(C)((5) of the Zoning Code, the Board does render the following 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 parcel zoned AR-80 and is consistent with the long-term development objectives of such area. The Property is serviced by all necessary utilities and the conversion of an existing barn for storage use is compatible in character to existing land uses in the immediate area;
 - c. The scale and design of the storage use and conversion of an existing barn is in compliance with Town requirements and will be visually compatible with conditions of the site and surrounding properties;
 - d. The storage 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 storage operations will not be more objectionable to surrounding properties than those of an expressly permitted use in the district;
 - f. The storage use is appropriate in the proposed location and, because significant exterior alterations are not proposed, the Applicant has made reasonable efforts to harmonize with surrounding uses and mitigate any

adverse impacts on surrounding uses;

- g. The cumulative impacts of the storage use in the existing barn 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; and
- i. As designed, the Property provides for safe and efficient vehicular access, egress, internal circulation, and provision of services without adversely affecting the flow of traffic on abutting streets.

3. The Special Use Permit to allow the conversion of an existing barn for the storage of nonperishable materials without significant exterior alterations to such barn on the Property is hereby granted, in accordance with Sections 200-21 and 200-22(E)(2) of the Zoning Code, such approval conditioned upon the following:

- a. The Property shall not be used for the staging of business operations; permission is limited to the storage of equipment only;
- b. Use of the Property for office purposes shall not be permitted, nor shall customers or retail sales be permitted on-site;
- c. Outdoor storage of equipment and/ or materials is prohibited;
- d. Use of the Property for commercial storage rental is prohibited; and
- e. Proper grass mowing and weed control measures shall be performed regularly on the Property.

Roll Call Vote:

	Aye	Nay	Other
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> x </u>	<u> </u>	<u> </u>
Claude Sykes	<u> x </u>	<u> </u>	<u> </u>
Jesse McMahon	<u> </u>	<u> </u>	<u> x </u>
Mark Budosh	<u> x </u>	<u> </u>	<u> </u>

Tarpon Towers III, LLC: Site Plan, 6758 West Sorrell Hill Road, Tax ID # 049.-04-25.0

Jarod Lusk of the Law Firm Nixon Peabody was present to address the Board. Applicants are seeking site plan approval for a proposed 190-foot lattice communication tower on a 2.3-acre lease located at 6758 West Sorrell Hill Road.

Applicant addressed the concerns raised during May 12, 2026, Planning and Zoning Meeting regarding driveway access and grading. Applicant stated that, following discussion with the Town Engineer, it was determined that Town Code requires site grade to remain as close as possible to existing conditions.

Applicant added that approval from Onondaga County DOT had been received.

Discussion was had regarding the standard Onondaga County requirement for 50 feet of paved asphalt and recognized the discrepancy with the County's approval of the applicants request for 22-foot paved section.

Chair recommended extending the pavement at least 5 feet beyond the driveway pipe.

Applicant confirmed that the driveway would be paved to a length of 30 feet.

Motion by Mr. Schanzenbach, seconded by Mr. Virginia to approve the site plan for Tarpon Towers III LLC, located at 6758 West Sorrell Hill Road, as shown on the stamped and signed drawing with the last revision date of May 27, 2026, with the condition that the asphalt driveway be extended from the 22ft shown to approximately 30ft.

Mr. Sykes- Yes, Mr. Roman- Yes, Mr. Bowes- Yes, Mr. Virginia- No, Mr. Schanzenbach- Yes, Mr. Budosh- Yes

Public Hearing - Ryan McShane: Height Variance, 2315 Warners Road, Tax ID # 049.-04-13.1

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. Virginia- Yes, Mr. Schanzenbach- Yes, Mr. Budosh- Yes

Ryan McShane was present to address the Board. Applicant is seeking a height variance of 2.25 feet for construction of a 48' x 32' detached accessory structure due to the overall height measuring at 17 feet.

Applicant explained that increased height is necessary to accommodate personal storage needs, including space for a camper, and a 13' car lift.

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

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

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

**RESOLUTION NO. 2026-9
OF THE
ZONING BOARD OF APPEALS
OF THE TOWN OF VAN BUREN**

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

Ryan McShane (“Applicant”) of 2315 Warners Road has applied for area variance relief from § 200-45 of the Town of Van Buren Zoning Code to allow an accessory storage structure, measuring 48 feet x 32 feet, to have a mean height of 17.25 feet. The property, collectively identified as Tax Map Nos. 049.-04-13.1 and 049.-04-13.2 (“Property”), is located in the Residential-40 (R40) Zoning District.

In accordance with § 200-45 of the Zoning Code, 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 construct an accessory structure with walls measuring 14 feet in height and a roof with a 4/12 pitch, resulting in a mean height of 17.25 feet, which is approximately two (2) feet higher than the 15 feet height that is permitted.

In support of the application, the Applicant submitted an Application for Variance for the building height, dated May 26, 2026, building elevations and details, prepared by McCormick Engineering, P.C., dated May 18, 2026, consisting of Sheets A-1.1 and A-1.11, and a survey, prepared by CNY Land Surveying, dated October 13, 2025, altered to reflect the proposed improvement. A public hearing on the height variance application was held on June 9, 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 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 increase the accessory structure's mean height to 17.25 feet, representing variance relief in the amount of 2.25 feet, in accordance with the building elevations and details prepared by McCormick Engineering, P.C., dated May 18, 2026, consisting of Sheets A-1.1 and A-1.11, for property located at 2315 Warners Road, Tax Map Nos. 049.-04-13.1 and 049.-04-13.2.

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> x </u>	<u> </u>	<u> </u>
Claude Sykes	<u> x </u>	<u> </u>	<u> </u>
Jesse McMahon	<u> </u>	<u> </u>	<u> x </u>

A resident addressed the Board and voiced concerns about the proposed construction of another tower near an existing tower. The resident inquired about the conditions imposed and decommissioning requirements established during the site plan approval process for the existing tower.

Board members acknowledged the residents' concerns and stated that they would look into the matter.

The Board discussed the formation of a PUD Committee for the Brolex Living Community on Crego Road. The Board also reviewed an updated phasing map submitted by Brolex for the Treybrook subdivision.

Town Engineer explained the reasoning behind the submitted revision and described why the proposed change is considered the preferred approach.

Discussion was had regarding the procedure and requirements associated with the collection of park fees for future developments.

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

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

Meeting Closed at 7:57

Respectfully submitted,

Kamri Kiteveles, Codes Clerk