

**VILLAGE OF SPRINGVILLE
PLANNING BOARD MINUTES**

April 9, 2019

7:00 P.M.

A meeting of the Planning Board of the Village of Springville was held at the Village Municipal Building, 65 Franklin Street, Springville, New York at the above date and time. Present were:

Chairman:	Bob Muhlbauer
Members:	Terry Skelton Joe Emerling Ken Heidle Greg Keyser
Building Inspector/ CEO:	Mike Kaleta
Clerk:	Kellie Grube
Also Present:	Alan Chamberlin, Trustee Annette Kaleta, BCH JW Canavan Jerry Grasso Michael Pendl Gary Kirkpatrick & family Ray Juliano

After the Pledge to Allegiance, Chairman Muhlbauer called the meeting to order at 7:00 pm.

First on the agenda this evening is Public Hearing # 8710 for Sub-Division, applicant Gernatt Asphalt Products, 13870 Taylor Hollow Dr., Collins, NY, for property located on Rauch Dr., Springville, NY:

CEO/Building Inspector Mike Kaleta explained to the Planning Board what the applicant would like to do. Mr. Kaleta explained that the lot that they would like to subdivide is already a legal buildable lot for the R8-5 District in which it resides. With several residents from Rauch Dr. present with questions, Mr. Kaleta explained a little further for them the applicant's intentions. There is an approximate 30 feet wide strip of land that is attached to this buildable lot that runs parallel to Benz Dr. and is situated behind the houses on the east side of Rauch Dr. The neighbors had concerns about what could be built on the land. Mr. Kaleta explained that a subdivision doesn't change the zoning of a property. Anything that could be built on the property would still have to follow the Code of the Village of Springville for its zoning district. Gernatt's indicated that they would like to keep this property as a continuation of a buffer between their business and the residential neighborhood in which it butts up to. The divided lots will still be within Village requirements.

Mr. Kaleta informed the Planning Board that DPW was notified and that the Village has not received any word from them and the time limit has run up. All other public notifications have been completed and this Public Hearing announcement was published in the Springville Journal.

At this time, Chairman Muhlbauer declared the SEQR a type II, requiring no further action and asked for a motion. Member Joe Emerling made the motion, seconded by Member Terry Skelton. All in favor, none opposed.

Next, Chairman Muhlbauer asked for a motion to approve application #8710. The vote went as follows:

Subdivision:

The vote went as follows:

- *Bob Muhlbauer* *aye*
- *Greg Keyser* *aye*
- *Joe Emerling* *aye*
- *Terry Skelton* *aye*
- *Ken Heidle* *aye*

Next on the agenda is another Public Hearing for application #8720, for site plan approval, applicant Bertrand Chaffee Hospital, 224 E. Main St., Springville, NY.

Ms. Annette Kaleta was on hand to answer any questions that the Planning Board may have. The hospital currently provides MRI services in a temporary trailer that is adjoined to the hospital via a breeze way in order to keep patients out of the weather. What they are hoping to do is to put up a permanent structure to house the MRI. The permanent addition would be located right where the temporary one is situated. The zoning is HCO and is zoned appropriate for a medical addition. The overall square feet would only be approximately 800 and thus well within the allowed code. There are no needed upgrades or changes to the utilities that are expected either. This application had to come before the Planning Board due to it being commercial in nature.

Erie County was notified and the Village has no recommendation from them regarding any concerns. All other public notifications have been completed and this Public Hearing announcement was published in the Springville Journal.

Next, Chairman Muhlbauer declared a negative declaration and determined that the SEQR was a type II, requiring no further action and asked for a motion. Member Greg Keyser made the motion, seconded by Member Ken Heidle. All in favor, none opposed.

Chairman Muhlbauer asked for a motion to approve application #8720. The vote went as follows:

Site Plan Approval:

The vote went as follows:

- *Bob Muhlbauer* *aye*
- *Greg Keyser* *aye*
- *Joe Emerling* *aye*
- *Terry Skelton* *aye*
- *Ken Heidle* *aye*

With there being no other public hearings on the agenda, Mr. Kaleta wanted to get a recommendation from the Planning Board regarding a variance that will be going before the Zoning Board of Appeals tomorrow night. The variance in question is for 210 W. Main St., Alowitz Companies LLC. The zoning district is B-1 and only permits, by Special Exception, residential over first floor nonresidential. The applicants request is for possibly two units on the first floor to the rear of nonresidential. The first floor at this address has always been a business and is zoned properly for that. What the applicants want is to add to the first floor a couple of new apartments like the upper floors. After much discussion regarding this building and its history, the Planning Board is not in favor of adding first floor apartments at this address. They feel that the first floor sets the character of the building and they feel that the apartments would be detrimental to the building. They even went on to give examples of this in other municipalities.

Lastly, Mr. Ray Juliano was present to ask the Planning Board for their thoughts on an idea he has. Mr. Juliano is looking to purchase property on Carolina St. and put his business up there. The property in question is at the end of the road and there are several acres available up there. Mr. Juliano owns an asphalt, paving and sealing business that would be housed at this location as well as approximately 15 pieces of equipment. After some more discussion about the location and the business the only thing that the Planning Board could tell Mr. Juliano was that they were not dead set against it but that they are going to need a lot more information before they could truly give a recommendation. They also advised him to consider the fact that the possibility of him having to pay for a road and or utility extensions to this property was there and very real.

Page 4

Planning Board Meeting

April 9, 2019

At this time, Mr. Kaleta also wanted to update the Planning Board regarding 303 Franklin St., Steven Drost and Justin Kraft. Mr. Kaleta stated that he has not received anything from the applicants regarding plans at this address despite indicating the need for plans several times. He stated that at this time he is going to send a letter of compliance and will go from there with necessary steps. The Planning Board agreed that the Village has been more than patient with these applicants.

With nothing else this evening, Chairman Muhlbauer asked for a motion to approve the minutes from the March 12, 2019 Planning Board meeting. Member Terry Skelton made the motion, seconded by Member Ken Heidle, all in favor none opposed.

At 8:00 pm Chairman Muhlbauer asked for a motion to adjourn the meeting. Member Terry Skelton made the motion, seconded by Member Joe Emerling. All in favor, none opposed.

Respectfully Submitted,

Kellie R. Grube