

VILLAGE OF SPRINGVILLE
MINUTES OF THE MEETING OF ZONING BOARD OF APPEALS

April 11, 2018

7:00 P.M.

A meeting of the Zoning Board of Appeals of the Village of Springville was held at the Municipal Building, 65 Franklin Street, Springville, New York at the above date and time.

Present were:

Chairman:	Joe Wolniewicz
Members:	Timothy O'Neal (absent) Kate Moody Jamie Raynor Marc Gentner
Also Present:	Mike Kaleta, CEO/Building Inspector Trustee Alan Chamberlin Keith Schoonover, Valient Market Research Dr. Timothy Siepel Virginia Siepel
Clerk:	Kellie Grube

Prior to the scheduled Public Hearing this evening, Mr. Keith Schoonover from Valient Market Research is on hand to do a brief presentation to the Zoning Board of Appeals. Valient Market Research was hired by the Village of Springville to complete a revitalization plan for the commercial and downtown districts. Mr. Schoonover will be conducting a round table discussion with the members of the Zoning Board of Appeals for their input into the plan. He came up to explain to the Board what they are planning on doing and what their intended end goal will be.

Mr. Schoonover stated that Springville is interested in creating a revitalization strategy that focuses on two areas in the Village, including the S. Cascade Drive (big box commercial area) and the downtown business districts. It is the hope that the outcome of this strategy will reinforce commercial activity, expand variety of goods and services and improve the overall economic viability of the commercial district.

Mr. Schoonover discussed a little more in depth the project objectives and scope for a Commercial Revitalization Plan. He also went on to explain their methodology. He said that in

order to gather the insights needed for this analysis, they needed in depth interviews, in person roundtable discussions, online quantitative survey and then secondary research. This evening he would like to encourage the roundtable discussion.

The Zoning Board of Appeal's input as well as Trustee Chamberlin's has been heard and will be considered. Also, as a bonus this evening one of the Applicant's for the Public Hearing was on hand and is a prominent Doctor in the Village of Springville. Mr. Schoonover and the Zoning Board of Appeals welcomed him in their discussion regarding health care in this area. Once Valient Market Research has completed their research they will provide all final research instruments including final surveys, discussion guides and biography of secondary research resources. This will be in addition to bound and digital copies of their report and in person presentations.

At this time the Board thanked Valient Market Research for their time and informed them that they look forward to seeing their report. The Public Hearing for the Zoning Board of Appeals will now continue as scheduled.

At 7:42 pm Chairman Wolniewicz opened the Public Hearing to hear the petition of Timothy and Virginia Siepel, 34 Barnstead Dr., Springville, New York, **File #8404** for an Area Variance.

Due to the applicant's property being located within a R-M Zoning District, the applicable section for File #8404 of the Village Code is § 200-33B.

The requirement for which Variance is requested: Chapter 200-3B Other than home occupation and home professional office, businesses lawfully operating in a residential district may be permitted to have a single building- mounted sign. Such signs shall not exceed 12 square feet in area and may only be illuminated indirectly.

§ 200-33B- Proposed sign is an ellipse 4' x 8'. Area is 25.12 sqft. Code allows 12 sqft. This sign is also not building mounted, however 200-3 allows free standing or building mounted for home businesses.

Chairman Wolniewicz asked the applicant's to come up and explain why they were seeking the sign variance. Mrs. Siepel stated that they have put in these nice apartments and no one can find them. Even though they are on the corner of W. Main St. and Barnstead Dr., delivery drivers still have a hard time finding the apartments she stated. She said that they worked with the company Sign Language and have come up with a tasteful design that would be placed on a panel, that blends with the apartment building, they have in place to disguise their utility meters that are attached to their building. The applicant's feel that the size is reasonable for visibility from W. Main St. and will announce their property tastefully.

Chairman Wolniewicz declared the SEQR for File #8404 a Type II requiring no further action; therefore a negative declaration was determined.

Notification for the Town of Concord and Erie County Planning was not required. All other public notifications were completed and this Public Hearing announcement was published in the Springville Journal.

Before the Zoning Board of Appeals started going over the Factors Considered for the Area Variance Findings and Decision sheet, CEO Mike Kaleta wanted to inform the Board the history of this lot. He said that the zoning was changed within the last couple of years from CIP to RM in order to allow multiple housing. The front portion along W. Main St. is still zoned CIP. Within the CIP zoning, the size of this sign request would have been allowed.

At this time the Zoning Board of Appeals went over the factors considered in their decision that will be based on what the applicant has presented:

FACTORS CONSIDERED:

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties: Yes ___ No x(4)
2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: Yes x(1) No x(3)
3. Whether the requested variance is substantial: Yes ___ No x(4)
4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes ___ No x(4)
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals but shall not necessarily preclude the granting of the area variance: Yes ___ No x(4)

DETERMINATION OF THE ZONING BOARD of APPEALS BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

The benefit to the applicant DOES outweigh the detriment to the neighborhood or community. With keeping in mind that the Variance is within the character of the neighborhood and doesn't impact the environment, the variance request is approved with no stipulations.

RECORD OF VOTE

MEMBER NAME	AYE	NAY	NO VOTE
JOE WOLNIEWICZ	<u> x </u>	<u> </u>	<u> </u>
TIMOTHY O'NEAL	<u> </u>	<u> </u>	<u> x </u>
KATE MOODY	<u> x </u>	<u> </u>	<u> </u>
JAMIE RAYNOR	<u> x </u>	<u> </u>	<u> </u>
MARC GENTNER	<u> x </u>	<u> </u>	<u> </u>

With there being no other Public Hearings this evening, Chairman Wolniewicz asked the Members if there were any changes or concerns with the January 10, 2018 minutes. With there being none, Chairman Wolniewicz asked for a motion to approve the minutes. Member Jamie Raynor made the motion, seconded by Member Marc Gentner. All in favor, none opposed.

At 8:00 p.m. Chairman Wolniewicz made a motion to adjourn the meeting. Member Jamie Raynor seconded the motion. All in favor, none opposed. Meeting adjourned.

Respectfully Submitted,

Kellie R. Grube