

VILLAGE OF SPRINGVILLE
ZONING BOARD MINUTES

December 22, 2014

7:00 P.M.

A meeting of the Zoning Board 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:

Chairwoman:	Sue Owen
Members:	Christine Greene Joe Wolniewicz Tim O'Neal (absent) Dave Guadagna
Also Present:	Mike Kaleta, CEO/Building Inspector Attorney Paul Weiss Trustee Alan Chamberlin Tim Black
Clerk:	Kellie Grube

Chairwoman Owen called the meeting to order at 7:02 p.m. for a continuation to hear the petition of Z & M Ag and Turf, 336 Vaughn St.(AKA Bus Barn), Springville, New York, **File #7281** for a request for a Use Variance for sales, service and outdoor storage. It is prohibited in a R8.5 zoning district where the property is located.

Applicable section for File #7281 of the Village Code is Section 200 Attachment 1.

At 7:02 pm Chairwoman Owen opened the Public Hearing.

Mr. Tim Black who was present on behalf of Z & M and CEO Mike Kaleta stated that both of them have been in contact with the Springville School District's attorney and Z & M's attorney. The attorneys' would like a SEQR review done and it was discussed that the ZBA would be the lead agency for review and Z & M would be responsible to supply the short EAF.

After much discussion, and clarification from Village attorney Paul Weiss, the ZBA will table this application to a future date. Once all public notice requirements are met and the short form SEQR has been sent to Erie County, the ZBA will reconvene in a minimum of the required 30 days. CEO Mike Kaleta is also waiting to speak to Mr. Mark Lee, who works in the Department of Environment and Planning with Erie County.

The Zoning Board, after some more discussion, decided to go over the factors considered when decision making to make sure that they have sufficient documentation to support the factors considered:

FACTORS CONSIDERED:

1. The Applicant cannot realize a reasonable return, as shown by competent financial evidence. The lack of return must be substantial: Yes ____ No x

2. The alleged hardship relating to the property is unique. (The hardship may not apply to a substantial portion of the zoning district or neighborhood) : Yes ____ No
3. The required use variance, if granted, will not alter the essential character of the neighborhood:
Yes ____ No
4. The alleged hardship has been self –created: Yes ____ No

At this time, Chairwoman Sue Owen made the motion to table Application #7281 to a future date to be determined, seconded by Dave Guadagna, all in favor, none opposed.

Lastly, Chairwoman Sue Owen made a motion to approve the minutes from the December 17, 2014 meeting. All in favor, none opposed.

At 8:27p.m. Chairwoman Owen made a motion to adjourn the meeting.

Respectfully Submitted,

Kellie R. Grube