

Village of Springville  
5 West Main Street  
Springville, N.Y. 14141-0017

July 11, 2022

7:00 P.M.

BY MOTION OF:

NOTES

- 
1. CALL TO ORDER
  2. PLEDGE OF ALLEGIANCE
  3. MINUTES FROM MEETINGS  
Regular Meeting Minutes of June 20, 2022 A.1
  4. PUBLIC HEARING  
LL 3 of 2022 – Zoning Map Changes A.2
  5. PUBLIC COMMENT
  6. DEPARTMENT REPORTS
    - A. ADMINISTRATOR A.3
    - B. SUPERINTENDENT'S REPORT A.4
    - C. POLICE A.5
    - D. FIRE DEPARTMENT
    - E. BUILDING INSPECTOR/CEO
    - F. CONTROL CENTER A.6
  7. NEW BUSINESS  
EL Scott LLC Request A.7
  8. OLD BUSINESS
  9. BILLS
  10. PERMITS AND APPLICATIONS
  11. VILLAGE ATTORNEY REPORT
  12. TRUSTEE NOTES & PROJECT REPORT
  13. EXECUTIVE SESSION
  14. ADJOURN

**DRAFT**

ATTACHMENT NO. A 1

VILLAGE OF SPRINGVILLE  
2022 MINUTES

AGENDA DATE 7/11/22

June 20, 2022

7:00 P. M.

The Regular Meeting of the Trustees 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:

Mayor	Timothy Michaels
Trustees	Reed Braman Lindsay Buncy Mary Padasak
Village Administrator	Liz Melock
Superintendent of Public Works	Duane Boberg
Village Attorney	Paul Weiss
Officer in Charge	Nicholas Budney
Deputy Clerk	Holly Murtiff
Also Attending	Max Borsuk, Springville Journal
Absent Marc Gentner, Fire Chief	Terry Skelton, Trustee Mike Kaleta, BI/CEO

Mayor Michaels called the meeting to order at 7:00 PM.

1. Minutes Minutes of the Regular Meeting of June 6, 2022 were approved as written by Trustee Braman, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Braman, Padasak and Buncy voting yes, none opposed.

**PUBLIC COMMENT**

There was no public comment this evening.

**DEPARTMENT REPORTS**

**ADMINISTRATOR REPORT**

2. Budget Modifications Motion was made by Trustee Braman, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Braman, Buncy, Padasak and Skelton voting yes, none opposed to approving the attached 2021/2022 Budget adjustments. **062022A.1**
3. Correcting Petitions After explanation by Administrator Melock, motion was made by Trustee Braman, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Braman, Padasak and Buncy approving the attached correcting petition necessary to correct errors on two tax bills regarding a water/sewer relevy. **062022 A.2**
4. Rescind NY Main Grant Resolution After explanation by Administrator Melock, motion was made by Trustee Braman, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Braman, Padasak voting yes, none opposed, Trustee Buncy abstaining to rescinding the NY Main Street Grant for 2022, shown below, that was adopted on May 2, 2022.

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Resolution by the Village of Springville Board of Trustees approving and endorsing Village of Springville in its application to NYS Homes and Community Renewal for funding under the New York Main Street Program.

**WHEREAS**, the Village of Springville desires to apply for \$500,000 in financial assistance through the 2022 Consolidated Funding Application (CFA) under the New York Main Street Program; and

**WHEREAS**, the application proposes funding to assist property owners to complete building renovations to downtown “main street” buildings on the Target Area of East & West Main Street between Waverly & Franklin, Mechanic, South Buffalo & Franklin Streets; and

**WHEREAS**, the proposed funding will contribute to ongoing community revitalization efforts; and

**WHEREAS**, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Springville Board of Trustees of the Village of Springville approves and endorses the 2022 New York Main Street Program for assistance prepared and to be submitted by Village of Springville.

5. Approve  
NY Main  
Grant  
Resolution

Motion was made by Trustee Padasak, seconded by Mayor Michaels; carried, Trustees Padasak, Braman and Mayor Michaels voting yes, none opposed, Trustee Buncy abstaining to approving the NY Main Street Grant for 2022 resolution, shown below.

Resolution by the Village of Springville Board of Trustees approving and endorsing Village of Springville in its application to NYS Homes and Community Renewal for funding under the New York Main Street Program.

**WHEREAS**, the Village of Springville desires to apply for \$500,000 in financial assistance through the 2022 Consolidated Funding Application (CFA) under the New York Main Street Program; and

**WHEREAS**, the application proposes funding to assist property owners to complete building renovations to downtown “main street” buildings on the Target Area of East & West Main Street between Waverly & Franklin, Mechanic, South Buffalo & Franklin Streets; and

**WHEREAS**, the proposed funding will contribute to ongoing community revitalization efforts; and

**WHEREAS**, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

**WHEREAS**, the Village Mayor and Administrator to sign any and all documents pertaining to the 2022 NY Main St Program Grant; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Springville Board of Trustees of the Village of Springville approves and endorses the 2022 New York Main Street Program for assistance prepared and to be submitted by Village of Springville.

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6. LL 2022-3 Intro Public Hearing Motion was made by Trustee Padasak, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Padasak, Buncy and Braman voting yes, none opposed to advertise for public hearing on July 11<sup>th</sup> at 7:01 pm for LL3 of 2022 for Zoning Map changes to R8.5 district on W. Main by adding Retail Overlay and in the Office Overlay area of W. Main add Retail Overlay. **062022 A.3**
7. LL 2022-3 Lead Agency Motion was made by Trustee Braman, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Braman, Padasak and Buncy voting yes, none opposed to appoint the Village Board as lead agency for LL3 of 2022 for Zoning Map rezone changes.
8. LL 2022-3 SEQR Motion was made by Trustee Braman, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Braman, Padasak and Buncy voting yes, none opposed to accept the SEQR for LL 3 of 2022 for the zoning map rezone changes. **062022 A.4**
9. LL 2022-3 Neg Dec Motion was made by Trustee Braman, seconded by Trustee Padasak; carried, Mayor Michaels, Trustees Braman, Padasak and Buncy voting yes, none opposed to approve the Negative Declaration for LL 3 of 2022 for zoning map rezone changes.

Administrator Melock discussed the following items with the Board;

- Village taxes are due July 1<sup>st</sup> without penalty. Office closes at 4pm. Make sure you have a US postmark of July 1<sup>st</sup> if your payment is not brought into the office by 4pm on July 1<sup>st</sup>.
- Thursday Concerts at Heritage Park start July 7<sup>th</sup>. Concerts are funded by the Village of Springville & Town of Concord and begin at 7 pm. Seth from the Springville Center for the Arts did not want to participate in cover band concerts therefore, the Village Admin & Town Supervisor set up this year's concerts.
- Fireworks and Concert at Town Park on Sunday July 3<sup>rd</sup>. Midnight Recovery Band starts at 7 pm. Event is funded by the Town of Concord & Village of Springville.
- Village annual audit is the week of July 11<sup>th</sup>.

## **SUPERINTENDENT REPORT**

10. Summer Hire Motion was made by Trustee Braman, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Braman, Buncy and Padasak voting yes, none opposed to hiring Miranda Rickert for summer employment working with the Streets Dept. starting on June 21<sup>st</sup> at the rate of \$15.00 hr.
11. Horizontal Grinder Bid Ad Motion was made by Trustee Braman, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Braman, Buncy and Padasak voting yes, none opposed to sending out and advertising for horizontal grinder bids.

Superintendent Boberg discussed the following;

- We had no truck bids from the 5 that were sent out. A mini-bid was put out through the State OGS site and we'll see where that goes.
- The sidewalk and shelter pad, for Eaton Park, were poured last week. Fencing post are also being prepped for install. Our Electric Dept will be installing the lights as soon as the fence post as installed (next Monday).
- The Streets Dept are were out patching the Village streets last week.
- Reminder that we pick up brush on the 2<sup>nd</sup> & 4<sup>th</sup> weeks of the month. Please have things out by Monday of those weeks.

## **POLICE DEPARTMENT**

Officer Budney had no report this evening.

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## **FIRE DEPARTMENT**

There was no Fire report this evening.

## **BUILDING INSPECTOR/CEO**

There was no BI/CEO report this evening.

## **CONTROL CENTER**

There was no Control Center report this evening.

## **NEW BUSINESS**

While there was no new business to discuss this evening Mayor Michaels did mention that he presented Recognition of Service Proclamations to the following Springville Volunteer Fire Department members.

Tom Salzler - 50 years of service  
David Dains - 43 years of service

## **OLD BUSINESS**

There was no Old Business to discuss this evening.

## **BILLS**

Bills, as examined by members of the Board of Trustees were approved for payment in accordance with Abstracts #346 – 352 of 2021/2022 total of \$305.00 and 10 – 26 of 2022/2023 total of \$1,021,617.39 for the General, Water/Sewer, Electric, Trust and Agency Funds by motion of Trustee Skelton, seconded by Trustee Braman; carried, Mayor Michaels, Trustees Skelton, Braman, Padasak and Buncy voting yes, none opposed.

## **PERMITS AND APPLICATIONS**

Motion was made by Trustee Braman, seconded by Trustee Buncy; carried, Mayor Michaels, Trustees Braman, Buncy and Padasak voting yes, none opposed to accepting the permits and applications attached.

PROJECT: 0000009906 - FENCES  
PROPERTY: 90 MILL ST  
ISSUED DATE: 6/01/2022  
ISSUED TO: O'NEIL, KODI  
90 MILL ST  
SPRINGVILLE, NY 14141

TYPE: FENCES

PROJECT: 0000009907 - RESIDENTIAL ALTERATION  
PROPERTY: 96 S CENTRAL AVE  
ISSUED DATE: 6/01/2022  
ISSUED TO: KESTER, BRYAN L  
96 S. CENTRAL AVE.  
SPRINGVILLE, NY 14141

TYPE: RESIDENTIAL  
ALTERATION

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PROJECT: 0000009908 - UTILITY CHANGES-WATER  
PROPERTY: 72 EATON ST  
ISSUED DATE: 6/02/2022  
ISSUED TO: GARCIA, MICHAEL&TIFFANY  
72 EATON ST  
SPRINGVILLE, NY 14141

TYPE: UTILITY  
CHANGES

PROJECT: 0000009909 - UTILITY CHANGES-PLUMBING  
PROPERTY: NASON BLVD PARK  
ISSUED DATE: 6/02/2022  
ISSUED TO: SPRINGVILLE VOLUNTER FIRE CO  
P.O. BOX 12  
SPRINGVILLE, NY 14141

TYPE: UTILITY  
CHANGES

PROJECT: 0000009910 - SIGNS  
PROPERTY: 60 COLONIAL DR  
ISSUED DATE: 6/02/2022  
ISSUED TO: ART PARTS SIGNS  
100 LINCOLN PARKWAY  
E ROCHESTER, NY 14445

TYPE: SIGNS

PROJECT: 0000009911 - VIOLATION-GRASS  
PROPERTY: 31 ACADEMY ST  
ISSUED DATE: 6/03/2022  
ISSUED TO: SEIDER, JOSHUA  
101 BUSH ST., APT #1  
BUFFALO, NY 14207-2991

TYPE: VIOLATION

PROJECT: 0000009912 - VIOLATION  
PROPERTY: 303 FRANKLIN ST LAB  
ISSUED DATE: 6/03/2022  
ISSUED TO: KRAFT, JUSTIN  
71 MILL ST  
SPRINGVILLE, NY 14141

TYPE: VIOLATION

PROJECT: 0000009912 - VIOLATION  
PROPERTY: 303 FRANKLIN ST LAB  
ISSUED DATE: 6/03/2022  
ISSUED TO: KRAFT, JUSTIN  
71 MILL ST  
SPRINGVILLE, NY 14141

TYPE: VIOLATION

PROJECT: 0000009913 - VIOLATION-GARBAGE AT CURB  
PROPERTY: 70 SMITH ST  
ISSUED DATE: 6/03/2022  
ISSUED TO: MCILREATH, ROBERT J  
70 SMITH ST  
SPRINGVILLE, NY 14141

TYPE: VIOLATION

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PROJECT: 0000009914 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 119 N CENTRAL AVE LWR  
ISSUED DATE: 6/03/2022  
ISSUED TO: HERC PROPERTIES, LLC  
7659 ABBOTT HILL ROAD  
BOSTON, NY 14025

PROJECT: 0000009915 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 119 E MAIN ST  
ISSUED DATE: 6/03/2022  
ISSUED TO: FISHER SPRINGVILLE MAIN, LLC  
8614 ROUTE 353  
GOWANDA, NY 14070

PROJECT: 0000009916 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 262 WAVERLY ST  
ISSUED DATE: 6/03/2022  
ISSUED TO: BETTINGER, TIMOTHY E  
262 WAVERLY ST.  
SPRINGVILLE, NY 14141

PROJECT: 0000009917 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 54 ALBRO AVE  
ISSUED DATE: 6/03/2022  
ISSUED TO: SMITH, WAYNE JR  
54 ALBRO AVE  
SPRINGVILLE, NY 14141

PROJECT: 0000009918 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 155 WOODWARD AVE  
ISSUED DATE: 6/03/2022  
ISSUED TO: 155 WOODWARD AVE LLC  
733 DELAWARE ROAD #202  
BUFFALO, NY 14223

PROJECT: 0000009919 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 20 GLEN ST  
ISSUED DATE: 6/03/2022  
ISSUED TO: RUNG, ROBERT R  
20 GLEN ST  
SPRINGVILLE, NY 14141

PROJECT: 0000009920 - VIOLATION-GRASS TYPE: VIOLATION  
PROPERTY: 323 W MAIN ST  
ISSUED DATE: 6/03/2022  
ISSUED TO: KINGSWELL, TARA  
323 W MAIN ST  
SPRINGVILLE, NY 14141

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PROJECT: 0000009921 - EVENT-BOOTLEG SOIREE PROPERTY: 67 E MAIN ST ISSUED DATE: 6/03/2022 ISSUED TO: SPRINGVILLE CENTER FOR THE ART P.O. BOX 62 SPRINGVILLE, NY 14141	TYPE: EVENT
PROJECT: 0000009922 - LICENSES TRANSIENT SALES PROPERTY: 34 S CASCADE DR ISSUED DATE: 6/06/2022 ISSUED TO: KEYSTONE NOVELTIES 3 PILGRIM CIRCLE FAIRPORT, NY 14450	TYPE: LICENSES
PROJECT: 0000009923 - FENCES PROPERTY: 95 NORTH ST ISSUED DATE: 6/06/2022 ISSUED TO: WOZNIAK, LEON 1141 TRANSIT ROAD ORCHARD PARK, NY 14127	TYPE: FENCES
PROJECT: 0000009924 - VIOLATION-GRASS PROPERTY: 297 W MAIN ST ISSUED DATE: 6/07/2022 ISSUED TO: GERNOLD, ANDREW 361 DELAWRE AVE BUFFALO, NY 14202	TYPE: VIOLATION
PROJECT: 0000009925 - SIGNS-FIDDLE FEST BANNER PROPERTY: 17 FRANKLIN ST ISSUED DATE: 6/10/2022 ISSUED TO: CONCORD HISTORICAL SOCIETY 9060 MAYO ROAD SPRINGVILLE, NY 14141	TYPE: SIGNS
PROJECT: 0000009926 - VIOLATION-TIRES AT CURB PROPERTY: 86 ELM ST ISSUED DATE: 6/10/2022 ISSUED TO: KNERR, ALBERT 86 ELM ST SPRINGVILLE, NY 14141	TYPE: VIOLATION
PROJECT: 0000009927 - VIOLATION-TRASH (TIRES AT ROAD) PROPERTY: 78 ELM ST ISSUED DATE: 6/10/2022 ISSUED TO: PELLETTE, MARY & THOMAS 78 ELM ST SPRINGVILLE, NY 14141	TYPE: VIOLATION



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PROJECT: 0000009928 - VIOLATION-POOL COVER      TYPE: VIOLATION  
PROPERTY:    100 S CENTRAL AVE  
ISSUED DATE: 6/10/2022  
ISSUED TO: LUMB, STEVEN & MERISSA  
100 S CENTRAL AVE  
SPRINGVILLE, NY 14141

PROJECT: 0000009929 - VIOLATION-TIRES AT CURB      TYPE: VIOLATION  
PROPERTY:    107 CHURCH ST  
ISSUED DATE: 6/10/2022  
ISSUED TO: FUENTES, INES  
107 CHURCH ST  
SPRINGVILLE, NY 14141

PROJECT: 0000009930 - VIOLATION-TRASH      TYPE: VIOLATION  
PROPERTY:    92 CHURCH ST FRONT  
ISSUED DATE: 6/10/2022  
ISSUED TO: HART, COLIN  
96 E MAIN ST  
FREDONIA, NY 14063

PROJECT: 0000009931 - SWIMMING POOLS      TYPE: SWIMMING POOLS  
PROPERTY:    38 MAPLE AVE  
ISSUED DATE: 6/10/2022  
ISSUED TO: MORRIS, JAMIE  
38 MAPLE AVE  
SPRINGVILLE, NY 14141

PROJECT: 0000009932 - FENCES      TYPE: FENCES  
PROPERTY:    22 CHURCH ST  
ISSUED DATE: 6/13/2022  
ISSUED TO: MAYBRAY, JEFFREY & TRACY  
22 CHURCH ST.  
SPRINGVILLE, NY 14141

PROJECT: 0000009933 - DECKS      TYPE: DECKS  
PROPERTY:    74 FOREST AVE  
ISSUED DATE: 6/13/2022  
ISSUED TO: MCCARTHY, CONSTANCE  
74 FOREST AVE  
SPRINGVILLE, NY 14141

PROJECT: 0000009934 - GARAGE SALE      TYPE: GARAGE SALES  
PROPERTY:    174 NEWMAN ST  
ISSUED DATE: 6/14/2022  
ISSUED TO: SCHRADER, CORA  
174 NEWMAN ST  
SPRINGVILLE, NY 14141

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PROJECT: 0000009935 - SWIMMING POOLS  
PROPERTY: 35 CHURCH ST  
ISSUED DATE: 6/15/2022  
ISSUED TO: WARNES, ROSS  
35 CHURCH ST  
SPRINGVILLE, NY 14141

TYPE: SWIMMING POOLS

**VILLAGE ATTORNEY REPORT**

Attorney Paul Weiss had nothing to report this evening.

**TRUSTEE NOTES & PROJECT REPORTS**

Trustee Buncy had no report

Trustee Padasak had no report.

Trustee Braman had no report.

Mayor Michaels had no report.

12. Adjourn

Motion was made by Trustee Braman, seconded by Mayor Michaels; carried, Mayor Michaels, Trustees Braman, Buncy and Padasak voting yes, none opposed to adjourn the Regular Session at 7:20 pm.

Respectfully submitted,

Holly Murtiff  
Deputy Clerk

ATTACHMENT NO. A2  
AGENDA DATE 7/11/22

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**VILLAGE OF SPRINGVILLE**

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5 WEST MAIN STREET, PO BOX 17  
SPRINGVILLE, NY 14141  
Michael Kaleta, Code Enforcement Officer  
(716) 592-4936 x 1525  
Cell (716) 560-5773  
mkaleta@villageofspringvilleny.com

June 13, 2022

Dear Mayor and Board of Trustees,

Lately I have received inquiries regarding properties on W Main St to use them as more than single family homes. Currently there are several buildings that are still in the R8.5 district that have either been granted variances or have been that use prior to zoning.

Here is what my initial thoughts are. Keeping the R8.5 district but using the Retail Overlay in sections to fill in the area between the Village Business Districts and the Commercial Industrial Park Districts.

Also, I think the area that is currently an Office Overlay might be better if it too was in the Retail Overly.

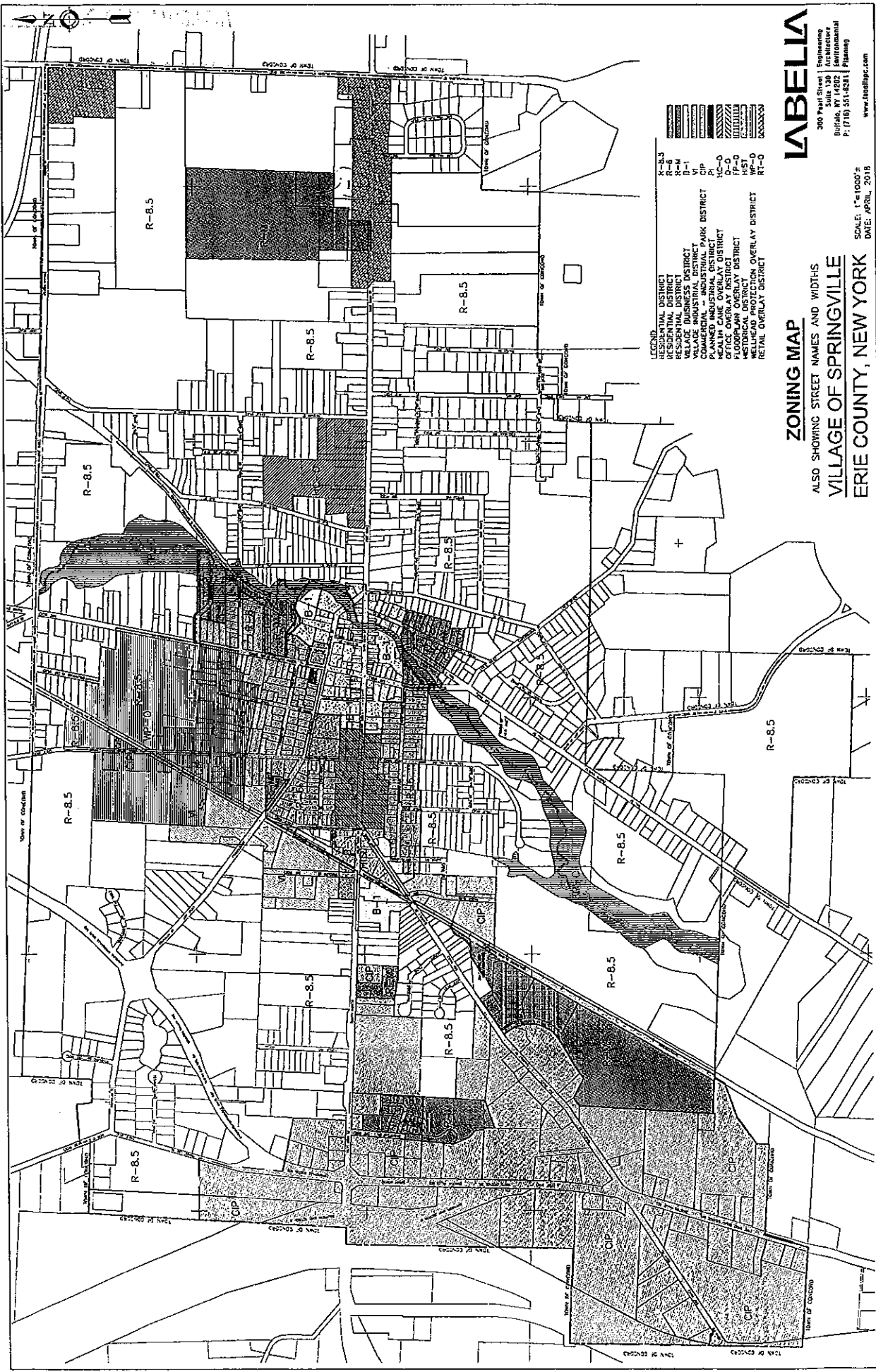
With your permission I would like the Planning Board to review and make recommendations to the Village Board. The Planning Board meets June 28<sup>th</sup>. Maybe a Public Hearing could be set for July 11<sup>th</sup> meeting.

I currently have one application to try to gain a use variance. With the requirements needed for the ZBA to grant a variance I don't think it will be approved. This building is already not a single-family house and has been used as a beauty salon and currently a barber shop, The building owners now would like to add another use to the building. This could all be accomplished by Special Exception Use through the Planning Board.

Please see the attached documents.

Sincerely,

Michael Kaleta  
Code Enforcement Officer

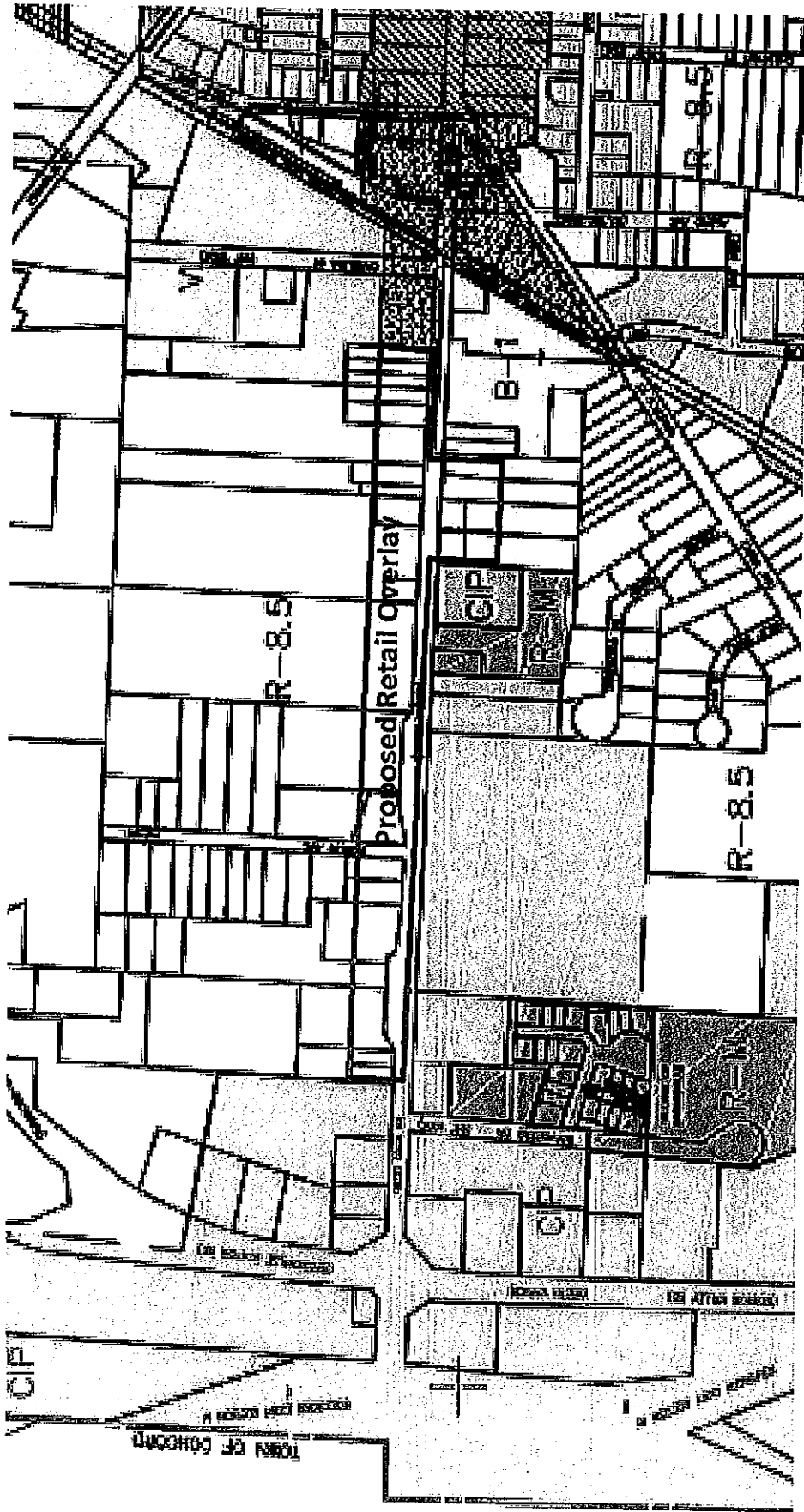


- LEGEND**
- RESIDENTIAL DISTRICT
  - RESIDENTIAL DISTRICT
  - RESIDENTIAL DISTRICT
  - VILLAGE BUSINESS DISTRICT
  - VILLAGE INDUSTRIAL DISTRICT
  - PLANNED INDUSTRIAL DISTRICT
  - HEALTH CARE OVERLAY DISTRICT
  - PLANNED INDUSTRIAL DISTRICT
  - FLOODPLAIN OVERLAY DISTRICT
  - HISTORICAL DISTRICT
  - WELLHEAD PROTECTION OVERLAY DISTRICT
  - RETAIL OVERLAY DISTRICT
- R-8.5
  - R-8.5
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  - B-1
  - CIP
  - PI
  - HC-O
  - HC-O
  - FP-O
  - HST
  - WP-O
  - RT-O

**LABELIA**  
 300 Park Street | Engineering  
 Buffalo, NY 14202 | Environmental  
 P: (716) 551-6241 | Planning  
 www.labelia.com

**ZONING MAP**  
 ALSO SHOWING STREET NAMES AND WIDTHS  
**VILLAGE OF SPRINGVILLE**  
**ERIE COUNTY, NEW YORK**

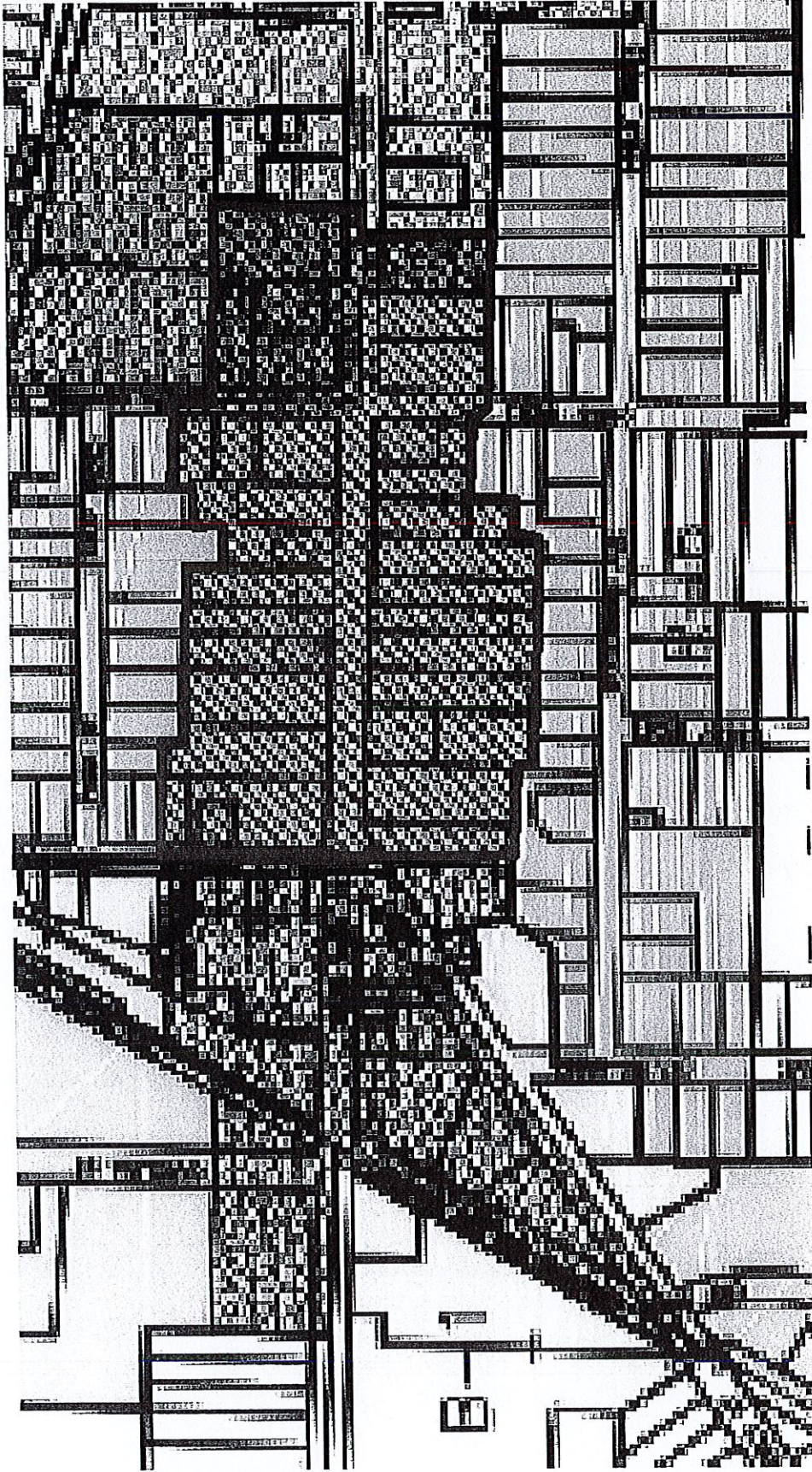
SCALE: 1" = 1000'  
 DATE: APRIL, 2018



Proposed Retail Overlay.

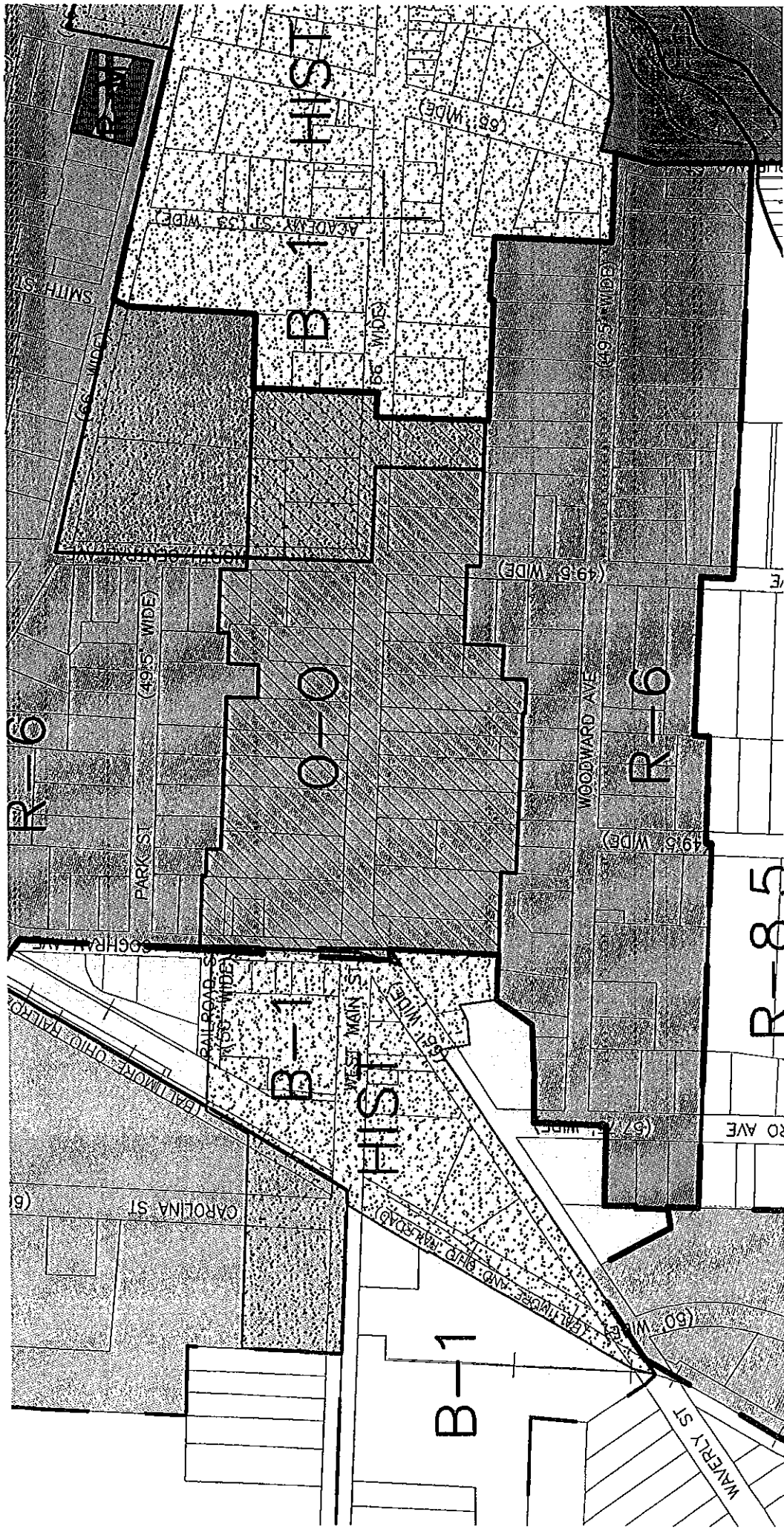
This is approximately 200' deep from W Main. We can go further or even include the entire parcels. At E Main and Vaughn we did 200'.





The area outlined in red is currently in an Office Overlay District. Would it make sense to also change this area to be in the Retail Overlay District?





B-1HIST

B-1

O-O

R-6

R-85

B-1

R-6

(6)

3089 RAIL AVE

BALTIMORE-CHICAGO RAILROAD

CAROLINA ST

3089 RAIL AVE

RAILROAD ST

W 58' WIDE

WEST MAIN ST

68' WIDE

W 58' WIDE

W 58' WIDE

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## Chapter 200. Zoning

### Article V. Overlay Districts; Other Districts

#### § 200-8.1. R-O Retail Overlay District.

[Added 7-20-2009 by L.L. No. 1-2009]

##### A. Purpose.

- (1) The R-O Retail Overlay District is intended to protect and enhance residential neighborhoods characterized by location along major thoroughfares or proximity to commercial, cultural and employment centers by permitting mixed residential and retail/business uses. The traffic and activity of such areas lessen their desirability for family living, while their accessibility and exposure provide an environment suitable for certain professional and business uses which can exist in close proximity to dwellings without adversely affecting the residential environment. The preservation and rehabilitation of sound structures is encouraged by increasing potential land use options. Nonresidential uses shall maintain the same scale as residential uses to preserve the existing neighborhood character.
- (2) The R-O District may be overlaid upon any part of any residential district established pursuant to this chapter which is found to be appropriate for such treatment, pursuant to an application for the amendment of the Zoning Map filed in accordance with Article **XIV** of this chapter.

B. Overlay District. The R-O Retail Overlay District shall not be independently mapped upon the Zoning Map but shall be mapped, pursuant to the procedures for amending the Zoning Map by Article **XIV** of this chapter, only in conjunction with an underlying residential district. When so mapped, the R-O District shall provide optional regulations in addition to those applicable in the underlying district; provided, however, that any lot may continue to be used in accordance with the regulations applicable in the underlying district in the same manner as though the R-O District did not exist.

C. Permitted uses. Conversion of a lawfully existing building or erection of a new structure for the following uses may be permitted in the R-O District as special exception uses, subject to authorization by the Planning Board pursuant to Article **X** of this chapter:

- (1) Dwelling units within nonresidential buildings, provided that the total number of dwellings units shall not exceed that which is permitted by the applicable underlying district.  
[Amended 2-6-2017 by L.L. No. 2-2017]

(2) Auditorium, meeting hall.

(3) Automobile laundry.

(4) Bank.

(5) Bed-and-breakfast.

(6) Funeral home.

(7) Greenhouse, plant nursery.



- (8) Office: business, professional or utility.
- (9) Personal service establishment, barbershop, beauty parlor.
- (10) Professional studio, travel agency or similar shop.
- (11) Repair shop for household, business or personal appliances.
- (12) Restaurant.
- (13) Retail store.
- (14) Shop for custom work and for making articles to be sold at retail on premises.
- (15) Veterinary office, clinic, or hospital.
- (16) Wholesale business.
- (17) Accessory uses and structures are permitted in the R-O District, subject to the provisions of Article VI of this chapter.
- (18) Agricultural retail or wholesale business with outdoor storage.  
[Added 3-19-2018 by L.L. No. 2-2018]

D. Bulk, space and yard requirements. The building height, lot area, open spaces and yard dimension requirements applicable in the R-O District shall be the same as those applicable in the underlying district or as specified in Article X of this chapter for certain uses, except:

- (1) Minimum lot frontage of 100 feet, unless a larger frontage is required by Article X of this chapter. Exception: agricultural retail and wholesale business, minimum 200 feet frontage.

[Amended 3-19-2018 by L.L. No. 2-2018<sup>[1]</sup>]

[1] *Editor's Note: This ordinance also repealed former Subsection D(2), regarding depth of lots for nonresidential uses, and redesignated Subsection D(3) as Subsection D(2).*

- (2) Maximum lot coverage by principal and accessory buildings shall be 50%.

E. Parking requirements. Off-street parking and loading requirements applicable in the R-O District are set forth in Article VII of this chapter. Off-street parking for nonresidential uses shall be located in rear or side yards only for residential buildings being converted to other uses. For newly constructed buildings for nonresidential uses, parking requirements shall be determined by the Planning Board during site plan review.

F. Signs. Sign regulations applicable in the R-O District are set forth in Article VIII of this chapter for R-8.5 uses. In addition, for the allowable nonresidential as may be approved by the Planning Board:

- (1) A single freestanding sign shall not exceed 32 square feet with no one dimension larger than eight feet.
- (2) Signs shall be located midway of property frontage or building as determined by the Planning Board.
- (3) Set back a minimum of 10 feet from the nearest right-of-way line of the street.
- (4) Maximum of eight feet in height to top of sign as determined by the grade of the street at the sign location.
- (5) May only be externally illuminated.
- (6) The total square footage of all signs shall not exceed two square feet for each linear foot of building frontage.
- (7) Existing signs may remain, be repaired or replaced in kind.

- G. Adequate buffer yards and screening shall be provided for outdoor storage areas and where necessary to protect adjacent properties and land uses as determined by the Planning Board.  
[Amended 3-19-2018 by L.L. No. 2-2018]
- H. Use limitations. The following additional limitations and conditions shall apply to all uses for the R-O District.
- (1) Existing buildings when converted must meet the New York State Building Codes.
  - (2) No nonresidential use may be established by the conversion of any structure or premises originally designed for residential use unless the existing residential character of the building is retained.
  - (3) No outdoor storage permitted, except for an approved agricultural retail or wholesale business.  
[Amended 3-19-2018 by L.L. No. 2-2018]
  - (4) The placing of more than one item for sale or display in a front yard is prohibited, except for an approved agricultural retail or wholesale business or as allowed by the underlying district.  
[Amended 3-19-2018 by L.L. No. 2-2018]
  - (5) Nonresidential uses shall be set back from every lot line to any lot devoted to a residential use by at least 20 feet or separated by a natural or artificial screen determined by the Planning Board to be sufficient to ensure visual and auditory privacy on the residential lot.
  - (6) No exterior lighting shall be erected, operated or maintained in such a manner as to create an annoyance to neighboring property owners or so as to create a hazard to traffic circulation.
  - (7) (Reserved)<sup>[2]</sup>  
<sup>[2]</sup> *Editor's Note: Former Subsection H(7), which limited the gross floor area of new nonresidential buildings, was repealed 3-19-2018 by L.L. No. 2-2018.*
  - (8) Nonresidential uses shall limit their hours of operation from 8:00 a.m. to 9:00 p.m. on weekdays and Saturdays and from 9:00 a.m. to 6:00 p.m. on Sundays and holidays unless otherwise authorized by the Planning Board through the special exception process.

# Short Environmental Assessment Form

## Part I - Project Information

### Instructions for Completing

**Part I – Project Information.** The applicant or project sponsor is responsible for the completion of Part I. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part I. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part I – Project and Sponsor Information</b>			
Name of Action or Project: Change of Zoning on W Main St			
Project Location (describe, and attach a location map): W Main St between the CIP and B1 Districts			
Brief Description of Proposed Action: Add the existing Retail Overlay District to include properties on W Main St. See Documents Attached			
Name of Applicant or Sponsor: Village of Springville		Telephone: 716-592-4936	
Address: 5 W Main St, PO Box 17		E-Mail: mkaleta@villageofspringvilleny.com	
City/PO: Springville		State: NY	Zip Code: 14141
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	



Project: W Main St Rezoning

Date: July 11, 2022

***Short Environmental Assessment Form  
Part 2 - Impact Assessment***

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: **W Main St Rezoning**

Date: **July 11, 2022**

### *Short Environmental Assessment Form Part 3 Determination of Significance*

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The properties in these areas already have multiple buildings that are not just single family homes and would increase the ability to use them more consistently with the uses in the area without destroying the existing character of the buildings.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Village Board of Trustees	July 11, 2022
Name of Lead Agency	Date
Timothy Michaels	Mayor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Michael Kaleta, Code Enforcement Officer
	Signature of Preparer (if different from Responsible Officer)

**PRINT FORM**

## Administrator's Report

July 11, 2022

## Resolutions:

1. Adopt/Table LL 3 of 2022 – Zoning Map changes to R8.5 district on W. Main by adding Retail Overlay and in the Office Overlay area of W. Main add Retail Overlay.
2. Appoint Diane Andrews as Clerk PT assigned to the court at a rate of \$17 per hour effective July 13, 2022.
3. Authorize Colin Austin as a member of the Springville Volunteer Fire Department.
4. Authorize the Mayor & Administrator to negotiate & sign any documents on behalf of the Village for the purchase of the property at 227 W. Main St (Train Depot) to be used by the Village for the Village Hall Offices.
5. Authorize Mayor & Administrator to sign LOSAP papers to start a new annuity with Athene for the LOSAP investments at a higher interest rate.

## Discussion Items:

1. Village taxes were due July 1<sup>st</sup> without penalty.
2. Thursday Concerts at Heritage Park started July 7<sup>th</sup>. Concerts are funded by the Village of Springville & Town of Concord and begin at 7 pm. Springville Jazz Orchestra performs July 7<sup>th</sup> at 7 pm. The Boys of Summer on July 14<sup>th</sup>.
3. Fireworks and Concert at Town Park on Sunday July 3<sup>rd</sup> had a large crowd listening to Midnight Recovery Band and staying for fireworks.
4. Village annual audit is the week of July 11<sup>th</sup>.



VILLAGE OF SPRINGVILLE  
**DEPARTMENT OF PUBLIC WORKS**  
*Duane Boberg*  
*Superintendent of Public Works*  
**Superintendent Report for July 11, 2022**

ATTACHMENT NO. A4

AGENDA DATE 7/11/22

Started milling work on Newman St and S. Central from Glen to the circle today should be done on the 12th. Paving will start sometime at the end of July.

Our truck from last year is finally at the body shop to install the dump body and plow.

I got one bid off the state mini bid and got a truck for the electric dept. Their truck will be bought by the Fire Dept..

LT. NICHOLAS K. BUDNEY  
OFFICER IN CHARGE



ATTACHMENT NO. A5

AGENDA DATE 7/11/22

## SPRINGVILLE POLICE DEPARTMENT

July 11, 2022

June 2022 SPD Report – 219 calls handled, 1918 miles patrolled, 46 patrol/4 court shifts, which resulted in 121 summonses and 18 parking tickets for the month.

ECSO handled 430 calls during the month of June.

**PATROL OFFICE**  
65 FRANKLIN STREET  
PO BOX 17  
SPRINGVILLE, NEW YORK 14141

[nbudney@villageofspringvilleny.com](mailto:nbudney@villageofspringvilleny.com)

**ADMINISTRATIVE OFFICE**  
5 WEST MAIN STREET  
PO BOX 17  
SPRINGVILLE, NEW YORK 14141  
(716) 592-4936 FAX (716) 592-7088

ATTACHMENT NO. A6  
AGENDA DATE 7/11/22



**SPRINGVILLE FIRE CONTROL REPORT**  
**JUNE 2022**

1. PERSONAL

- A. 1-PERM SHIFT OPEN, MIDNIGHT TO 8:00AM.
- B. MARC GENTNER IN TRAINING AS OF 6/10/22

2. EQUIPMENT

- A. ALL EQUIPMENT OPERATIONAL

3. MONTHLY CALL VOLUME REPORT

- A. MONTHLY CALL VOLUME REPORT SUBMITTED

4. CHIEF'S COUNCIL MEETING

- A. NEXT CHIEF'S COUNCIL MEETING IS JULY 19, 2022 AT EAST CONCORR FIRE HALL.

ALL VOLUME MONTH OF JUNE 2022

SPRINGVILLE-	45-EMS
	3-FIRES
	4-MVA
	0-ASST
	4-OTHER

TOTAL 56 CALLS

EAST CONCORD-

4- EMS  
2- FIRES  
3- MVA  
0-ASST  
3-OTHER

TOTAL 12 CALLS

MORTONS CORNERS-

10- EMS  
0- FIRES  
2- MVA  
0-ASST  
0- OTHER

TOTAL 12 CALLS

MERCY EMS-

139-EMS  
1-FIRES  
8-MVA  
0-ASST  
5-OTHER  
52-TRANSFERS  
3-DROPPED CALLS

TOTAL 208 CALLS

**TOTAL OF 288 CALLS UNDER SPRINGVILLE FIRE CONTROL**

RESPECTIVELY SUBMITTED,  
RICK JOHNSON SR. DISPATCHER

TIMOTHY P. FRANK  
ATTORNEY AT LAW

22 West Main Street  
P.O. Box 375  
Springville, NY 14141

p: (716) 592-7643  
f: (716) 592-2429  
tim@thefrankfirm.com

A7  
7/11/22

June 24, 2022

Village Springville Board  
5 West Main Street  
PO Box 17  
Springville, NY 14141

Re: EL Scott LLC. (Jeffrey Phillips) 2.4 Acres  
Woodland Heights Right of Way Request

Dear Village Springville Board:

I represent EL Scott LLC., who owns 2.4 acres of buildable land at the end of Woodland Heights. This parcel is landlocked and has no access from the north end of said street. I am kindly requesting, on EL Scott LLC's behalf, a Right of Way with the Village so that this lot could be accessed from the above public roadway. The plan would be to sell the lot and a new owner to build a home thereon. We would request that the Right of Way begin at the end of the circle on Woodland Heights and go far enough into the Village lot, which borders the EL Scott LLC parcel on the east, so that the gate would be moved north and a driveway to the EL Scott LLC parcel then can veer to the left (west or northwest).

Please advise whether this is agreeable, and we will meet with a Village officer, and we would arrange for a survey, prepare a deed and other necessary papers.

Regards,



Timothy P. Frank, Esq.

RECEIVED

JUN 27 2022

VILLAGE OF SPRINGVILLE

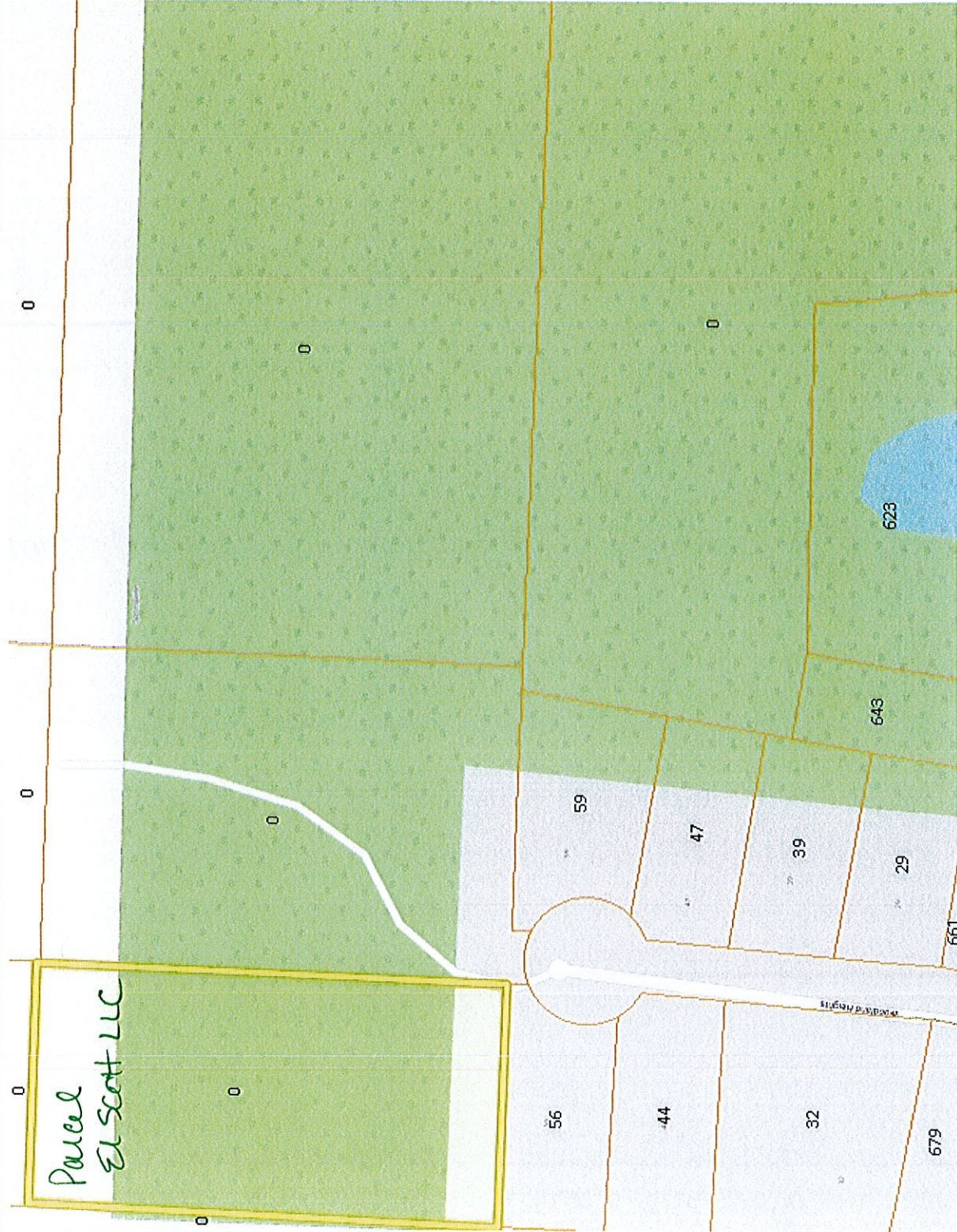
- UNDER NEW BUSINESS

Tim Frank to be at 7/11 mtg on behalf of his client.





# Erie County On-Line Mapping Application



**Legend**  
 □ Parcels



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

**ERIE COUNTY**  
**DEPARTMENT OF ENVIRONMENT & PLANNING**  
**OFFICE OF GIS**

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

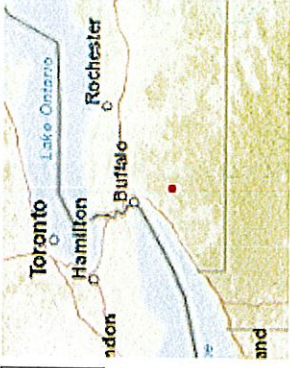
1: 2,257



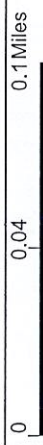




# Erie County On-Line Mapping Application



**Legend**  
 □ Parcels



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

**ERIE COUNTY**  
**DEPARTMENT OF ENVIRONMENT & PLANNING**  
**OFFICE OF GIS**

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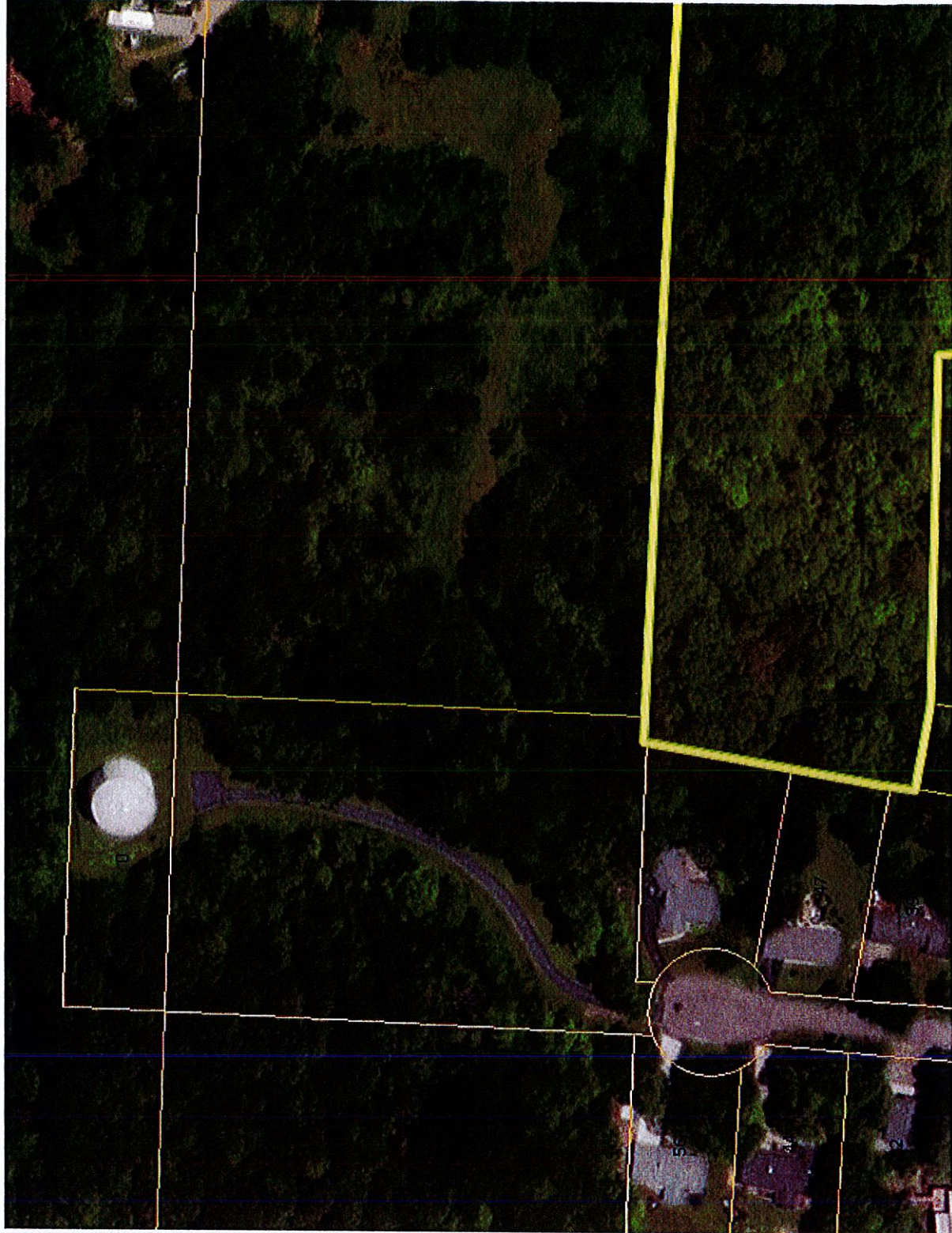
1: 2,257







# Erie County On-Line Mapping Application



0 0,04 0.1 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

**ERIE COUNTY**  
**DEPARTMENT OF ENVIRONMENT & PLANNING**  
**OFFICE OF GIS**

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**Legend**  
Parcels



1: 2,257



VILLAGE OF  
SPRINGVILLE  
July 11, 2022  
Page 1  
PERMITS AND APPLICATIONS

Building applications received by the Building Inspector/CEO Kaleta, Planning Board, Zoning Board of Appeal and Historic Preservation Commission as follows:

Minutes of the Planning Board meeting on June 28, 2021. CA.1

PROJECT: 0000009936 - DRIVEWAY  
PROPERTY: 63 MAPLE AVE  
ISSUED DATE: 6/16/2022  
ISSUED TO: SYI BOYS & GIRLS CLUB  
P.O. BOX 128  
SPRINGVILLE, NY 14141  
TYPE: DRIVEWAY

PROJECT: 0000009937 - LICENSES-ALL CLASS REUNION  
PROPERTY: NASON BLVD PARK  
ISSUED DATE: 6/16/2022  
ISSUED TO: SPRINGVILLE ALL CLASS REUNION  
NASON BLVD  
SPRINGVILLE, NY 14141  
TYPE: LICENSES

PROJECT: 0000009938 - FIRE INSPECTION  
PROPERTY: 106 NORTH ST  
ISSUED DATE: 6/17/2022  
ISSUED TO: R & R LLC  
P.O. BOX 267  
SPRINGVILLE, NY 14141  
TYPE: FIRE INSPECTION

PROJECT: 0000009939 - GARAGE SALE  
PROPERTY: 98 WAVERLY ST UPR  
ISSUED DATE: 6/17/2022  
ISSUED TO: VISNESKY, DANIELLE  
98 WAVERLY ST UPR (3)  
SPRINGVILLE, NY 14141  
TYPE: GARAGE SALES

PROJECT: 0000009940 - GARAGE SALE  
PROPERTY: 192 N CENTRAL AVE  
ISSUED DATE: 6/23/2022  
ISSUED TO: MILLER, MARLON  
192 N CENTRAL AVE  
SPRINGVILLE, NY 14141  
TYPE: GARAGE SALES

PROJECT: 0000009941 - EVENT-ARTSAPALOOZA  
PROPERTY: 37 N BUFFALO ST  
ISSUED DATE: 6/24/2022  
ISSUED TO: SPRINGVILLE CENTER FOR THE ART  
37 N BUFFALO STREET, PO BOX 62  
SPRINGVILLE, NY 14141  
TYPE: EVENT

VILLAGE OF  
SPRINGVILLE  
July 11, 2022

Page 2

PERMITS AND APPLICATIONS

PROJECT: 0000009942 - SWIMMING POOLS  
PROPERTY: 57 SMITH ST  
ISSUED DATE: 6/28/2022  
ISSUED TO: GOODROW, KATHERINE A  
57 SMITH ST.  
SPRINGVILLE, NY 14141

TYPE: SWIMMING POOLS

PROJECT: 0000009943 - DECKS  
PROPERTY: 253 E MAIN ST  
ISSUED DATE: 6/29/2022  
ISSUED TO: BAUMGART, AARON  
253 E MAIN ST  
SPRINGVILLE, NY 14141

TYPE: DECKS

PROJECT: 0000009944 - GARAGE SALE  
PROPERTY: 90 SPRING ST  
ISSUED DATE: 6/29/2022  
ISSUED TO: BRIGGS, JAMIE  
90 SPRING ST  
SPRINGVILLE, NY 14141

TYPE: GARAGE SALES

PROJECT: 0000009945 - SWIMMING POOLS  
PROPERTY: 70 ELM ST  
ISSUED DATE: 6/30/2022  
ISSUED TO: WEBSTER, JEFFREY  
70 ELM ST  
SPRINGVILLE, NY 14141

TYPE: SWIMMING POOLS

PROJECT: 0000009946 - SHEDS, UP TO 144 SQ.FT.  
PROPERTY: 22 WAVERLY ST  
ISSUED DATE: 6/30/2022  
ISSUED TO: CLAY, JOHN A  
22 WAVERLY ST.  
SPRINGVILLE, NY 14141

TYPE: SHEDS

PROJECT: 0000009947 - UTILITY CHANGES-ELECTRIC  
PROPERTY: 435 W MAIN ST  
ISSUED DATE: 7/01/2022  
ISSUED TO: BRISKY, RICHARD  
435 W MAIN ST  
SPRINGVILLE, NY 14141

TYPE: ELECTRIC

PROJECT: 0000009948 - HISTORIC PRESSERVATION  
PROPERTY: 3 E MAIN ST  
ISSUED DATE: 7/01/2022  
ISSUED TO: M.L.B. VALHALLA ENTERPRISES  
3 E MAIN ST  
SPRINGVILLE, NY 14141

TYPE: HISTORIC PRESERVATION  
REVIEW

VILLAGE OF  
SPRINGVILLE  
July 11, 2022

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PERMITS AND APPLICATIONS

PROJECT: 0000009949 - DECKS  
PROPERTY: 154 NORTH ST  
ISSUED DATE: 7/05/2022  
ISSUED TO: MENDE, ADRIANNE  
154 NORTH ST  
SPRINGVILLE, NY 14141

TYPE: DECKS

PROJECT: 0000009950 - VIOLATION-GARBAGE  
PROPERTY: 14 N BUFFALO ST  
ISSUED DATE: 7/06/2022  
ISSUED TO: WINKEY, THEODORE J  
14 NORTH BUFFALO ST.  
SPRINGVILLE, NY 14141

TYPE: VIOLATION

**VILLAGE OF SPRINGVILLE  
PLANNING BOARD MINUTES**

June 28, 2022

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:	Ed Young Ken Heidle Greg Keyser Devin Kowalske
Building Inspector/ CEO:	Mike Kaleta
Clerk:	Kellie Grube
Also Present:	Terry Skelton, Trustee Stephen Schunk Nick Shepard Jackie Schneider Troy Schneider Michele Schneider Dan Miller Linda Miller

After the Pledge to Allegiance, Chairman Mulhbauer called the meeting to order at 7:01 pm.

*Tonight on the agenda the Planning Board is addressing the following Public Hearings:*

**Application #9858 for Special Exception (Caretaker's or Owner's Dwelling Unit): 17 E. Main St., Springville, NY, SBL 335.20-1-5, B1 Zoning District, Steven Schunk.**

**Application #9894 for Home Occupation: 111 S. Vaughn St., Springville, NY, SBL 336.18-1-17, R8.5, Nicholas Shepard and Jacquelyn Schneider.**

Property owner, Mr. Steve Schunk was on hand tonight to explain to the Planning Board what it is that he is seeking approval for. Mr. Schunk stated that he would like to use the back portion of his single story building for living quarters for his business office located in the front portion of the building. CEO Mike Kaleta had stated in an e-mail to the Planning Board that per the Village Code the description of a Caretaker's or Owner's Dwelling Unit is: *A dwelling unit located in the same building to which it is an accessory use; provided, however, that such a term shall also include a mobile home actually occupied by such caretaker or owner (subject to removal if*



later than 7pm on any given day. Days of operation will be Monday through Saturday and closed on Sunday.

Some neighboring residents were on hand to express some concerns that they have. Daniel and Linda Miller of 97 S. Vaughn St. stated that they were concerned about the dumpster that is located at the applicant's house and fear that it would only get worse with the addition of the Home Occupation. The applicant's only have their dumpster emptied once a month currently but discussed having it emptied once a week if they did have the addition of the dog grooming business. In addition the applicant's will need to screen in one side of the dumpster on the property line side facing the neighbors. The Planning Board agreed that parking is sufficient.

After a little more discussion by the Planning Board, Chairman Muhlbauer declared that this application is a Type II SEQR, requiring no further action and asked for a motion. Member Ken Heidle made the motion, seconded by Member Devin Kowalske, all in favor, none opposed.

All public notifications were completed prior to the hearing and this Public Hearing announcement was published in the Springville Journal.

Chairman Muhlbauer then asked for a motion to approve application #9894 as presented for Home Occupation approval. Member Devin Kowalske made the motion, seconded by Member Ed Young, all in favor, none opposed.

*The vote went as follows:*

- |                         |                               |
|-------------------------|-------------------------------|
| • <i>Bob Muhlbauer</i>  | <i>aye, with stipulations</i> |
| • <i>Greg Keyser</i>    | <i>aye, with stipulations</i> |
| • <i>Ed Young</i>       | <i>aye, with stipulations</i> |
| • <i>Ken Heidle</i>     | <i>aye, with stipulations</i> |
| • <i>Devin Kowalske</i> | <i>aye, with stipulations</i> |

*Application #9894 approved with the following stipulations:*

- *Hours of operation are 8am-7pm, with no Sunday hours.*
- *Operation is by appointment only.*
- *There will be no overnight kenneling.*
- *The garbage will be dumped weekly and*
- *The dumpster will be screened on the side to the property line.*

Lastly this evening the Planning Board and CEO Kaleta need to discuss inquiries regarding properties on W. Main St. to use them as more than single family homes. Mr. Kaleta stated that currently there are several buildings that are still in the R8.5 district that have either been granted

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Planning Board Meeting

June 28, 2022

variances or have been that use prior to zoning. The Planning Board and Mr. Kaleta discussed making the R8.5 District but offering a Retail Overlay in the area along W. Main St. that runs between the Business Districts and the Commercial Industrial Park Districts. After lengthy discussion the Planning Board decided to recommend to the Village Board of Trustees to make all of W. Main St. a Retail Overlay District and that Zoning should be adjusted to allow for more uses and more mixed uses. Getting rid of hard boundaries between commercial districts and having transition areas to allow for mixed use type areas. Hence giving the Planning Board more leeway to do what is good for the Village by allowing mixed use and making decisions about form and appearance. For these projects, applicants should have approval at the Planning Board and not have to seek Variances from the Zoning Board of Appeals.

Chairman Muhlbauer asked for a motion for this recommendation. Member Ed Young made the motion, seconded by Member Devin Kowaslke, all in favor, none opposed.

Lastly, Chairman Muhlbauer asked for a motion to approve the minutes from the April 12, 2022 Planning Board meeting. Motion was made by Member Greg Keyser, seconded by Member Ed Young, all in favor, none opposed.

At 9:05 pm, Chairman Muhlbauer asked for a motion to adjourn. Member Ken Heidle made the motion, seconded by Member Devin Kowalske. All in favor, none opposed. Meeting adjourned.

Respectfully Submitted,

Kellie R. Grube