

**VILLAGE OF SPRINGVILLE
PLANNING BOARD MINUTES**

March 28, 2023

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 JP Nabozny Shannon Nabozny Matt Retzlaff Valerie Retzlaff Bob Schuler Kathy Schuler

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

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

Application #10128, for James Nabozny, for Special Exception approval located at 271 West Main Street, Springville, NY, SBL 335.15-8-19.2.

Chairman Muhlbauer asked Mr. and Mrs. Nabozny to come up and explain what it was that they were asking the Planning Board for Special Exception use for. Mr. Nabozny stated that they had an Ice Cream Shop named The Ville at 500 S. Cascade Dr. last year. Both he and his wife felt that it made more sense to move the shop to a location on W. Main St. where there is both more walkability and it would be fiscally smarter for them seeing they own the building where they are proposing moving The Ville to. He went on to say that he and his wife love being business owners in the Village and really think moving the shop to the Barbershop makes sense. They said that they didn't have a schedule figured out yet but have no plans to be opened 7 days a week though. The business would be very small with the occasional small group gathering for parties or a craft get together. It was figured out that there are 15 parking spaces in the back and that with a few spaces taken for the Barbershop the ice cream shop would have limited

occupancy either way to fulfill Village Code obligations. Also, due to the nature of the approximately 20 feet wide shared driveway and set up of the building, there will be no drive up or window service for their shop.

Building Inspector/ CEO Mike Kaleta stated that this property is located within an R8.5 Residential District but is within a Retail Overlay. The Retail Overlay would allow a business such as this to go in with Special Exception approval from the Planning Board.

After a few more questions asked and answered by the applicant's and Mr. Kaleta, Chairman Muhlbauer asked if there was anyone in the audience who wished to expressed any opinions regarding this proposed Special Exception application.

Resident Bob Schuler came up to express his desire to not see the applicant's Special Exception get approved. He felt that the noise and added traffic would be disruptive to the neighborhood and that the driveway would prove to be an issue on Wednesday's when Gentner's Auction was open. It was felt that due to the limited size of the allowed occupancy per the permitted use the impact would be negligible.

At this time, Chairman asked for a motion to declare the SEQR for this application a Type II with no further action required. Member Devin Kowalske made the motion, seconded by Member Ed Young. All in favor, none opposed.

Next, Chairman Muhlbauer then asked for a motion to approve application #10128 for Special Exception approval. Motion was made by Member Ed Young, seconded by Member Devin Kowalske. All in favor, none opposed.

The vote went as follows:

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|--------------------------------|--------------------------------------|
| • <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 #10128 approved with the following stipulations.

- ***The driveway is restriped and appropriate signage is added for proper traffic flow and parking.***
- ***There will be no outdoor gathering or seating.***

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Planning Board Meeting

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In the audience this evening, are new residents Matt and Valerie Retzlaff of 227 W. Main St. aka the Depot located within a B-1 Zoning District. Mr. and Mrs. Retzlaff are scheduled to come before the Planning Board next month for a Public Hearing. They just wanted to address the Planning Board this evening as to what they are trying to accomplish at their address. Mr. and Mrs. Retzlaff recently purchased this property and would like to turn a portion of the building into a retail studio where Mr. Retzlaff, who is a reclaimed metal work artist, can display and sell some of his artwork. What they are coming before the Planning Board next month for is to seek Site Plan approval for a pole barn they would like to erect as a workshop for Mr. Retzlaff to work and allow the public to observe him create his sculptures. The Planning Board thanked Mr. and Mrs. Retzlaff for coming and that they look forward to hearing from them next month.

Under work session items, CEO Mike Kaleta briefly discussed Lot Line definitions and the need to revisit the Code. Mr. Kaleta has compiled some research regarding this subject and will send it to the Planning Board so that they may be able to discuss and make a recommendation. Mr. Kaleta also explained the steps that would have to be done if the Planning Board ever wanted to meet outside of a normally scheduled meeting to address some of the work session items.

Next, Chairman Muhlbauer asked for a motion to approve the minutes from the January 24, 2023 Planning Board meeting. Member Devin Kowalske made the motion, seconded by Member Ed Young. All in favor, none opposed.

Lastly, Mr. Kaleta and the Planning Board wanted to thank Member Ken Heidle for all of his years of service. Mr. Heidle is resigning from the Planning Board and is hoping to enjoy living the retirement life.

With there nothing else on the agenda this evening, Chairman asked for a motion at 8:23pm to adjourn the meeting. Member Greg Keyser made the motion, seconded by Member Ed Young. All in favor, none opposed.

Respectfully Submitted,

Kellie Grube