

**Regular Meeting of the Great Valley Planning Board
Zoning Board of Appeals
November 13, 2019**

Present: Chris Schena (chairperson)
Amy DeTine
Al Puszcz
Jeff Ramsten
Don Roll
Steve Ward

Others: Rich Rinko
Aaron Tiller
Dan Brown
Becky Kruszynski
Clair Conklin
Curt Wallace
Bruce Savino

The meeting was opened by Chris at 7 PM with the Pledge of Allegiance.

A motion to accept the minutes of the October 9, 2019 meeting as submitted was made by Chris with a 2nd by Don. All in favor.

Clair Conklin and his engineer, Curt Wallace, brought in a site plan for a proposed convenience store/coin shop on Killbuck Rd. - tax map no. 73.002-2-8.2. The building would be wood frame on a 24' x 40' concrete slab with log cabin siding and a metal roof. It would consist of an open area, a mechanical room, and a handicap unisex bathroom with 4 parking spaces. There would be a well, septic, overhead electric and natural gas. The existing walnut trees would stay. At this time, there would be no food made or beer sold. There would also not be any lottery, gas, or cigarettes. Aaron stated that the application is complete and will be sent to the county planning board. Clair then stated that he had sold 5.6A and kept 2.3A for his proposed project. Curt said he would update the plans to reflect this change so it can be sent to the county with the minor subdivision. Aaron stated that if there is no approval from the county before December 11, 2019 the Planning Board can still have a public hearing but the board will not be able to act on it until there is county approval.

A motion to close the Planning Board meeting at 7:25 PM was made by Steve with a 2nd by Don. All in favor.

The Zoning Board of Appeals meeting was opened by Chris.

Bruce Savino of 5099 Snowbrook Rd. - tax map no. 74.002-1-12.3 - has applied for a setback variance after he built a 36' x 18' RV cover on his property without a building permit. This structure is 14' from the edge of the road and is in violation of the zoning building laws. The setback should be 40'. Chris stated that the structure should be moved back to 40' or be taken down – maybe the board would allow him a variance of 35'. Bruce stated that his residence is 12' from the edge of the road and was told that was before zoning. Amy asked if there was

someplace else to put it. Bruce said any place else is too far away to get power. Dan suggested the other side of the road and Bruce said it is too wet. Jeff stated that if it is moved it has to meet the setbacks. Bruce asked if the variance is not allowed how long would he have to take it down. Rich said the law is 10 days but if he has a plan in place by that date he could be flexible up to 30 days but it has to come down. A motion to **deny** the application was made by Jeff with a 2nd by Steve. All in favor. If he decides to put the structure someplace else he must have approval first. Bruce will be taken to court if the building is not removed from its existing location.

Chris will do Notice of Decision.

A motion to close the Zoning Board of Appeals meeting at 7:40 PM was made by Steve with a 2nd by Don. All in favor.

The Planning Board meeting was reopened by Chris.

Rich asked the board for and was given clarifications on setbacks. Rich asked about having an automatic fine for building without a permit.

There was discussion on signs and carports.

There is a sign on Rt. 219 that was put up without a permit. Rich was told to have the owner remove the sign. Because the sign is on a state road there will have to be a DOT permit before it can be put back up.

Moveable carports are structures that need permits and must meet setbacks. Rich was told that any of them that are up illegally must be taken down.

There was discussion on getting solar law for Great Valley. Chris and Dan attended a meeting in Ellicottville when they were discussing their solar law. Gary Palumbo wrote the law for Ellicottville. Gary was asked if he would do it for Great Valley. He said he would at a price not to exceed \$4800. He would attend 4 meetings which are a part of the cost. Gary suggested the town create a committee which would be made up of some Planning Board and Town Board members and the code enforcement officer. A motion for the Planning Board to ask the Town Board to initiate an agreement with Gary Palumbo for solar and wind law was made by Steve with a 2nd by Chris. All in favor. Chris asked the Planning Board members to bring any changes they would like to see to the December meeting.

Chris moved to adjourn at 8:40 PM with a 2nd by Don. All in favor.

The next meeting will be December 11, 2019 with a Public Hearing.