

**Town of Cambria
Planning Board Meeting
July 17, 2017**

The regular monthly meeting of the Planning Board of the Town of Cambria was called to order by William J. Amacher, Chairman at 7:00 PM. Everyone was welcomed to the meeting, followed by the Pledge to the Flag.

Members Present: William J. Amacher, Chairman
John W. Phillips,
Roger Schreader, Sr.
Gerald E. Kroening
Douglas Mawhiney
Garret Meal, Alternate

Members Absent: All Members Present

Also Present: Matt Foe, Councilman, Town Board Liaison
James McCann, Building Inspector
Gary Billingsley, Attorney

A motion was made by Mr. Kroening and seconded by Mr. Mawhiney to approve the minutes of the June Meeting as presented, unanimously approved, motion carried.

New Business

**PSBD2017-005 Loanne McCollum
4475 Upper Mountain Rd, Lockport, NY 14094
Regarding-107.00-1-54.111
Vacant land located on Blackman Rd
1-Lot Minor Sub-division**

Mrs. McCollum was present at the meeting and stated she would like a 1-lot minor sub-division. The proposed lot would be approximately 150' x 550'. According to Mr. McCann they are no drainage issues with this lot, this property slopes down. The proposed lot will be sold to build a 1-family residence. The Board had no questions and did not feel there were any issues with this proposed lot.

A motion was made by Mr. Mawhiney and seconded by Mr. Kroening to waive the public hearing, all in favor, motion carried.

A motion was made by Mr. Schreader and seconded by Mr. Mawhiney to declare a negative declaration under SEQR, all in favor, motion carried.

A motion was made by Mr. Kroening and seconded by Mr. Schreader to approve Mrs. McCollum's 1-lot minor sub-division all in favor, motion carried.

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PSBD2017-006

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Joe Critelli
4958 Blackman Rd, Lockport, NY 14094
Regarding-92.00-1-82.12
Vacant land on Green Rd
1-Lot Minor Sub-division

Mr. Critelli was present at the meeting and would like to create a 175' x 865' lot. Mr. McCann stated there were no issues with this proposed lot. The Board had no questions and did not feel there were any issues with this proposed lot.

A motion was made by Mr. Phillips and seconded by Mr. Mawhiney to waive the public hearing, all in favor, motion carried.

A motion was made by Mr. Schreader and seconded by Mr. Kroening to declare a negative declaration under SEQR, all in favor, motion carried.

A motion was made by Mr. Kroening and seconded by Mr. Schreader to approve Mr. Critelli's 1-lot minor sub-division all in favor, motion carried.

PSBD2017-007 **Anna Olson**
386 Villa Ave, Buffalo, NY 14216
Regarding-106.00-1-12
Vacant land on Lower Mountain Rd
1-Lot Minor Sub-division

Ms. Olson was present at the meeting and would like to create a 240' x 684' lot. The proposed lot would be 3.9 acres from the total 32.70 acres previously owned by her parents. Upon her Mother's passing she decided to sell the house and 28.80 acres and keep the remaining 3.9 acre newly created lot for sentimental reasons.

McCann stated there were no issues with this proposed lot. The Board had no questions and did not feel there were any issues with this proposed lot.

A motion was made by Mr. Phillips and seconded by Mr. Schreader to waive the public hearing, all in favor, motion carried.

A motion was made by Mr. Kroening and seconded by Mr. Mawhiney to declare a negative declaration under SEQR, all in favor, motion carried.

A motion was made by Mr. Schreader and seconded by Mr. Mawhiney to approve this 1-lot minor sub-division for Ms. Olson all in favor, motion carried.

Old Business**PSBD2017-003****Thomas Ohol****5832 Comstock Rd, Lockport, NY 14094****Regarding-SBL# 121.00-2-46.211****Vacant land located on Campbell Blvd.**

Mr. Ohol was present at the meeting he would like to subdivide and create a 150' by 300' lot. The potential buyer that was discussed at the June Meeting has backed out and no longer wishes to purchase the proposed lot. Mr. Ohol would like to go forward with this 1-lot minor sub-division. Mr. McCann stated there were no issues with this proposed lot. The Board had no questions and did not feel there were any issues with this proposed lot. Mr. Billingsley stated that this lot will need site plan approval once the use has been determined. This lot will be Zoned B-2 and can be used for business.

The public hearing for this one lot minor sub-division was held at the June 19, 2017 Planning Board Meeting.

A motion was made by Mr. Phillips and seconded by Mr. Mawhiney to declare a negative declaration under SEQR, all in favor, motion carried.

A motion was made by Mr. Schreader and seconded by Mr. Kroening to approve this 1-lot minor sub-division all in favor, motion carried.

PSBD2017-004**Thomas Ohol****5832 Comstock Rd, Lockport, NY 14094****Regarding-SBL# 121.00-2-46.211****Vacant land located on Lockport Rd**

Mr. Ohol would like to subdivide this property to create a 150' by 966' lot. The intended buyer Mr. and Mrs. Prohaska were also present at the meeting. They would like to move forward with this one lot minor sub-division even though their proposal was not approved by the Zoning Board at the Meeting held on June 26, 2017. The Board reminded interested parties that creating the new lot is fine but this property is Zoned B-2 and can therefore not have a personal residence. Mr. McCann stated there are no issues with this proposed lot. The Board had no questions or comments regarding this proposed lot.

The public hearing for this one lot minor sub-division was held at the June 19, 2017 Planning Board Meeting.

A motion was made by Mr. Kroening and seconded by Mr. Schreader to declare a negative declaration under SEQR, all in favor, motion carried.

A motion was made by Mr. Kroening and seconded by Mr. Mawhiney to approve this 1-lot minor sub-division all in favor, motion carried.

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Resident Concerns

Several residents were present at the meeting and voiced numerous complaints and concerns about customers from A Gust of Sun Winery, which is located at 4515 Baer Rd, Ransomville, NY 14131

The residents who voiced their concerns were:

Pamela S. McInnis-4530 Baer Rd, Ransomville, NY 14131

Jennifer L. DiPasquale-4560 Baer Rd, Ransomville, NY 14131

Jennifer Mullaney-no address given or located for the Town of Cambria

The resident concerns include but are not limited to the following:

- Parties nightly until 11:00pm.
- Customers urinating and vomiting in resident yards.
- Inebriated customers exposing themselves to neighbors.
- Beer trucks delivering beer to what is supposed to be a winery.
- Trash in neighborhood from parties.
- Bands playing loud music each and every weekend.
- Parking in Road, creating a hazard.
- Numerous out building on the property.

The residents also expressed concern about a parking lot on the west side of Baer Road that is planned to accommodate buses.

The residents also expressed concern that they were not notified about the construction of the "Party Pavilion".

* The site layout for the Gazebo was approved at the June 19, 2017 Planning Board Meeting.

The Board stated that the Town is not able to regulate Wineries; they are regulated by Agricultural and Markets Law (AML). A Winery is considered a farm or agricultural operation and therefore regulated by these laws. Mr. Billingsley explained that Public Hearing Notices when required a notice of public hearing is sent to properties within 500' of the property in question but only if required, site plan approvals do not require that Public Hearing Notices be sent in most situations.

Mr. McCann suggested that the residents speak to Bob Somers with Ag and Markets he may be able to help. Mr. Amacher suggested residents may wish to speak to the Town Board to discuss these issues. Much discussion took place and it was suggested that the concerned residents could meet with Mr. Billingsley and Mr. Roberson both attorneys for the Town of Cambria in an attempt to address these issues.

Additional Resident Concerns-

Gary J. DiLaura, 3056 Saunders Settlement Rd, Sanborn, NY 14132, Mr. DiLaura owns Cambria Self Storage and wanted the board to be aware that the Town of Cambria has reached a saturation point in regards to self-storage facilities. Mr. DiLaura was concerned that Mr. Anzalone and several individuals were considering developing self-storage facilities in the Town. Mr. DiLaura suggested that the Town of Cambria adopt a moratorium on self-storage facilities and not allow any others to build this type of facility. Mr. DiLaura went on to discuss demographic information relating to self-storage facilities, for each adult over 18 years of age, 6' of storage space is needed. According to Mr. DiLaura this information demonstrates that we have reached our maximum use for self-storage facilities for a 3 miles radius.

Reports:

Chairman- Nothing to report at this time.

Building Inspector- Nothing to report at this time.

Attorney- Nothing to report at this time.

Board Members- Mr. Foe stated that the Town Board has changed the Zoning Ordinance to remove the definition for "Home, Tourist" and replace with the following: A single family residence, which is leased to a single client, with no more than six (6) adult occupants, or four (4) adults and four (4) children, under the age of 18 years old, for a stay of seven (7) days or less. "Home, Tourist" will be placed under Special Use Permit with a fee of \$200.00 an additional \$250.00 fee for the required yearly compliance inspection.

In addition Mr. Foe stated the Town is reviewing the issue of where small scale ground mounted solar units will be permitted. Large scale and utility scale ground units would be allowed in the I and PD districts. This information is preliminary and when the Town Board changes the Zoning Ordinance the information will be made available.

The above information was summarized in handouts distributed to all Board Members.

A motion was made by Mr. Phillips and seconded by Mr. Schreder to adjourn the meeting at 8:00PM.

The next meeting of the Planning Board will take place Monday, August 21, 2017 at 7:00PM.

After 13 years of service to the Town of Cambria Planning Board, John Phillips will be stepping down as a member of this Board. Mr. Phillips began his service to the Town in January 2003. We wish him all the best in his future endeavors.

Respectfully Submitted by
Melinda Olick

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