

Minutes Approved
May 22, 2017

**Town of Cambria
Zoning Board of Appeals Meeting
April 24, 2017**

The regular monthly meeting of the Zoning Board of the Town of Cambria was called to order by Peter Smith, Chairman at 8:00PM. Everyone was welcomed to the meeting, followed by the Pledge to the Flag.

Members Present: Peter Smith, Chairman
Thomas C. Andrews
Bradley Rowles
Alan Johnson
Harmony Retzlaff-Hurtgam
Cheryl L. Shoop, Alternate

Members Absent: All Members Present

Also Present: Randy Roberts, Councilman, Town Board Liaison
James McCann, Building Inspector
Gary Billingsley, Attorney

A motion was made by Mr. Johnson and seconded by Mr. Andrews to approve the Minutes for the March Meeting as presented, unanimously approved, motion carried.

Special Permit

**ZBSP-1-30-97B James P. Puchlerz
5070 Saunders Settlement Rd, Lockport, NY 14094
SBL#121.00-2-59
Keep livestock on less than 5 acres**

Mrs. Marcia Puchlerz was present at the meeting and would like to renew their special permit to have livestock on a parcel with less than 5 acres. Mr. Billingsley stated that the previous Special Permit provided a lease agreement with Mr. Class. According to Mr. McCann there have been no issues with this Special Permit, no problem with renewal for another 5 years.

A motion was made by Mr. Johnson and seconded by Mr. Rowles to table this special permit renewal until next month to allow Mrs. Puchlerz time to obtain the lease agreement from Mr. Class, all in favor, motion carried.

Zoning Board

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Special Permit

ZBSP-1995-03

Charles Malcomb

4759 Saunders Settlement Rd, Lockport, NY 14094

SBL# 121.00-1-18.2

Operate professional offices

Mr. Malcomb was present at the meeting and would like to renew his Special Permit to have a real estate/mortgage business at 4759 Saunders Settlement Road. According to Mr. McCann there have been no issues with this Special Permit, he does not see any issue or problem with renewal of this Special Permit for another 5 years.

A motion was made by Mr. Rowles and seconded by Mr. Johnson to renew this Special Permit to operate professional business offices at 4759 Saunders Settlement Road for another 5 years, all in favor, motion carried.

Special Permit

ZBSP-2016-001

Gerardo Buzzeo

5772 Joanne Dr, Sanborn, NY 14132

SBL# 119.17-1-55.2

Federal Firearm transfer paperwork

Mr. Buzzeo was present at the meeting and would like to renew his Special Permit to handle Federal Firearms transfer paperwork. This Special Permit was granted in 2016, and will be renewed for 5 years. According to Mr. McCann there have been no issues with this Special Permit, he does not see any issue or problem with renewal of this Special Permit for 5 years.

A motion was made by Mr. Johnson and seconded by Mr. Rowles to renew this Special Permit for 5 years, all in favor, motion carried.

New Business

ZBAV-2017-004

Peter Kress

5140 Upper Mountain Rd, Lockport, NY 14094

SBL# 107.00-2-56.111

Use Variance to permit applicant to construct a pole barn with dimensions of 40 feet by 70 feet upon said premises, whereas the Zoning Ordinance of the Town of Cambria does not permit construction of an accessory building that exceeds 1,000 square feet upon such a parcel.

Mr. Kress was present at the meeting and stated that he would like to construct a 40' x 70' pole barn for storing his boat, RV and other recreational items "toys".

Public Hearing-Open

No Comment from the Public

Public Hearing-Closed

ZBAV-2017-003-Peter Kress continued-

Mr. Kress stated that the pole barn will be green and located at the back of his property in the trees. The pole building will have 16' walls. Mr. Billingsley stated that the Town of Cambria Zoning Ordinance does not allow secondary structures to be larger than the foot print of the primary residence. Mr. Billingsley asked Mr. Kress if the building has to be that large could he make due with a smaller structure. It was suggested by the board that Mr. Kress build a smaller building or two buildings of 1000sq' each. Mr. Kress stated that he wants to build the 40'x 70' pole barn. That the 40'x 70' building meets his needs, he has room for his 34' boat, 34' RV and a shop area to repair and work on his "toys".

It was suggested that Mr. Kress table his application for an Area Variance in order to revise; Mr. Kress stated that he would like to move forward and have the Board make a decision, he would like the building to be the original size for which he applied, and he wants the extra room to work on his "toys".

A motion was made by Mr. Andrews and seconded by Mr. Rowles to approve this area variance to allow Mr. Kress to construct a 40' x 70' pole barn, all in favor, motion carried.

ZBAV-2017-004 Martin Maloney
1096 West Erie Street, Irving, NY 14081
Concerning-SBL# 92.00-1-35.41
Vacant Land on Cambria Wilson Road

Area Variance to permit applicant to construct a residence approximately 260 feet from the road right-of-way upon said premises located on the west side of Cambria Wilson Road between Lower Mountain Road and Ridge Road, whereas the Zoning Ordinance of the Town of Cambria does not permit construction of a residence farther from the road right-of-way than 125 feet.

Mr. Maloney was not present at the meeting but was represented by Mr. Andrew Abraham, 3531 Upper Mountain Rd, Sanborn. Mr. Abraham intends to purchase a lot from Mr. Maloney. He would like the setback for proposed house to be even with other houses located on Cambria-Wilson Road. Mr. Abraham intends to construct a 150' x 400', 1650sq' home.

Public Hearing-Open

No Comment from the Public

Public Hearing-Closed

Mr. Abraham stated that he would like his house set back even with his friends who built a house next door to where his proposed house will be located. He has no plans for pole barns or additional buildings. There is a fire hydrant present on the lot. Mr. Billingsley informed all present that sub-division approval had been granted at last month's meeting to approve the creation of this lot.

A motion was made by Mr. Andrews, seconded by Mr. Johnson to approve the 150' setback for the location of Mr. Abraham's house all in favor, motion carried.

Zoning Board
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April 24, 2017

ZBAV-2017-005 Steven Ohol
4256 Upper Mountain Rd, Sanborn, NY 14132
SBL# 106.00-2-19

Area Variance to permit applicant to construct an addition to an existing garage upon said premises containing dimensions of 12 feet by 30 feet which addition would be located approximately 10 feet from the west side property line of said premises, whereas the Zoning Ordinance of the Town of Cambria does not permit construction of such a structure closer to a side lot line than 15 feet.

Mr. Ohol was present at the meeting and stated that he would like to add an addition to existing garage to accommodate his growing family.

Public Hearing-Open

No Comment from the Public

Public Hearing-Closed

The proposed garage addition will be 10' off the property line and the Zoning Ordinance for the Town of Cambria is 15'. Mr. Ohol informed the Board that he needs to build the garage addition on the west side of the property because the eastside has just enough room for a lawn mower.

A motion was made by Mr. Rowles and seconded by Mr. Andrews to allow Mr. Ohol to build his garage addition within 10' of lot line, all in favor, motion carried.

ZBAV-2017-006 Scott Sidell
4380 Plank Rd, Lockport, NY 14094
Concerning SBL# 79.00-1-25.112
Vacant Lot on Plank Rd

Area Variance to permit applicant to construct a residence approximately 160 feet from the road right-of-way upon premises located one lot south of 4380 Plank Road on the east side of Plank road, whereas the zoning Ordinance does not permit construction of a residence farther from the road right- of-way than 125 feet.

Mr. Sidell was present at the meeting and stated that he would like to build his house even with existing houses on Plank Road.

Public Hearing-Open

No Comment from the Public

Public Hearing-Closed

The lot owned by Mr. Sidell is 228 x 2000 it is a 10 acre lot. The proposed location of the house will allow 75' for both sides of proposed house.

A motion was made by Mr. Rowles and seconded by Mr. Johnson to approve the 160' setback for Mr. Sidell, all in favor, motion carried.

Zoning Board
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April 24, 2017

ZBUV-2017-002 Leroy Gates
2505 Wilson-Cambria Rd, Wilson, NY 14172
Concerning 3938 Ridge Rd
SBL# 92.00-1-6

Use Variance to permit applicant to sell used cars upon premises commonly known as 3938 Ridge Road containing dimensions of 154.4 feet by 149.6 feet, whereas the Zoning Ordinance of the Town of Cambria does not permit the sale of used cars in the A-R Zoning District of the Town of Cambria.

Mr. Gates was present at the meeting and stated that he would to sell used cars on the lot he owns on Ridge Road. The board expressed some concern that cars parked on this lot may obstruct passing motorists view.

Mr. Billingsley stated that this Use Variance will need approval from the Niagara County Planning Board, and therefore will need to be tabled until the May Meeting.

Public Hearing-Open

No Comment from the Public

Public Hearing-Closed

Old Business

Use Variance

ZBUV-2016-0005 Eric Guenther
4576 Baer Road, Ransomville, NY 14131
SBL#91.00-1-38.2

Mr. Guenther had been seeking a use variance to permit the construction of ground mounted solar arrays. He had previously asked that his use variance be tabled.

The board has had no further information from Solar by CIR or Mr. Guenther. Mr. McCann will contact both Solar by CIR and Mr. Guenther to determine status of this Use Variance. A motion was made by Mr. Rowles and seconded by Mr. Johnson to table this discussion until next month, all in favor, motion carried.

Reports

Chairman-Nothing at this time

Building Inspector- Nothing at this time.

Attorney- Nothing at this time.

Board Members- Nothing at this time.

The next meeting of the Zoning Board of Appeals will take place May 22, 2017 at 7:00PM.

A motion was made by Mr. Andrews and seconded by Mr. Johnson to adjourn the meeting at 8:51PM all in favor, motion carried.

Respectfully Submitted by
Melinda Olick

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