

**Town of Cambria
Zoning Board of Appeals Meeting
February 27, 2017**

The regular monthly meeting of the Zoning Board of the Town of Cambria was called to order by Peter Smith, Chairman at 7:02 PM. Everyone was welcomed to the meeting, followed by the Pledge to the Flag.

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

Members Absent: Alan Johnson

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

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

The public hearing notice was read as it appeared in the town newspaper.

New Business

Special Permit

**SP-1992-02 Terry Zastrow
4258 North Ridge Road, Lockport, NY 14094
SBL#78.00-2-44.22**

Ms. Zastrow sent a letter indicating that the Special Permit for the Shaklee Products Business is no longer needed.

A motion was made by Mr. Rowles and seconded by Mr. Andrews to allow this Special Permit to expire at the end of its term, all in favor, motion carried.

Area Variance

**ZBAV-2017-001 Jeffrey Freatman
3725 North Ridge Rd, Lockport, NY 14094
SBL# 77.00-2-19.12**

An area variance to construct a farm building upon said premises containing 1.7 acres, said farm building containing dimensions of 28 feet by 40 feet to be located within approximately 200 feet of Daniels Road, whereas the Zoning Ordinance does not permit construction of such a structure upon a parcel containing less than 5 acres.

Zoning Board
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Freatman-Area Variance continued

Mr. Freatman was present at the meeting and stated that he would like to locate this building behind his house.

Public Hearing- Open

Mr. Phillips 3704 North Ridge Road asked what will be stored in the building, Mr. Freatman responded that it is a farm building and he will use it to store farm equipment.

Mr. Banas 3787 North Ridge Road asked the shape of the building and how high the highest point will be on the building.

Mr. Freatman responded that it will be a pole barn with steel sides and roof. The building will be 20' at the highest point.

No further questions

Public Hearing -Closed

A motion was made by Mr. Rowles and seconded by Mr. Andrews to grant Mr. Freatman this area variance to erect a farm building on a parcel of land with less than 5 acres, all in favor, motion carried.

**ZBAV-2017-002 Vadim Tsygyrlash
1529 Sherwood Avenue, North Tonawanda NY 14120
Concerning SBL# 120.00-2-13.1
Vacant Lot on Saunders Settlement Rd**

An area variance to permit applicant to construct a residence approximately 192 feet from the road right-of-way upon premises commonly known as 4427 Saunders Settlement Road, whereas the Zoning Ordinance does not permit construction of a residence farther from the road right-of-way than 125 feet.

Mr. and Mrs. Tsygyrlash were present at the meeting and stated that they would like the setback for their new home to be 192'. They have four children and would like to keep the children safely back from busy and noisy Saunders Settlement Road.

Public Hearing-Open

Roger Palmer 5699 Subbera Road was concerned about the size of the house Mr. and Mrs. Tsygyrlash plan to build. Mr. Tsygyrlash stated that the house will be 46' by 98'. Building plans were provided and shown to all board members and interested parties.

Mr. Palmer was also concerned about water drainage issues. Mr. Tsygyrlash stated that he plans to clean the ditch and would dig another ditch if necessary to eliminate any water drainage issues that may occur. Mr. McCann also stated that he would ensure that no drainage issues were created and ensure that any ditches would head towards the road.

Mr. Palmer does not want a new house in his backyard. Mr. Tsygyrlash would be willing to construct their new home closer to the lot line on the other side further away from existing residence. Mr. Palmer was also concerned about additional buildings that may be constructed by Mr. and Mrs. Tsygyrlash. Currently they have no plans for any other building other than their new home at this time.

Michael Wallace 5693 Subbera Road was also concerned about water and drainage issues.

Zoning Board

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ZBAV-2017-002-Tsygyrlash continued

Public Hearing-Closed

Mr. Rowles was concerned that in granting this 192' setback the board is not adhering to the ordinances approved by the Town of Cambria.

Mr. Billingsley stated that the minimum setback on a 4 rod road like Saunders Settlement is 60' and the maximum is 125'.

Board members were not able to obtain a clear view of these issues, and would like to clearly see the issues being discussed before a decision is made. Efforts will be made to provide images with measurements and the proposed layout prior to the next meeting.

A motion was made by Mr. Rowles and seconded by Mr. Andrews to table this area variance until next month's meeting, all in favor, motion carried.

Old Business

Area Variance

ZBAV-2016-010

Laura Huffman- Tom Gworek

3453 Upper Mountain Rd, Sanborn, NY 14132

SBL # 105.00-1-32.122

Ms. Huffman and Mr. Gworek were not present at the meeting but had asked that their request for an area variance be withdrawn.

Use Variance

ZBUB-2016-004

Erich Donato

5071 Lower Mountain Rd, Lockport, New York 14094

SBL#93.00-2-11.2

Mr. Donato was not present at the meeting and had previously asked that his request for a use variance be withdrawn. Mr. Donato has had no contact with the board so the assumption will be that he has withdrawn his application for a use variance.

Use Variance

ZBUB-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. Mr. Guenther has had no contact or communication with the board.

A motion was made by Mr. Rowles and seconded by Mr. Andrews to table this discussion until next month, all in favor, motion carried.

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Reports

Chairman-Nothing at this time

Building Inspector- Nothing at this time.

Attorney- Nothing at this time.

Board Members- Mr. Roberts board meet to discuss solar issues.

The next meeting of the Zoning Board of Appeals will take place March 27, 2017
at 7:00PM.

A motion was made by Mr. Andrews and seconded by Mr. Rowles to adjourn the meeting at
7:50PM.

Respectfully Submitted by
Melinda Olick

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