

**Town of Cambria
Planning Board Meeting
February 25, 2019**

The regular monthly meeting of the Planning Board of the Town of Cambria was called to order by William J. Amacher, Chairman at 6:00 PM. Everyone was welcomed to the meeting, followed by the Pledge to the Flag.

Members Present: William J. Amacher, Chairman
Roger Schreader
Douglas Mawhiney
Michael D. Sieczkowski
Gerald E. Kroening
Garret Meal

Members Absent: No Members were absent

Also Present: Gary Billingsley, Attorney
Matthew Foe, Councilman, Acting Town Board Liaison
Joseph Ohol, Councilman, Town Board Liaison Zoning Board
James McCann, Building Inspector

A motion was made by Mr. Meal and seconded by Mr. Sieczkowski to approve the minutes of the January Meeting as presented, unanimously approved, motion carried.

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

New Business

Sub-Division Loanne McCollum
PSBD-2019-001 4475 Upper Mountain Road, Lockport, NY 14094
Concerning SBL# 107.00-1-54.111
Vacant Land on Blackman Road

Attorney John Ottaviano was present at the meeting representing Mrs. McCollum. Subdivision approval is being sought to create a 150 by 500' lot. The proposed lot would be located between 5165 Blackman Road and vacant land owned by June Kroening. Mrs. McCollum plans to retain the remaining property and continue to sell the remaining lots. The proposed lot will require a septic system, have no natural gas and use public water. There are no drainage issues with this property.

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

Sub-Division -McCollum continued

A motion was made by Mr. Schreader and seconded by Mr. Mawhiney to approve this one lot minor subdivision, all in favor, motion carried.

New Business**Minor Sub-Division****PSBD-2019-002****Richard Sean Manning****3867 Lower Mountain Road, Lockport, NY 14094****SBL# 106.00-1-55.12****Public Hearing Notice**

For a Minor Subdivision for one (1) lot to be subdivided from premises commonly known as Tax Map No. 106.00-1-55.12 located at 3868 Lower Mountain Road. The purpose of the request is to subdivide one (1) lot off of the main parcel commonly known as Tax Map No. 106.00-1-55.12, resulting in two (2) lots, said subdivided lot to contain approximately 16.13 acres with dimensions of approximately 531.1 feet in width and 1,498.6 feet in depth, with said parcel consisting of an existing grape vineyard upon said premises

Mr. Manning was unable to attend tonight's meeting due to weather, his sister Amylynn Manning was present on his behalf.

Public Hearing Open

Matthew Davis 3918 Lower Mountain Road, Lockport lives near the proposed sub-division and had some questions about the winery and how long it has been in business. According to Ms. Manning it has been a winery for between 15 and 20 years it was originally owned by Mr. Von Heckler, Warm Lake Estate. They would like to make the existing vineyard part of Freedom Run Winery.

Public Hearing Closed

Due to some further questions concerning Mr. Manning's proposal, a motion was made by Mr. Meal and seconded by Mr. Schreader to table this Minor Subdivision until next month, all in favor, motion carried.

New Business**Minor Sub-Division
PSBD-2019-004****Richard Sean Manning
Formerly known as
3865 Upper Mountain Road, Lockport, NY 14094
SBL# 106.00-1-38.2****Public Hearing Notice**

For a Minor Subdivision for one (1) lot to be subdivided from premises commonly known as Tax Map No. 106.00-1-38.2 located at 3835 Upper Mountain Road. The purpose of the request is to subdivide one (1) lot off of the said main parcel commonly known as Tax Map No. 106.00-1-38.2, resulting in two (2) lots, said subdivided lot to contain approximately 154.44 feet in width and approximately 745.42 feet in depth, measured to the centerline of Upper Mountain Road.

Mr. Manning was unable to attend tonight's meeting due to the weather, his sister Amylynn Manning was present on his behalf.

Public Hearing Open

Matthew Davis 3918 Lower Mountain Road, Lockport asked for some clarification about this proposed subdivision, he asked if this property is part of the escapement district.

Public Hearing Closed

Mr. Manning would like to create a lot that will be 154.44 feet in frontage and 745.42 feet in depth the proposed parcel will contain the house that was formerly known as 3865 Upper Mountain Road and had belonged to Mr. Gately.

The remaining parcel contains Mr. Manning's studio, vineyards and Dr. Badger's old hunting camp which has been renovated by Mr. Manning. According to Mr. McCann it has been inspected and is properly assessed. The building conforms to code and is used for personal use. The building has a working septic system and running water.

The Board had several questions regarding this application and proposed lot, therefore a motion was made by Mr. Schreder and seconded by Mr. Sieczkowski to table this subdivision until Mr. Manning can be present and provide additional information, all in favor, motion carried.

Old Business

Minor Sub-Division **Aliza-Dave Edbauer**
PBSD-2018-009 **4715 Plank Road, Lockport, NY 14094**
SBL# 93.03-1-13

Mr. Edbauer was present at the meeting and would like to create three (3) lots, he has not obtained a professional survey instead he is using GIS Maps and measuring. The Board advised Mr. Edbauer to have the property surveyed with the dimensions for the three proposed lots and location of existing Solar Array. The Town of Cambria Assessor has different numbers and measurements than those of Mr. Edbauer. The Board questioned some of the measurements Mr. Edbauer provided and felt they did not add up: the proposed lot will require 50 feet off the lot line for existing structures, 200 feet in depth and a survey will be required, and indicated that Mr. Edbauer should provide the requested measurements by survey.

A motion was made by Mr. Sieczkowski and seconded by Mr. Schreder to table this Minor subdivision; Mr. Edbauer must provide a survey with lot dimensions, all in favor, motion carried.

Old Business

Sub-Division **Kenneth Jungier**
PSBD-2018-010 **2196 Lancelot Drive, NF, NY**
Concerning SBL# 106.00-2-13.1
Vacant Land Heffren Drive-22.60 Acres

Minor subdivision for three (3) lots to be subdivided from premises commonly known as Tax Map No. 106.00-2-13.1 located on the south side of Heffren Drive in the vicinity of 4318 Heffren Drive. The purpose of the request is to subdivide three (3) lots off of the said main parcel commonly known as Tax Map No. 106.00-2-13.1, resulting in four (4) lots, said lots to contain between 133.2 feet and 304 feet in frontage and between 1,099.95 feet and 1,111.56 feet in depth.

Mr. and Mrs. Jungier were present at the meeting there was discussion concerning a drainage ditch on their property. Regarding the ditch Mr. MacSwan, Town of Cambria Highway Superintendent will require something in writing regarding the ditch and that permission is granted to the town to clean the ditch.

Sub-Division -Kenneth Jungier continued**Public Hearing Open**

Phillip Miller 5282 Subbera Road, Lockport stated that eight (8) of the ten (10) neighbors are going to purchase the proposed Lot 1 to divide up and add to the backyard of their existing property that backs up Lot 1. Mr. Phillips was concerned about natural drainage how the property will be graded and storm water drainage. Mr. Miller was advised to obtain that information from Mr. Mac Swan and that no approval has yet been granted.

Jeffrey Pawlik 5241 Randolph Street, Sanborn was also concerned about drainage East and West and how will it go between proposed Lot 3 and proposed Lot 4. The Board explained that this subdivision proposal will need to have clarification from Mr. MacSwan. The Board stated that it would be fine for the neighbors to proceed with their purchase of Lot 1.

Peter Dolan 5286 Subbera Road, Lockport was just seeking some clarity on what is occurring.

Public Hearing Closed

A motion was made by Mr. Sieczkowski and seconded by Mr. Schreader to table this subdivision to allow Mr. and Mrs. Jungier to discuss issues relating to the ditch with Mr. MacSwan.

Reports:

Chairman- Information was distributed regarding an upcoming Municipal Training Workshop for board members on March 19, 2019 at UB South Campus; this training could satisfy the required four (4) hours of training required for Planning and Zoning Board Members.

Building Inspector-Nothing at this time

Attorney- Mr. Billingsley stated a committee has been working on revisions to the Town of Cambria Zoning Ordinance regarding wineries, breweries, distilleries and meaderies etc. Policy of the Town including provisions of the Comprehensive Plan is to encourage these types of uses. If a farm produces 51% of its product as per applicable Agricultural and Markets Law guidelines, these types of farm operations may request site plan review for their proposed use. Special Events will require a permit from the Planning Board.

A public hearing will take place on March 14, 2019 for public comment on the revisions.

Attorney continued

Board Members were asked to review these revisions and contact Mr. Billingsley, Mr. Foe, Mr. Ellis or Mr. McCann with questions or comments prior to the Public Hearing.

Board Members- There was a question concerning requirement that wineries must produce 51% of their products. According to Mr. Foe some Wineries have a New York State Farm Winery License pursuant to the Alcohol Beverage Control Law that may not meet the 51% production requirement.

A motion was made by Mr. Sieczkowski and seconded by Mr. Meal to adjourn the meeting at 7:00PM.

The next meeting of the Planning Board will to take place Monday, March 18, 2019 at 7:00PM.

Respectfully Submitted by
Melinda Olick