

**Town of Cambria
Planning Board Meeting
June 18, 2018**

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
Roger Schreader, Sr.
Garret Meal
Douglas Mawhiney
Gerald E. Kroening
Michael D. Sieczkowski

Members Absent: No members were absent

Also Present: Randy Roberts, Councilman, Town Board Liaison-Planning Board
Joe Ohol, Councilman, Town Board Liaison-Zoning Board of Appeals
Gary Billingsley, Attorney

A motion was made by Mr. Schreader and seconded by Mr. Sieczkowski to approve the minutes of the June Meeting with a minor technical change and the Special Meeting Minutes were both, unanimously approved, motion carried.

Old Business

PSP-2018-004 Jeanette-Joel Prohaska
Site Plan 5129 Lockport Road, Lockport, NY 14094
SBL# 121.00-2-76
Ice Cream Stand

Mr. and Mrs. Prohaska were present at the meeting and are seeking approval to create an Ice Cream Stand with a cupcake business. Fill has been brought in and they are determining if additional fill will be needed on site. The proposed parking and septic area will require more fill. They had sand brought in last year to pass the perk test. Mr. McCann stated he has seen the site and they are doing a nice job. According to Mrs. Prohaska storm basins are in place to handle water overflow. There is a small temporary driveway in place. There will be thirteen (13) parking spots with one (1) designated as a handicapped parking space. Employee parking will be located on the other side of the building. Fill has been pushed back an additional ten (10) feet to allow for dumpster placement.

Old Business**Prohaska Ice Cream Stand Continued**

The front portion of the building will house the ice cream shop and cupcake business and the back garage portion will store lawn equipment for her husband's lawn cutting business. The lawn business is cutting grass. No other materials or fuels will be stored on site. There will be no outside storage. The lawn cutting business has one (1) employee.

The proposed ice cream shop will be open 7 days a week from 11:00AM-10:00PM, with 5-8 employees. Mrs. Prohaska had three (3) employees previously when her shop was located in Pendleton. The plan is to sell ice cream and cupcakes for now and possibility food in the future. There will be two (2) restrooms; one restroom will be for employees and one for customers. The customers will need a key obtained from the staff in order to use the restroom.

The proposed building will be pole barn construction with a firewall between the front ice cream shop and the back garage portion. There will be an oven, a three (3) bay sink, and display counter in front. On the east side there will be two (2) windows to serve ice cream customers.

Mrs. Prohaska stated she would like to obtain the building permit tomorrow to begin construction. She had wanted to be included in the May Meeting but was unable to meet that deadline.

Mr. Siczkowski was concerned that buses may need to park on Lockport Road if adequate parking for them is not provided. Mrs. Prohaska stated that she hopes business is doing that well that buses arrive. In the event that does happen a gate to the back can be opened so the bus can turn around to avoid parking on Lockport Road.

This Site Plan was already reviewed by the Niagara County Planning Board (page 3 of the Planning Board Minutes Dated September 18, 2017)

Mr. Schreader was concerned about the placement of the sign for the business. He would like to ensure that the sign will not block the vision of customers exiting the driveway on to Lockport Road.

According to Mrs. Prohaska the sign will be placed in compliance with the Zoning Ordinance for the Town of Cambria which states:

1. a) One sign shall be permitted on a single parcel of land in the A-R or R-1 Zoning district with a separate S.B.L. number which shall not exceed 12 square feet. Any additional sign shall be subject to approval by the Town Zoning Board by Special Permit pursuant to Section 1101 of this Ordinance.

Old Business**Prohaska Ice Cream Stand Continued**

- b) Size, location and construction of a sign which applicant proposes to be located in a Business or Industrial District or as part of a Subdivision submittal shall be reviewed by the Planning Board as part of its site plan or subdivision approval without the necessity of Zoning Board of Appeals approval. A sign in the business district attached to the sidewall of a building may not extend beyond or project from the building. No sign will hereinafter be erected pursuant to this Section which exceeds 32 square feet per business upon said premises, unless the Planning Board has expressly approved the use of a larger sign pursuant to its Site Plan Approval. Approval of a sign exceeding 32 square feet can be made by the Planning Board upon a finding that the applicant's business requires a larger sign, and that a sign limited to 32 square feet is not sufficient to meet the demonstrated needs of the applicant.
- c) Any freestanding sign larger than eight square feet shall have at least three feet of open space at the bottom, extending its entire length.
- d) Mobile signs including temporary signs are not permitted in any use district, except by permit issued pursuant to Section 1106.
- e) Flashing signs and electronic signs are not permitted in any use district, except by special permit issued pursuant to Section 1100.
- f) The Building Inspector may grant temporary sign permits including permits for mobile signs for no longer than three months after which the sign must be removed.

Mr. Billingsley stated that this site plan is for the ice cream, cookies and cupcakes, should Mrs. Prohaska decide in the future to sell other types of food she may need to seek further site plan approval from this board. In addition the site may need to be inspected by the Niagara County Health Department. Any additional Town fees will be determined by Mr. McCann and Mr. Amacher at that time.

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. Sieczkowski and seconded by Mr. Meal to approve this site plan with the following conditions:

Adequate landscaping must be installed.

Niagara County Health Department requirements must be met.

No outside storage except for the fenced dumpster.

No Buses unless they can park off the street. (The Town of Cambria does not want buses parked on Lockport Road.)

Driveway and parking areas are to be paved before they open,

all in favor, motion carried.

Reports:

Chairman- Mr. Amacher stated that members can attend training in Erie County offered by NYSERDA entitled Community Solar 101 for Municipalities. This training will take place on June 27, 2018. This training is worth 1 ½ credits, please let Donna know if you would like to attend.

Building Inspector- Nothing at this time.

Attorney- Nothing to report at this time.

Board Members-Mr. Roberts stated there is an application for a proposed Solar Project before the Town. The Town has sought legal counsel. Mr. Billingsley stated the proposed project is quite complicated and subject to many regulations, similar to those that regulate the proposed windmill project in Somerset.

A motion was made by Mr. Sieczkowski and seconded by Mr. Schreader to adjourn the meeting at 7:33 PM.

The next meeting of the Planning Board will take place Monday, July 16, 2018 at 7:00PM.

Respectfully Submitted by
Melinda Olick