Town of Cambria Zoning Board Meeting Minutes January 22, 2024

Call to order

A meeting of the Zoning Board of Appeals was held at Cambria Town Hall on January 22, 2024, @ 6:30 p.m. Chairman Smith welcomed everyone followed by the Pledge of Allegiance.

Attendees included:

Peter A. Smith, Chairman Thomas Andrews, Vice Chairman Andrew Milleville, Member Harmony Retzlaff-Hurtgam, Member Randy Roberts, Liaison to the Town Board Gary Billingsley, Town Attorney David Haylett, Town Attorney Building Inspector/Code Enforcement, James McCann Deputy Building Inspector/Code Enforcement, Matthew Cooper Krista Brocious, Planning /Zoning Board Clerk

Members not in attendance included: Cheryl Shoop, Member and Mark March, Alternate

Approval of minutes

A motion to approve the December 18, 2023, minutes was made by Ms. Retzlaff-Hurtgam and seconded by Mr. Milleville, all in favor, motion carried.

Unfinished business

GOFF, Adam 3130 Ridge Road, Ransomville *Fish pond* ZBUV-2023-001 SBL#91.00-1-6.2

Mr. Goff, his wife Briana Daniels, and Roger Mawhiney were present.

Mr. Goff stated that he wanted to dig a hole and raise fish.

Mr. Andrews inquired as to whether test holes had been made. It states in the Soil and Water report a depth of 30ft is planned. Mr. Mawhiney stated that he made test holes 20 ft. down and did not hit bedrock. He only plans to go 15-20 ft. deep for the pond. He will be the one excavating the pond and mining some of the clay.

Town of Cambria Zoning Board Meeting Minutes January 22, 2024

Mr. Andrews asked several questions about mining the clay, if it would be mined to landfills mostly, how many tons of clay that would be, and the amount of money that would make, surmising that it's somewhere in the 7 million dollar range. A brief discussion ensued between him and Mr. Mawhiney regarding same.

Mr. Andrews stated that he believes the purpose of this application is not to raise fish but to mine the clay and is skeptical of it.

Mr. Goff stated that he will be using some of the proceeds from mining the clay to raise fish but that he plans on doing so as a business venture and source of income for his family.

Mr. Haylett would like more time to research this matter as he has not had adequate time to do so as the new attorney of the Town. He requested that this be tabled until next month.

Mr. Andrews asked Mr. Goff how he knows that Mr. Goff will go through with eventually raising fish as it will take years to mine the clay depending on the market for it as pointed out by Mr. Mawhiney.

Mr. Goff explains that he has been contacting people and researching to make this viable.

Mr. Andrews stated that the property is not zoned for this. Mr. Mawhiney stated that he has a mining permit from the DEC.

Ms. Retzlaff-Hurtgam asked how large the greenhouse mentioned in the business plan is going to be. Mr. Goff stated that he could not recall.

Motion

A motion to table the application until next month was made by Mr. Andrews and seconded by Ms. Retzlaff-Hurtgam.

GAROFALO, Jennifer 4571 Budd Rd., Lockport *Use Variance-Public Kennel* ZBUV-2023-006 SBL#93.00-2-45.22

GAROFALO, Jennifer 2 4571 Budd Rd., Lockport 5 Special Permit-Veterinary Clinic

ZSP-2023-005 SBL#93.00-2-45.22

Town of Cambria Zoning Board Meeting Minutes January 22, 2024

Dr. Garofalo explained that shelters, rescues, and fosters, are overrun and that the Niagara County SPCA does not have the funds to employ a veterinarian. She explained the service she is trying to provide and the importance of the service.

Mr. & Mrs. Siekowski's attorney, Mr. Zomerfeld stated that the veterinary clinic is not permissible under the Town code and they are seeking the law be enforced as written. He also argues that the Sieczkowski's are not engaged in commercial endeavors. Mr. Zomerfeld argues that Dr. Garofalo's application has not been changed to meet the code, that what she wants to do would disrupt the neighborhood, and that this is a self-created hardship.

Mr. Haylett requests that this be tabled for a month so that he may have time to adequately review the information for these applications as he is the new attorney for the Town

Motion

A motion to table the applications for one month was made by Mr. Andrews and Ms. Retzlaff-Hurtgam, all in favor, so carried.

Special Permit-Renewals

None Reports

None.

Announcements

None.

Adjournment

A motion to adjourn @ 7:20 pm was made by Mr. Milleville and seconded by Mr. Andrews, all in favor, so carried.

Krista Brocious

Planning/Zoning Clerk