

August 20, 2007

The regular monthly meeting of the PLANNING BOARD of the TOWN of CAMBRIA was called to order at 8:00 P.M. by William Amacher, Chairman. He welcomed everyone to the August meeting followed by the Pledge to the Flag.

Members present: William Amacher, Chairman
Norman Human, Jeffrey Hurtgam, John Phillips
Member absent: Thomas Willett
Also present: Clifford Burch, Building Inspector
Donald Lane, Deputy Bldg. Insp.
Gary Billingsley, Attorney

A motion was made by Mr. Phillips and seconded by Mr. Human to approve minutes of Regular meeting of July 16 and Special meeting of July 23, 2007 as presented. Unanimously approved, motion carried.

Secretary read Notice of Public Hearing as it appeared in the Lockport Union Sun and Journal to consider minor subdivision approval for the following application:

(07-13) CAROLYN COVER, Trustee for Heirs of Walter Freiert, P.O. Box 2244, Gibsonton, Florida 33534-2244 for a four (4) lot minor subdivision for premises located on the north side of Lower Mountain Road between Green Road and Cambria-Wilson Townline Road. The lots have dimensions of between 170 feet and 240 feet in width and contain at least 400 feet in depth.

The following have been submitted: Application for Subdivision Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement, sketch of the Freiert farm, list of owners of property within 500 feet of subject property (submitted by the applicant), and letter to the Planning Board stating what they propose to do.

Carolyn Cover, daughter of deceased Walter Freiert, is Trustee for the estate.

Walter J. Freiert, brother of Carolyn Cover, and Gerald Miller were present on behalf of the estate and explained what is proposed, namely,

1. Separate the existing two-family house, farm buildings and garages on a lot approximately 300' frontage by 400' in depth (2.75 acres).
2. Separate three (3) residential building lots, each 170' – 175' in width by 400' in depth (1.56 to 1.6 acres each).
3. The remaining 240' frontage would be access to the rear acreage (approx. 138.1 acres).

Public Hearing open:

John Freiert, 6322 Townline Road, North Tonawanda 14120, son of deceased Walter Freiert, appeared before the board and presented two letters from his brothers, Dennis F. and Richard Freiert, and said he, along with the aforementioned brothers, are opposed to the subdividing of the lots from the subject farm at 4321 Lower Mountain Road. He said they are trying to purchase this farm and wish it to remain a farm for the following reasons:

1. To maintain the rural atmosphere of the area
2. High density development, in their opinion, could make the general area less attractive
3. Could be additional demand for crops, example, for ethanol plant
4. Traffic concerns
5. Lots on north side of Lower Mountain Road are below grade and would need a lot of fill.

John Freiert said they (John, Dennis and Richard) would like the board to table action on the subdivision request for thirty (30) days until the lawyers have met on their proposal. John Freiert said they would rent the farm out as is presently being done.

Counsel said he understands that the sister, Carolyn Cover, is the trustee of the estate and there are approximately eighteen (18) heirs involved.

Norma McQuay, 4308 Lower Mountain Road, a neighbor of the subject property asked the following:

1. Why was the Notice of Public Hearing so late in getting to the neighbors of this property?
2. Land is in an Agriculture district and impacts the land for six or seven years.

Counsel said the Planning Board does look at the proposed subdivision, which in this case, is the frontage only. He said there are no roads involved, three building lots would be created. The fourth lot is current residence and farm buildings. At present there are no plans for the rest of the property.

Public Hearing closed.

Chairman suggested honoring the request of the three brothers (John, Dennis and Richard) to table action for thirty (30) days on the Walter Freiert subdivision proposal.

A motion was made by Mr. Hurtgam and seconded by Mr. Human to table action on the Freiert farm subdivision application for four (4) lot minor subdivision at 4321 Lower Mountain Road, for thirty (30) days, per request of John Freiert, on behalf of his brothers, Dennis and Richard. Unanimously approved, motion carried.

2007-09 Girl Scouts of Niagara, Camp Lodge

A letter from Robert Klavoon, P.E. of Wendell Duchscherer Eng. dated August 15, 2007 was received regarding the aforementioned. The first review of the Site Plan Drawings for the lodge has been completed. There are several issues to be addressed by the design engineer prior to recommending approval per Mr. Klavoon.

The Planning Board requests a change on Page 24 of Subdivision Regulations adopted 4/12/07, "C - Waiver of Reservation of Areas", second paragraph, regarding recreation fees, last line. Discussion on the recreation fee issue.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to recommend that the last line read as follows: "For minor subdivisions, the recreation fee per lot is also required and is to be paid before Chairman of the Planning Board signs the approval". Unanimously approved, motion carried.

REPORTS:

Chairman – said he and Mr. Phillips attended the seminar at Geneseo College and was very interesting. Some issues discussed were:

1. Wind power – make this a utility, windmills are not noisy
2. Recommend Comprehensive Plan be updated every 5 to 10 years
3. Recommend Town maps show: parking, future roads (paper), town drainage, wetlands (State and Federal)
4. Site Plan for farms (small family farms to corporate farms) one issue is lagoons
5. SEQR
6. Checklists (steps required by State mandates)
7. Town Board members appearing at a meeting on certain issues cannot speak as councilmen, only as a resident

Building Inspector –

1. Girl Scouts of Niagara, Camp Lodge – replacing lodge with a larger structure
2. Pilgrim Holiness Church is not holding services at the Cambria-Wilson Road site Rev. Daniel Smith and family are no longer residing in the house on the site and there is no one living in the house at present.

Board members –

1. Mr. Phillips asked if anything had been done regarding Cluster Development? That was taken out of Subdivision Regulations and a suggestion was to include a section for same in the Zoning Ordinance. Mentioned on page 14 in Subdivision Regulations adopted 4/12/07.

A motion was made by Mr. Human to adjourn at 8:55 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____