

August 16, 2010

The regular monthly meeting of the PLANNING BOARD of the TOWN of CAMBRIA was called to order at 8:05 P.M. by William Amacher, Chairman, followed by the Pledge to the Flag and welcomed everyone to the meeting.

Members present: William Amacher, Chairman
Jeffrey Hurtgam, Douglas Mawhiney, John Phillips, Roger Schreader
Also present: George Bush, Councilman
Clifford Burch, Building Inspector
Donald Lane, Deputy Building Inspector
Gary Billingsley, Attorney
Robert Klavoon, Wendel Duchscherer Eng.

A motion was made by Mr. Schreader and seconded by Mr. Phillips to approve minutes of meeting of July 19, 2010 as presented. Unanimously approved, motion carried.

10-08 (8-16-10) THOMAS G. CARTER, 4556 Plank Road, Lockport, N.Y. 14094
Subject property – 4545 Van Dusen Road, Lockport, N.Y. 14094

Mr. Carter was present at this meeting and has submitted the following: Application for Sub-division Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement and copy of portion of town map highlighting area to be subdivided.

Mr. Carter said he would like to build a house approximately 200 feet from left property line for his son, dimensions of lot are 200 feet frontage by 644 feet in depth, an “L” shaped parcel consisting of approximately 3.75 acres at 4545 Van Dusen Road.

Per Building Inspector, there appears to be no drainage problems and no other concerns.

Board members had no concerns on this subdivision.

A motion was made by Mr. Hurtgam and seconded by Mr. Mawhiney to **waive** public hearing on application for minor subdivision at 4545 Van Dusen Road by Mr. Carter. Unanimously approved, motion carried.

A motion was made by Mr. Phillips and seconded by Mr. Schreader to declare **negative declaration under SEQR** on application for subdivision of Mr. Carter. Unanimously approved, motion carried.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to **approve** application of Thomas Carter to subdivide a parcel 200’ by 644’, an “L” shaped piece of property, located at 4545 Van Dusen Road. Unanimously approved, motion carried.

2010-05 (04-06-2010) Community Bible Church, 4168 Church Road, Lockport, N.Y. 14094
Site for location of new church – south side of Upper Mountain Road

Mr. David Stutz, representative of APEX Consulting, Survey & Engineering Service, and

representatives from Community Bible Church were present. Mr. Stutz said they plan to build a community building first, approximately 26,000 square feet. There will be parking for approximately 228 cars, one driveway lane for entering and two lanes for exiting. The majority of the parking area will be in the back.

Phase 1 - Recreation building, driveway, parking area in the back, detention pond, leach field, fire hydrant and lighting.

Phase 2 - Church and front parking area

Phase 3 - Ball field and two soccer fields, approximately five (5) acres

There will be parking area for handicapped.

They are working on the “Maintenance Easement Agreement” and formal “Maintenance Agreement” at the back of the property for an overflow with Mrs. McCollum, owner of the property. The ditch from the overflow should handle water effectively.

Mr. Schreader asked if they were putting in a suppression system?

The answer was that will depend on design and what is required for quality facility.

The new church will be two stories high, 250 feet back from the road.

Mr. Stutz is requesting Preliminary approval on the plans at this time.

It probably will take six to eight months to complete Phase 1. He said the Recreation building will be there but not accessible. A hydrant must be installed in Phase 1.

Counsel said the board could give a Preliminary approval. It appears the project is moving in the right direction.

Mr. Phillips asked Mr. Klavoon if APEX Engineering has responded to all of the items listed in previous correspondence?

Mr. Schreader asked if there will be an access road on both sides of the building?

Mr. Stutz said the back parking lot will be the access road.

Counsel complimented Mr. Schreader, relatively new board member, for some of his questions and concerns. He is a member of the Cambria Volunteer Fire Co. and concerned about fire equipment access to buildings.

Counsel said if the board has any other concerns connected with the proposed Community/Recreation building, to contact Mr. Klavoon within a couple of weeks.

A motion was made by Mr. Schreader and seconded by Mr. Phillips to give Preliminary approval on the proposed Community/Recreation building on property of Community Bible Church on Upper Mountain Road with conditions contained in letter dated August 10, 2010 on file from Wendel Duchscherer Eng.

2010-08 (8-05-10B) Applicant - WESTERN NEW YORK UROLOGY ASSOCIATES, LLC

Address – 3085 Harlem Road, Cheektowaga, N.Y. 14225
Owner of property – Timothy E. Major
Address – 1246 County Road West, Webster, Florida 33597
Business use – Medical Office Building
Address – 3866 Saunders Settlement Road, Sanborn, N.Y. 14332

The following have been submitted: Cover letter dated August 5, 2010 to William Amacher, Chairman of Town of Cambria Planning Board for Conceptual Site Plan Review. Application for Site Plan Approval and Agreement (3 pages), Full Environmental Assessment Form, Agricultural Data Statement, map prepared by Niagara County Real Property Services, Tax Map Division; Letter to Timothy Major (Seller) from MRP Development Group (Buyer) which states in part

“This letter is a request to obtain authorization from Timothy Major, current owner of 11.7 acre parcel located on Saunders Settlement Road in the Town of Cambria known as SBL 120-1-25.11 for permission to access the property and perform any required testing necessary to expedite the Town of Cambria Site Plan Application and Zoning Board of Appeals processes,” dated 8-4-2010; Preliminary Plan of Proposed Medical Building (C-1.0), First Floor Plan two-story building (A-1.0) and Second Floor Plan – two-story building (A-1.1).

Present at this meeting: Michael C. Terranova representing Lauer-Manguso & Associates Architects/Eng.
Patricia Bittar, Project Manager representing Wm. Schutt & Associates, P.C., Engineering & Land Surveying
Frank J. Campofelice, Pres., Burgio & Campofelice, General Contractor

The property consists of 11.7 acres of vacant land at 3866 Saunders Settlement Road, south side, east of Old Shawnee Road. Total project area approximately 5.2 acres. Proposed structure to be 38 feet in height, 163' in width and 230' in length. Zoning is B-2; 37,200 square feet - Medical Office Building, two story. Will have more parking area than zoning requires. Facility will be on the northeast corner of the property. There will be a retention pond in the front. There will be plenty of parking area. A sprinkler system is required in this facility, private pump station on site, will need easements.

Other urology sites are presently located in Cheektowaga and Jamestown.

The vaults as shown on A-1.0 are for x-ray units for certain areas of the body, takes two to three minutes for procedure. Vaults are encased in concrete with thick steel and require a high ceiling for the equipment to work. Facility will be equipped to do Radiation, C.T. and MRI's. The medical oncology division will be upstairs and can handle approximately 350 patients per day. Twenty per cent of the

patients are presently from Niagara County and they now go to the Cheektowaga facility.

There will be a back-up generator.

It was mentioned that there is a senior housing facility in back.

About 15 minutes once a week the diesel generator is tested. The building will have an enclosure to help with the sound.

Concerns of board members:

Mr. Schreder asked if there would be an access to the back side of the building for fire equipment?

Answer was “yes” there will be two hydrants. The back of the building will be two (2) feet thick. The fire company will need to get around the building with aerial and pumper trucks, access for fire equipment.

The second floor will be one-third (1/3) of the building and will be in the center of the facility, height 38 feet. Basic building will be 29’ or 32’ high.

Mr. Mawhiney asked what will be stored in the building? The fire company needs to know. Also, what kinds of chemicals used?

It was said there will be the normal wastes; there is pick up for hypodermic needles.

There will be one older doctor at the beginning of the operation from the Harlem Road facility, then a younger doctor and then perhaps a third doctor. Facility will be open five days a week and Saturday if necessary.

September 7th, a Public Hearing is scheduled to be held in the Community Building at 4:30 P.M. by Niagara County I.D.A. (Industrial Development Association).

Mr. Phillips would like to see a more detailed Site Plan.

September 27th at 7:00 P.M., a Work meeting for the Planning Board.

“ “ at 8:00 P.M. Zoning Board meeting - to be designated Lead Agent.

Mr. Mawhiney asked how much fuel will be stored on the site?

No answer to this question?

There are no plans for the property to the west of this Urology building at this time. There could be a tenant and potential for other buildings.

Mr. Campofelice said they hope for completion of this project in the year 2011. Would like to begin construction November 1, 2010.

Mr. Bush said he is very happy that W.N.Y. Urology Associates chose our town for their new medical building.

A motion was made by Mr. Phillips and seconded by Mr. Mawhiney to **approve Preliminary Conceptual Site Plan** of W.N.Y. Urology Associates as presented. Unanimously approved, motion carried.

REPORTS:

Chairman – have an Application for Rezoning from B-2 to PUD (Planned Unit Development) from applicant, Frank Pellicano, property located at 4662 Ridge Road, Lockport, formerly Twin Oaks. Mr. Pellicano would like to convert motel rooms into two (2) residential apartments, approximately 1050 square feet each.

The last two (2) lots in Willow Creek Subdivision have been sold.

Mr. Phillips – received phone call from Mrs. Bevill, 3106 Saunders Settlement Road, on size of storage shed allowed in Willow Creek subdivision.

Counsel – wrote a letter to the State of New York regarding the proposed day care center to be operated by Mr. and Mrs. Robert Stephens, 2970 Saunders Settlement Road, regarding the matters of concern.

Dep. Building Inspector said the business is not in operation.

Discussion on storing excavated material on premises of Curt, Chris and Patricia Rechin, 5700 Shawnee Road, by D&M Landscavation. A variance has been applied for. Storing of excavated material is within 500 feet of the road. Board members are concerned about what is being put on this land. Some of the land may be in the Federal Wetland area. Mr. Mawhiney is concerned about what kind of materials are being put there.

Counsel directed to write a letter to applicant about this issue.

Building Inspectors – nothing to report this evening.

Counsel – nothing to report this evening.

Board members – no concerns this evening.

Next regular meeting - September 20th at 8:00 P. M.

Work meeting - “ 27th at 7:00 P.M.

A motion was made by Mr. Hurtgam and seconded by Mr. Schreuder to adjourn at 9:00 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____