

December 21, 2009

The regular monthly meeting of the PLANNING BOARD of the TOWN of CAMBRIA was called to order at 7:00 P.M. by William Amacher, Chairman, followed by the Pledge to the Flag.

Members present: William Amacher, Chairman  
Jeffrey Hurtgam, John Phillips, Thomas Willett  
Douglas Mawhiney, alternate  
Member absent: Gerardo Buzzeo  
Also present: Clifford Burch, Building Inspector  
Donald Lane, Deputy Building Inspector  
Gary Billingsley, Attorney

A motion was made by Mr. Willett and seconded by Mr. Hurtgam to approve minutes of meeting of November 16, 2009 as printed. Unanimously approved, motion carried.

#### **APPLICATIONS FOR SUBDIVISION APPROVAL:**

**09-07 (11-06-09) DENNIS SCOVAZZO**, 5226 Cambria Road, Sanborn, N.Y. 14132  
Location of subject parcel – 4419 Saunders Settlement Road, Lockport, N.Y. 14094

The following have been submitted: Application for Subdivision Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement and copy of Survey map.

Mr. Scovazzo said he would like to divide off parcel 400 feet by 600 feet on property located at 4419 Saunders Settlement Road (Route 31 and Subbera Road). In the future he would like to divide this parcel into two lots, 200 feet by 600 feet.

Building Inspectors had no concerns on this subdivision other than to make sure no property is left in the back.

There is a frame shed which appears to be on the lot line.

Board members had no concerns on this application.

A motion was made by Mr. Willett and seconded by Mr. Phillips to **waive** Public Hearing on application of Dennis Scovazzo for a minor subdivision on Saunders Settlement Road. Unanimously approved, motion carried.

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

Mr. Scovazzo was informed of the Recreation Fee on this parcel and it has not been paid as of this meeting.

Mr. Hurtgam said it appears applicant did not seem to be aware of the fee until tonight's meeting. Applicants should know ahead of time of this requirement. He feels something should be put on the application form pertaining to the Recreation fee.

On some applications for subdivision a Recreation fee is not required, only subdivisions where a new lot is being created is a fee required.

A motion was made by Mr. Hurtgam and seconded by Mr. Phillips to **approve** application of Dennis Scovazzo for a minor subdivision at 4419 Saunders Settlement Road, dimensions of lot are 400 feet by 600 feet. Unanimously approved, motion carried.

**09-08 (11-17-09) CHARLES KESTERSON**, 5943 Campbell Boulevard, Lockport, N.Y. 14094  
Location of subject parcel – 5949 Campbell Boulevard, property address of restaurant

Mr. Kesterson has submitted the following: Application for Subdivision Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement, copy of Survey maps, copy of Background map (Scanned Quads) dated November 17, 2009, and aerial map of subject property.

Mr. Kesterson said he wishes to subdivide 0.29 acre which contains a leach field that services 5949 Campbell Boulevard, a restaurant. This subdivision would then be consolidated into the deed at 5949 Campbell Boulevard. At present, the leach field is on property at 5943 Campbell Boulevard.

Building Inspectors had nothing further to add to the subdivision.

Board members had no concerns.

A motion was made by Mr. Hurtgam and seconded by Mr. Phillips to **waive** public hearing on application of Mr. Kesterson for a minor subdivision on Campbell Boulevard. Unanimously approved, motion carried.

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

A motion was made by Mr. Willett and seconded by Mr. Hurtgam to **waive** Recreation fee on application of Charles Kesterson as there is no new lot being created by this subdivision. Unanimously approved, motion carried.

A motion was made by Mr. Hurtgam and seconded by Mr. Phillips to **approve** application of Charles Kesterson to subdivide off 0.29 acre from property at 5943 Campbell Boulevard with condition that the subdivided parcel, 0.29 acre, shall be consolidated into deed on property at 5949 Campbell Boulevard, which is the property address for the restaurant. Unanimously approved, motion carried.

**09-09 (11-30-09) MARTIN KROENING**, 4165 Upper Mountain Road, Sanborn, N.Y. 14132, has submitted the following: Application for Subdivision Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement and copy of portion of town map highlighting subject parcel.

Mr. Kroening said he would like to subdivide a lot from his property located on the west side of Cambria Road, north of 5226 Cambria Road, dimensions 125 feet by 225 feet.

Chairman asked Mr. Kroening about extending the lot to the fence?

Mr. Kroening said he has no plans to make the lots longer. There is a ditch in the back which is on his property.

Mr. Mawhiney arrived at the meeting at 7:17 P.M.

Chairman asked Mr. Kroening who takes care of the ditch?

Mr. Kroening said there is about a twenty (20) foot slope from Upper Mountain Road going south. There is no easement to get to the ditch to clean.

Board members had no concerns on this application.

A motion was made by Mr. Hurtgam and seconded by Mr. Willett to **waive** public hearing on application of Martin Kroening for a minor subdivision on Cambria Road. Unanimously approved, motion carried.

A motion was made by Mr. Willett and seconded by Mr. Mawhiney to declare **negative declaration under SEQR** on application of Mr. Kroening. Unanimously approved, motion carried.

The Recreation fee has not been paid as of this date.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to **approve** application of Martin Kroening for a minor subdivision, dimensions 125 feet by 225 feet, on the west side of Cambria Road, 250 feet north of 5226 Cambria Road. Unanimously approved, motion carried.

**09-10 (12-03-09) REUBEN HASELEY FARMS**, 8900 Lockport Road, Niagara Falls, N.Y. 14304  
Subject property – west side of Cambria Wilson Road, south of 4662

The following have been submitted: Application for Subdivision Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement and copy of portion of town map highlighting subject parcel.

There was no one present on behalf of this application.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to **table** application of Reuben Haseley Farms until the January meeting. Unanimously approved, motion carried.

Outdoor wood burning furnaces:

Mr. Phillips said there is nothing in the manufacturing material about height of chimneys. He feels it would be better to require a larger lot, suggested five (5) acres.

Counsel said the Draft of Outdoor Wood Burning Furnaces will be available soon and copy will be mailed out to board members.

There is an article in the New York Planning Federation News on windmills “Regulating Wind Turbine Noise”

REPORTS:

Chairman – Niagara River Watershed Workshop at Grand Island library  
Meeting January 21<sup>st</sup> at Cornell Coop. Extension on “Farmland Protection”  
New York Planning Federation - training for board members – can get education on  
line  
Tonight is Tom Willett’s last meeting. Thanked Tom for his service on the board

Building Inspectors – nothing to report  
Attorney – nothing to report  
Board members – no reports

Next meeting will be Monday, January 25th at 7:00 P.M.

A motion was made by Mr. Hurtgam to adjourn at 7:30 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: \_\_\_\_\_