

February 25, 2008

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. He welcomed everyone to the February meeting followed by the Pledge to the Flag.

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

A motion was made by Mr. Hurtgam and seconded by Mr. Phillips to approve minutes of meeting of January 21, 2008 as presented. Unanimously approved, motion carried.

2008-02 Site Plan – **JAMES R. KOLKMEYER**, 4915 Townline Road, Sanborn, N.Y. 14132

Mr. Kolkmeier was present at this meeting and has submitted the following: Application for Site Plan Approval (3 pages), Short Environmental Assessment Form, Agricultural Data Statement and copy of survey map highlighting proposed addition, property located in the Escarpment zone.

Applicant said he would like to add ten (10) feet on to the north side and twenty (20) feet on to the east side of existing barn. Also, will be replacing water line, put in a concrete floor and will use the existing driveway which is blacktopped. Building will have a gambrel roof, steel or shingles, depending on the cost. The second story will be used for storage. There will be no living facilities in this building, personal storage only.

Building Inspectors were asked if they had any concerns on this proposal and they had none.

Counsel said because this property is located in the Escarpment zone, with the addition to the existing structure, will exceed the square footage of the first floor of the principal dwelling located upon said premises. This request will need to go before the Zoning Board of Appeals for a variance. He further said the Niagara County Planning Board recommended approval on this request. The Planning Board can approve Site Plan depending on Zoning Board approval. Zoning Board will do the SEQR.

Board members had no further concerns.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to **approve** request of James R. Kolkmeier for Site Plan Approval to permit applicant to construct an addition on to existing barn of ten (10) feet on to the north side and twenty (20) feet on to the east side if the Zoning Board gives approval of the variance. Unanimously approved, motion carried.

Secretary read Notice of Public Hearing as it appeared in the Lockport Union Sun and Journal to consider preliminary plot approval of the following:

PUBLIC HEARING:

08-03 MATTHEW ROBINS, 4991 Shawnee Road, Sanborn, N.Y. 14132, for a minor subdivision for one lot for premises located on the east side of Shawnee Road between Upper Mountain Road and Lower Mountain Road. The lot contains approximately 84 feet in width and 292 feet in depth.

Mr. Robins was present at this meeting and has submitted the following: Application for Subdivision Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement and copy of survey map.

Mr. Robins said he is selling approximately 84 feet by 292 feet to Leland Mote to make legal frontage for a lot on Shawnee Road and purchasing approximately twelve (12) acres from Mr. Mote to add to his (Mr. Robins) property.

Public Hearing open: there were no comments on this issue from the public.
Public Hearing closed.

There is a 66 foot proposed road, owned by Mr. Mote, from Shawnee Road, shown on the survey map.

Mr. Burch feels it is not necessary to have the 66 feet saved for a road. That was set aside many years ago. The town prefers to keep that land agriculture and not permit a lot of development in that area.

It was asked if there is another access to the back property other than Stoelting Road?

Mr. Mote owns 31.10 acres. Mr. Robins is purchasing from Mr. Mote approximately 11.5 acres from Stoelting Road south to the drainage ditch which is about 1,000 feet south of Stoelting Road.

The property must be combined on to one deed, namely the 84 feet Mr. Mote is purchasing, to the existing 66 feet which was the paper, (proposed) road. The paper road would be eliminated.

It was reported Mr. Mote has a sixteen (16) year lease with Warm Lake Estate on land which is planted to grapes.

Mr. Phillips asked how will Warm Lake Estate access the grapes?

It was said there is a twenty (20) foot easement for Warm Lake Estate to access the grapes.

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

Mr. Hurtgam asked if the 66 foot paper road was put in to go to Cambria Road some day?

Building Inspector said that would not be possible. The paper road property is where the easement is located.

A motion was made by Mr. Phillips and seconded by Mr. Mawhiney to grant subdivision approval of 84 feet by 292 feet, premises located on the east side of Shawnee Road between Upper Mountain Road and Lower Mountain Road, with condition that subject parcel be attached by deed to 66 foot right-of-way, which will be eliminated. The 66 foot right-of-way is under a long term easement with Warm Lake Estate and planted in grapes and therefore no development on that parcel. Unanimously approved, motion carried.

08-02 LELAND MOTE, P.O. Box 130018, Big Bear Lake, California 92315, was not present at this meeting and Mr. Robins was present on behalf of Mr. Mote.

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. Robins said Mr. Mote is selling approximately twelve (12) acres to him and will incorporate subject parcel into Mr. Robins' existing deed. Mr. Robins said he plans to use this land for agriculture. He said he may possibly sell a lot on Stoelting Road.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to dispense with the public hearing on application of Leland Mote for a one-lot minor subdivision on the east side of Shawnee Road. Unanimously approved, motion carried.

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

A motion was made by Mr. Hurtgam and seconded by Mr. Phillips to approve minor subdivision of Leland Mote with condition that the two parcels be combined on to one deed. Unanimously approved, motion carried.

REPORTS:

Chairman - Information received regarding Town of Cambria Celebration of 200 years. Celebration on March 9, 2008 – 11:00 A.M. to 4:00 P.M. at Cambria Fire Hall with displays of Cambria churches, businesses and service organizations, wagon rides, etc.

October 12 – 14, 2008 – New York Planning Federation – 70th Annual Planning & Zoning Conference at Saratoga Hotel & Conference Center, Saratoga Springs, N.Y.

Building Inspector – property of Frank and Shirley Prohaska on Green Road below Lower Mountain Road – Re: 07-06 – board approved minor subdivision 150' by 350', 25' has been added to width, now lot is 175' by 350'.

A motion was made by Mr. Phillips and seconded by Mr. Mawhiney to change frontage from 150' to 175'. Unanimously approved, motion carried.

Duncan Ross – winery on Cambria Lockport Townline Road has one sign and he would like to have two signs. Per Zoning Ordinance, in Agriculture zone only permitted one sign. He will need Site Plan approval for two signs.

Deputy Building Inspector – Regarding activity behind Buffalo Machine Co. on Lockport Road, property owned by Miron Wasik, reported the ditch is being cleaned out.

March meeting changed to March 17th at 7:00 P.M.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to adjourn at 7:45 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____