

January 21, 2008

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

Chairman said Gerardo Buzzeo is a permanent member of the board, appointed for five (5) years and we will have a single alternate, Douglas Mawhiney.

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

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to approve minutes of meeting of December 17, 2007 as presented. Unanimously approved, motion carried.

A motion was made by Mr. Buzzeo and seconded by Mr. Hurtgam to approve the following Resolutions:

1. John Phillips appointed as Vice Chairman for the year 2008.
2. Applications to Planning Board must be received by Building Inspector or Supervisor's Secretary by the end of the first (1st) business day of the month.
3. The Cambria Planning Board is declared Lead Agent with regard to SEQR for all Subdivisions and Business Site Plans.
4. Planning Board meetings shall be held on the third Monday of the month.
5. The Chairman is authorized to update forms and other procedures as necessary.

Unanimously approved, motion carried.

2008-01 ATLANTIC IRRIGATION SPECIALTIES, INC.
4230C Ridge Lea Road, Unit 2, Amherst, N.Y. 14226

Site Plan - property located at 5025 Lockport Road, Lockport, N.Y. 14094
Formerly - Ulrich Landscaping and Nursery

Donald Swanson, representing Apex Consulting Survey & Engineering Services, P.C., Agent, was present at this meeting, along with David Kibler, CID, CIC, Branch Manager of Applicant.

The following have been submitted: Application for Site Plan Approval (3 pages), Short Environmental Assessment Form, Agricultural Data Statement, copy of portion of town map, copy of Survey and LANDMax – Stanley Ohol and Miron Wasik.

Mr. Kibler said they are proposing to purchase property at 5025 Lockport Road for a wholesale/retail business which deals in commercial and residential irrigation and lighting supplies. He said they do not do the actual installation of the pipe and lighting. They have three (3) delivery vehicles, namely: a flat bed, a box truck and a van and also have a forklift. At times, they do accumulate materials for a job, and may need to store some material outside for a period of time, but, prefer inside storage to keep out of the weather and vandalism.

There is a small greenhouse building on the premises which is under a variance. Mr. Kibler said the wind has done some damage to that structure. They perhaps could use that building some time. They will erect a chain link fence to contain the PVC pipe which would be placed in the back.

In regard to the greenhouse structure, approximate size 24' by 92', Mr. Kibler said they will do what the board wishes. He said they would like to move the structure to the back of the existing building.

Parking area is blacktopped and there is one handicap space.

As far as security lighting, Mr. Kibler feels what is there now is sufficient. There are wall packs on the building.

Signage – use existing sign which will be sufficient and will not be lit. There will be no signage on the front of the building.

Supplies in conjunction with this business will be stored inside of building. May have small valve boxes and they will be stored in the building. Anything stored outside will be within the chain link fence.

Vehicles will be parked outside on the east side or behind the building on the north side. If there is room inside the building, will park vehicles inside. There is a gated driveway.

Mr. Kibler said sealer needs to be put on the blacktop and striped and he said that will be done as soon as weather permits.

There will be no storage tanks for fuel, will use same propane tank that is on the premises.

Mr. Phillips said there is decorative gravel up to the building which was for the plants the former owner had.

Mr. Kibler said that will remain and the landscaping still looks nice.

Chairman asked applicant if they are purchasing the entire property and Mr. Kibler said “yes” and they are purchasing approximately 175 feet to the west and part of the pond for a buffer. They have no intention of expanding their business.

He said if weather permits, they can have the sealer and striping done by June 1, 2008.

The PVC pipe ranges from ¾” to 4” in diameter.

Chairman said the County recommended approval of this site plan and stated that the lighting should be identified on the plan.

Mr. Swanson said the building is approximately five (5) years old.

Mr. Buzzeo asked how high is the pipe stored on the pallets?

Mr. Kibler said the pipe is on 4’ by 4’ pallets which are stacked two pallets high. They would be below the top of the fence which will be six (6) feet high.

Counsel asked about outside parking of vehicles?

Mr. Kibler said the vehicles will be parked on the east or north side of the building and nothing parked in the front.

Hours of operation – Monday through Friday 8:00 A.M. to 5:00 P.M., Saturday 8:00 A.M. to 12:00 noon from approximately April 1st until end of September. There are four employees and himself.

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

A motion was made by Mr. Buzzeo and seconded by Mr. Hurtgam to **approve** Site Plan for Atlantic Irrigation Specialties, Inc., site location 5025 Lockport Road, Lockport 14094, to operate a wholesale/retail business which deals in commercial and residential irrigation and lighting supplies with the following conditions:

1. No outside storage of materials other than to the rear of existing building and greenhouse if moved to the rear of building, or within a chain link fence behind the building.
2. Parking area to be sealed and striped and completed by June 1, 2008.
3. Similar sign to what prior owner had is permitted.
4. Lighting on building similar to what prior owner had is permitted.
5. Existing greenhouse to be moved to the rear of building if used.
6. Vehicles to be parked to the rear or east side of the building.
7. Time frame depends on weather and closing on the property.

Unanimously approved, motion carried.

08-01 MARILYN J. ROSSEAU, 4516 Budd Road, Lockport, N.Y. 14094
Divide acreage into two (2) parcels

The following has been submitted: Application for Subdivision Review, Request for Minor Sub-division Approval, Short Environmental Assessment Form, Agricultural Data Statement, Survey map prepared by Wendel Duchscherer Eng. and LAND MAX data of property located on the north, south, east and west of subject property.

Mrs. Rosseau said she is keeping three (3) acres which includes her home and other buildings. She is selling 47+ acres. A survey of the land being sold has been done, copy attached to the application.

Building Inspector said by selling the land, he feels there will be no violations of setbacks, no problems with this application and location of property lines as established are okay. The survey was done on the open land and not on the buildings. Survey will not show any buildings.

A motion was made by Mr. Buzzeo and seconded by Mr. Hurtgam to dispense with the public hearing on application of Marilyn Rosseau to divide her property into two (2) parcels, located on the west side of Budd Road. Unanimously approved, motion carried.

Mr. Phillips asked if this farm, or any portion thereof, is on the Flood Plain Map? There are some restrictions for any building in flood plain areas.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to **approve** application of Marilyn Rosseau to divide her property into two (2) parcels, namely, sell 47+ acres and Mrs. Rosseau to retain three (3) acres including home and buildings with the following conditions:

1. No buildings are permitted in any protected Flood Plain area as defined by FEMA regulations.
2. Approval is subject to applicant requesting a building permit, obtaining D.E.C. permit, Town, County and State permits, if required, to cross the stream on the property.

Unanimously approved, motion carried.

REPORTS:

Chairman:

1. Letter received dated January 11, 2008, addressed to Wright H. Ellis, from CHA (Clough Harbour & Associates LLP) regarding “Niagara Communities Comprehensive Plan”. They are requesting representative and alternate from each community in Niagara County (from each of the 3 cities, 12 towns, 5 villages and 3 Native American Indian reservations) that comprise Niagara County. They propose one (1) meeting per month. The five (5) key planning elements as areas of interest to be considered and addressed throughout the planning process include:

Land Use and Environment
Economic Development
County Services and Facilities
Educational Institutions
Public Health and Safety

2. The February Planning Board meeting will be held at **7:00 P.M.** on February **25th**.

Building Inspector :

1. Monthly report handed out
2. Mr. Burch and Mr. Lane will be away for schooling Jan. 28, 29, 30
3. Chairman asked Building Inspector what is going on behind Buffalo Machine Co., Wasik property? This issue will be checked into.
4. Discussion on Site Plan Fee Schedule:
Mr. Burch feels any significant change on a piece of property that Site Plan was previously approved, should have a Site Plan Review for the change in use. If this takes significant time, feels there should be a charge to applicant. There is a New Construction Fee Schedule for Site Plan Review. If using a building that is already there, no fee. One suggestion is to charge based on acreage.

Chairman - Town Board has changed the training hours for board members from five (5) hours to four (4) hours per year.

Attorney - Nothing to report this evening.

Board members:

1. Luff property on North Ridge Road, west of Route 425 - Mr. Phillips asked what the status is as far as cleaning up of the property, greenhouses and debris?
Building Inspector said the owner has been informed that he must clean up the property, material that is blowing around.
3. Mr. Buzzeo asked about status of house on Joanne Drive that is being repaired? Nothing done recently.

Deputy Building Inspector:

If board members would like to see the progress on the college dormitories at N.C.C.C., they must go to the college office for permission, and also contact Donald Mac Swan who is assisting our building inspectors on this project, and he will take you through.

Chairman: feels it would be a good idea for all who wish to go through the new facility, to go as a group.

A motion was made by Mr. Hurtgam to adjourn at 9:09 P.M. Unanimously approved, motion carried.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____

