

June 16, 2008

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, followed by the Pledge to the Flag.

Members present: William Amacher, Chairman
Gerardo Buzzeo, Jeffrey Hurtgam, John Phillips, Thomas Willett
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 May 19, 2008 as presented. Unanimously approved, motion carried.

2008-03 (02-04-08) NIAGARA COUNTY PUBLIC WORKS FACILITY, 59 Park Avenue, Lockport, N.Y. 14094, request for a Special Permit for a new facility at 5058 Lockport Junction Road, Lockport 14094

There was no one present at this meeting on behalf of the above.

(08-08)1. LELAND MOTE, P.O. Box 130018, Big Bear Lake, California 92315
Re: Minor subdivision on property along Shawnee Road

Matthew Robins was present on behalf of Mr. Mote.

The following have been submitted: Cover letter dated May 28, 2008, Application for Sub-division Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement and copies of survey maps.

At the February 25, 2008 meeting Mr. Robins said he was selling an 84' by 292' parcel located on the east side of Shawnee Road between Upper Mountain Road and Lower Mountain Road to Leland Mote and combine that with the 66' proposed right-of-way that goes to the back land, owned by Mr. Mote, to make legal frontage for a lot. That transaction did not occur. Now, Mr. Mote is selling the 66' right-of-way parcel to Mr. Robins and is to be added to Mr. Robins' property which his residence is on. The 20' easement for the drainage ditch is still there as that is on the line. The 66' is to be combined on to Mr. Robins' existing deed.

There is a 20' easement for Warm Lake Estate to access their grapes which is currently on the 66' right-of-way parcel. It will be transferred to one of the 100' lots Mr. Mote is acquiring.

Mr. Mote is acquiring two (2) lots, each with 100' frontage, SBL No. 106-1-44.5 and 106-1-44.6. The northern lot #44.5 is to be combined with larger parcel to the rear and to be on a single deed. No. 44.6 will not be combined. In the future this lot may be separated off.

Mr. Lane said he is under the impression Mr. Mote may want to build a home some day on this property.

Mr. Mote leases property to Warm Lake Estate for the grapes, contract is for sixteen (16) years and they do all of the work pertaining to the grapes.

Concerns of board members:

Mr. Phillips asked if Mr. Mote has title to the two lots?

Mr. Robins said they are in the process and the town has a copy of the contract.

If he combines the two parcels now, Lot No. 5 and back land, and wishes to separate later on, will have to come to the Planning Board for a subdivision, do not want the back property landlocked. Part of that property is in the Escarpment District.

Mr. Buzzeo asked what are the plans for the lots?

Mr. Robins said he does not plan to build on the 66', just adding that to his existing property. He said Mr. Mote would like to build a home on lot #5 some day.

Counsel said the board should amend the previous minor subdivision request, No. 08-03 dated February 25, 2008 (Matthew Robins).

The 66' right-of-way parcel has been owned by Mr. Mote since 2003 and is to be divided off of his main parcel and consolidated with Mr. Robins' property which his (Mr. Robins') residence is on, immediately to the north and the second condition, based upon consent of Mr. Mote that the 100' parcel, subdivision No. 5 be consolidated on to one deed with rear portion that is planted to grapes. Lot #6 is all by itself. Based upon this board's understanding, subdivision #5 with additional area, and # 6 would remain legal building lots based upon previous subdivision approval. The existing 66' is part of the back land. Property is planted to grapes and the need for a paper road is not required any more. Drainage easement will remain.

Mr. Buzzeo asked if there are any other easements?

It was said there is only the town easement and no other easements.

A motion was made by Mr. Buzzeo and seconded by Mr. Phillips to approve request of Leland Mote to subdivide existing parcel, 66', property proposed for a right-of-way, to Matthew Robins, and Mr. Mote to acquire lots SBL #106-1-44.5 and 44.6, designate lot #44.5 as the access to 106.00-00-1-9.11, approximately 19.6 acres to provide legal frontage, based on discussion of the board with conditions:

1. Subdivide 66' wide parcel off of main parcel including back land, currently planted to grapes, to Matthew Robins to be consolidated on single deed with current residence. Lot # 5 with easement along north line of property leave as is. All existing easements remain .
2. Final approval based on filing on one deed.
3. Lot # 5 is to be combined with the back property prior to transferring the 66' on to one single deed.

Unanimously approved, motion carried.

Mr. Joseph Wegrzyn, 2908 Carney Drive, Sanborn, N.Y. 14132, said he was here tonight to observe. He inquired about special permits.

REPORTS:

Chairman – nothing to report other than about schooling.

Building Inspectors – monthly report handed out.

Attorney – nothing to report this evening.

Board members –

Mr. Phillips said he is planning to attend the meeting on July 25th at N.C.C.C. regarding
Niagara Communities Comprehensive Plan. County Services and Facilities –
Mr. VonHeckler from Warm Lake Estate is representing Wine Trail

Next regular meeting will be July 21st at 8:00 P.M.

A motion was made by Mr. Willett to adjourn at 8:45 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec, Secy.

Minutes approved: _____