

June 21, 2010

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 and then welcomed everyone to the meeting.

Members present: William Amacher, Chairman
Jeffrey Hurtgam, Douglas Mawhiney, John Phillips, Roger Schreader, Sr.
Also present: Clifford Burch, Building Inspector
Donald Lane, Deputy Building Inspector
Gary Billingsley, Attorney

Chairman announced that Gerardo Buzzeo has resigned as member of the Planning Board and Roger Schreader is now a regular member.

A motion was made by Mr. Schreader and seconded by Mr. Phillips to approve minutes of meeting of May 17, 2010 as presented. Unanimously approved, motion carried.

2010-05 Community Bible Church, 4168 Church Road, Lockport, N.Y. 14094
Site Plan Approval and Agreement for proposed new church on the south side of Upper Mountain Road on former McCollum property.

Chairman said a representative of APEX Consulting Survey and Engineering Services PC., representing Community Bible Church, had requested to be removed from tonight's Agenda, and there will be no one present at tonight's meeting.

Building Inspector said, per Wendell-Duchscherer Eng., as stated in their letter dated June 15, 2010 regarding Site Plan Review, there are environmental issues and other concerns pertaining to proposed new Community Bible Church that must be addressed by the design engineer, APEX Consulting Survey & Engineering Services prior to recommending approval.

Building Inspector said the Zoning Board did approve the 250 foot setback and the pond. They will need an easement to go on to adjoining property to the south owned by Loanne McCollum.

A motion was made by Mr. Phillips and seconded by Mr. Schreader to **table** action on the Site Plan Review of Community Bible Church until the July meeting. Unanimously approved, motion carried.

RENEWAL:

2007-05 David Kubiniec, 4268 Upper Mountain Road, Sanborn 14132
Site Plan for yard and shop area for plumbing business at 4049 Saunders Settlement Road, Sanborn 14132.

Mr. Kubiniec was present at this meeting and said he has cut the grass.

Building Inspector said his property looks better.

Board members had no concerns on Mr. Kubiniec's property.

Counsel mentioned from the minutes of April 16, 2007, Mr. Kubiniec said “he does plan to fence rear part of property”.

Mr. Kubiniec said he plans to put fence across the front but he is not aware of fencing in the rear.

A motion was made by Mr. Phillips and seconded by Mr. Schreder to **renew** Site Plan to David Kubiniec for a period of one (1) year retroactive to April 2010. Unanimously approved, motion carried.

07-04 Willow Creek Estates

Rick and Melissa Dawson, 5771 Willow Creek Lane, Sanborn 14132 and Joseph and Debra Bevill, 3106 Saunders Settlement Road, Sanborn 14132 were present at this meeting.

They expressed concern on the restrictions on their properties.

Counsel explained that originally this subdivision was going to be patio homes for older people but that changed due to circumstances which were brought before the Planning Board and necessitated a different style of home for a younger generation with families. The younger people, for example, would like to take care of their lawns themselves or hire who they wish, remove their own snow and erect an accessory structure, etc. They can install any kind of fence but can't fence the front yard.

Counsel said this is a P.U.D. (Planned Unit Development) zone and any change in the regulations are to be reviewed by the Planning Board who makes recommendations to the Town Board.

Counsel explained proposed additional amended restrictions and a concrete patio is allowed but must adhere to side and rear setbacks from property lines. Fences would be permitted but no closer to the road than the front main wall of the principal main residence. Accessory buildings would be permitted, but no closer than ten (10) feet to the side and rear lot lines.

On the Proposed Amended Restrictions, Section 2.15 would be further amended to clarify that fences shall not be constructed closer to the road than the front wall of the principal residence. A new Section 2.16 would be added to permit Accessory buildings whose dimensions do not exceed 10' by 12'.

Amendments can be made to the Declaration of Covenants and Restrictions prior to conveying the last lot out of the subdivision.

A motion was made by Mr. Phillips and seconded by Mr. Schreder to send Revised recommendations of Castleton Development LLC regarding Willow Creek Estates to the Town of Cambria Town Board for decision. Unanimously approved, motion carried.

REPORTS:

Building Inspector – Former Twin Oaks Motel – someone has been cleaning up and has taken down some of the buildings. Due to possible proposed mixed use of this former motel area, one possible action would be rezoning this property to P.U.D. There are approximately nine to eleven acres.

Next meeting will be July 19th at 8:00 P.M.

A motion was made by Mr. Mawhiney and seconded by Mr. Schreader to adjourn at 8:35 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____