

March 19, 2007

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

Members present: William Amacher, Chairman
Jeffrey Hurtgam, John Phillips, Thomas Willett
Douglas Mawhiney, alternate
Member absent: Norman Human
Also present: Gerard Buzzeo, alternate
Clifford Burch, Building Inspector
Donald Lane, Deputy Building Inspector
Gary Billingsley, Attorney
Robert Klavoon, Wendel Engineers

Minutes of meeting of February 26, 2007 – one correction noted on Page 4, last paragraph “The FEMA map showed a larger flood study area then previously shown on plans.”

A motion was made by Mr. Phillips and seconded by Mr. Willett to accept the minutes of meeting of February 26, 2007 as presented with correction as aforementioned. Unanimously approved, motion carried.

TABLED SUBDIVISION from February 26, 2007:

07-02 VIRGINIA I. FERCHEN, 5166 Ridge Road, Lockport 14094 and **PHYLLIS R. ORCHARD**, for a one-lot minor subdivision on property on the west side of Cambria-Lockport Townline Road between Ridge Road and Shunpike Road. Phyllis Orchard was present this evening.

Public Hearing was held in February on this application and because the Niagara County Planning Board had not made recommendation on same by the regular February meeting night, action was tabled for one month.

Recommendation for approval has been received.

Building Inspector had nothing further to add to this issue.

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

A motion was made by Mr. Phillips and seconded by Mr. Willett to **approve** one-lot minor subdivision of Virginia I. Ferchen and Phyllis R. Orchard for property, dimensions 172 feet frontage by 610 feet in depth, located on the west side of Cambria-Lockport Townline Road. Unanimously approved, motion carried.

TABLED BUSINESS SITE PLAN from February 2007:

2007-03 **MARLENE SLATER** and husband, 2970 Saunders Settlement Road, Sanborn 14132, renters; and Terry Vosburgh, 3117 Lower Mountain Road, Sanborn, and Cliff Kendzia, 9340 Niagara Falls Boulevard, Niagara Falls, N.Y. 14304, owners of the property, were present at this meeting.

Mrs. Slater wishes to operate a business, namely, sale of fountain sodas and prepackaged candy from an existing building on this property.

Mr. Phillips expressed concern about the parking for this business and green space.

Mr. Slater said there are six (6) spaces on an angle on the west side of property and one (1) space beside the building per sketch submitted. This subject building was formerly used for business. He said they feel most of the business will be from foot traffic, Community College, located north east, a short distance away. The property is approximately 100 feet in width and area in front of proposed business is approximately 44' wide to the lot line.

Applicant said there is sufficient area for customers to back up from parking area and drive out on to the highway. There is approximately 38' from the front of their home to the front lot line and there is some grass area in the front.

They would like a sign, approximately twelve (12) square feet, in the same place the uniform shop had their sign. There is a restroom in the building and are on the sewer line. Property is zoned commercial. They had previously requested hours of Monday through Friday 10:00 A.M. to 9:00 P.M., Saturday and Sunday 10:00 A.M. to 10:00 P.M. and closed on Wednesday. That was changed this evening to include Wednesday in their operation.

There will be no outside storage, two (2) employees, interior to be inspected by Niagara County Health Department, no cooking in the building, pop in bottles and on site consumption.

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

A motion was made by Mr. Phillips and seconded by Mr. Willett to **approve** application for Site Plan Approval and Agreement for Marlene Slater, 2970 Saunders Settlement Road, Sanborn 14132 to operate a candy and pop business from an existing building at the aforementioned address with the following conditions:

1. Hours of operation: 10:00 A.M. to 9:00 P.M. Monday through Friday
10:00 A.M. to 10:00 P.M. Saturday and Sunday
2. No outside storage
3. Niagara County Health Department approval must be obtained.
4. Parking of vehicles so customers can turn around and drive out on to highway.

Unanimously approved, motion carried.

07-03 WILLOW CREEK PATIO HOMES subdivision

Mr. Thomas Plotar, P.E., Greenman Pedersen, Inc., representing Castleton Develop. Corp., and other persons were present on behalf of Willow Creek Patio Homes subdivision in the vicinity of Shenk Road, Sanborn, 14132.

Mr. Plotar distributed revised Preliminary drawings dated March 1, 2007, consisting of 13 pages to board members for the proposed twenty-four (24) lot subdivision on an eighteen (18) acre parcel with cul-de-sac. He said the public sewer, water and storm sewers are okay as proposed in the previous proposed 58-lot plan.

The 29 items in letter dated March 13, 2007 from Robert Klavoon, P.E., Wendel Engineers, to Mr. Plotar, have been addressed and there are some revisions. The floodplain area is larger than shown on previous maps when 58 homes were proposed. A Conditional Letter of Map Revision (CLOMR) application with FEMA and N.Y.S. D.E.C. regarding the newly defined 100-year floodplain, must be completed. There was a discussion concerning whether the town or applicant was responsible for the Letter of Map Revision (LOMR) concerning floodplain application.

Mr. Plotar said they are not proposing to build in the floodplain.

Applicant was asked about a time frame?

These plans were passed out this evening, and the board did not have time to review them. A special meeting will be held at 6:00 P.M. at the Town Hall on April 2, 2007 to review same.

Counsel asked Mr. Klavoon if there are any issues this board should be thinking about or any proposed revisions from original plans?

Mr. Plotar said he had discussed the retention pond with Mr. Mac Swan, Highway Superintendent.

Sediment chamber for water quality treatment – once or twice a year it is necessary to remove the sediment and would be the town's responsibility.

Cul-de-sac – can pave center or remain grass. Could plow snow into cul-de-sac. It would be the responsibility of the individual property owners to maintain the grass area. Also, home owners would be responsible for mowing the banks of the pond.

The model home will be placed on Lot No. 1 on Route 31. Check the topography and see where the home can be placed on the property so that it will be located out of the floodplain area. Also, need to have proper setback.

The board would like the developer to submit an individual site plan for the model home.

A motion was made by Mr. Willett and seconded by Mr. Mawhiney to table action on the Preliminary Plans as submitted by Mr. Plotar this evening until the board has had time to review same. Unanimously approved, motion carried.

Chairman requested that both alternate board members be present at the April 2nd meeting.

REPORTS:

Chairman - Public Hearing was held on March 13, 2007 regarding HSBC Technology and Services for property located on Lockport Road east of Comstock Road. The subject area has been staked out. Proposed building will be 275,000 square feet. That area is not sewerred at present.

Building Inspector – proposed subdivision on Baer Road west of Forrey property.

Attorney – nothing this evening

Board members – nothing this evening

Chairman – Wasik property on Comstock Road – discussion of old machinery on the site.

The next regular Planning Board meeting will be at 8:00 P.M. on April 16, 2007.

A motion was made by Mr. Willett to adjourn at 8:55 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____