

November 16, 2009

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
Jeffrey Hurtgam, John Phillips, Thomas Willett
Douglas Mawhiney, alternate
Member absent: Gerardo Buzzeo
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 October 19, 2009 as presented. Unanimously approved, motion carried.

2009-06 (11-02-09) RONALD SCIME, 213 Avon Road, Tonawanda, N.Y. 14150, and his brother, James, were present at this meeting. The following have been submitted: Application for Site Plan Approval and Agreement consisting of three pages, Short Environmental Assessment Form, Agricultural Data Statement and Revised Sketch Plan of the property at 5083 Townline Road, Sanborn, N.Y. 14132.

The Zoning Board of Appeals approved the request for Area Variance at their October 26th meeting with conditions, two of which were: Fencing if requested by Town Planning Board and Subject to Town Planning Board Site Plan Approval.

Concerns this evening were:

1. Outside lighting at night.
Mr. Scime said there is lighting on the south side of the building. There will be no lighting on the sign.
2. Fencing
Mr. Scime said there is fencing on the east and north sides of the building which belongs to the neighbors.
Chairman asked applicant if he would put up a new fence?
Mr. Scime said he feels it is not necessary as there is fencing there already.

Counsel asked if there would be any activity to the rear of the property?

Mr. Scime said there is about fifteen (15) feet from the back of the building to the fence. There will be no outside storage. There are no windows or lighting in the back of the building, but there is a window on the south side. He said he will keep the grass cut in the back.

There is a restroom in the building and there are two lifts.

A Revised plan was submitted. He said he will reopen the two existing doors, which have been covered.

It was asked about heat in the building and applicant said he thinks there is natural gas on the property and will put that in the building. He will have a drum for oil, approximately 55 gallons, which will be kept inside of the building

. There will be no painting of vehicles.

Counsel recommended there be suitable landscaping and that the premises be kept in a neat and orderly manner.

Mr. Scime agreed to the aforementioned.

Mr. Phillips asked applicant if there would be any large machinery, like compressors, on the property and Mr. Scime said there will be a compressor and it will be inside of the building.

Applicant had indicated to the Zoning Board that there are two doors with two lifts in the building which have been covered over and will be reopened.

Mr. Scime said he would like a 3 foot by 3 foot sign on the building; no pole out front with sign on.

A motion was made by Mr. Willett and seconded by Mr. Phillips to **approve** Site Plan as presented with Revised Sketch Plan with conditions:

1. Suitable landscaping
2. Keep premises in a neat and orderly manner.

Unanimously approved, motion carried.

09-06 (10-17-09) LE ROY ZASTROW, 4280 North Ridge Road, Lockport, N.Y. 14094

The following have been submitted: Application for Subdivision Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement and a copy of portion of town map showing location of subject parcel.

Michael Zastrow was present on behalf of his father, LeRoy, and said he is purchasing the back portion of his father's property, approximately 11.5 acres, and will consolidate this parcel on with existing deed which has his home on. He said no new building lots are being created, no new frontage. He said the back part is in the flood plain. He plans to grow hay for his horses. The existing ditch is the natural line.

Building Inspectors had no information to add to this request.

Mr. Phillips asked if an easement is needed to clean the ditch in the future?

It was said that will be determined by the Town Highway Superintendent.

Mr. Zastrow was asked if the Consolidated deed would be recorded within four (4) months and Mr. Zastrow said "yes".

A motion was made by Mr. Hurtgam and seconded by Mr. Phillips to **waive** public hearing on application of LeRoy Zastrow for a minor subdivision on North Ridge Road. Unanimously approved, motion carried.

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

A motion was made by Mr. Willett and seconded by Mr. Mawhiney to **waive** Recreation fee on application of LeRoy Zastrow because no new lots will be created. Unanimously approved, motion carried.

A motion was made by Mr. Phillips and seconded by Mr. Mawhiney to **approve** application of LeRoy Zastrow, 4280 North Ridge Road, Lockport 14094, to divide the back portion of his property, approximately twelve (12) acres and sell to his son, Michael Zastrow, with conditions:

1. Michael Zastrow is to consolidate deed with his existing property and record at the County Clerk's office within four (4) months.
2. Applicant is to grant a drainage easement to the Town of Cambria, if requested by the Highway Superintendent, to clean the ditch

Unanimously approved, motion carried.

Outdoor Wood Burning Furnaces - a draft is being prepared by Counsel

REPORTS:

Chairman informed the board of a meeting at Cornell Cooperative Extension on Lake Avenue, Tuesday, Nov. 17th – 1:00 P.M. to 3:00 P.M. – the Topic will be Farmland Protection: Planning for the Use of Purchase of Development Rights to Protect Niagara County's Agricultural Land in Light of Niagara's Master Plan.

December Planning Board meeting will be December 21st at 7:00 P.M.

Building Inspector – reports handed out

Attorney – continuing education for board members – there has been no information received recently. Perhaps, something could be done on line. Discussion

Board members -

Mr. Phillips questioned height on chimneys on wood burning furnaces?
A motion was made by Mr. Hurtgam to adjourn at 8:45 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved; _____

