

July 26, 2010

The regular monthly meeting of the ZONING BOARD of APPEALS of the TOWN of CAMBRIA was called to order by John Reardon, Chairman. He welcomed everyone to the meeting followed by the Pledge to the Flag and then announced the agenda for this evening.

Members present: John Reardon, Chairman
Michael Bechtel, Theresa Kroening, Donald Robinson, Peter Smith
Also present: Michael Sieczkowski, alternate
Clifford Burch, Building Inspector
Donald Lane, Deputy Building Inspector
Gary Billingsley, Attorney

Secretary read Notice of Public Hearing as it appeared in the Lockport Union Sun and Journal to consider the following applications:

(07-01-10) KAREN RANDALL, of 4456 Ridge Road, Lockport, N.Y. 14094, for an Area Variance to permit applicant to construct a roof over an existing porch upon said premises that is located 14 feet from the road right-of-way, whereas the Zoning Ordinance does not permit construction of such a roof upon premises closer to the road right-of-way than 60 feet.

(07-07-10) DAVID DIRRE, of 6776 Ward Road, Niagara Falls, N.Y. 14304, for an Area Variance to permit applicant to construct a residence 150 feet from the road right-of-way upon premises on the west side of Burch Road approximately 920 feet south of Moore Road, whereas the Zoning Ordinance of the Town of Cambria does not permit construction of a residence farther from the road right-of-way than 125 feet.

One addition was made to the minutes of meeting of June 28, 2010.

Special Permit Renewal – 2004-02 (02-02-04) Omnipoint Communications Inc. (T-Mobile USA) Page 2, “a period of three (3) years retroactive to February 2010 with conditions”

A motion was made by Mr. Smith and seconded by Mr. Bechtel to approve minutes of meeting of June 28, 2010 with addition as stated. Unanimously approved, motion carried.

SPECIAL PERMIT RENEWALS (Current)

1993-10 Gary Billingsley, 4421 Lower Mountain Road, Lockport, N.Y. 14094
Special Permit for Home Law Office

Mr. Billingsley requested no changes in the Special Permit

Building Inspector had no complaints on this Special Permit.

A motion was made by Mrs. Kroening and seconded by Mr. Robinson to **renew** Special Permit to Gary Billingsley to operate a home law office for a period of five (5) years. Unanimously approved, motion carried.

1995-12 Thomas Parker, 5150 Ridge Road, Lockport, N.Y. 14094
Special Permit for temporary residence for mother

Mr. Parker requested no changes in the Special Permit and wishes to renew permit for five years.

Building Inspector said he had received no complaints on this Special Permit.

A motion was made by Mr. Robinson and seconded by Mr. Bechtel to **renew** Special Permit for a temporary residence for mother for a period of five (5) years. Unanimously approved, motion carried.

2004-10 (5-24-04) Stephen Cooper, 3494 Lower Mountain Road, Sanborn, N.Y. 14132
Special Permit for In-law apartment

A letter was read from Stephen and Tamara Cooper, dated July 26, 2010, which stated that they would be unable to attend tonight's meeting because of a prior commitment and stated they wished to extend the Special Permit.

Building Inspector had no complaints on this Special Permit.

A motion was made by Mr. Robinson and seconded by Mrs. Kroening to **renew** Special Permit to Stephen Cooper for a period of five (5) years for in-law apartment. Unanimously approved, motion carried.

2006-12 (6-23-06) Vincent Salerno and Maureen Weinert, 4898 Upper Mountain Road, Lockport
Special Permit to operate private kennel

Mr. Salerno and Miss Weinert were present at this meeting and said they wish to renew the Special Permit to operate private kennel and wish no changes in the permit.

Building Inspector had received no complaints on this Special Permit.

A motion was made by Mr. Bechtel and seconded by Mr. Smith to **renew** Special Permit to Mr. Salerno and Miss Weinert to operate a private kennel for a period of five (5) years. Unanimously approved, motion carried.

PUBLIC HEARINGS:

07-01-10 KAREN RANDALL and MARK RANDALL have submitted the following: Application for Area Variance, Short Environmental Assessment Form, Agricultural Date Statement, sketch of the property, Map Quest showing location of the property dated 7-1-2010 and Map Quest aerial view of subject property dated 7-1-2010.

Mr. Randall, present at this meeting, said per his insurance company, they needed to install a railing around the existing porch and would like to put a roof over the porch.

Public Hearing open: there were no comments from members of the public.
Public Hearing closed.

Building Inspectors had no concerns on this issue.
Concerns of board members – no concerns
Counsel – no concerns

A motion was made by Mr. Smith and seconded by Mr. Robinson to declare **negative declaration under SEQR** on application of Karen and Mark Randall. Unanimously approved, motion carried.

A motion was made by Mr. Robinson and seconded by Mr. Bechtel to **approve** application for Area Variance to permit applicant to construct a roof over an existing porch upon said premises that is located 14 feet from the road right-of-way. Unanimously approved, motion carried.

(07-07-10) DAVID J. DIRRE has submitted the following: Application for Area Variance, Short Environmental Assessment Form, Agricultural Data Statement and copy of Survey.

Mr. Dirre was present at this meeting and said he would like to build a home 150 feet from the road right-of way on premises on the west side of Burch Road to be in line with the houses on the south end.

Public Hearing open: there were no comments from members of the public.
Public Hearing closed.

On the north side of his property, house is closer to the road right-of-way, but on the south side, the houses set back further and he would like to be in line with the homes on the south side.

Building Inspector had no concerns. Mr. Burch said Mr. Dirre owns approximately 5.7 acres.
Counsel – no concerns
Board members – no concerns

A motion was made by Mr. Robinson and seconded by Mr. Bechtel to declare **negative declaration under SEQR** on application of David J. Dirre. Unanimously approved, motion carried.

A motion was made by Mr. Bechtel and seconded by Mrs. Kroening to **approve** application for Area Variance of David Dirre, 6776 Ward Road, Niagara Falls, N.Y. 14304 to permit applicant to construct a residence 150 feet from the road right-of-way upon premises on the west side of Burch Road approximately 920 feet south of Moore Road. Unanimously approved, motion carried.

End of public hearing.