

July 27, 2009

The regular monthly meeting of the ZONING BOARD of APPEALS of the TOWN of CAMBRIA was called to order by John Reardon, Chairman, at 8:00 P.M. He welcomed everyone to the meeting followed by the Pledge to the Flag and announced the agenda for this evening.

Members present: John Reardon, Chairman
Norman Allen, Theresa Kroening, Donald Robinson, Peter Smith
Also present: Michael Bechtel, 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 application:

(6-17-09) JEREMY GENTER, 4441 Ridge Road, Lockport 14094, for an Area Variance to permit applicant to construct a 30 feet by 30 feet attached garage on the east side of said residence approximately 6 feet from the east side lot line and 30 feet from the road right of way, whereas the Zoning Ordinance does not permit construction of a structure closer to a side lot line than 15 feet or closer to the right of way than 60 feet.

A motion was made by Mr. Robinson and seconded by Mr. Smith to approve minutes of meeting of June 22, 2009 as presented. Unanimously approved, motion carried.

SPECIAL PERMIT RENEWAL (Tabled from June 22, 2009):

2008-05 (06-02-08) Paul Wendt/Christ Centered Properties, 5910 Ward Road, Sanborn, 14132
Special Permit for warehousing, sale of bulk foods and pet supplies in an existing building at 2990 Carney Drive, Sanborn 14132

Mr. Wendt was unable to attend the June meeting and was present at tonight's meeting and said he would like to renew the Special Permit for the aforementioned business. He said because of some family illness, has not opened for business as of this date. He said he is doing some repairs on the building and keeping the grass cut. He said he plans no changes to the original request.

Building Inspector said he had no concerns on this business and the board members had no concerns.

A motion was made by Mr. Smith and seconded by Mr. Robinson to extend Special Permit for one (1) year retroactive to June 2009 to Mr. Wendt. Unanimously approved, motion carried.

SPECIAL PERMIT RENEWALS (Current) :

2005-06 (7-07-05) Brenda Van Camp, 4990 Shunpike Road, Lockport 14094
Special Permit for Dog Kennel

Ms. Van Camp said she would like to continue with the Special Permit. She said she only has her own personal dogs. She wishes no changes in the Special Permit.

Building Inspector said there have been no problems with this Special Permit and board members had no concerns.

A motion was made by Mr. Robinson and seconded by Mrs. Kroening to extend Special Permit to Brenda Van Camp for a personal dog kennel for another three (3) years. Unanimously approved, motion carried.

2001-08 (7-02-01) Mark Printup, 3922 Upper Mountain Road, Sanborn 14132
Special Permit for temporary residence for mother

Mr. Printup was present at this meeting and said he would like to renew the Special Permit with the same conditions as in original Special Permit with no changes.

Building Inspector said there have been no complaints and board members had no concerns.

A motion was made by Mr. Robinson and seconded by Mrs. Kroening to extend Special Permit to Mark Printup for temporary residence for mother for five (5) years. Unanimously approved, motion carried.

PUBLIC HEARING:

(6-17-09) JEREMY GENTER was present at this meeting and has submitted the following:
Application for Area Variance, Short Environmental Assessment Form, Agricultural Data Statement and copy of Survey map.

Mr. Genter said he would like to construct a 30 foot by 30 foot attached garage for storage of his personal vehicles. He said the house is not in the center of the property and the way the house is set, there is no other way he can place the garage.

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

Concerns of board members:

Mrs. Kroening said she went to the site and said there is a large tree in back of the house and also the leach bed is in the back. There is no other place to build the garage.

Mr. Robinson asked applicant if there would be any business conducted from this building?
Mr. Genter said this would be for his personal use only, for two cars and storage of other personal items.

Mr. Allen asked applicant if there would be a turnaround and Building Inspector said that requirement is only for new homes.

It was said the driveway is double wide and no room for a turnaround.

Attorney had no concerns

Chairman asked applicant how tall would this building be?

Mr. Genter said it would be the same height as the house. He showed the board pictures of his house and property from his computer.

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

A motion was made by Mr. Robinson and seconded by Mrs. Kroening to **approve** application of Jeremy Genter for an Area Variance to permit applicant to construct a 30 foot by 30 foot attached garage on the east side of said residence approximately 6 feet from the east side lot line and 30 feet from the road right-of-way. Unanimously approved, motion carried.

Building Inspector informed applicant that he needs to get a building permit.

REPORTS:

Wind Energy Systems:

Attorney reported that the Town Board requested the Planning Board to prepare a proposal of regulations for Wind Energy Systems for the Town of Cambria and with the assistance of Robert Klavoon and Frederick Frank of Wendel Duchscherer Eng., have done so.

There is a 27 page proposal for the Local Law No. 1 of the year, 2009. There are two types of systems: **Commercial** Wind Energy System (tower up to 400 feet in height) – “Wind farms” (group of windmills with possibility of multiple property owners and; **Non-Commercial** Wind Energy System (tower maximum of 100 feet in height) which would be more for personal use. Also, a **Meteorological (Met)** tower to measure meteorological data, such as temperature, wind speed and wind direction prior to locating a wind energy system which would be erected first..

Planning Board would make a recommendation to the Zoning Board which would then take action on the Special Permit.

Chairman reported on Continuing Education September 9th and 16th in the Albion Middle School Auditorium 7:00 p.m. to 9:00 p.m.

Attorney – nothing this evening.

Building Inspectors - house fell down

Outdoor furnaces

Niagara County Public Works Facility, 5058 Lockport Junction Road – may not put building in the Town of Cambria, as there is a building available in The Town of Lockport. They did extend the Special Permit for a period of one (1) year at the June 22nd meeting.

Board members - nothing to report

A motion was made by Mr. Smith and seconded by Mr. Robinson to adjourn at 8:27 p.m.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____