

December 17, 2007

The regular monthly meeting of the ZONING BOARD of APPEALS of the TOWN of CAMBRIA was called to order by Joseph Ohol, Chairman, at 8:00 P.M. He welcomed everyone to the meeting followed by the Pledge to the Flag.

Members present: Joseph Ohol, Chairman
Theresa Kroening, John Reardon, Donald Robinson, Peter Smith
Also present: Clifford Burch, Building Inspector
Donald Lane, Deputy Building Inspector
Gary Billingsley, Attorney

Chairman announced the agenda for this evening.

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

(12-06-07) GLORIA SNYDER, 5007 Ridge Road, Lockport, N.Y. 14094, for an Area Variance to permit applicant to construct an accessory building upon said premises 1 foot from the east side lot line, whereas the Zoning Ordinance does not permit construction of such a building closer to a side lot line than 15 feet.

A motion was made by Mr. Robinson and seconded by Mrs. Kroening to approve minutes of meeting of November 26, 2007 as presented. Unanimously approved, motion carried.

A motion was made by Mr. Reardon and seconded by Mr. Smith to approve minutes of Special meeting of December 3, 2007 as presented. Unanimously approved, motion carried.

TABLED SPECIAL PERMIT RENEWALS:

2001-15 (10-04-01) Crown Castle USA, Inc., 2000 Corporate Drive, Canonsburg, Pennsylvania 15317,

Special Permit for co-location of personal wireless telecommunication service facility equipment upon an existing telecommunication tower, west of 4719 Lockport Road.

Per Building Inspector, there have been no complaints on this facility and fee of \$500.00 has been paid.

Telecopy Transmittal Sheet to Crown Castle, Attn. Robert Smith, dated December 10, 2007, from Gary Billingsley, Attorney, requesting something in writing from applicant verifying request for renewal of this Special Permit for maximum time permitted five (5) years, was acknowledged by Robert E. Smith dated 12/11/07. There is a copy of the aforementioned on file.

A motion was made by Mr. Robinson and seconded by Mr. Smith to **renew** Special Permit of Crown Castle for co-location of personal wireless telecommunication service facility equipment upon an existing telecommunication tower, west of 4719 Lockport Road, for a period of five (5) years retroactive to October 2007. Unanimously approved, motion carried.

Mr. Lane feels tower and co-location facilities should be paying more for renewal fees.

Counsel said \$500.00 is the maximum fee under Local Law and would have to be a Town Board decision to make any changes.

2003-16 (10-30-03) Susan Pufpaff, 5184 Shawnee Road, Sanborn, N.Y. 14132
Special Permit to operate a “Baking” facility

There was no one present on behalf of this special permit. The sign has been taken down.

A motion was made by Mrs. Kroening and seconded by Mr. Robinson to **terminate** Special Permit of Susan Pufpaff to operate a bakery from her residence on its own terms. There has been no response to two notifications of renewal. Unanimously approved, motion carried.

At this time Chairmanship of the meeting was turned over to Mr. Reardon, Vice Chairman, because of the Special Permit renewal of Joseph Ohol.

1991-18 Joseph Ohol, 5817 Comstock Road, Lockport, N.Y. 14094
Special Permit to store and sell used landscape timbers, (railroad ties) from his property at 4220 Saunders Settlement Road, Sanborn 14132

Mr. Reardon asked Mr. Ohol if he wishes to continue with this special permit for the above and Mr. Ohol said “yes”.

Building Inspector said there have been no complaints on this special permit.

Mr. Ohol asked for renewal of the special permit for the above on his property on Saunders Settlement Road for a period of five (5) years.

A motion was made by Mr. Robinson and seconded by Mr. Smith to **renew** Special Permit to Joseph Ohol to store and sell used landscape timbers (railroad ties) from his property at 4220 Saunders Settlement Road, Sanborn 14132, for a period of five (5) years. Four board members voted “aye”, Mr. Ohol abstained because of conflict of interest. Motion carried.

At this time, Mr. Ohol resumed chairmanship of the meeting.

PUBLIC HEARING:

(12-06-07) GLORIA SNYDER has submitted the following: Application for Area Variance, Short Environmental Assessment Form, Agricultural Data Statement, sketch of the property, copy of H.B.O. Carports: picture, size and price for a carport and copy of four different pictures of her home and property.

Public Hearing open:

Richard Hand, 5027 Ridge Road, Lockport 14094, adjacent neighbor, appeared on behalf of Mrs. Snyder and explained what is proposed. Mr. Hand said Mrs. Snyder would like to have erected a car

shelter on the east side of her home in front of an existing building and next to Mr. Hand's property.

There were no concerns expressed by members of the public.

Public Hearing closed.

Concerns of board members:

Mrs. Snyder's lot is only 65 feet in width.

Building Inspector said the width of the lot is the same, front and back, 65 feet.

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

A motion was made by Mrs. Kroening and seconded by Mr. Robinson to **approve** request of Gloria Snyder for an Area Variance to permit applicant to construct an accessory building upon said premises one (1) foot from the east side property line. Unanimously approved, motion carried.

Applicant must get a building permit.

REPORTS:

Chairman said this is his last meeting on the Zoning Board of Appeals, 25 years on the board and 10 years as chairman. He thanked the board members for their cooperation through the years.

Attorney – nothing to report this evening.

Building Inspectors – monthly report handed out

A motion was made by Mr. Robinson and seconded by Mr. Reardon to adjourn at 8:19 P.M.
Motion carried.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____