

December 22, 2008

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. He then announced the agenda for tonight's meeting.

Members present: John Reardon, Chairman
Theresa Kroening, Donald Robinson, Peter Smith
Member absent: Norman Allen
Also present: Robert Blackman, Councilman, liaison
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:

(12-04-08) KARL and MARY BRENZEL, 678 Fairmont Avenue, North Tonawanda, N.Y. 14120 for an Area Variance to permit applicants to construct a detached garage with dimensions of 40' by 24' upon premises commonly known as 4548 Thrall Road, whereas the Zoning Ordinance does not permit construction of a detached garage that exceeds 720 square feet.

A motion was made by Mr. Robinson and seconded by Mrs. Kroening to approve minutes of meeting of November 24, 2008 as presented. Unanimously approved, motion carried.

TABLED SPECIAL PERMIT RENEWAL:

2002-16 (11-01-02) CROWN CASTLE INTERNATIONAL, formerly known as Verizon Wireless
Re: Special Permit for co-location of personal wireless telecommunication service facility equipment upon an existing telecommunication tower and accessory structure upon premises commonly known as 3023 Carney Drive, Pekin, N.Y.

This Special Permit was due for renewal in November 2008 and there was no one present and no response to letter sent November 10th. Counsel said he contacted corporate headquarters with no response. No communication received as of December 22nd. A second letter will be sent pertaining to this issue.

TABLED RENEWABLE VARIANCE :

Picnic grove on property at 4660 Ridge Road, Lockport, property formerly owned by Delmer Harris, property was the subject of a recent foreclosure action.

A letter was sent November 17th to Bankruptcy Exchange, 2952 Seneca Street, West Seneca, N.Y. 14224, regarding renewal of the variance with no response. Counsel will send a second letter to the above.

A motion was made by Mr. Smith and seconded by Mr. Robinson to authorize counsel to notify Crown Castle International regarding renewal of Special Permit of co-location on tower on Carney Drive; and Bankruptcy Exchange regarding Variance for picnic grove on property at 4660 Ridge Road. Unani-

mously approved, motion carried.

CURRENT SPECIAL PERMIT RENEWAL:

1998-19 CROWN CASTLE ATLANTIC LLC

Special Permit for telecommunication tower and equipment shelter at 3023 Carney Drive on property of Pekin Fire Co., Upper Mountain Road.

No one appeared on behalf of the above and no response received. A second letter will be sent.

PUBLIC HEARING:

(12-04-08) KARL and MARY BRENZEL

Mrs. Brenzel was present at this meeting.

The following have been submitted: Application for Area Variance, Short Environmental Assessment Form, Agricultural Data Statement and copy of Survey map.

Mrs. Brenzel said they are going to build a home on this property, 4548 Thrall Road, and wish to construct a detached garage which will be larger than permitted in the ordinance. It will be 960 square feet perpendicular to the house. The original plans for the garage were 720 square feet. There will be three 10' doors. They have two vehicles and a tractor with attachments.

Public Hearing open:

Kirk R. Walser, 4546 Thrall Road, Lockport, neighbor, said he has no problems with the size of the proposed garage.

Robert Blackman, 4472 Thrall Road, Lockport, neighbor, said he has no problems with the size of the proposed garage.

Public Hearing closed.

Mrs. Brenzel said they own approximately two (2) acres. Garage will be used for personal use only. Tractor will be used to maintain the property.

Building Inspector said original Site Plan showing a garage did not show the size.

Board members had no concerns on this issue.

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

A motion was made by Mrs. Kroening and seconded by Mr. Robinson to **approve** application for Area Variance to Karl and Mary Brenzel, 678 Fairmont Avenue, North Tonawanda, N.Y. 14120 to permit applicants to construct a detached garage with dimensions of 40' by 24' upon premises commonly known as 4548 Thrall Road. Unanimously approved, motion carried.

REPORTS:

Chairman – Michael Bechtel will be reappointed to the Zoning Board.

Norman Allen, whose term expires on 12-31-08, unable to contact him for reappointment.

Attorney – wished everyone a Happy Holiday.

Building Inspectors – a few concerns:

1. Patrick and Traci Garland, 4375 Lower Mountain Road, Lockport, (formerly Burcyk property) have a Variance for housing of livestock in an existing barn and agreed to build a new barn further back from the road within three years and existing barn would be used for storage of hay. Approval was given April 2003 for three years. New barn has not been built. Building Inspector asked if they still had animals on the farm?
2. Mr. and Mrs. Neal Rouin, 3609 Saunders Settlement Road, Sanborn, had Special Permit for in-law apartment. They wished to remodel a detached garage for living facility for their parents. Work was started but never finished.
3. Jon and Tina Bruce, 3160 Ingleside Ave., Macon, Georgia, received approval for Area Variance to construct a residence on the east side of Cambria Road in the Escarpment district. Property has been sold.

Board members: nothing to report

Next meeting will be January 26th at 8:00 P.M.

A motion was made by Mr. Robinson and seconded by Mr. Smith to adjourn at 8:20 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____