

**Town of Cambria
Zoning Board of Appeals Meeting
January 23, 2017**

The regular monthly meeting of the Zoning Board of the Town of Cambria was called to order by Peter Smith, Chairman at 7:00 PM. Everyone was welcomed to the meeting, followed by the Pledge to the Flag.

Members Present: Peter Smith, Chairman
Thomas C. Andrews
Bradley Rowles
Alan Johnson
Harmony Retzlaff-Hurtgam
Cheryl L. Shoop, Alternate

Members Absent: None

Also Present: Randy Roberts, Councilman and Liaison to the Town Board
James McCann, Building Inspector
Gary Billingsley, Attorney

A motion was made by Mr. Rowles and seconded by Mr. Andrews to approve the Minutes for the December Meeting as presented, unanimously approved, motion carried.

The public hearing notice was read as it appeared in the town newspaper.

Old Business

Area Variance ZBAV-2016-010
Laura Huffman- Tom Gworek
3453 Upper Mountain Rd, Sanborn, NY 14132
SBL # 105.00-1-32.122

Ms. Huffman and Mr. Gworek were not present at the meeting but asked that their request for an area variance be withdrawn at this time. According to Mr. McCann a letter will be forth coming.

ZBUV-2016-004 Erich Donato
5071 Lower Mountain Rd, Lockport, New York 14094
SBL#93.00-2-11.2

Mr. Donato was not present at the meeting but asked that his request for a use variance be withdrawn at this time. According to Mr. McCann a letter will be forth coming.

Zoning Board
-continued
New Business
Use Variance

ZBUV-2016-0005 Eric Guenther
4576 Baer Road, Ransomville, NY 14131
SBL#91.00-1-38.2

For a use Variance to permit applicant to construct a 16.75 kW ground mounted solar PV system upon said premises, whereas Local Law No. 1 of the year 2015 regulating Solar Energy Systems in the Town of Cambria requires such systems to be contained within the limits of the building roof and/or rooftops of principal or accessory buildings in the A-R District, and not ground mounted.

Public Hearing-Open

No Comment from the Public

Public Hearing-Closed

Mr. Guenther was present at the meeting and would like to install 40 feet long by 12 feet high ground mounted solar array at his residence. He proposed that if granted the solar arrays would be located 100 feet from his residence. Mr. Guenther stated that he has the support of his neighbors to the north and there is farmland located to the south of his property. It is Mr. Guenther's opinion that ground mounted solar arrays would not negatively impact his neighbors. Mr. Guenther feels this would be an ideal use for his land and if granted and installed the solar array would pay for its self in roughly eight years. According to Darrin Harzewski, from CIR Electrical Construction Corporation this type of system typically has a life span of 40 years; panels can be changed as needed. CIR is a company that installs Solar Energy Systems.

Mr. Johnson suggested placing the solar arrays on the roof of Mr. Guenther's house or on an accessory building as ground mounted Solar Arrays are not permitted in the Town of Cambria. Mr. Guenther and Mr. Harzewski both stated that the roof on the residence would not accommodate solar arrays of this size, and there is no accessory building on the premise. Mr. Rowles explained that ground mounted solar arrays are not permitted in the Town of Cambria under current law, therefore the Board cannot grant this use variance. Mr. Billingsley further explained that in order for the Board to grant a use variance the applicant must meet certain conditions.

Mr. Guenther requested that his application be tabled for one month.

A motion was made by Mr. Andrews and seconded by Mr. Johnson to table this discussion until next month, all in favor, motion carried.

January 23, 2017

Zoning Board

-continued

Reports**Chairman-**Nothing at this time**Building Inspector-** Nothing at this time.**Attorney-** Nothing at this time.**Board Members-** Nothing at this time.

The next meeting of the Zoning Board of Appeals will take place February 27, 2017
at 7:00PM.

A motion was made by Mr. Smith and seconded by Mr. Andrews to adjourn the meeting at
7:25PM.

Respectfully Submitted by

Melinda Olick