

April 25, 2016

The regular monthly meeting of the ZONING BOARD of APPEALS of the TOWN of CAMBRIA was called to order by Michael Sieczkowski, Chairman, at 7:00 P.M. followed by the Pledge to the Flag and then welcomed everyone to the meeting.

Members present: Michael Sieczkowski, Chairman
Thomas Andrews, Alan Johnson, Donald Robinson, Peter Smith
Also present: Matthew Foe, Councilman
Randy Roberts, Councilman and liaison to the Town Board
James McCann, Building Inspector
Gary Billingsley, Attorney
William Amacher, Chairman of Planning Board

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

ZB SP 2016-001 (03-31-16) GERARDO BUZZEO and BETH BUZZEO, 5772 Joanne Drive Sanborn, New York 14132, for a Special Permit for a home occupation, namely a Special Permit to permit applicants to conduct Federal firearm transfer paperwork, transfers and background checks in an existing residence upon said premises pursuant to the Special Permit Ordinance of the Town of Cambria. Said premises are located in the R-1 Zoning District of the Town of Cambria.

A motion was made by Mr. Robinson and seconded by Mr. Smith to approve the minutes of meeting of March 28, 2016 as presented. Unanimously approved, motion carried.

SPECIAL PERMIT RENEWALS (current)

2004-05 (03-31-04B) Mrs. Robert Storrey, 3927 Fair Court East, Sanborn, N.Y. 14132
Special Permit to operate home sewing business

Mrs. Storrey was present at this meeting and said she would like to renew the Special Permit for the above business.

Per Building Inspector, there have been no problems with the business.
Attorney and Board members had no concerns on the business.

A motion was made by Mr. Robinson and seconded by Mr. Johnson to **renew** Special Permit to Mrs. Robert Storrey to operate a home sewing business in her residence for a period of five (5) years. Unanimously approved, motion carried.

2004-07 (04-01-04B) Mr. and Mrs. Edward Pufpaff, 5184 Shawnee Road, Sanborn

Special Permit to operate a dog kennel

Miss Laura Pufpaff was present on behalf of her parents and said they would like to renew the Special Permit for the dog kennel. Previous renewal was for 5 years and there have been no changes.

There were no concerns on the dog kennel per Building Inspector, Attorney or Board members.

A motion was made by Mr. Smith and seconded by Mr. Robinson to **renew** Special Permit to Mr. and Mrs. Edward Pufpaff to operate a dog kennel on their premises for a period of five (5) years. Unanimously approved, motion carried.

2010-03 (03-17-10) Christopher Matyas, 7166 Pendale Circle, North Tonawanda, N.Y. 14120
Special Permit to conduct light manufacturing business relating to computers and computer items upon premises known as 4935 Lockport Road, Lockport, N.Y. 14094

Mr. Matyas was not present at this time.

A motion was made by Mr. Smith and seconded by Mr. Robinson to **table** this renewal until the end of the meeting and see if Mr. Matyas appears. Unanimously approved, motion carried.

(04-01-15) Glenn Wendt and Jay Wendt, 3030 Saunders Settlement Road, Sanborn, N.Y. 141312
Special Permit for in-law apartment as an addition to existing residence.

Mr. Glenn Wendt and Mr. Jay Wendt were present at this meeting and Jay Wendt said they would like the Special Permit renewed.

Building Inspector had no comments.

Attorney said the Special Permit could be renewed for up to 5 years.

Board members had no concerns on this issue.

A motion was made by Mr. Johnson and seconded by Mr. Robinson to **renew** Special Permit to Mr. Glenn Wendt and Mr. Jay Wendt for an in-law apartment as an addition to existing residence for a period of five (5) years. Unanimously approved, motion carried.

PUBLIC HEARING:

ZB SP-2016-001 GERARDO and BETH BUZZEO have submitted the following:

(03-31-16) Application for Special Permit, Short Environmental Assessment Form, Part 1 – Project Information consisting of 3 pages, Short Environmental Assessment Form – Part 2 – Impact Assessment Form (N/A), Agricultural Data Statement, Subject Property Photo and Location of property.

Mr. Buzzeo said he would like to conduct Federal firearm transfer paperwork, transfers, background checks from his residence and teach safety courses. The transfers would be from one person to another and background checks.

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

Chairman requested the applicant explain the process?

Mr. Buzzeo said the guns that would be transferred initially are “long guns”.

He is in the process of obtaining approval from the State of New York to transfer guns. He said that guns he has in his house are in a locked cabinet. He said he is in compliance with Zoning Ordinance Regulations. He currently only stores his own personal guns on his premises.

Applicant was asked how often does he teach a course on guns? and he replied about once a month has a class. ATF and Police do periodical checkups.

Mr. Buzzeo said he could store guns being transferred over night.

Applicant said there would be no buying of guns from distributors, only does the transferring of guns.

Business hours are 5:00 P.M. to 9:00 P.M.

Applicant said he would eventually like to be able to obtain a permit to transfer Pistols. He said he has a current license application pending with ATF for “long guns” to transfer them from one private party to another private party. Any application for permission to transfer pistols would be made after application to transfer “long guns” is granted. No store front, no signs and minimal number of visitors come to the house.

Building Inspector, Attorney and Board members had nothing to add to the above. There is a possibility of guns being stored overnight and Counsel said applicant will need a separate safe for guns stored overnight and a separate safe for his personal guns.

Chairman read from Zoning Ordinance regulations regarding this issue.

A motion was made by Mr. Smith and seconded by Mr. Robinson to declare **negative declaration under SEQR** on Application of Mr. Buzzeo to conduct Federal firearm transfer paperwork, transfers and background checks on "long guns". Unanimously approved, motion carried.

A motion was made by Mr. Robinson and seconded by Mr. Johnson to **approve** the request for Special Permit for a home occupation, namely, a Special Permit to permit applicant, Gerardo Buzzeo, to conduct Federal firearm transfer paperwork, transfers and background checks in an existing residence at 5772 Joanne Drive, Sanborn, New York 14132, located in the R-1 Zoning District of the Town of Cambria, with the following conditions:

1. Applicant shall obtain all necessary Federal, State and Local approvals to conduct paperwork, transfers and background checks, including approval from Bureau of Alcohol, Tobacco and Firearms, as well as a New York State Dealer's License.
2. Applicant shall be permitted to conduct said paperwork, transfers and background checks for "long guns" based upon the approvals for which he is currently able to make application for.
3. Applicant shall be permitted to conduct said paperwork, transfers and background checks for "pistols" at such time as he is able to apply for and obtain all required approvals to conduct said paperwork, transfers and background checks required to transfer "pistols".
4. Applicant shall safely store any firearms which are temporarily maintained on his premises as a result of transfers hereunder in a gun safe separate from any gun safe containing firearms owned by applicant.
5. This Special Permit shall be for a period of one (1) year and may be renewed without further public hearing.
6. In all other respects, applicant shall abide by the Zoning Ordinance of the Town of Cambria.

Special Permit Renewal (tabled from Page 2)

Mr. Christopher Matyas did not appear for renewal of his Special Permit to conduct light manufacturing relating to computers on premises at 4935 Lockport Road.

A motion was made by Mr. Johnson and seconded by Mr. Robinson to **table** renewal of Mr. Matyas for one (1) month and Secretary will send a second notice to appear. Unanimously approved, motion carried.

Old Business – none

New Business – none

REPORTS:

No reports this evening from the following: Chairman, Building Inspector, Attorney and Board members.

Councilman Roberts had no report from the Town Board.

Next regular Zoning Board meeting will be Monday, May 23, 2016 at 7:00 P.M.

Motion made by Mr. Smith and seconded by Mr. Robinson to adjourn at 7:33 P.M.

Respectfully submitted,

Marjorie E. Meahl
Marjorie E. Meahl, Rec. Secy.

Minutes approved May 23, 2016