

**Town of Cambria
Planning Board Meeting
December 19, 2016**

The regular monthly meeting of the Planning Board of the Town of Cambria was called to order by William Amacher, Chairman at 6:04 PM. Everyone was welcomed to the meeting, followed by the Pledge to the Flag.

Members Present: William J. Amacher, Chairman
Roger Schreader, Sr.
John W. Phillips
Gerald E. Kroening
Garret Meal
Douglas Mawhiney

Members Absent: None

Also Present: Randy Roberts, Councilman, Acting as Town Board Liaison
James McCann, Building Inspector
Gary Billingsley, Attorney

A motion was made by Mr. Phillips and seconded by Mr. Kroening to approve the minutes of the November meeting as presented. Unanimously approved, motion carried.

New Business

PSBD-2016-012 Martin J. Maloney
1096 West Erie Street, Irving, NY 14081
Concerning-SBL# 92.00-1-35.41
Vacant Land on Cambria Wilson Road-13.90 Acres
One lot minor Subdivision

Mr. Maloney was present at the meeting and would like a one lot minor sub-division. He plans to sell a 1.4 acre lot to his neighbor. Mr. Maloney owns roughly 14 acres on Cambria-Wilson Road. His property extends to the Cambria Fire Hall. He hopes to sell other property to Joe Townsend who plans to farm the land. There are no drainage issues on this property. There is an issue with a right of way on this property used by farmers to access this land. In addition there may be a "paper road" recorded in the deed. Mr. Maloney suggested creating a new right of way to allow the farmer access to the property. Mr. McCann suggested tabling this decision for a month to allow further discussion of these issues. Mr. McCann stated that he will meet with the Assessor and contact Niagara County if necessary to gain clarification on the right of way and the "paper road". The board will allow Mr. Maloney to communicate via phone or in writing as he lives in Irving and that is a distance from the Town of Cambria.

Maloney- subdivision continued

A motion was made by Mr. Phillips and seconded by Mr. Schreader to table this one lot minor sub-division until further information can be obtained on the right of way and the "paper road", all in favor, motion carried.

Old Business

Site Plan

Jeff Rodger

4772 Ridge Road, Lockport, NY 14094

SBL# 79.00-1-20.1

Site Plan

Kelly Strade-Crowley

4453 Green Rd, Lockport, NY 14094

SBL# 93.00-1-1.1

Both Mr. Rodger and Ms. Strade- Crowley are seeking site plan approval to construct 10kw residential wind turbines.

Tyler Palmer from United Wind was present at the meeting on behalf of both property owners. Mr. Amacher stated that both applicants have been granted an Area Variance from the Town of Cambria Zoning Board of Appeals.

Mr. Schreader was concerned that both applicants are seeking approval for Wind Turbines that are 153 feet when the Local Law for the Town of Cambria only allows 100 feet. Mr. Amacher and Mr. Billingsley explained that at the time the law was established 100 feet was the typical height for a wind turbine. The Town of Cambria discussed amending the Local Law, but decided to continue to require residents to apply for Area Variances for Wind Turbines that exceed 100 feet. Currently 153 feet is the typical or standard size for wind turbines. The board expressed concern that wind turbines will continue to go higher, and where is the limit. Mr. Palmer stated that the Federal Communications Commission requires wind turbines to be less than 200 feet. Mr. Mawhiney was concerned about what happens to the Wind Turbines when they are no longer used. Mr. Palmer explained that United Wind or a designated contractor will remove the wind turbine 6 months after it is no longer useful, per lease agreement.

The Chairman asked that a motion be made to grant Site Plan Approval for **Mr. Rodger**; The Board was polled and the votes are recorded as follows:

Mr. Mawhiney- Yes

Mr. Schreader- No

Mr. Kroening- Yes

Mr. Phillips- Yes

Mr. Amacher- Yes

The site plan was approved, motion carried.

Rodger- Wind Turbine Decision continued-

Mr. Schreader did not approve due to the wind turbine height of 153 feet in relation to Local Law in the Town of Cambria which only allows 100 feet.

The Chairman asked that a motion be made to grant Site Plan Approval for **Ms. Strade-Crowley;**

The Board was polled and the votes are recorded as follows:

Mr. Mawhiney- Yes

Mr. Schreader- No

Mr. Kroening- Yes

Mr. Phillips- Yes

Mr. Amacher- Yes

The site plan was approved, motion carried.

Mr. Schreader did not approve due to the wind turbine height of 153 feet in relation to Local Law in the Town of Cambria which only allows 100 feet.

Old Business

Site Plan

Laura Hoffman-Thomas Gworek

ZBAV-2016-010

3453 Upper Mountain Road, Sanborn, NY 14132

SBL# 105.00-1-32-122

Ms. Huffman and Mr. Gworek asked that their request for an area variance be withdrawn at this time. According to Mr. McCann a letter will be forth coming indicating their plans to attach the building/garage to their house rather than building a separate building.

This will be discussed with Mr. McCann and Wendel Engineering.

A motion was made by Mr. Schreader and seconded by Mr. Mawhiney to table this discussion for one month, all in favor, motion carried.

PSBD-2016-009

Mark Voelker

5336 Lockport-Junction Rd, Lockport NY 14094

SBL# 121.00-2-27.1

Minor Subdivision

At the November 21, 2016 Meeting of the Planning Board granted a one lot minor subdivision. Neither Mr. Voelker nor his Attorney was present at the meeting. Mr. and Mrs. Robert Farnham and their Attorney, Dan Seaman was present. Mr. Farnham is intending to purchase the existing residence along with 3.2 acres from the Voelker Family. The Voelker's will retain 16.6 acres.

A letter dated November 18, 2016 was received from the Voelker's Attorney Jon Louis Wilson after the November 21, meeting. In the letter Mr. Wilson stated that the Voelker's are not joining in the application with the Farnham for subdivision approval.

Planning Board
Continued
Reports:

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Chairman- Nothing at this time.

Building Inspector- Mr. McCann stated that Arrowhead Winery is going forward with the improvements to their winery without site plan approval.

Attorney- Nothing at this time.

Board Members- Mr. Mawhiney stated that he has been approached about where the fill is coming from that is being dumped on Shawnee Road.

A motion was made by Mr. Kroening and seconded by Mr. Phillips to adjourn the meeting at 6:44PM.

The next meeting of the Planning Board will take place Monday, January 23, 2017 at 6:00PM.

Respectfully Submitted by
Melinda Olick

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