

June 17, 2013

The regular monthly meeting of the PLANNING BOARD of the TOWN of CAMBRIA was called to order by order by William Amacher, Chairman, at 8:10 P.M. followed by the Pledge to the Flag.

Members present: William Amacher, Chairman
Jeffrey Hurtgam, Douglas Mawhiney, John Phillips, Roger Schreader, Sr.
Also present: Gerald Kroening, alternate
Matthew Foe, Councilman and liaison to Town Board
James McCann, Building Inspector
Gary Billingsley, Attorney
Randy Roeseler, Wendel Duchscherer Eng.

A motion was made by Mr. Hurtgam and seconded by Mr. Schreader to approve the minutes of meeting of May 20, of May 20, 2013 as printed. Unanimously approved, motion carried.

13-02 (05-28-13) JOSEPH CRITELLI, 4958 Blackman Road, Lockport NY 14094
Application for Minor Subdivision Approval for one lot on the west side of Green Road.

Mr. Critelli was present at this meeting and has submitted the following: Application for Subdivision Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement, Notice of Adoption of Recreation Fee per Town Board Resolution 4/12/07 and town map highlighting subject parcel. Dimensions of lot are 150 feet by 754.61 feet.

There are two paper roads reserved in the Green Acres subdivision from Green Road to the west, one would be a continuation of Van Dusen Road and the second proposed road would be further to the north on Parcel No. 8. The reserve roads are not shown on the County map but are shown on the town map. There are no structures on the paper roads at present. A barn is approximately 100 feet north of the line on Parcel No. 5A

The town wants the proposed roads for access to back land. The subdivision proposed tonight is not affected by proposed roads, but is partially in the Federal Flood Plain, the back corner. There are no restrictions on this lot. It is approximately 400 feet from the Flood Plain.

The board had no concerns on this subdivision and the building inspector is satisfied with the proposal as is.

A motion was made by Mr. Hurtgam and seconded by Mr. Phillips to **waive** Public Hearing on Application of Mr. Critelli to separate 150 feet by 754.61 feet from Parcel No. 4 in the Green Acres Subdivision. Unanimously approved, motion carried.

A motion was made by Mr. Hurtgam and seconded by Mr. Phillips to declare **negative declaration under SEQR** on lot 150ø by 754.61; on property in the Green Acres Subdivision on the west side of Green Road. Unanimously approved, motion carried.

A motion was made by Mr. Hurtgam and seconded by Mr. Schreder to **approve** Application of Joseph Critelli for one lot in the Green Acres Subdivision on the west side of Green Road, from Lot No. 4, dimensions 150' by 754.61', per attached sketch. Unanimously approved, motion carried.

2013-03 (04-30-13) Gary and Judy Heppner, 5399 Cambria Road, Sanborn, N.Y. 14132, have submitted Application for Special Permit for installation of a 10kW WECS (windmill) on a 140' lattice type self-supporting tower.

Mr. and Mrs. Heppner were present at this meeting along with Thomas Fleckenstein, representing Niagara Wind and Solar.

A Memo from Wendel Engineers was submitted this evening from Mr. Roeseler and Drew Reilly, P.E., AICP of Wendel Engineers dated June 12, 2013, Re: Gary and Judy Heppner's Special Use Permit for WECS Installation. This Memo was reviewed by the board and Mr. Roeseler reviewed the contents of same.

Mr. Roeseler said the project was classified as a Commercial Wind Energy System because it would have a height of greater than 100 feet. Applicants were asked to provide additional information regarding the proposed tower and its compliance with Town of Cambria's WECS Local Law, which was included in the Memo attached to these minutes.

Part 2 of the Full E.A.S. form under SEQR was submitted for the board's review.

There appears to be no significant impact on the environment and a negative SEQR is appropriate for this proposal. Mr. Roeseler said there are minimal impacts but are small. Turbine will be all white, semi gloss, tower will be galvanized steel lattice, tower turn out of the wind furl.

Mr. Phillips asked about noise? It was said it follows with the ordinance and is based on manufacturer's information, various sound levels.

Planning Board is Lead Agent.

Counsel said after decision is made by the Zoning Board, applicants must return to the Planning Board for its final decision on condition that the Zoning Board has approved the request for Special Permit.

Mr. Fleckenstein said the actual location of the windmill is in the same area as stated in the original plan. The soil test on PSF is satisfactory.

Mr. Amacher asked about rock in this area? The answer was "rock is not an issue."

Counsel said when applicants return following Zoning Board action, more specific findings will be addressed, Commercial versus Residential bonding requirements.

Tonight SEQR to be filled out and make recommendations to Zoning Board for approval.

Concerns of board members - no concerns

A motion was made by Mr. Hurtgam and seconded by Mr. Schreader to declare **negative declaration under SEQR** on windmill request. Unanimously approved, motion carried.

A motion was made by Mr. Schreader and seconded by Mr. Phillips to approve Site Plan Application of Gary and Judy Heppner to install a 10 kW WECS (windmill) on a 140 foot Lattice Type Self-Supporting Tower at 5399 Cambria Road, Sanborn NY 14132, with additional information submitted from Wendel Engineering this evening. Applicants to return to Planning Board next month if approval is given by the Zoning Board of Appeals. Unanimously approved, motion carried.

2013-01 (01-04-13) TIM HORTONS SIGN - New site at 2970 Saunders Settlement Road, Sanborn. A SIGN PACKAGE, REV 1 dated 6-10-13, was received this evening for the new sign. Per Building Inspector, the plans for the sign are the same as the original plans on the layout of original Plan. Redesign something with Benderson and put on the existing sign with other businesses in that plaza.

REPORTS:

Mr. Teeto's property corner of Baer Road and Route 31. Two culverts were installed on the property. Per Building Inspector, no definite information received as of this date.

Mr. Schreader asked what is going in on Junction Road between Ridge Road Express bus Company and Route 31? Building Inspector said that property is owned by John Ohol who is planning to put in a Corn Maize. It was reported that property is in the Flood Plain. This may be for agricultural use. Parking lot in the back. Top soil has been moved to the back for a parking lot. Stone is being put in.

Mr. Schreader asked about west side of Cambria Lockport Townline Road just south of Route 104? Building Inspector said that is to store porta potties. He said he told the owner to get them out of sight.

Attorney ó nothing to report this evening

Mr. Foe said several complaints have been received concerning unkept yards, grass is about ten (10) inches tall, residential places only where there is a house on the property. Discussion



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Update on Comprehensive Plan - need volunteers to work on team. Traffic and transportation issues. How saleable is our property? Approximately 15 years since plan was updated. Use Wendel Engineering to help gather information. Preparation six to eight months in the working process.

Counsel - Local Law ordinances

Windmills -140 feet to 152 feet at the tip - typical type of windmill, NYSERDA 80 to 140 feet. Windmills in the future. They are very costly to repair. At the time of installation, a warranty for approximately 5 years. May be a necessity to get a crane at the top to make repairs. Demolition Bond?

Next regular meeting will be on July 15th at 8:00 P.M.

A motion was made by Mr. Phillips to adjourn at 8:55 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____