

June 18, 2012

The regular monthly meeting of the PLANNING BOARD of the TOWN of CAMBRIA was called to order by William Amacher, Chairman, at 8:00 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: Matthew Foe, Councilman, and liaison to the Town Board  
Clifford Burch, Building Inspector  
Gary Billingsley, Attorney

A motion was made by Mr. Schreader and seconded by Mr. Hurtgam to approve minutes of meeting of May 21, 2012 as presented. Unanimously approved, motion carried.

#### **SITE PLAN:**

**2012-06 (05-17-12)** tabled from May  
**Milleville Brothers** – owner of property  
**Brian Whyte** (Niagara Forestry) – applicant  
Property location – 4177 Lower Mountain Road, Lockport 14094

The aforementioned have submitted application for Special Permit to conduct a business within existing structures at 4177 Lower Mountain Road, namely a logging operation and to make maple syrup.

Site Plan application was sent to the Niagara County Planning Board for recommendation but due to the fact “information provided was insufficient”, no action was taken by the County for the May 21<sup>st</sup> Town of Cambria Planning Board meeting. The County requested additional information in a letter dated May 18<sup>th</sup>.

The Town Planning Board reviewed the Site Plan and sketch received and also requested additional information from applicant. Action was tabled until further information is received.

Mr. Billingsley wrote a letter to Mr. Milleville with copy to Mr. Whyte, dated June 14, 2012, copy on file, requesting Mr. Whyte to provide additional information requested by July 6<sup>th</sup> so action can be taken in July.

A motion was made by Mr. Phillips and seconded by Mr. Mawhiney to **table** action on the Milleville/Whyte application for Site Plan Approval until the July meeting, to operate a logging operation and to make maple syrup. Unanimously approved, motion carried.

#### **PUBLIC HEARING:**

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

**12-02 (06-04-12)** **CHURCH of the NAZARENE**, 3520 Saunders Settlement Road, Sanborn, N.Y. 14132, for Preliminary plot approval for a Minor subdivision for one lot from

premises located on the southeast corner of the intersection of Saunders Settlement Road and Baer Road. The lot contains approximately 3.03 acres, with dimensions of 275 feet in width and 504.89 feet in depth.

Rev. Carl Wayne Hokanson appeared on behalf of the Church of the Nazarene and has submitted the following: Application for Subdivision Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement and copy of survey of subject parcel.

Public Hearing open: there were no comments from members of the public.

Public Hearing closed.

Rev. Hokanson said they would like to divide off 3.03 acres from the church property located on the southeast corner of the intersection of Saunders Settlement Road and Baer Road, dimensions 275 feet frontage by 504.89 feet in depth. They have a person interested in purchasing this property for a towing service business. The prospective buyer's current business is located on Lockport Road and it was reported he has a clean operation. One of the services provided is towing vehicles for the Sheriff's Dept., could be five or six vehicles stored at one time.

A motion was made by Mr. Phillips and seconded by Mr. Schreader to declare **negative declaration under SEQR** on application of the Church of the Nazarene. Unanimously approved, motion carried.

A motion was made by Mr. Hurtgam and seconded by Mr. Phillips to **approve** application for Minor Subdivision for one lot from premises located on the southeast corner of the intersection of Saunders Settlement Road and Baer Road, lot contains approximately 3.03 acres, with dimensions of 275 feet in width and 504.89 feet in depth. Unanimously approved, motion carried.

A motion was made by Mr. Schreader and seconded by Mr. Mawhiney to **waive** the Recreation Fee on lot being divided by the Church of the Nazarene. Unanimously approved, motion carried.

#### **NO PUBLIC HEARING:**

**12-03 (06-06-12)**     **JOSEPH CRITELLI**, 4958 Blackman Road, Lockport, N.Y. 14094  
Subject Property Location – 4606 Green Road, Lockport, N.Y. 14094, west side,  
One lot minor subdivision

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 and copy of portion of town map highlighting subject parcel.

Mr. Critelli said he is subdividing a parcel on the west side of Green Road, dimensions 153.61 frontage by 350 feet in depth.

A motion was made by Mr. Phillips and seconded by Mr. Mawhiney to declare **negative declaration under SEQR** on application of Mr. Critelli for a one-lot Minor subdivision on Green Road in Green Acres Subdivision. Unanimously approved, motion carried.

A motion was made by Mr. Schreader and seconded by Mr. Mawhiney that Mr. Critelli must pay the Recreation Fee. Unanimously approved, motion carried.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to **approve** application of Joseph Critelli for a one-lot Minor Subdivision on the west side of Green Road in Green Acres Subdivision, dimensions 153.61 feet in width by 350 feet in depth. Unanimously approved, motion carried.

**NO PUBLIC HEARING:**

**12-04 (06-15-12) DOUGLAS MAWHINEY**, applicant, owner  
5082 Upper Mountain Road, Lockport, N.Y. 14094  
Sub-divider of property

Mr. Mawhiney was present on behalf of the Cambria Volunteer Fire Co. and has submitted the following: Application for Subdivision Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement and copy of survey showing subject lot.

Mr. Mawhiney said he is subdividing one and one half (1 and ½) acres of vacant land from 31.6 acre parcel, to sell to Cambria Volunteer Fire Co., dimensions 139 feet by 492 feet on the south side of Upper Mountain Road, near intersection of Thrall Road.

A motion was made by Mr. Hurtgam and seconded by Mr. Schreader to **waive** Public Hearing on Application of Douglas Mawhiney. Four board members voted “Aye”, Mr. Mawhiney abstained because of conflict of interest, motion carried.

A motion was made by Mr. Schreader and seconded by Mr. Phillips to declare **negative declaration under SEQR** on application of Douglas Mawhiney. Four board members voted “aye”, Mr. Mawhiney abstained because of conflict of interest. Motion carried.

A motion was made by Mr. Phillips and seconded by Mr. Schreader to **approve** Application of Douglas Mawhiney, sub-divider, to sub-divide one and one-half (1-1/2) acres, dimensions 139 feet by 492+ feet from his property consisting of 31.6 acres, located on the south side of Upper Mountain Road, to sell to Cambria Volunteer Fire Co. Four board members voted “Aye”, Mr. Mawhiney abstained because of conflict of interest. Motion carried.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to **waive** the Recreation Fee on Application of Mr. Mawhiney. Four board members voted “Aye”, Mr. Mawhiney abstained because of conflict of interest. Motion carried.

**REPORTS:**

**(03-05-12 A) Erway/McSpadden** – hot dog stand, 4078 North Ridge Road, Lockport, N.Y. 14094

Planning Board  
Reports – cont.  
Erway/McSpadden – cont.

-4-

June 18, 2012

Variance granted March 2012 – Site Plan Review required by Planning Board for proposed fence on east side of property because property is in B-2 district. No Site Plan application received as of this date. Zoning Ordinance requires Site Plan Approval.

Next regular meeting will be Monday, July 16<sup>th</sup> at 8:00 p.m.

A motion was made by Mr. Schreader to adjourn at 8:32 p.m.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: \_\_\_\_\_