

March 18, 2013

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, liaison to the Town Board
Gary Billingsley, Attorney

Minutes of meeting of February 25, 2013, there is a correction.

Reports: Mr. Teeto did purchase the property on Baer Road and Saunders Settlement Road in front of the Church of the Nazarene but his existing property at 2292 Lockport Road, Sanborn, N.Y. 14132 has not been sold as of this date.

A motion was made by Mr. Phillips and seconded by Mr. Schreader to amend the minutes of February 25th to correct the aforementioned. Unanimously approved, motion carried.

SITE PLAN REVIEW:

2013-01 (01-04-13) Tim Donut US Limited, Inc. (Tim Hortons Restaurant) Proposed new site at 2970 Saunders Settlement Road, Sanborn, N.Y. 14132

Mr. Daniel Blamowski was present on behalf of Tim Hortons and had a copy of the latest drawings dated March 13, 2013 for the board to review.

He said the proposed new building will be 1950 square feet, and application has been submitted to D.O.T. (Department of Transportation) for review. There can be nine (9) vehicles stacked around the building and plan to add more parking spaces. A six (6) foot high vinyl fence is to be erected between the new restaurant property and neighbor to the east. The Zoning Board granted a variance for setback from the road right-of-way. Final comments from D.O.T. on the underground storm water and sewer will be forth coming. Also, have discussed the aforementioned with Mr. Shoop, Town Water Dept. Foreman.

Mr. Amacher mentioned that at times when it rains, water lies on part of the proposed parking area.

Mr. Phillips asked about signage?

Mr. Blamowski said information on signage will be forthcoming under separate cover. He said sign will go on existing sign or on a new sign like the ones at existing Tim Hortons restaurants and will be in accordance with Town Ordinance.

Mr. Schreader suggested not putting sign too close to the right-of-way, need clearance for fire truck with aerial to turn into the property if necessary.

Dumpsters will be fully enclosed.

Indirect lighting will be all on site.

Mr. Blamowski said they would like to start construction as soon as possible, let out bids, line up contractors and will try to break ground in April.

D.O.T. requires curb cut, driveway, utilities connections including storm water.

Site Plan approval of March 13, 2013 plans subject to D.O.T. plans for storm water distribution, grading, drainage and curb cut.

Lease agreement ó The Town of Cambria has no input on the lease issue, that is a private matter.

Sign on pole 5ö by 3ö, height of average pole is approximately twenty (20) feet.

New permitted sign will be lit and will be in compliance with applicable code and further review by this board. Not known at this time if it will be placed on with existing signs or on a pole by itself.

A motion was made by Mr. Schreder and seconded by Mr. Hurtgam to **approve Site Plan** for Tim Donut US Limited, Inc. to permit the construction of a Tim Hortons Restaurant on premises located at 2970 Saunders Settlement Road, Sanborn, N.Y. 14132, pursuant to the latest plans reviewed this evening prepared by Parsons Brinckerhoff, dated March 13, 2013 with conditions:

1. Applicant to be in compliance with Town of Cambria Zoning Ordinance regulations and all applicable codes;
2. Applicant shall follow requirements of Town Engineer, Wendel Duchscherer Eng., and D.O.T. in regard to new curb cut, driveways, utilities, connecting storm water distribution plans, grading and drainage plans;
3. Applicant is permitted to have a lighted sign, either on the plaza sign on Benderson's property or a new sign on a pole as long as it is in compliance with Town Zoning Ordinance and applicable code; otherwise, subject to review by this board;
4. Indirect lighting shall be all on site;
5. A six (6) foot high solid vinyl fence to be erected between restaurant property and adjacent neighbor to the east.

Mr. Mawhiney asked about sufficient parking for tractor-trailers, like some that come over from Canada, and may park along Saunders Settlement Road?

Mr. Blamowski said they get delivery trucks into their premises and all okay.

Unanimously approved, motion carried.

SKETCH PLAN REVIEW submitted (for review only)

Mr. Chuck Nemec, P.O. Box 135, Gasport, N.Y. 14067

Proposed subdivision on property on Subbera Road and Saunders Settlement Road, Sanborn, N.Y., 14132 west side

Mr. Nemec appeared before the board to request information and procedure for a proposed subdivision on the aforementioned property.

Concerns:

Mr. Nemec asked what could be done with an existing ditch (swale ó man-made ditch) that is approximately 90 feet west of Subbera Road? Would it be possible to move this swale to the roadside ditch on Subbera Road and end at the corner of Saunders Settlement Road? Also asked about wetlands, water just lays there ó possible retention pond?

Mr. Nemec was informed that he would need to contact an engineer on this issue.

Mr. Nemec said the property is currently being farmed, property is owned by his mother.

There is water in the ditch now and the property is low and does not drain well.

He was informed that he would need to contact D.O.T. regarding the drainage.

Mr. Nemec said the swale has not been cleaned out in many years.

Regarding septic systems, would require sand filter systems, the land is lower than the road and soil is clay type. He would need to bring in fill.

Mr. Nemec said he has not contacted the Health Department yet but he knows sand filter systems would be required and there could be water problems.

He was advised to contact the Niagara County Health Department and the Niagara County Soil and Water Conservation on the preceding issues.

Mr. Nemec said also there is an old pond on the property.

The main issue is the water problem because it does not flow, but it does dry up.

Another issue is a dead end road or cul-de-sac, road construction. Water and drainage plan is the most import issue.

Mr. Nemec asked if curbing would be required and answer was öyesö, County curbs to collect storm water.

REPORTS:

Chairman ó N.Y. Planning Federation Annual Conference April 21 ó 23 at Gideon Putnam Resort & Hotel, Saratoga Springs, N.Y.

Building Inspector ó not present, at school

Attorney ó no report

Board members ó no report

Next regular meeting April 15th at 8:00 P.M.

Motion made by Mr. Phillips to adjourn at 7:40 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____