

March 28, 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 this 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

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

ZB UV-2016-001 THOMAS and CANDACE SCHULTZ of 5849 Baer Road, (02-29-16) Sanborn, New York 14132 for a Use Variance to permit applicants to construct a pole barn for storage purposes upon premises located on the south side of Human Road between Shawnee Road and Baer Road, whereas the Zoning Ordinance does not permit construction of such a structure upon premises which do not already contain a residence in the A-R Zoning District.

A motion was made by Mr. Robinson and seconded by Mr. Smith to approve minutes of meeting of February 22, 2016 as presented. Unanimously approved, motion carried.

SPECIAL PERMIT RENEWALS (current)

2015-01 (12-10-14) Paul Wendt, 5231 Townline Road, Sanborn, N.Y. 14132
Renewal of Special Permit to harbor up to 5 dogs on premises.

Mrs. Wendt was present at this meeting and said they would like to renew the Special Permit for the above. This will be their first renewal and she said no changes have been made.

Building Inspector said there have been no problems with this Special Permit. Counsel and Board members had no concerns on this Special Permit.

A motion was made by Mr. Smith and seconded by Mr. Johnson to **renew** Special Permit of Mr. and Mrs. Paul Wendt to harbor up to five (5) dogs on their premises at 5231 Townline Road for a period of five (5) years. Unanimously approved, motion carried.

2015-02 (12-24-14) Paul Lampkin, 3238 Lower Mountain Road, Sanborn, N.Y. 14132 Renewal of Special Permit to harbor 4 dogs on premises.

Mr. Lampkin was present at this meeting and said they would like to renew the Special Permit for five **(5) years**. This will be their first renewal. There have been no changes in the Special Permit per applicant.

Building Inspector said there have been no problems with this Special Permit. Counsel and Board members had no concerns on this Special Permit.

A motion was made by Mr. Robinson and seconded by Mr. Smith to **renew** Special Permit to Mr. and Mrs. Paul Lampkin, 3238 Lower Mountain Road, to harbor four (4) dogs on their premises for a period of five **(5) years**. Unanimously approved, motion carried.

End of Special Permit renewals.

PUBLIC HEARING:

ZB UV-2016-001 (02-29-16) THOMAS and CANDACE SCHULTZ were present at this meeting and have submitted the following: Application for Use Variance, Short Environmental Assessment Form, Part 1- Project Information consisting of 3 pages, Short Environmental Assessment Form, Part 2 ó Impact Assessment consisting of 2 pages (N/A), Agricultural Data Statement, copy of Survey, copy of Niagara County Health Department proposal for Sand Filter Sewage Disposal System dated September 2015 prepared by N.C.H.D. and copy of Sketch plan.

Mr. Schultz said they plan to build the pole barn in back of the future home before building the house so they will have a place to store some of their things and not leave outside. He said they wish to do some painting upstairs of their existing home before putting it up for sale and need a place for the furniture.

Applicant said they plan to break ground for their future residence on Human Road in August 2016.

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

Chairman said some of the questions on Page 2, Short Environmental Assessment Form, Part 1 ó Project Information, were not answered (no or yes). Mr. Schultz said these questions were not applicable to their situation, but Chairman said they must be answered. At this time Mr. Schultz filled in the unanswered questions.

Mr. Schultz said the house will be in line with existing houses in the area.. Accessory building, 24 feet by 32 feet, will be located on the southwest corner of their property. There will be no change in the topography, septic system will be in the front yard.

Mr. Schultz was asked if Mr. Critelli canø build the house within a certain length of time, would you, Mr. Schultz, take down the pole barn and Mr. Schultz said õyes õ, they would take down the pole barn if the house was not under construction within the time allotted by the board.

Applicant said he would like the pole barn for storage while home is being constructed. He wishes to do some painting in his existing home and to move some articles from the upstairs to the pole barn.

Mr. Schultz provided a copy of the proposed septic system as prepared by the Niagara County Health Department.

Chairman brought up the fact that the dimensions of the subject lot on the survey do not agree with the dimensions on the paper from the Health Department. This must be corrected.

It was suggested that a condition of six (6) months be placed on the beginning of construction on the future residence of Mr. and Mrs. Schultz on Human Road. and applicants agreed to the condition and if house is not started, the pole barn would be taken down.

A motion was made by Mr. Smith and seconded by Mr. Andrews to declare **negative declaration under SEQR** on Application of Mr. and Mrs. Schultz for a Use Variance. Unanimously approved, motion carried.

A motion was made by Mr. Smith and seconded by Mr. Johnson to give Thomas and Candace Schultz a period of one (1) year to start construction of their future home on Human Road and if not started in one year, the accessory building (pole barn) shall be taken down. Unanimously approved, motion carried.

Old Business ó none
New Business ó none

REPORTS:

Chairman ó no report
Building Inspector ó no report
Attorney ó no report

Zoning Board
Reports ó cont.

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Board members ó no report
Councilman Roberts ó nothing to report from the Town Board

Next regular meeting will be at 7:00 P.M. on Monday, April 25th .

A motion was made by Mr. Robinson and seconded by Mr. Smith to adjourn at 7:45 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved _____