

November 26, 2012

The regular monthly meeting of the ZONING BOARD of APPEALS of the TOWN of CAMBRIA was called to order by John Reardon, Chairman, at 8:00 p.m. He welcomed everyone to the meeting followed by the Pledge to the Flag, and then announced the agenda for this evening.

Members present: John Reardon, Chairman
Michael Bechtel, Theresa Kroening, Donald Robinson
Michael Sieczkowski, alternate
Member absent: Peter Smith
Also present: Robert Blackman, Councilman, liaison to the Town Board
Matthew Foe, Councilman
Clifford Burch, Building Inspector
Gary Billingsley, Attorney

A motion was made by Mr. Robinson and seconded by Mrs. Kroening to approve minutes of meeting of October 22, 2012 as presented. Unanimously approved, motion carried.

RENEWAL (tabled)

2011-09 (08-25-11) Roberta Sherwood and Christopher Cooper, 5838 Shawnee Road, Sanborn, N.Y. were present at this meeting. Mr. Cooper said they own the property together.

Special Permit to maintain a private kennel to harbor six (6) dogs over the age of six months old registered to Miss Sherwood, applicant.

Mr. Cooper said some of the dogs are owned by his brother, Gerald Woelfel who is out of town some of the time but still uses 5838 Shawnee Road as his legal residence. The dogs are registered to Miss Sherwood.

Miss Sherwood asked if they could change the number of dogs from six (6) to eight (8)?

Counsel said in order to have eight (8) dogs, they would need to request a new Special Permit for eight (8) dogs and would require a Public Hearing and another fee.

Miss Sherwood said they will leave the number of dogs at six (6) and wish to renew the existing Special Permit for the 6 dogs.

Building Inspector said for additional two dogs would require a new application for Special Permit and a public hearing.

Board members had no concerns.

A motion was made by Mr. Robinson and seconded by Mr. Bechtel to **approve** renewal of Special Permit to harbor six (6) dogs at 5838 Shawnee Road for a period of five (5) years retroactive to September 2012. Unanimously approved, motion carried.

RENEWAL (current)

2011-11 (11-03-11A) Michelle Kauh, 5916 Diller Road, Sanborn, N.Y. 14132

Special Permit for Hair Salon

Mrs. Kauhl was present at this meeting and said she would like to renew her Special Permit for a Hair Salon and requested no changes in the business.

Building Inspector said he had received no complaints on this business.

A motion was made by Mr. Bechtel and seconded by Mr. Sieczkowski to **renew** Special Permit to Michelle Kauhl to operate a Hair Salon for a period of five (5) years. Unanimously approved, motion carried.

OTHER BUSINESS:

(08-04-10) Chris and Curt Rechin, 5700 Shawnee Road, Sanborn, N.Y. 14132
Re: Removal of fill from premises at 5700 Shawnee Road, Sanborn
Request for Use Variance to temporarily store excavated material closer than 500 feet from the road.

Chairman said the application for the above was tabled again last month. Last month it appeared all of the dirt would be removed from the site by November 2012.

Mr. Chris Rechin said about 75 per cent of the dirt has been removed and the 25 per cent to be done soon. Mr. John Crizio of N.F.P. Trucking and Excavating is planning to finish the job. Mr. Rechin said the contract to remove the dirt has been signed. Mr. Crizio told him he has other jobs and all trucks are busy now and won't be able to do Mr. Rechin's work until the end of the year.

Building Inspector asked Mr. Rechin if this contractor is going to take the concrete also that is on the property and Mr. Rechin said "yes", he will take that also. If weather permits, job should be done by the end of the year. He said the wetlands had to be taken care of first.

Chairman said, per last month's meeting, applicant had stated that the dirt removal would be finished this month.

Board members:

Mrs. Kroening asked Counsel if a Use Variance could be given for one month?

Counsel said he doesn't recommend that, but feels tabling for one more month, per applicant's request, would be an appropriate action this evening.

Building Inspector said tabling for one more month and then if not completed, deny the application and serve a violation. Progress had been made and then finish by end of November.

Mr. Rechin said there is some dirt in the bushes and some concrete to be removed yet.

Mrs. Kroening said because of the time involved on this application, the board could table for one more month and if not completed, deny the application.

Mr. Rechin asked the board to table this issue one more month. Applicant said there are some circumstances that one cannot control, like the weather.

Next month's meeting will be December 17th at 8:00 p.m.,

Please encourage the contractor to get this job finished.

There are three options:

1. To approve application for Use Variance,
2. To deny the application,
3. To table for consideration next month.

A motion was made by Mr. Bechtel and seconded by Mr. Siczkowski to **table** Application for Use Variance to Chris and Curt Rechin for **one (1) more month** per applicants request. Unanimously approved, motion carried.

REPORTS:

Memo from Supervisor that December's meeting will be on December 17th because of the holiday.

Vouchers for 2012 completed tonight

Building Inspector - there are new applications for next month.

Board members –

Mr. Siczkowski inquired about Draft on Solar Energy Systems?

Mr. Foe, Chairman of committee updating ordinances, revisions and new regulations such as the Solar Energy Systems, said the Town Board will have the issues to review at their December meeting.

A motion was made by Mr. Bechtel and seconded by Mr. Siczkowski to adjourn at 8:30 p.m.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____