

October 21, 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. He welcomed everyone to the meeting followed by the Pledge to the Flag.

Members present: William Amacher, Chairman  
Jeffrey Hurtgam, Douglas Mawhiney, John Phillips, Roger Schreder, Sr.

Also present: Matthew Foe, Councilman and liaison to the Town Board  
James McCann, Building Inspector  
Gary Billingsley, Attorney

A motion was made by Mr. Hurtgam and seconded by Mr. Schreder to approve minutes of meeting of September 16, 2013 as presented. Unanimously approved, motion carried.

**SITE PLAN APPROVAL** (tabled from September 16, 2013)

**2013-07 (09-05-13) Glen Teeto**, 3664 Moyer Road, North Ton. N.Y. 14120 – Owner  
**Finger Lakes Construction**/Glen Teeto, 5773 East Main Street,  
Batavia, N.Y. – Applicant  
Business Use – Storage building  
Address of site – southeast corner of Baer Road and Saunders  
Settlement Road, Sanborn, N.Y. 14132

Mr. Teeto was present at this meeting.

At the September meeting Mr. Teeto said he would like to construct a storage building on the property, dimensions 40 feet by 80 feet to contain 14 units, each 10 feet by 20 feet, and 8 units, each unit 5 feet by 10 feet, similar to what Mr. DiLaura has on Saunders Settlement Road, opposite Niagara County Community College. He also said there would be a chain link fence surrounding the building.

The board had some concerns on this property: elevation, drainage, location of culvert pipe, water run-off, proposed signage and a sketch be prepared?

Mr. Teeto said Finger Lakes Construction would be preparing the sketch.

Action on the Application for Site Plan Approval was tabled and requested Mr. Teeto to contact Finger Lakes Construction Co, and Randy Roeseler, engineer for the Town of Cambria, to look at the property and address the aforementioned issues.

Correspondence has been received dated September 23, 2013, from Mr. Roeseler and Tom Reynolds of Wendel Engineers pertaining to the Site Plan Application of Glen Teeto, owner and Finger Lakes Construction, applicant for a storage building. Included

are General Comments based on Wendel's review of the application as submitted, with comments:

1. Applicant has submitted a concept plan which is lacking in some areas: a. thru j.
2. Building appears to meet the required 80 foot setback Applicant should not need to obtain a variance.
3. Proposed 24" diameter culvert pipes located along Route 31 do not appear to have adequate cover. Applicant shall coordinate the culvert design and entrance drives with the D.O.T. and provide the correct size of culvert pipes that will work for these locations.
4. How will the proposed chain link fence inside the property terminate to the west and south? Will the site be secure with a locked gate? Provide the height of the proposed fence.

A copy of this review of the site plan application, as submitted by Randy Roeseler of Wendel Engineers, is on file.

Counsel said the Niagara County Planning Board recommended approval of the Site Plan as submitted and the town should look at the site. A copy of the "General Comments" was sent to Dan Luckman at Finger Lakes Construction. Mr. Roeseler at Wendel should have been contacted regarding the issues mentioned.

Mr. Amacher said there has been no response to Wendel on the issues, therefore, the board cannot take any action on the Site Plan until information is received.

Chairman advised Mr. Teeto there is to be no activity on the property until application is approved. Mr. Teeto was advised to contact Finger Lakes Const. Company and Mr. Roeseler on the concerns and to address them. This issue will be on the November agenda.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to **table** Application for Site Plan Approval for one (1) month by Finger Lakes Const. Co./Glen Teeto to construct a storage building on property on the south-east corner of Baer Road and Saunders Settlement Road. Unanimously approved, motion carried.

#### **SITE PLAN APPROVAL** in Escarpment District

**2013-09 (7-26-13) Craig Forsey**, 6699 Hunt Street, Niagara Falls, N.Y. 14304  
to construct a single-family home in the Escarpment District, on  
the west side of Baer Road

Mr. Forsey was present at this meeting and has submitted the following: Application for Site Plan Approval (consisting of 3 pages), Short Environmental Assessment Form, copy of Niagara County On-Line Mapping System – V/L Baer Road,

copy of Baer Road Grading, Drainage and Site Plan, copy of new residence, and copy of side elevations and tonight submitted copy of GGE Geotechnical Evaluation consisting of 3 pages dated August 23, 2013.

Mr. Forsey said plans are to leave a lot of the existing trees, septic system will be in the front of the home, a sand filter system.

Board members had no concerns.

Applicant furnished the board with copy of Geotechnical Evaluation, dated August 23, 2013, for their review. He said the plan is to start construction of the new home the first or second week of November 2013.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to **waive** public hearing on application of Craig Forsey. Unanimously approved, motion carried.

A motion was made by Mr. Schreder and seconded by Mr. Mawhiney to declare **negative declaration under SEQR** on application of Craig Forsey. Unanimously approved, motion carried.

A motion was made by Mr. Hurtgam and seconded by Mr. Phillips to **approve** Application for Site Plan Approval to permit Craig Forsey to construct a single-family residence with attached garage in the Escarpment District, on the west side of Baer Road, north of Upper Mountain Road, adjacent to property on the south side of Baptist Church.

Unanimously approved, motion carried.

Next regular Planning Board meeting will be on Monday, November 18<sup>th</sup> at 8:00 P.M.

Counsel asked Mr. Foe about proposed revisions and amendments to the current Zoning Ordinance?

Mr. Foe said the Planning and Zoning Boards will review the proposals and then a public hearing will be held by the Town Board on the proposals.

#### REPORTS:

Mr. Foe, Executor of the Estate of Jeanette Kroening, said the property has been sold to two separate buyers, the house to one party and the remainder of the farm to a farmer.

The lot the house is on is 170 feet deep by approximately 310 feet in width. A public hearing is scheduled for October 28, 2013 by the Zoning Board to request an Area Variance to maintain a lot for an existing residence at 4374 Upper Mountain Road with dimensions of 310 feet in width by 170 feet in depth. The Zoning Ordinance requires a minimum depth of 200 feet for a residential lot. Mr. Foe said there is no problem with drainage on this property.

Discussion on equate lagoons:

Reported there is a proposed lagoon on property on Porter Center Road. There are many concerns regarding lagoons, some of which are: truck traffic in and out of area of lagoons, are the roads built to carry these loads, metals in the waste material, spreading on farmers' lands, affect on water and air quality in the area, limit on spreading material on land where the produce is for human consumption, time of year when wastes can be spread on the land (example when ground is frozen). There are many issues to be addressed.

A motion was made by Mr. Schreder and seconded by Mr. Hurtgam to adjourn at 8:40 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

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