

**Town of Cambria
Zoning Board of Appeals Meeting
October 23, 2017**

The regular monthly meeting of the Zoning Board of the Town of Cambria was called to order by Peter Smith, Chairman at 7:00PM. Everyone was welcomed to the meeting, followed by the Pledge to the Flag.

Members Present: Peter Smith, Chairman
Thomas C. Andrews
Alan Johnson
Harmony Retzlaff-Hurtgam
Cheryl L. Shoop, Alternate

Members Absent: Bradley Rowles

Also Present: Randy Roberts, Councilman, Town Board Liaison
Matt Foe, Councilman
Gary Billingsley, Attorney

A motion was made by Mr. Andrews and seconded by Mr. Johnson to approve the Minutes for the September Meeting as presented, unanimously approved, motion carried.

The public hearing notice was read as it appeared in the town newspaper.

Special Permit Renewal

**ZSP-2005 Eric and Lori Siegman
4460 Upper Mountain Rd Lockport, NY 14094
SBL# 107.00-1-52.1**

Mr. Siegman was present at the meeting and stated that he and his wife would like to renew the permit to operate a hair salon at their residence for an additional five (5) years. Mr. McCann stated there have been no issues with this Special Permit.

A motion was made by Mr. Johnson and seconded by Mr. Andrews to renew this Special Permit for five (5) years, all in favor, motion carried.

Special Permit Renewal

**ZSP-2008 Kelly Kukuka
4105 Burch Rd Ransomville, NY 14131
SBL# 77.00-1-39**

Ms. Kukuka was present at the meeting and stated that she would like to renew her Special Permit to have a private kennel.

Kukuka-Special Permit Renewal-continued

A motion was made by Mrs. Retzlaff-Hurtgam and seconded by Mr. Johnson to renew this Special Permit for five (5) years, all in favor, motion carried.

New Business**Special Permit****ZBSP-2017-010****Scott and Kristin Tubo****4246 Plank Rd, Lockport, NY 14094****SLB# 79.00-1-71****Chicken Husbandry****Public Hearing Notice**

Special Permit to permit applicant to raise up to ten (10) chickens upon said premises which contain 2.4 acres pursuant to the Zoning Ordinance of the Town of Cambria, which permits animal husbandry by Special Permit upon premises containing less than five (5) acres.

Public Hearing Open

No Comment

Public Hearing Closed

Mr. and Mrs. Tubo were present at the meeting and stated that they would like a Special Permit to raise ten (10) chickens for eggs. They only have hens now, they initially had purchased only hens but soon discovered that several hens were in fact roosters. That situation has been rectified and now they only have hens.

A motion was made by Mr. Johnson and seconded by Mr. Andrews to Declare a Negative Declaration under SEQR, all in favor, motion carried.

A motion was made by Mr. Andrews and seconded by Mrs. Retzlaff-Hurtgam to approve this Special Permit for Mr. and Mrs. Tubo to raise (10) ten chickens with no roosters to be kept in an enclosure not free range for 1 year, all in favor, motion carried.

Special Permit**ZBSP-2017-011****Stephan Gore****4419 Upper Mountain Rd, Lockport, NY 14094****SLB# 107.00-1-54.3****Chicken Husbandry****Public Hearing Notice**

Special Permit to permit applicant to raise up to ten (10) chickens upon said premises which contain .5 acres pursuant to the Zoning Ordinance of the Town of Cambria, which permits animal husbandry by Special Permit upon premises containing less than five (5) acres.

Public Hearing Open

No Comment

Public Hearing Closed

Mr. Gore was present at the meeting and stated that he would like a Special Permit to keep ten (10) chickens for eggs, no roosters.

A motion was made by Mr. Andrews and seconded by Mr. Johnson to Declare a Negative Declaration under SEQR, all in favor, motion carried.

A motion was made by Mr. Johnson and seconded by Mrs. Retzlaff-Hurtgam to approve this Special Permit for Mr. Taylor to raise (10) ten chickens with no roosters to be kept in an enclosure not free range for 1 year, all in favor, motion carried.

Old Business**Area Variance****ZBAV-2017-014****Charles DePasquale****5025 Baer Road, Sanborn, NY 14132****SLB# 105.00-2-41.112****Pole Barn over 1,000sq. Ft.**

Mr. DePasquale was present at the meeting and stated that he would like to move forward with his Area Variance for a 40' x 60' accessory building.

Mr. Billingsley explained that the Town Board has been working on some changes to the Zoning Ordinance regarding large accessory buildings. A public hearing regarding the proposed changes will be held November 9, 2017 at 7:05PM.

Area Variance-Charles DePasquale-continued

The proposed changes to the Zoning Ordinance are as follows:

- 1-3 acres -Would allow two (2) accessory buildings-one (1) building could be up to one thousand five hundred (1,500) square feet; total not to exceed two thousand five hundred (2,500) square feet.
- 3-5 acres -Would allow two (2) accessory buildings-one (1) could be up to two thousand (2,000) square feet; total not to exceed three thousand (3,000) square feet.
- 5 acres or more -See Article III Section 303, subsection 4.

Mr. Billingsley suggested that the Area Variance for Mr. DePasquale be tabled until next month's meeting to allow the Town Board to meet and possibly approve the proposed changes to the Zoning Ordinance.

A motion was made by Mr. Johnson and seconded by Mr. Andrews to table this Area Variance until next month, all in favor, motion carried.

Area Variance

ZBAV-2017-022 Chris Pasquale
4500 Baer Road, Ransomville, NY 14131
SLB# 91.00-1-48
Pole Barn over 1,000sq. Ft.

Mr. Pasquale was not present at the meeting, but the understanding is that he would like to move forward with his Area Variance for a 35' x 40' accessory building.

Mr. Billingsley suggested that this Area Variance like the previous Area Variance be tabled until next month's meeting to allow the Town Board to meet and possibly approve the proposed changes to the Zoning Ordinance

A motion was made by Mr. Johnson and seconded by Mr. Andrews to table this Area Variance until next month, all in favor, motion carried.

Reports

Chairman- Nothing at this time.

Building Inspector- Nothing at this time.

Attorney- Nothing at this time.

Board Members- Mr. Roberts asked that the Zoning Board read as they always do the changes that are made to the Zoning Ordinance.

The next meeting of the Zoning Board of Appeals will take place Monday, November 20, 2017 at 8:00PM, following the Planning Board Meeting.

A motion was made by Mr. Andrews and seconded by Mr. Johnson to adjourn the meeting at 7:21PM all in favor, motion carried.

Respectfully Submitted by
Melinda Olick