

December 19, 2011

The regular monthly meeting of the PLANNING BOARD of the TOWN of CAMBRIA was called to order at 7:00 P.M. by William Amacher, Chairman, followed by the Pledge to the Flag and then welcomed everyone to the meeting.

Members present: William Amacher, Chairman
Jeffrey Hurtgam, John Phillips, Douglas Mawhiney, Roger Schreader, Sr.
Also present: Gerald Kroening, alternate
George Bush, Councilman, final liaison meeting as Mr. Bush is retiring as Councilman as of December 31, 2011
Clifford Burch, Building Inspector
Donald Lane, Deputy Building Inspector
Gary Billingsley, Attorney

There is one correction in the minutes of November 21st as follows: Page 1, third line from the bottom “new parcel is to be”

A motion was made by Mr. Phillips and seconded by Mr. Schreader to approve minutes of meeting of November 21, 2011 with correction. Unanimously approved, motion carried.

Per Counsel, Modern Recycling, Inc., 4746 Model City Road, Model City, N.Y. 14107, Recycling facility at 5204 Lockport Junction Road, Request for Special Permit Amendment for addition to their operation, “composting”, will not be on the agenda for tonight because D.E.C., Lead Agent, has requested more information from Modern.

SITE PLAN:

2011-12 (10-17-11) CAROL VOSBURGH / LORI KENDZIA - owners
Used car sales business at 2970 Saunders Settlement Road, Sanborn, N.Y. 14132
Terry Vosburgh and Clifford Kendzia - applicants

Mr. Vosburgh and Mr. Kendzia were present at this meeting and said they are requesting Site Plan Approval to sell used cars, no repairing of vehicles on the site.

The following have been submitted: Application for Site Plan Approval, Short Environmental Assessment Form and Agricultural Data Statement.

They said they need to do some type of business at this site to generate an income. They will also need a Variance for setback from Saunders Settlement Road for this proposed business.

Counsel said the Niagara County Planning Board recommended denial of this request because of traffic safety, character of the neighborhood and need additional information.

Board members had some additional concerns such as where vehicles will be parked on the site, landscaping and sign.

The Zoning Board will be holding a public hearing on this request for a Use Variance at 8:00 P.M. tonight and it was decided to table the Site Plan review and see what the decision is from the Zoning Board before proceeding with the Site Plan review.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to **table** decision on Application for Site Plan Approval for Carol Vosburgh and Lori Kendzia pending outcome of Zoning Board decision on the request for a Use Variance for a Used car sales business. Unanimously approved, motion carried.

SUBDIVISION:

11-07 (11-30-11) CRAIG POWLEY, 4917 Upper Mountain Road, Lockport, N.Y. 14094
Craig and Janine Powley were present at this meeting and have submitted the following: Application for Subdivision Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement, copy of letter from Miskell & Moxham, Attorneys and Counselors at Law dated November 29, 2011; copy of portion of Town Map and copy of Survey highlighting subject parcel consisting of 1.288+ acres.

Mr. Powley said they are keeping the subject parcel and selling the balance of approximately fourteen (14) acres to Mr. Brachmann, son-in-law of Flevie Danielewicz. Mr. Powley said his siblings are also selling their portions of the original James Powley farm to Mr. Brachmann, immediately adjacent, east of the subject premises, namely, Parcels 2, 3, 4, 5, 6 and 7. Per Mr. Craig Powley, all of the aforementioned parcels will be combined on to one deed. Lot number 1 has been sold.

A motion was made by Mr. Schreder and seconded by Mr. Mawhiney to **Waive** public hearing on Application of Craig Powley for Minor Subdivision. Unanimously approved, motion carried.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to declare **negative declaration under SEQR** on Application for Minor subdivision of Craig Powley. Unanimously approved, motion carried.

A motion was made by Mr. Schreder and seconded by Mr. Phillips to **approve** Application for Minor Subdivision for Craig Powley, dimensions 205.41' by 260' (1.288) acres with condition all of the properties, Lot Nos. 2, 3, 4, 5, 6 and 7, be consolidated on to one (1) deed, in accordance with letter from Miskell & Moxham dated November 29, 2011. Unanimously approved, motion carried.

SITE PLAN:

2011-14 (12-08-11) STEVEN C. GASIEWICZ, M.D., 170 E. Royal Parkway, Williamsville, N.Y. 14221
Re: Two story concrete block building, parallel with Eagle Drive, Sanborn, N.Y. 14132, to be made into six (6) apartments.

Dr. Gasiewicz wishes to repair and finish building to make into six (6) two-bedroom apartments for the purpose of renting to U.B. Medical school students and Residency program. Owner to manage and maintain. The building was a former military barracks.

A lot of repairs have been made such as painting, replacing of windows, new metal roof, new electric service. The property is sewerred, is located in a P.D. District.

Planning Board is to make recommendations to the Town Board on this proposal.

The following have been submitted: Application for Site Plan Approval containing 2 pages, Short Environmental Assessment Form, Agricultural Data Statement, a sketch of the property and a Survey highlighting subject property Building No. 111.

REPORTS:

Building Inspector – no report

Deputy Building Inspector – Re: Lee Kroening, new home on Cambria Road. A blacktop driveway has been put in and representatives of Cambria Fire Co. feel the driveway is not wide enough for a fire truck and the turnaround is not wide enough either. Building Inspectors will check the driveway width etc.

End of reports.

As Dr. Gasiewicz was not present at this meeting at this time, the board recessed at 7:40 P.M.. The board reconvened their meeting at 8:20 P.M.

Dr. Steven Gasiewicz was present at this time.

He said he is refurbishing the interior of the building to make six (6) apartments to rent to U.B. Medical students and medical residents. He said he also owns the parcel “A”, vacant lot, as shown on survey which is No. 7 on the sketch plan, corner of Unicorn Drive and Eagle Drive. The apartments will be two (2) bedroom, property is zoned P.D. (Planned Development).

The Planning Board makes recommendations to the Town Board and the Town Board will make the final decision.

Applicant must comply with all applicable town regulations and New York State building codes.

Dr. Gasiewicz said he would like to acquire the other building No. 110, two (2) story block building, located to the north of the building he is currently renovating, and convert it into similar apartments.

Mr. Schreder asked if there is a paved area between the two buildings, No. 110 and 111 if applicant does acquire the second building?

Dr. Gasiewicz said he plans to fence the whole area. There will be off-street parking facility. The Town Board is Lead Agent. He said there will be two (2) car spaces per unit.

Suggested recommendations: Town Board grant applicant permission to renovate the building, No. 111 as shown on survey into six (6) apartments, applicant to provide adequate off-street parking with

two (2) spaces per unit, abide by New York State building codes, and any other provisions that would apply. Security lighting on the building and to install night lights.

Dr. Gasiewicz said there will be a box on the outside for access for Fire Department and Police Department to get into the facility.

Mr. Reardon asked applicant about lighting for the whole area, also landscaping?

Applicant said he has trimmed some of the hedge around the building.

There is no elevator in the building and is not handicap accessible. There will be six (6) apartments, three on the first floor and three on the second floor. There will be two (2) stairwells, no sprinkler system needed. Will follow applicable building codes, premises will be appropriately landscaped, and there will be dumpsters inside of fenced area.

A motion was made by Mr. Schreader and seconded by Mr. Mawhiney to **recommend approval** to the Town Board of the Site Plan to Dr. Steven Gasiewicz for six (6) apartments in Building No. 111 near the intersection of Eagle Drive and Unicorn Drive with the following suggestions to be required by the applicant:

1. Off-street parking with two (2) spaces per unit;
2. Premises to be appropriately landscaped;
3. Provide a dumpster for refuse disposal enclosed by fencing;
4. Applicant to comply with all applicable provisions of New York State and local building codes and regulations.

Unanimously approved, motion carried.

Planning Board meetings will be on the third Monday of each month at 8:00 P.M. in the year 2012 except for the following: January 23rd - 7:00 P.M., February 27th - 7:00 P.M.
May 21st - 7:00 P.M., December 17th - 7:00 P.M.

A motion was made by Mr. Hurtgam and seconded by Mr. Phillips to adjourn at 8:35 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____