

December 20, 2010

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 welcomed everyone to the meeting.

Members present: William Amacher, Chairman
Jeffrey Hurtgam, Douglas Mawhiney, John Phillips, Roger Schreader, Sr.
Gerald Kroening, alternate
Also present: Clifford Burch, Building Inspector
Donald Lane, Deputy Building Inspector
Gary Billingsley, Attorney

A motion was made by Mr. Schreader and seconded by Mr. Mawhiney to approve minutes of meetings of October 25, November 15 and November 29, 2010 as presented. Unanimously approved, motion carried.

10-09 - (12-06-10) LAWRENCE and DAWN HOUCK, 4461 Plank Road, Lockport, N.Y. 14094
Application for Subdivision Review to add 40 feet frontage by 360 feet in depth on to south side of Lot No 3.

Mr. Houck was present at this meeting and has submitted the following: Application for Subdivision Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement and copy of portion of deed.

Mr. Houck said he would like to add 40 feet frontage by 360 feet in depth on to the south side of Lot No 3, which would then be 175 feet frontage by 360 feet in depth. This addition is to be added to existing deed on Lot No. 3.

Board members had no concerns on the application.

A motion was made by Mr. Phillips and seconded by Mr. Schreader to **waive** public hearing on application for minor subdivision by Lawrence and Dawn Houck. Unanimously approved, motion carried.

A motion was made by Mr. Phillips and seconded by Mr. Schreader to declare **negative declaration under SEQR** on application for minor subdivision of Lawrence and Dawn Houck. Unanimously approved, motion carried.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to **approve** application of Lawrence and Dawn Houck to add forty (40) feet frontage by 360 feet in depth from Lot No. 38 on to the south side of Lot No. 3, road frontage on Lot No. 3 will be 175 feet and depth will be 360 feet, with condition the 40 feet by 360 feet is to be consolidated into one deed with Lot No. 3 within three (3) months. Unanimously approved, motion carried.

A motion was made by Mr. Hurtgam and seconded by Mr. Mawhiney to **waive** Recreation fee on application of Lawrence and Dawn Houck because no new lot is being created. Unanimously approved, motion carried.

2010-12 (10-04-10) LINCOLN PARK NURSERY, 5705 Shawnee Road, Sanborn, N.Y. 14132
Applicants: Thomas and Cheryl Maloney, 147 Old Niagara Falls Boulevard,
Amherst, N.Y. 14228
Application for Site Plan for Retail Garden Center

Mr. and Mrs. Maloney were present at this meeting. At the November 15th meeting action was tabled until further information was received from D.E.C.

Information was received dated December 8, 2010 from Damianos Skaros, D.E.C. to Robert Klavoon, Re: Project in the Town of Cambria, which stated in part "I would say that if the project area contains portions which have existing dirt, which was not disturbed for the project, then those portions would not be included in overall area of disturbance. Therefore, if the resulting total amount of disturbance is less than one acre, a permit would not be necessary."

Mr. Maloney said they have a sign on a movable pallet.

Hours of operation Monday through Friday - 8:00 A.M. to 8:00 P.M.
Saturday and Sunday - 8:00 A.M. to 7:00 P.M.

Mr. Maloney said they would close around Thanksgiving and reopen in the Spring

Applicant said there would be no fuel tanks on the property.

Power will be installed after January 1, 2011.

There will be two hoop houses.

They will have a portable toilet to start with.

Mr. Lane suggested they install security lighting.

Board members had no concerns.

A motion was made by Mr. Hurtgam and seconded by Mr. Schreder to declare **negative declaration under SEQR** on Site Plan of Mr. and Mrs. Maloney. Unanimously approved, motion carried.

A motion was made by Mr. Hurtgam and seconded by Mr. Phillips to **approve** Site Plan of Thomas and Cheryl Maloney (Lincoln Park Nursery) at 5705 Shawnee Road, Sanborn 14132, as presented, to operate a Garden Center – Retail and Wholesale garden supplies with stipulation that project area will not disturb more than one (1) acre. Sketch plan which was received September 20, 2010 was amended to show the project area. Unanimously approved, motion carried.

An amendment to the aforementioned motion was made as follows: a portable sign, 4' by 8', will be used by applicant temporarily as he said he doesn't want to commit to any particular area at this time. In the future, within approximately two years, a permanent sign will be erected and at that time applicant must get a building permit for it. Mr. Hurtgam and Mr. Phillips agreed to the amendment. Unanimously approved, motion carried.

Mr. Maloney said the permanent sign will be according to the code, 32 square feet. If they decide to erect a permanent building, they may wish to increase the size of the sign.

Building Inspector said Niagara Professional Park (WNY Urology Assoc.) has requested increasing the height of the fence from 6 feet to 8 feet which will be installed part way across the back of the property and on the east side.

A motion was made by Mr. Phillips and seconded by Mr. Schreader to permit applicant, Niagara Professional Park (WNY Urology Associates,) to increase the height of the fence from six (6) feet to eight (8) feet. Unanimously approved, motion carried.

Planning Board meetings in 2011 will be on the third (3rd) Monday of the month at 8:00 P.M. with exception of the following:

January 24	-	7:00 P.M.
February 28	-	7:00 P.M.
December 19	-	7:00 P.M.

REPORTS:

Building Inspector – James Sherwin, Burgio and Campofelice, is Supt. of project for Niagara Professional Park (WNY Urology Assoc.) building.
Lloyd Haseley has not submitted survey for one-lot subdivision on Cambria-Wilson Road. Two letters sent and no response

Attorney – no report
Will write a letter to Mr. Haseley regarding survey.

A motion was made by Mr. Mawhiney and seconded by Mr. Schreader to adjourn at 7:30 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____