

February 28, 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, Douglas Mawhiney, John Phillips, Roger Schreader, Sr.  
Also present: Gerald Kroening, alternate  
George Bush, Councilman  
Clifford Burch, Building Inspector  
Donald Lane, Deputy Building Inspector  
Gary Billingsley, Attorney  
Robert Klavoon, Wendel Duchscherer Eng.

A motion was made by Mr. Schreader and seconded by Mr. Phillips to approve minutes of meeting of January 24, 2011 as presented. Unanimously approved, motion carried.

**11-01 (02-01-11) ANTHONY F. NASIADKA, JR.** 4723 Ridge Road, Lockport, N.Y. 14094  
Application for Minor Subdivision Approval

The following have been submitted: Application for Subdivision Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement and copy of Survey map.

Mr. Nasiadka said he is selling parcel, 350 feet in width by approximately 622 feet in depth, about five (5) acres including house, to his daughter and son-in-law. There is still property remaining on both sides of subject property belonging to Mr. Nasiadka (estate of G. Nasiadka).

Building Inspector said there appears to be no problem with drainage on this property.

Mr. Nasiadka said the ditch that runs through the property has not been cleaned out in many years and never has had a problem. He said he would grant a twenty (20) foot easement to the town to clean the ditch if requested by the Town Highway Superintendent. He is aware of the Recreation fee required.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to **waive** the public hearing on Application for Minor Subdivision of Mr. Anthony F. Nasiadka. Unanimously approved, motion carried.

A motion was made by Mr. Schreader and seconded by Mr. Mawhiney to declare **negative declaration under SEQR** on Application for Minor Subdivision of Mr. Nasiadka. Unanimously approved, motion carried.

A motion was made by Mr. Phillips and seconded by Mr. Schreader to **approve** application of Anthony Nasiadka, Jr. for a minor subdivision on property at 4723 Ridge Road, Lockport, N.Y. 14094, and applicant is to provide a twenty (20) foot easement to the town to clean the ditch if required by the Town Highway Superintendent, and to pay the Recreation fee. Unanimously approved, motion carried.

**SITE PLAN:**

**2011-05 (02-04-11)** Owner - **CHRIST CENTERED PROPERTIES LLC (Paul Wendt)**  
Applicant - **CAMBRIA'S DOG R US LLC**  
Address - 2990 Carney Drive, Sanborn, N.Y. 14132

Per Building Inspector, application for Site Plan Approval for Cambria's Dog R Us has been withdrawn.

**SITE PLAN:**

**2011-06 (02-09-11)** Owner - **MODERN RECYCLING, INC.**  
Address - 4746 Model City Road, Model City, N.Y. 14107  
A/k/a - **CAMBRIA RECYCLING FACILITY**  
Address - 5204 Lockport Junction Road, Lockport, N.Y. 14094  
Request for - Expansion of Recycling Operations

The following have been submitted:

Application for Site Plan Approval  
Site Plan Review – Applicant Checklist  
Project Description ( 3 pages)  
Status of Applicable Permits and Agency Contacts

Mr. James Goehrig, P.E. appeared on behalf of Modern Recycling, Inc. and John B. Battaglia on behalf of EnSol, Inc. (Environmental Solutions).

Mr. Goehrig said they would like to expand their recycling operations to include wood and brush chipping and grinding operations, and recycle clean hard fill, drywall, paper, cardboard, metal, glass, concrete and electronics processing, and to expand recycling, separation, baling and processing operations involving non hazardous recyclables at or near a building located at 5204 Lockport Junction Road pursuant to the Special Permit Ordinance of the Town of Cambria. Said premises are located in the Industrial (I-1) District.

“The object for this facility is to provide material recovery and reuse for wide variety of small volume waste streams as well as a small number of larger volume materials. The facility must be flexible to be able to be re-structured to address a variety of recycling needs – reuse and recycle materials.”

Mr. Klavoon said a Modification Permit from D.E.C. is ready. Application has been prepared and ready to submit as soon as Amended Special Permit is approved.

Modern a/k/a Cambria Recycling Facility will be in operation 6 days per week Monday through Friday 7:00 A.M. to 10:00 P.M. and Saturday 7:00 A.M. to 3:00 P.M.

As stated in the Project Description, “Applicant shall be limited to an average of 100 material delivery trucks in and 30 product shipping trucks out per day”.

“Applicant shall be permitted to process an average of 500 tons per day of recyclable products.”

“Outside storage of trailers is permitted, with a maximum of 25 to be parked at west end of the building or at the loading dock.”

Mr. Goehrig said they can sell retail mulch. There may be a small office inside the building.

Hard fill operation will be conducted outside but most of the operation will be conducted inside of the building. He said they have their own crusher.

They will not be working with the railroad.

Mr. Klavoon said regarding No. 6 in the Modifications, at this time Modern will not need a septic system, will be using portable toilets. Will leave this in the application in case there might be a need for that facility in the future.

Drainage is okay and there is a berm to help control drainage.

The subject property is not in the Agriculture District.

Board members had no further concerns on this application for Modification.

Counsel said Niagara County Planning Board recommended approval of the Site Plan for Modification of existing Special Permit for recycling per information submitted in Project Description No. 1 through 16.

A motion was made by Mr. Schreder and seconded by Mr. Hurtgam to recommend that Zoning Board grant amendment to Special Permit as requested by Modern. Unanimously approved, motion carried.

Mr. Phillips reported on meeting held on February 17<sup>th</sup>, Town Board and Planning Board. This was an informational meeting to discuss proposed rezoning of property on the north side of Lockport Road near intersection of Comstock Road, “Niagara County Shovel Ready Project”. Subject property is in a quiet area, approximately 100 acres. There are some potential customers. They will not need much water, no pollution or smoke involved. There may be a need to remove some of the property from the Agricultural District and to be rezoned. At this time, there are no specific names of businesses but could be high-paying jobs. Wendel Duchscherer Eng. will be working on behalf of the county.

Secretary read letter dated February 4<sup>th</sup> from State of New York, Dept. of Agriculture and Markets, addressed to Robert Roberson of Brandt, Roberson and Brandt, P.C. Re: Review of Town of Cambria’s Local Law No. 1 of 2009 for Compliance with Agriculture and Markets Law Section 305-a, Subdivision 1 Subject : Wind Energy Systems. Copy on file.

REPORTS:

Chairman – no report

Building Inspector – Buffalo Machine Co. on Lockport Road – divided off this business from rest of property and has not applied for subdivision approval.

Counsel requested Building Inspector to look in the records of Buffalo Machine and see what has been done on that property as far as dividing off from Wasik property.

Next Planning Board meeting will be on March 21<sup>st</sup> at 8:00 P.M.

A motion was made by Mr. Mawhiney and seconded by Mr. Schreader to adjourn at 7:50 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

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