

September 19, 2011

The PLANNING BOARD of the TOWN of CAMBRIA reconvened at 8:07 P.M. with the regular monthly meeting called to order 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. Hurtgam to approve minutes of meeting of August 15, 2011 as presented. Unanimously approved, motion carried.

### **SITE PLAN – Escarpment District**

**11-05 (09-12-11) R. SEAN MANNING** – owner of the property (formerly Warm Lake Estates)  
3868 Lower Mountain Road, Lockport, N.Y. 14094

The following have been submitted: Application in Escarpment District, Request for Minor Sub-division Approval, Short Environmental Assessment Form, Agricultural Data Statement and sketch of the proposed building.

James K. Manning, applicant, was present at this meeting.

Mr. Manning said the building will be approximately 15 feet by 36 feet and approximately 12 feet high will be a stick building for farm use. There is an existing concrete foundation and the building will be constructed on it. There will be no water or electricity in this building.

The reason for this application is because the property is in the Escarpment District. No additional topography information is required by this board.

Mr. Manning was asked if they plan to reopen this facility as a winery and he said there are no plans to reopen the building as a winery, will be an agriculture building for now.

He said there will be a door on both ends and no windows or man door. He will be doing the work himself and will have trusses.

Mr. Burch said to Mr. Manning he will need to get a building permit.

A motion was made by Mr. Phillips and seconded by Mr. Schreader to declare **negative declaration under SEQR** on this application. Unanimously approved, motion carried.

A motion was made by Mr. Mawhiney and seconded by Mr. Phillips to **approve** Site Plan in the Escarpment District of James Manning, applicant, to permit construction of a farm building on an existing cement foundation, dimensions 15 feet by 36 feet, for storage purpose on property at 3868 Lower Mountain Road, Lockport 14094. Unanimously approved, motion carried.

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 operations (composting)

A Fax dated September 15<sup>th</sup> has been received from Edward Jones, EnSol, Inc., 661 Main Street, Niagara Falls, N.Y. 14301, regarding the addition of plans of Modern Recycling to permit composting to the recycling operation on Lockport Junction Road.

Ms. Kristin Price was present this evening on behalf of Modern Recycling and explained what is proposed. She said they own approximately 4.9 acres.

It was said the Town of Lockport and Niagara County Planning Board must be notified of this proposal. Modern Recycling is located in the Industrial Zone. The Zoning Board could amend Modern's existing Special Permit to include composting.

The storm water runs off to a swale. Modern would have to have a SPDES Permit and a SWPPP (Storm Water Pollution Prevention Permit). They would have to have a revision to include composting, in their existing Special Permit.

Materials will come from Tops, Tim Hortons, etc. We will need a description of food waste that will be composted into windrows 17 feet wide, 5 foot high to aerate. Ms. Price said there would be no odors. Items such as coffee grounds, vegetables and no meat or meat scraps, plastic or glass.

Ms. Price said Modern will have provisions for rodent control, will use a pesticide. Food waste will not be stored on site, processed within 48 hours.

The composting will be done in an area behind building at the west boundary line of Modern's property.

Ms. Price was asked to contact Rob Klavoon at Wendel Duchscherer Eng. on this proposal.

Concerns: Hours products to be composted, distance to the nearest home, and list of products.

Planning Board's next meeting is October 24<sup>th</sup> at 7:00 P.M., Application for Special Permit to be in to Building Inspectors' office by first Friday in October, Public Hearing will be on October 24<sup>th</sup> at 8:00 P.M.

Mr. Duncan Ross, Arrowhead Winery, would like to change the location for his windmill. Originally, was going to be approximately 400 feet from the road right-of-way (Cambria Lockport Townline Road) and now wishes to place it approximately 195 feet from the road right-of-way on the north east corner of the property. Windmill will be approximately 120 feet high.

Counsel recommends amending the Site Plan in accordance with revised sketch and that no further public meetings or other modifications be requested. The amendment will permit windmill to be approxi-

mately 200 feet further away from the Escarpment. This board does not have the authority to say “no”, have to look at Site Plans. There will be an underground cable to the closest power pole, meter to the grid. Will sell the power back to the grid.

Mr. Phillips feels we should have a Site Plan Review for this proposed change.

Counsel said Mr. Ross needs this board’s approval in order to amend the Site Plan.

Mr. Phillips asked if we are exempt from Agriculture and Markets by allowing Mr. Ross to move the windmill 200 feet north and east. Mr. Ross is not going to use the power in his house.

Mr. Mawhiney asked about the need for a light on top of the windmill?  
It was said a light is not required.

Chairman said he would like to look at the site before making a decision on the change.

A motion was made by Mr. Phillips and seconded by Mr. Mawhiney to **table** request of Arrowhead Winery to change the location of the proposed windmill from 400 feet from Cambria Lockport Townline Road to 195 feet and request applicant to put in a written request for same and any other information available. Unanimously approved, motion carried.

#### REPORTS:

Chairman – training for local boards 5:00 P. M. - 9:00 P.M. – Crowne Plaza Hotel, Albany Oct. 9<sup>th</sup> to 11<sup>th</sup>

Building Inspectors – no report

Attorney “ “

Board members “ “

Next Regular Planning Board meeting - October 24<sup>th</sup> at 7:00 P.M.

Motion by Mr. Schreder and seconded by Mr. Mawhiney to adjourn at 8:50 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

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