

November 24, 2014

The regular monthly meeting of the ZONING BOARD of APPEALS of the TOWN of CAMBRIA was called to order by Michael Sieczkowski, Chairman, at 8:00 P.M. He welcomed everyone to the meeting followed by the Pledge to the Flag and then announced the agenda for this meeting.

Members present: Michael Sieczkowski, Chairman  
Thomas Andrews, Craig Powley, Donald Robinson, Peter Smith  
Also present: Alan Johnson, alternate  
Matthew Foe, Councilman  
Randy Roberts, Councilman and liaison to the Town Board  
James McCann, Building Inspector  
Gary Billingsley, Attorney

Secretary read Notice of Public Hearing as it appeared in the Lockport Union Sun and Journal to consider the following application:

**2014-09 (11-17-14)**

Owner - Mark Printup, 3922 Upper Mountain Road, Sanborn, N.Y. 14132  
Applicant – Diana Lester, 10 “A” Street, Niagara Falls, N.Y. 14303  
for a Special Permit to permit applicant to maintain temporary living quarters for her parents upon premises commonly known as 3922 Upper Mountain Road pursuant to terms and conditions of the Special Permit Ordinance of the Town of Cambria.

Ms. Lester was present at this meeting and has submitted the following: Application for Special Permit for In-Law apartment, Short Environmental Assessment Form, Part 1 – Project Information and Part 2 – Impact Assessment, and Agricultural Data Statement.

A motion was made by Mr. Robinson and seconded by Mr. Smith to approve minutes of meeting of October 27, 2014 as presented. Unanimously approved, motion carried.

**SPECIAL PERMIT RENEWAL and VARIANCE RENEWAL** (Tabled from October 27, 2014)

**1999-01 (12-28-98) Timothy Swift**, 4075 Lower River Road, Youngstown, N.Y. 14174  
Renewal of Special Permit to use a former residence for business office at 4314 Church Road and Renewal of Variance for a mobile home for residence at 4312 Church Road.

Mr. Swift was present at tonight’s meeting and said he would like to renew the Special Permit for another five (5) years.

Building Inspector said he had received no complaints on the business office in a former residence. Attorney and board members had no comments on the aforementioned.

A motion was made by Mr. Robinson and seconded by Mr. Smith to **approve** the continuation of the Special Permit for another five (5) years retroactive to October 2014 to Timothy Swift to use a former residence for business office at 4314 Church Road. Unanimously approved, motion carried.

Mr. Swift said he would like the Variance for mobile home for residence at 4312 Church Road extended for another five (5) years.

Building Inspector had no complaints on this Variance. Attorney had no concerns and board members had no comments.

A motion was made by Mr. Smith and seconded by Mr. Robinson to **approve** extending the Variance to Timothy Swift for another five (5) years retroactive to October 2014 to use mobile home for a residence at 4312 Church Road. Unanimously approved, motion carried

#### **PUBLIC HEARING:**

**2014-09 (11-17-14)** Ms. Lester was present at this meeting and has submitted the following: Application for Special Permit for In-Law Apartment, Short Environmental Assessment Form Part 1 – Project Information and Part 2 – Impact Assessment, and Agricultural Data Statement.

Ms. Lester said her parents will be staying in her home. She is not planning to use the existing “in-law apartment” for her parents. She said she did not fill out the Application for in-law apartment. Her Agent, Michael Mroczka, filled out the paper work.

It appears neither applicant or agent understood about the Special Permit for “in-law apartment”, although, she would like to have the fourth bedroom in that apartment for relatives to stay in when they visit.

Counsel explained the purpose of an “in-law apartment” to her. House is a single-family residence.

Ms. Lester again said she and her parents are all going to live together in the regular house. She said she has no intention of renting that apartment for in-laws. She is not planning to put her parents in the garage (in-law apartment). The previous owner, Mr. Printup, did use that “in-law apartment” for in-laws.

Counsel said she could withdraw the application.

Ms. Lester then said she would like to withdraw the application and is not asking for a public hearing.

A motion was made by Mr. Robinson and seconded by Mr. Smith to accept Diana Lester's request to withdraw Application for Special Permit for an "In-law Apartment" at 3922 Upper Mountain Road, Sanborn, N.Y. 14132. Unanimously approved, motion carried.

**Old Business:**

**(06-27-14) Ryndak/Schweitzer** – Variance for proposed winery on Lower Mountain Road - no further information received.

Received letter from neighbor, Randy Biehl (Eveningside Winery) dated November 14, 2014, in which he said he would not be attending tonight's meeting, November 24<sup>th</sup>, copy on file.

**New Business** – none

**REPORTS:**

Vouchers for 2014 pay will be filled out in December 2014 and are to be turned in to Supervisor's office by December 15<sup>th</sup> or 16<sup>th</sup>.

Board members are in agreement to allow Marjorie Meahl, Secretary for Planning and Zoning Boards to park in the first handicap parking space on Planning and Zoning Board meeting nights.

The Planning and Zoning Board members tentatively plan to hold regular meetings beginning in January 2015 at 7:00 P.M. and if there are two meetings on one night, the first meeting would be at 6:00 P.M. and second meeting at 7:00 P.M.

Mr. Roberts, Councilman, said he had not heard about this proposal until tonight's meeting. He said he is not opposed to the change.

Mr. Smith and Mr. Johnson said they will not be present at the December meeting, will be out of town.

No reports from Attorney, Building Inspector, Board members or Mr. Roberts.  
Next meeting will be December 15<sup>th</sup> at 8:00 P.M.

A motion was made by Mr. Robinson and seconded by Mr. Smith to adjourn at 8:45 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

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

