

**Town of Cambria
Zoning Board of Appeals Meeting
June 24, 2019**

The regular monthly meeting of the Zoning Board of the Town of Cambria was called to order by Peter Smith, Chairman at 7:00PM. Everyone was welcomed to the meeting, followed by the Pledge to the Flag.

Members Present: Peter Smith, Chairman
Harmony Retzlaff-Hurtgam
Cheryl L. Shoop
Bradley Rowles

Members Absent: Alan Johnson
Thomas C. Andrews

Also Present: Gary Billingsley, Attorney
James McCann, Building Inspector

A motion was made by Mr. Rowles and seconded by Mrs. Retzlaff-Hurtgam to approve the Minutes for the May Meeting as presented, unanimously approved, motion carried.

The public hearing notice was read as it appeared in the town newspaper.

Old Business	Jeffrey and Denise Abbott
Renewal	4454 Baer Road, Ransomville, NY 14131
Special Permit	SBL# 91.00-1-19.4
ZSP-2018-006	Animal Husbandry-Chickens

Mr. or Mrs. Abbott were not present at the meeting, Mr. Smith asked for a motion to table this Special Permit Renewal until the end of the meeting, so moved by Mr. Rowles, seconded by Mrs. Shoop, all in favor, motion carried.

Mr. or Mrs. Abbott were not present at the end of the meeting, a motion was made by Mr. Rowles, seconded by Mrs. Retzlaff-Hurtgam, to table this Special Permit Renewal and Mr. Billingsley will send a letter asking the Abbott's what is their intent regarding this Special Permit, all in favor, motion carried.

New Business
Special Permit
ZSP-2019-007

Cheri-Steve Dunn
3494 Upper Mountain Road, Sanborn, NY 14132
Animal Husbandry-10 Chickens
SBL# 119.00-2-1

Public Hearing Notice

For a Special Permit to permit applicants to raise up to ten (10) chickens on said premises which contain dimensions of approximately 135 feet in width and approximately 218 feet in depth pursuant to the Zoning Ordinance of the Town of Cambria, which permits animal husbandry by Special Permit upon premises containing less than five (5) acres.

Public Hearing Open

No Public Comment

Public Hearing Closed

Mrs. Dunn was present and stated she would like to have six (6) chickens no roosters for personal enjoyment and egg production. The chickens will be kept in a movable coop.

A motion was made by Mrs. Shoop and seconded by Mr. Rowles to Declare a Negative Declaration under SEQR, all in favor, motion carried.

A motion was made by Mrs. Retzlaff-Hurtgam and seconded by Mr. Rowles to approve this Special Permit for one (1) year to allow Mrs. Abbott to have no more than ten (10) chickens, no roosters, chickens have to be kept in coop, not free range, all in favor, motion carried.

New Business
Special Permit
Z-SP-2019-008

John Carnes
5440 Upper Mountain Road, Lockport, NY 14094
Concerning SBL# 105.00-2-33.111
Pond

Public Hearing Notice

For a Special Permit to permit applicant to construct a farm pond containing a surface area of approximately one half of an acre upon premises commonly known as 3645 Upper Mountain Road pursuant to the terms and conditions of the Special Permit Ordinance of the Town of Cambria.

Mr. Billingsley clarified that the correct new address for Mr. Carnes property is 5064 Shawnee Road.

New Business-Carnes-Special Permit Pond continued

Mr. Carnes was present at the meeting and would like to dig a half acre pond to use the fill and for horses he plans to have in the future.

Public Hearing Open

Stephan McMullen, 5022 Shawnee Road, Sanborn, NY 14132 stated that his backyard butts up to Mr. Carnes and no issue with the location of the pond. He requested that a fence be in place during construction.

Public Hearing Closed

The Board requested that Mr. Carnes follow the recommendations made by Niagara County Soil and Water. Mr. Carnes stated that he has already dug the recommended test pit and it is half full of water.

A motion was made by Mr. Rowles and seconded by Mrs. Retzlaff-Hurtgam to Declare a Negative Declaration under SEQR, all in favor, motion carried.

A motion was made by Mr. Rowles and seconded by Mrs. Retzlaff-Hurtgam to approve this Special Permit to allow Mr. Carnes to dig a farm pond upon finding that it does not result in any environmental damage and does not adversely effect drainage in the area; by agreement of the applicant a fence will be in place while the pond is under construction, all in favor, motion carried.

New Business Patricia Williams
ZBAV 2019-007 1867 Mount Conness Court, Antioch, California 94531
Concerning 3312 Saunders Settlement Rd
SBL# 119.03-1-31.1
Set Back

Public Hearing Notice

For an area variance to permit applicant to construct a residence upon premises commonly known as 3312 Saunders Settlement Road 300 feet from the road right-of-way, whereas the Zoning Ordinance of the Town of Cambria does not permit construction of a residence farther from the road right-of-way than 125 feet.

Ms. Williams was not present at the meeting, but several residents were present to speak during the Public Hearing so the Chairman allowed them to make their comments.

Williams Area Variance- continued**Public Hearing Open**

Kathleen Britton, 3300 Saunders Settlement Road, Sanborn, NY 14132 stated that she lives two doors down from this property and feels that all houses should be kept in line with their neighbors houses.

Everyone uses their backyard and the aesthetics of the neighborhood should be considered. In addition Ms. Britton stated that she rehabilitates wildlife in her backyard.

Chad Shepherd, 3292 Saunders Settlement Road, Sanborn, NY 1413 stated that the property has been in his family for over 50 years, everyone allows their children to play in the backyard, doesn't want a home built that will take away their privacy and allow someone to watch his children from their house. All the houses are set back about 125 feet, and newly constructed homes should have to follow what is there already.

Jeremy Burgett, 3306 Saunders Settlement Road, Sanborn, NY 14132 stated that he has the same concerns as Ms. Britton. He doesn't want a house built behind his house so that they can see into his house. If this is approved and a house is built he will put a fence around his entire property.

Public Hearing Closed

A motion was made by Mr. Rowles and seconded by Mrs. Shoop to adjourn this Area Variance until the July Meeting, all in favor, motion carried.

Reports

Chairman- Nothing at this time.

Building Inspector- Nothing at this time.

Attorney- Nothing at this time.

Board Members- Nothing at this time

The next meeting of the Zoning Board of Appeals will take place Monday July 22, 2019 at 7:00PM.

A motion was made by Mrs. Retzlaff-Hurtgam and seconded by Mrs. Shoop to adjourn the meeting at 7:30PM, all in favor, motion carried.

Respectfully Submitted by
Melinda Olick

