

**Town of Cambria  
Zoning Board of Appeals Meeting  
September 23, 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  
Alan Johnson  
Thomas C. Andrews  
Bradley Rowles

**Members Absent:** Cheryl L. Shoop

**Also Present:** Gary Billingsley, Attorney  
James McCann, Building Inspector  
Joseph Ohol, Councilmen, Town Board Liaison

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

**Old Business**                      **Raelean McGee**  
**Special Permit**                **5920 Meahl Road, Lockport, NY 14094**  
**Renewal**                            **SBL# 121.00-1-37.2**  
**ZSP-2018-004**                    **Operate Landscape Business from Home**

Ms. McGee was not present therefore a motion was made by Mr. Rowles and seconded by Mr. Johnson to table this Special Permit until the end of the meeting, all in favor, motion carried.

Ms. McGee was still not present at the end of the meeting; a discussion took place that she is no longer living at the Meahl Road Address. Mr. Billingsley stated that a letter sent to her new address that was returned.

A motion was made by Mrs. Retzlaff-Hurtgam and seconded Mr. Andrews to allow this Special Permit to expire by its own terms, all in favor, motion carried.

**Old Business**                      **Steven Palistrant**  
**Special Permit**                **5907 Shawnee Road, Sanborn, NY 14132**  
**Renewal**                            **SBL# 120.00-1-61.11**  
**ZBSP-2018-010**                **Animal Husbandry- Chickens**

Mr. Palistrant sent a letter dated September 20, 2019 that he would be unable to attend tonight's meeting. He requested a five (5) year renewal as he would be unable to attend future meetings. Mr. Billingsley stated that there is no legal reason the Board cannot renew this Special Permit based upon his written request if they would like to, this option is available in this instance. According to Mr. McCann there have been no complaints or issues with this Special Permit.

A motion was made by Mr. Andrews and seconded by Mr. Rowles to approve this Special Permit for five (5) years, all in favor, motion carried.

**Old Business**                      **Kathrin Caccamise**  
**Special Permit**                **4931 Ridge Road, Lockport, NY 14094**  
**Renewal**                            **SBL# 79.00-2-4**  
**ZBSP-2002-011**                **Dog-Cat Grooming Business**

Ms. Caccamise was not present at the meeting; a motion was made by Mr. Johnson and seconded by Mrs. Retzlaff-Hurtgam to table this Special Permit renewal until the end of the meeting, all in favor, motion carried.

Ms. Caccamise was not present at the end of the meeting, a motion was made by Mr. Rowles and seconded by Mr. Andrews to send a letter asking if she would like this Special Permit renewed, all in favor, motion carried.

**Old Business**                      **Tyler Booth**  
**Special Permit**                **5182 Ridge Road, Sanborn, NY 14132**  
**Renewal**                            **SBL# 79.00-2-19.12**  
**ZSP-2018-007**                **To use premises to host public and private events**

Mr. Booth was present at the meeting this is the first renewal for this Special Permit to use the former Forsyth Tavern as a venue to host public and private events.

A motion was made by Mr. Rowles and seconded by Mr. Andrews to renew this Special Permit for five (5) years, all in favor, motion carried.

**New Business  
Special Permit  
ZBSP-2019-009**

**Patrick Andalora  
4595 Townline Road, Ransomville, NY 14131  
SBL# 91.00-1-41.12  
Business**

### **Public Hearing Notice**

Special Permit to permit applicant to conduct a trucking business in an existing structure upon said premises, as well as parking two (2) single axle dump trucks relating to said business on a vacant lot adjacent thereto that will be consolidated with the said 4595 Townline Road property, pursuant to the Special Permit Ordinance of the Town of Cambria.

Mr. Andalora was present at the meeting and would like to keep the two trucks that he and his son use for their paving business on the vacant lot next to his house located at 4595 Townline Road. He stated he doesn't want to create any issues with his neighbors he just wants to operate his business.

### **Public Hearing Open**

Nick and Evelyn Buffone, 4611 Townline Road, live next to Mr. Andalora and stated that it is more than two (2) small trucks, there is also a paver and other equipment parked at the lot. Business traffic is in and out all day where it is supposed to be residential property not business. They stated they do not want to live next to business with the beep, beeping of the trucks when they back up and it also very disruptive to the customers that stay at their Tourist Home. Mrs. Buffone stated that she sent a letter with pictures to the Board regarding her opposition to this Special Permit.

Edward Lynch, 4561 Townline Road considers Mr. Andalora a friend as well as a neighbor, but agrees with Mr. and Mrs. Buffone and opposes this Special Permit. According to Mr. Lynch this past summer the property had lots of equipment, that was unsightly and having a negative impact on the neighborhood. The business is growing and he is concerned it will turn into a junkyard and lower property values. He further stated a commercial business should not be allowed in a residential neighborhood.

Susan Mielke, 4552 Townline Road, Lewiston was representing the neighbors on the East side of Townline Road, Lewiston. These neighbors also oppose this Special Permit.

### **Public Hearing Closed**

**Andalora Special Permit continued**

Mr. Andalora stated that his property is tidy and the trucks are not loud are not in and out ten times a day. Some of his equipment is stored in the Town of Lewiston. He stated that he was parking his trucks here long before Mr. And Mrs. Buffone turned their property into a tourist home.

Mr. Billingsley informed the Board that this Special Permit has to go before the Niagara County Planning Board on October 21, 2019. He further stated that Section 1100 and Section 300 of the Zoning Ordinance for the Town of Cambria address the issues regarding this Special Permit.

A motion was made by Mr. Johnson and seconded by Mr. Rowles to table this Special Permit until the October Meeting to allow this Special Permit to go before the Niagara Planning Board on October 21, 2019, all in favor, motion carried.

**New Business**            **Denise-Steven Fitzgibbon**  
**ZBAV-2019-09**        **4263 Cambria-Wilson Road, Lockport, NY 14094**  
                                  **SBL# 78.00-1-17.12**  
                                  **Area Variance**

Mr. and Mrs. Fitzgibbon were present at the meeting; they are seeking an Area Variance to allow the existing residence on their newly sub-divided lot to be closer to the lot line than the fifteen (15) feet required by the Zoning Ordinance for the Town of Cambria.

A Public Hearing was held at the August 19, 2019 meeting of the Zoning Board of Appeals.

A motion was made by Mr. Johnson and seconded by Mr. Rowles to approve this Area Variance, all in favor, motion carried.

**Old Business**            **Clifford Schlemmer**  
**ZBAV-2019-10**        **4378 Townline Road, Lockport, NY 14094**  
                                  **SBL# 79.00-2-24**  
                                  **Area Variance**

The Zoning Board of Appeals received a letter from Mr. Schlemmer requesting that his application for an Area Variance be removed from the agenda, the need no longer exists.

**Old Business**            **Kevin Haseley**  
**ZBAV-2019-11**        **3449 Raymond Road, Sanborn, NY 14132**  
                              **SBL# 134.00-1-58**  
                              **Area Variance**

### **Public Hearing Notice**

An area variance to permit applicant to erect an addition to said premises containing dimensions of 40 feet by 60 feet within 11 feet of the east side lot line, whereas the Zoning Ordinance of the Town of Cambria does not permit construction of such an addition closer to a side lot line than 15 feet.

Mr. and Mrs. Haseley were present at the meeting and stated at the suggestion of the Board after the last meeting, they observed how other residents attach their garage to their house. A plan was developed that would work for their home and presented to Mr. McCann.

### **Public Hearing Open**

Mr. and Mrs. Haseley presented a letter from their neighbor Jeremiah Collins, 5960 Townline Road, which stated they could use as his approval and acceptance of building your attached garage within 11 feet of their property line..

### **Public Hearing Closed**

The proposed building will be 40' by 60' and use the existing concrete pad. It will attach to their existing residence.

A motion was made by Mr. Rowles and seconded by Mr. Johnson, to approve this Area Variance, 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 October 28, 2019 at 7:00PM.

A motion was made by Mr. Andrews and seconded by Mr. Johnson to adjourn the meeting at 7:34PM, all in favor, motion carried.

Respectfully Submitted by

Melinda Olick

