

**Town Of Cambria
Zoning Board of Appeals Meeting
October 26, 2020**

The regular monthly meeting of the Zoning Board of the Town of Cambria was called to order by Peter Smith, Chairman at 7:03 pm with the Pledge of Allegiance to the flag.

Members Present: Peter Smith
Thomas Andrews
Alan Johnson
Harmony Retzlaff- Hurtgam
Badley Rowles

Members Absent: Cheryl Shoop

Also Present: Gary Billingsley, Attorney

A motion was made by Mr. Johnson and seconded by Mr. Andrews to approve the minutes for the September meeting as presented. All in favor, motion carried. Mr. Billingsley made a motion to only do a roll call for decisions that are not unanimous, all in favor, motion carried.

Mr. Billingsley announced that **Michael and Brenna Gross of 4664 Green Road** will be making changes on their application therefore they will be reapplying for the November meeting.

Mr. Billingsley read the notice of public hearing as it appeared in the newspaper.

Mr. Roberts suggested that the doors be open to the public as it's supposed to be open to the public, Mr. Billingsley explained that the meeting is being recorded and the door is closed so that there is no noise interference of the recording. Mr. Smith stated he had no problem with the doors being open.

Mr. Billingsley has paperwork that was submitted to the Town as an alternative to appearing at the meeting in person for the Borkenhagen application that Mr. Billingsley distributed to the board.

Mr. Billingsley also handed out letters from all three (3) special permit renewal Individuals that Mr. Smith read.

**Old Business
Special Permit – Renewal
Z-SP-2019-004**

**Donald Barton
3914 Lower Mountain Road, Sanborn, NY 14132
Animal Husbandry**

Approved Minutes

Mr. Barton was not present at the meeting due to Covid19, a motion was made by Mr. Rowles and seconded by Mr. Johnson to renew for another 5 years. All in favor, motion carried.

Old Business
Special Permit –Renewal
Z-SP-2003-12

Michael Maholsic
4006 Beebe Road
Dog Kennel

Mr. Smith read the letter submitted by Mr. Maholsic for renewal stating they would not be present do to Covid19. Mr. Rowles made a motion to grant a 5 year renewal for the Dog Kennel seconded by Mrs. Retzlaff-Hurtgam, all in favor, motion carried.

Old Business
Special Permit – Renewal
Z-SP-1995-17

Robert Smith
4455 Saunders Settlement Road, Sanborn, NY 14132
Repair & Sell Firearms

Mr. Smith read the letter from Mr. Smith for his renewal stating that they would not be present due to Covid19. Motion to extend for another 5 years made by Mr. Johnson and seconded by Mr. Rowles, all in favor, motion carried.

Peter Smith addressed setting up a date and time to take a tour of Tyler Booth's Property all Board members are interested in going, Mr. Roberts was asked if he would like to join them, he declined. A decision will be made a later date.

Mr. Billingsley recommended to briefly adjourn the meeting until 7:30pm Mr. Andrews made a motion Mrs. Retzlaff-Hurtgam seconded, all in favor, motion carried.

Meeting was re adjourned @ 7:29pm

New Business
Special permit
Z-SP-2020-008

John Soto
5226 Baer Road, Sanborn, NY 14132
SBL # 119.00-1-35.1

Approved Minutes

Mr. Soto was present at the meeting, He wants to add an In –law apartment to be able to take care of his parents.

Public Hearing Open

William Kirk , 5242 Baer Road, Sanborn stated he had no problems with what the Soto’s want to do.

Public Hearing Closed

Mr. Soto passed out drawings showing what his plans are, there was a discussion on the matter. Mr. Andrews stated the concern about this down the road is we will end up with a property with two residences on it. Mr. Soto said his son has Muscular Dystrophy and the in law apartment will be there for him after his parents pass. Mr. Billingsley asked Mr. Soto if he had a problem with it being used for family members only, Mr, Soto said no that is their full intention.

Motion for Negative SEQR made by Mr. Rowles, seconded by Mr. Johnson, all in favor, motion carried. Mr. Rowles made the motion seconded by Mr. Johnson to approve this special permit with the understanding that there be family members only, all in favor, motion carried.

New Business
Area Variance
ZB-AV-2020-007

Frank and Elizabeth Hill
5744 Campbell Blvd, Lockport, NY 14094
SBL # 121.00-2-32

Mr. Hill was Present at the meeting wants to construct a 40x40 Pole Barn for car storage, garden equipment and lawn tractors.

Public Hearing Open

No public

Public Hearing Closed

There was a brief discussion on this area variance, Mr. Johnson made a motion to approve Mr. Andrews seconded, all in favor, motion carried.

New Business
Area Variance
ZB-AV-2020-008

Joanne Sentman
3949 Fair Court East, Sanborn, NY 14132
SBL # 120.17-1-7

Approved Minutes

Mrs. Sentman was present at the meeting along with her agent Mark D’Alba. Mr. D’Alba showed the board pictures’ Mrs. Sentman would like an area variance to build a front porch for protection during inclement weather she is asking for the variance because the property is noncompliant. A brief discussion was had.

Public Hearing Open

No public

Public Hearing Closed

A motion to approve this variance was made by Mr, Andrews and seconded by Mrs. Retzlaff- Hurtgam. all in favor, motion carried.

New Business
Use Variance
ZB-UV-2020-004

Richard & Patricia Borkenhagen
4181 Burch Road, Ransomville, NY 14131
SBL # 77.00-1-36

Mr. Borkenhagen was present at the meeting, he would like to convert a detached garage into a single family home to help out his son who lost his job and had his home repossessed.

Public Hearing Open

No Public

Letter of concern attached from a resident Diane Godwin 4195 Burch Road, Ransomville, NY 14131

Public Hearing Closed

There was a brief discussion on this application. Mr. Billingsley is recommending the board table this matter until the November meeting to discuss this situation with the Building Inspector. Motion to table until next month made by Mr. Andrews seconded by Mr. Johnson, all in favor, motion carried.

A discussion was had on changing next month’s meeting to November 16, 2020 @7:00pm. And about the times on the Agenda as to comply to Covid regulations.

Reports

Chairman-Nothing at this time

Building Inspector- Not present

Approved Minutes

Attorney – Nothing at this time

Liaison – Nothing at this time

Board Members – **Mrs, Retzlaff** – Hurtgam asked about the Waield Use Variance.

The next Meeting of the Zoning Board of Appeals will take place on Monday November 16, 2020 @ 7:00 pm

A motion was made to adjourn the meeting by Mr. Johnson and seconded by Mrs. Retzlaff – Hurtgam. All in favor, motion carried. Meeting adjourned at 8:25 pm.

Respectfully submitted by

Jennifer L. Wrate