

Town of Cambria Planning Board Meeting Minutes

August 15, 2022

Call to order

A meeting of the Town of Cambria Planning Board was held at 7:00 pm on August 15, 2022. Chairman, Amacher welcomed everyone to the meeting followed by the Pledge of Allegiance.

Attendees included:

William J. Amacher, Chairman
Roger Schreader, Vice Chairman
Michael Sieczkowski, Member
Garret Meal, Member
Gerald Kroening, Member
Gary Billingsley, Attorney
James McCann, Building Inspector/Code Enforcement
Matthew Cooper, Deputy Building Inspector/Code Enforcement
Krista Brocious, Clerk Planning /Zoning Board

Members not in attendance included: David Carter, Alternate Member
Ben Musall, Town Board Liaison

Approval of Minutes

Mr. Meal asked that it be documented in the motion portion that he abstained from voting regarding Niagara County. A motion to approve the minutes from July 18, 2022, with the change Mr. Meal requested was made by Mr. Schreader, seconded by Mr. Kroening, all in favor, so carried.

ELLIS, Charles
4748 Thrall Rd., Lockport
Minor Subdivision

PSBD-2022-011
SBL#107.00-1-15.2

Mr. Ellis stated that he changed the size of the lot he wants to subdivide since submitting his application from 200' x 400' to 170' x 300'. This parcel is located on the southwest corner of the property. Mr. Billingsley recommends the board proceed with the idea when Mr. Ellis gets the Survey done, it may change the dimensions slightly. The application has some changes that Mr. Ellis will initial. Mr. Ellis is subdividing just one lot. No drainage problems or concerns from Building Department.

Motion

A motion to waive the public hearing was made by Mr. Kroening, seconded by Mr. Sieczkowski, all in favor, carried.

A motion for Negative SEQR was made by Mr. Schreader, seconded by Mr. Kroening, all in favor, carried.

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A motion to approve the minor subdivision with the following conditions and measurements varying slightly:

- New Survey provided to the building inspector
- Subdivision to be filed with the county within one year

Made by Mr. Sieczkowski, seconded by Mr. Kroening, all in favor, carried.

CALF DEVELOPMENT/TREK, INC.
Junction Rd., Lockport
Site Plan

PSP-2022-009
SBL#121.00-2-24

Patrick Sheedy from Carmina wood Design and Andy DeVincentis from Walden Development Group are present to speak and answer any questions the board has.

- The chemical pad is there currently for possible future use if needed. At this time the only chemical being used is rubbing alcohol and the quantities are insignificant.
- The plan is to have illuminated signage on the east elevation facing the road and the south elevation of the building. Mr. McCann points out that they will have to come in front of this board at a later date with this regarding the signage. It is a separate issue.
- Trek has been under contract for quite some time as the tenant of this building.
- There is a hot box out by the road that they will enclose to aid in the aesthetics of the area.
- Mr. DeVincentis communicated with the Cambria Fire Chef as suggested at the last meeting. They are proposing fire hydrants on either side of the building.
- There is a plan to have charging stations for electric cars but are not sure of where on the property they will be located yet. The station would be for employees and visitors and they would not be metered.
- There is a lot more detail on this Site Plan than there was on the preliminary plan; the lighting plan has been added. There will be a generator on site however its power source is yet to be determined. The generator will power security lighting and possibly some offices. They are still in discussion about how much the generator will power in the event that it is needed.
- The building will be insulated with metal panels and fenestration windows on the east and south sides. There will be a wood finish around the entrance.

Motion

A motion for negative SEQR made by Mr. Sieczkowski, seconded by Mr. Schreuder, all in favor, carried.

A motion for approval of the revised Site Plan subject to:

- SWPPP review
- Adequate landscaping around the hot box
- Signage to be reviewed and approved by this board
- Approval from all the agencies involved(county, state)

made by Mr. Sieczkowski, seconded by Mr. Kroening, all in favor, carried.

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COULTER FARMS
3870 N. Ridge Rd., Lockport
Site Plan

PSP-2022-010
SBL#78.00-1-37.1

Owner Mark Falvo and Tim Arlington of Apex Consulting were present. They are proposing a small take-out restaurant in an existing building on a small portion of the property. There is an existing white garage building that is underutilized currently. This is where they are proposing to have the snack bar. The building would need to be renovated as it's not insulated. They are working to minimize costs with the shell of the building and focusing on the inside. They will need to put in a grease trap and a septic tank. There are two bathrooms adjacent to the building which have been newly renovated. There will be (one) 1 parking space for every 50 sq. ft. with a handicap space making a total of 16 spots. A sidewalk will be added to help make the building handicap accessible.

A new electrical service would be necessary to handle cooking equipment in the building as it does not have electricity. Mr. Falvo will also look into extending the natural gas line over to the building as well. A sidewalk will be added to make the building handicap accessible.

They want to change the current 4x 8 farm sign to also advertise the take-out. There will be no seating inside the building but they will have some picnic benches outside. Mr. Falvo is proposing that initially, the snack bar will be a seasonal operation but he would like to extend it to be a year-round operation if it proves to be successful. Hours would be approximately 10 am-8 pm. There would be two employees as that's all the building would permit due to its size. The snack bar would be owned and operated by the farm. Mr. Falvo plans to use local farms for the food as much as possible.

Mr. Billingsley explained that this is a unique application that has not occurred before. This would be considered Agribusiness under Section 1130 of the Town of Cambria Zoning Ordinance. Because there is no new construction occurring, the setback requirements would not apply. Under this new section, the planning board is being asked to make a recommendation to the zoning board for the special use permit request. Mr. Billingsley referred Mr. Arlington to the requirements in that section. Mr. Arlington responded to the subsequent questions as follows:

d. The Application for Site Plan Approval shall include the following submittals:

- (1). All information submitted as part of the Special Permit Application. *Yes*
- (2). Description of any structures proposed to be constructed on premises, including height, type of façade, type of roof, and color thereof. *N/A*
- (3). Confirmation of whether or when driveways and/or parking areas will be paved, and if so, when they will be paved. In addition, applicant shall provide confirmation from the Town of Cambria Highway Superintendent, Niagara County Department of Public Works or New York State Department of Transportation that the proposed driveway entrance is sufficient to handle anticipated traffic regarding both ingress and egress to the property, as well as permission to place said entrance in the location proposed, if applicable. *There will be improved gravel. No pavement yet. One entrance and two exits.*
- (4). Unless specifically addressed in another submittal referenced herein, what Brewery, Cidery,

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Distillery, Meadery, Microbrewery, Winery or other Agribusiness marketing activities applicant proposes to engage in, both initially and in the future, together with applicant's plan to comply with applicable Niagara County Health Department Regulations and Town of Cambria Ordinances including, but not limited to, the Town of Cambria Noise Ordinance, to minimize the impact of said activities on neighboring properties, etc. *N/A*

(5). What Brewery, Cidery, Distillery, Meadery, Microbrewery, Winery or other Agribusiness activities that are not part of a "farm operation" applicant proposes to engage in, together with applicant's plan to comply with applicable Niagara County Health Department Regulations and Town of Cambria Ordinances including, but not limited to the Town of Cambria Noise Ordinance, to minimize the impact of such activities on neighboring properties, etc. If such activities are proposed, a Special Permit pursuant to Section 1130(5) hereunder shall be required. *N/A*

(6). Location of any outdoor storage, if any. *No new outdoor storage*

(7). Location, design and construction materials of all existing or proposed site improvements, including drain, culverts, retaining walls and fences. *They will be putting in a grease trap and septic tank and eventually a leach field.*

(8). A description of the method of sewage disposal and location, size, flow direction, design and construction materials of such facilities. *See above*

(9). A description of the method of securing public water and location, size, design and construction materials of such facilities, where applicable. *Extending from the existing hydrant.*

(10). The location of fire hydrants. *Next to the power pole at the front of the property.*

(11). The location, size, design and type of construction of all proposed signs. *An existing 4x8 sign amended to include mention of the snack bar.*

(12). The location and proposed development of all buffer areas, including the vegetative cover in specific detail for types of plantings, size and spacing. *N/A*

(13). The location, size and design of existing and proposed outdoor lighting facilities. *Using the current lighting on the poles.*

(14). The extent to which food will be served upon said premises, and applicant's plans for compliance with applicable regulations, including those of the Niagara County Health Department. *They will have commercial kitchens with a fryer. No indoor seating.*

(15). The extent that live music is proposed to be performed, including location, days and hours of performances, and applicant's plan to comply with applicable Town of Cambria Ordinances, including, but not limited to the Town of Cambria Noise Ordinance. If such activity is proposed, a Special Permit pursuant to Section 1130 (5) hereunder shall be required. *There will be no live music.*

(16). An estimated project construction schedule, if applicable. *Hope to be operating before winter.*

(17). A record of application for and status of all necessary permits from other governmental bodies, including those required by the Alcohol Beverage Control Law. *No plan to serve alcohol at this point.*

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(18). Identification of any permits from other governmental bodies required for the project's execution. *Health department for the Septic system.*

(19). SEQRA Form appropriate to the proposed project. *Has been provided*

(20). Such other information as may be requested by the Planning Board. *None*

There will be a dumpster in an enclosed area. Farm produce will be sold from the market next to the restaurant building. Mr. Falvo plans to use food from his farm and other local farms. The building being used for the snack bar will stay white as it is now. It's being spruced up. The roof is pretty new. The building is on a foundation.

There was a discussion about the Niagara County rezoning project and when that will be on the agenda again. Mr. Amacher stated the possibility of a work meeting regarding it.

Motion

A motion to recommend that the zoning board approve the special permit made by Mr. Meal, seconded by Mr. Schreader, so carried.

A motion to grant preliminary approval as the site plan as represented with hours of operation from 10 am-8 pm for up to 7 days a week, and the applicant to comply with all county regulations, made by Mr. Kroening and seconded by Mr. Meal, all in favor, so carried.

Announcements

Mr. Amacher announced that the next meeting will be on September 19, 2022.

Adjournment

A motion to adjourn @ 8:00 pm was made by Mr. Sieczkowski, seconded by Mr. Meal, all in favor, carried.

Krista Brocious

Planning/Zoning Clerk