

Town of Cambria
Planning Board Meeting
November 16, 2020

The regular monthly meeting of the Planning Board of the Town of Cambria was called to order by William J. Amacher, Chairman at 6:03 pm. Everyone was welcomed to the meeting, followed by the Pledge to the Flag.

Members Present: William J. Amacher, Chairman
Roger Schreader, Sr.
Michael D. Sieczkowski
Garret Meal
Gerald Kroening

Members Absent: Douglas Mawhiney

Also Present: Gary Billingsley, Attorney
Ben Musall, Councilman, Town Board Liaison Planning Board
James McCann- Building Inspector

A motion was made by Mr. Schreader and seconded by Mr. Sieczkowski to approve October meeting minutes as presented, all in favor, motion carried.

Old Business **Tyler Booth**
Forsyth-Warren Tavern **5182 Ridge Road, Lockport, NY 14094**
Rezoning

Mr. Booth was present at the meeting, as a referral from the Town Board. Mr. Booth is looking to rezone his History & Farm Museum to B2. There was a lengthy discussion on this matter. The board members had a few questions for Mr. Booth. Mr. Amacher asked about the not for profit status, Mr. Booth said it was filed that they were waiting for approval, that they were chartered with the Department of Education, which is necessary in New York, that it was a long process, and still pending. Mr. Amacher asked how many members were on the Board of Directors and who was President, Mr. Booth said about 9 people were on the Board, and that Johnathan Newman was President. Mr. Sieczkowski asked about the relatives of those buried in the cemetery on the property and the future redesign of the intersection, Mr. Booth said they had contacted as many of the family members as they could locate concerning cemetery, so far none who were contacted had any issues, that traffic light intersection was planned for 2021, and redesign of intersection is also pending. Mr. Schreader asked about handicapped accessibility, Mr. Booth said the barn is handicapped accessible, that the tavern is not, that they currently have an exemption as a National Register site, but that it is anticipated that grants will be used to make the tavern handicapped accessible.

Mr. Meal asked Mr. Booth to summarize why we need to rezone as opposed to the special permits, Mr. Booth explained that there are more grants that they could get for their existing area extending outside of

their parcel, everything is hinged on that zoning, their parcel is zoned commercial not residential and any improvements that the State or the public would do. Mr. Meal asked if the ownership issue could be cleared up without the rezoning, Mr. Booth said no because it's about the residential versus commercial. Mr. Booth was asked who would own it, Mr. Booth said it would be owned by the corporation that is established. Mr. Amacher asked why this isn't in the corporations name now. Mr. Booth said because he bought it before the corporation existed, he had to buy it to save it. Mr. Meal referred to a letter Mr. Booth submitted about increased restrictions, what are these restrictions that you are trying to work around. Mr. Booth stated the biggest restriction is their ability to serve alcohol, as a non for profit they can get single day licenses but the larger plan is to reconstruct the distillery that was on site, their plan when it was proposed was to do a Tavern license initially for events they could serve wine and beer then to eventually get distillers license and through some confusion and further confusion the Town put on their license that they were only allowed to serve one cocktail which is a Syllabub, which is any drink whipped with egg, little things like that and other stipulations they've been discussing. It's just been a hassle. Mr. Amacher asked about conditions in permits. Mr. Booth said there were things in minutes that were not verbatim of what he said, that there was no recording of it. Mr. Sieczkowski doesn't understand how a museum is able to serve alcohol. Mr. Booth explained that as a Tavern they intend to serve alcohol and food that would have been there, that they have detailed records of what they would have produced. Mr. Amacher asked Mr. Booth if he's done anything with the County Planning Board, which Mr. Booth stated he went to them in the very beginning which was 2- 3 years ago. Mr. Booth said that he was not sure if they would be going before them this year or not.

Mr. Kroening asked why Mr. Booth doesn't turn over the tavern to the corporation before he comes to the Town so that they, the Town know who they are dealing with. Mr. Booth explained his issue with that is he has had a hard time getting his first permits and there is still a lot of things up in the air about them. Mr. Booth doesn't want to be put the museum in a situation where he throws out the permits it currently has until 2025 when he's not sure if they will be re appropriated to the museum.

Mr. Amacher agreed that it would be better if Mr. Booth turned it over first, Mr. Amacher is not inclined to rezone this until they know exactly who is going to own it.

Mr. Amacher advised Mr. Booth to talk to his attorney. A motion was made by Mr. Sieczkowski to recommend denial of this application seconded by Mr. Schreader. Mr. Amacher requested a roll call :

William Amacher, voting aye
Roger Schreader, voting aye
Michael Sieczkowski, voting aye
Garret Meal, voting aye
Gerald Kroening, voting aye

all in favor to deny, motion carried.

Mr. Booth requested that the Board members state their reasons for their recommendation. Mr. Amacher stated for him it was about ownership of the parcel. Mr. Kroening said it was who was going to be the owner and that there were no guarantees that it would be turned over to the nonprofit. Mr. Meal agreed that ownership was an issue, and added that he preferred that the applicant worked with the Town through its permits. Mr. Sieczkowski agreed with the other members, and added that he was concerned with the driveway exit, future changes to the intersection and the cemetery. Mr. Schreader said he agreed and also stated his concern with the handicapped.

**New Business
Special Permit
Z-SP-2020-009**

**Alexander Doyle
3779 Ridge Road
Lockport, NY 14094**

Mr. Alexander wants to put in a 125 x 90' Pond, Niagara County Soil and Water recommends Mr. Alexander pack it with clay, Mr. McCann has no problems with this just make sure the soil stays on the land. There was a brief discussion on this application.

Mr. Kroening and seconded by Mr. Sieczkowski to approve subject to any public input and with conditions that no fill be removed from the property, all in favor, motion carried.

The next meeting of the Planning Board will take place on December 21, 2020 at 6:00 pm.

Reports:

Chairman: Reported that AES had withdrawn it application for rezoning

Building Inspector: Nothing at this time

Attorney: Nothing at this time

Board Members: Nothing at this time

A motion was made by Mr. Kroening seconded by Mr. Meal to adjourn the meeting at 6:27 pm. All in favor, motion carried.

Respectfully Submitted by

Jennifer L. Wrate