

**Town of Cambria  
Zoning Board of Appeals Meeting  
March 22, 2021**

The regular monthly meeting of the Zoning Board of the Town of Cambria was called to order by Peter Smith, Chairman at 7:00 pm everyone was welcomed to the meeting followed by the pledge to the flag.

**Members Present:**     **Peter Smith**  
                              **Harmony Retzloff- Hurtgam**  
                              **Thomas Andrews**  
                              **Alan Johnson**  
                              **Cheryl Shoop**

**Also Present:**        **Gary Billingsley, Attorney**  
                              **Jim McCann, Building Inspector**  
                              **Ben Musall, Councilman, Acting Liaison for Zoning Board**

**Members Absent:**    **Bradley Rowles**

A motion to approve February minutes, Mr. Billingsley had a few changes and corrections to make to the minutes with those corrections being made the Board can proceed with the motion to approve the minutes. Motion was made by Mr. Andrews and seconded by Mr. Johnson, all in favor motion carried.

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

**Special Permit**           **Paul Lampkin**  
**Renewal**                 **3238 Lower Mountain Road**  
                                  **Sanborn, NY 14132**

Mr. Lampkin was not present at the meeting but he did send in a letter stating he would like to renew his special permit to maintain a dog kennel. Motion made by Mr. Johnson and seconded by Mrs. Retzloff - Hurtgam extend for another 5 years. All in favor, motion carried.



**Lockport, NY 14094  
ZB-UV-2021-001**

Mrs. Speck was not present at the meeting. A neighbor, Linda Hardt was at the meeting to get an understanding of what Ms. Speck was doing to need an area variance, it was explained by Mr. Billingsley that she needs an area variance because she already has (2) accessory structures and is asking for a 3<sup>rd</sup> for a solar array. Motion to table until the end of the meeting, motion made by Mrs. Retzloff-Hurtgam, seconded by Mr. Johnson, all in favor, motion carried.

**Laura Oakes  
4335 Cambria Wilson Road  
Lockport, NY 14094  
ZB-AV-2021-002**

Mrs. Oakes was present at the meeting she stated she would like to put an in ground swimming pool in and the location she would like to put it needs an area variance. Mr. Smith asked if she had an above ground there she said yes they took it down in 2014. She would like to put the in ground pool in the same area.

**Public Hearing Open:**

**No public present**

**Public Hearing Closed**

Mr. Johnson asked if the pool would be hidden by the trees, Mrs. Oakes replied yes during the summer when they would be enjoying it the trees are at their fullest, Mrs. Oakes stated she doesn't want to have to put a privacy fence up on that side of the pool, she feels it would look awkward but will be putting a black aluminum fence up, if this is something she had to do she would. A Motion to approve this area variance was made by Mr. Andrews and seconded by Mrs. Retzloff-Hurtgam, all in favor, motion carried.

**Area Variance  
ZB-AV-2021-003**

**Michael Bampton  
4528 Ridge Road  
Lockport, NY 14094  
Convert Lower Space into an apartment**

Mr. Bampton was present at the meeting he wants to convert what used to be an antique store and an apartment they want to make it into (2) apartments, the reason for the variance is because the lot that it sits on is divided into two separate lots, looking to make this inot a two family apartment without using the other lot.

There was a letter submitted dated March 18, 2021 by a neighbor, the letter states that he is not in favor of this area variance signed by Thomas Mangel at 4541 Ridge Road, signed by Mr. Mangel.

**Public Hearing Open:**

**No public present**

**Public Hearing Closed**

There was a lengthy discussion on this matter. Mr. Billingsely recommended the Board to make a decision on the actual application for a two family to be located on a lot containing 112 ft of frontage and 151 ft of depth which is too small for what's being proposed, if the board were inclined to deny it the applicants next step would be to do another application for an area variance to permit construction on the lot combined, even if he were to combine the 2 parcels he would still be short on both width and depth. A motion was made to deny the applicants request by Mr. Andrews and seconded by Mrs. Retloff-Hurtgam, all in favor, motion carried.

**Minor Sub Division**                      David Scalzi  
3066 Krueger Road  
North Tonawanda, NY 14120  
2 small lots on Plank Road

Mr. Scalzi was present at the meeting, he purchased what he thought was two 5 acre lots, but was only receiving one tax bill, he wants to split the lots into two 5 acre lots.

**Public Hearing Open**

Scott Sidell  
4400 Plank Road  
Lockport, NY 14094

Peter Sidell  
Lives one lot over from Mr. Scalzi's property

Susan Prohn  
4369 Plank Road  
Lockport, NY 14094

Karen & Dennis Hoyt  
4430 Plank Road

Lockport, NY 14094

Lanasa  
4418 Plank Road  
Lockport, NY 14094

All the neighbors spoke their concerns of opposing the subdivision of this lot.

**Public Hearing closed**

Mr. Andrews concern is that the application says Mr. Scalzi purchased two 5 acre lots but in fact you purchased a 10 acre lot they have only been receiving one tax bill this whole time, Mrs. Scalzi has concerns that maybe they only purchased one 5 acre lot, Mr. Andrews asked what does your deed say, which states it's a 10 acre parcel. There was a lengthy discussion on this matter.

Motion to deny the two lots by Mr. Johnson seconded by Mr. Andrews, all in favor, motion carried.

Motion to table Speck application until April meeting by Mr. Andrews and seconded by Mr. Johnson, all in favor, motion carried.

Chairman addressed Forsyth Tavern matter, Mr. Billingsley recommended that this board not discuss this matter at this meeting because of the extensive correspondence that had gone on between Mr. Booth and Mr. Roberson, it

would be a good idea to have Mr. Booth present at the next Zoning Board Meeting in April. Building inspector needs a set of stamped plans. There was a discussion on what Mr. Booth needs and where they are on this matter

Mr. Billingsley recommended to make a motion for the chairman to write up a concise letter of what Mr. Booth needs for the next meeting Mr. Johnson made the motion, seconded by Mrs. Retzlaff- Hurtgam, all in favor, motion carried.

**Reports:**

**Building Inspector:** nothing at this time

**Attorney:** Advised the board that Tyler Booth's application for rezoning was denied by the Town Board at the December meeting followed by recommendation of the Planning Board. The applicant should continue operating under existing special permits, there has been some discussion on the status of those permits, Mr Billingsley recommends that the Zoning Board ask that Mr. Booth come back before the March meeting so that his special permits can be considered for renewal. A motion was made by Mr. Andrews and seconded by Mr. Johnson, all in favor, motion carried.

**Ben Musall, Councilman liason:** Public Hearing Amendment to comprehensive plan

**Board members:** nothing at this time

The next meeting of the Zoning Board will be held on April 26, 2021 at 7:00pm

Motion to adjourn meeting made by Mr. Andrews, seconded by Mrs. Retzloff- Hurtgam, all in favor, motion carried. Meeting was adjourned @ 8:30 pm