### Call to order

A meeting of the Zoning Board of Appeals was held at Cambria Town Hall on May 20, 2024, @ 7:00 p.m. Chairman Smith welcomed everyone followed by the Pledge of Allegiance.

### **Attendees included:**

Peter A. Smith, Chairman
Thomas Andrews, Vice Chairman
Andrew Milleville, Member
Harmony Retzlaff-Hurtgam, Member
Randy Roberts, Liaison to the Town Board
Abe Platt, Town Attorney
Building Inspector/Code Enforcement, James McCann
Deputy Building Inspector/Code Enforcement, Matthew Cooper
Krista Brocious, Planning /Zoning Board Clerk

Members not in attendance included: Cheryl Shoop, Member and Mark March, Alternate Member

### Approval of minutes

A motion to approve the April 22, 2024, minutes was made by Mr. Milleville and seconded by Ms. Retzlaff-Hurtgam, all in favor, motion carried.

Attorney Platt read the public hearing notices.

### New business

FLOYD, Justin ZSP-2024-005 3506 Upper Mtn Rd., Sanborn SBL#119.00-2-3

Animal Husbandry-Chickens

Justin and Tiffany Floyd would like to have 10 chickens for their children. No roosters. They will be housed in a coop in the backyard field area.

Public hearing was opened.

Public hearing was closed.

### Motion

A motion to approve the Special Permit for one year was made by Mr. Milleville and seconded by Ms. Retzlaff-Hurtgam, all in favor so carried.

ROGERS, Cory ZBAV-2024-001 4989 Baer Rd., Sanborn SBL#105.00-2-42.2

Area Variance-Pole barn/lean-to

Cory Rogers would like a 30' X 60' pole barn with a 10' X 40' lean-to.

Public hearing was opened.

Public hearing was closed.

Mr. Rogers would not be enclosing the lean-to. He would house his truck, camper, and side-byside to name a few things, in the pole barn. The extra square feet he is asking for makes it symmetrical and covers everything he needs it to.

Attorney Platt reminded everyone of the criteria for an area variance. He asked Mr. Rogers if his pole barn and lean-to would look out of place in the neighborhood. Mr. Rogers responded that his neighbors both have similar set-ups in their yards and his would match. The lean-to is not for storage but only for shade. It would not adversely affect the area as you won't be able to see it from the road.

Tom Andrews arrived.

### Motion

A motion for negative SEQR was made by Mr. Milleville and seconded by Ms. Retzlaff-Hurtgam, all in favor, so carried.

A motion to approve the 2, 200 sq. ft. pole barn including lean-to was made by Mr. Milleville and seconded by Ms. Retzlaff-Hurtgam, all in favor, so carried.

BRACHMANN, Louise ZBUV-2024-001 5432 Baer Rd., Sanborn SBL#119.00-1-43

Use Variance-Beer/Wine sales @ Sunflowers

The Brachmann's have had inquiries at their Sunflower events from patrons about serving alcohol and they would like to do so and showcase the local wineries and breweries.

Public hearing was opened.

Public hearing was closed.

They would designate a cordoned-off area in the back with liquor authority signage. They would only serve during their regular hours.

Attorney Platt reminded everyone of the criteria for a use variance and inquired about financial hardship. Mr. Brachmann stated that they do not charge an entrance fee and only make some money from what people choose to buy while at their field. Attorney Platt stated that this could create a precedent if granted but that the Sunflowers of Sanborn has it's own unique history in the area.

#### Motion

A motion for negative SEQR was made by Mr. Andrews and seconded by Mr. Milleville, all in favor, so carried.

A motion to approve the use variance with the condition that the beer, wine, and cider provided would be New York State products was made by Chairman Smith and seconded by Mr. Milleville, all in favor, so carried.

### **Special Permit-Renewals**

FLYNN, Shawn ZSP-2023-004 2990 Carney Dr., Sanborn SBL#119.00-1-12.11 Heating & Air Conditioning Business

A signed letter indicating a request to renew the special permit was provided to the building department. No concerns from the building department.

#### Motion

A motion to renew the special permit for 5 years was made by Ms. Retzlaff-Hurtgam and seconded by Mr. Milleville, all in favor, so carried.

### Reports

None.

#### **Announcements**

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## Adjournment

A motion to adjourn @ 7:35 pm was made by Mr. Andrews and seconded by Ms. Mr. Milleville, all in favor, so carried.

Krista Brocious

Planning/Zoning Clerk