

**Town of Cambria
Zoning Board of Appeals Meeting
December 21, 2020**

The regular monthly meeting of the Zoning Board of the Town of Cambria was called to order by Peter Smith, Chairman at 7:01pm. Everyone was welcomed to the meeting, followed by the Pledge to the Flag.

Members Present: Peter Smith
Harmony Retzlaff- Hurtgam
Bradley Rowles
Alan Johnson
Cheryl Shoop

Members Absent: Thomas Andrews

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

Old Business **Kelly Ventry & Kris Furman**
Special Permit **3924 Saunders Settlement Rd.**
Renewal **Sanborn, NY 14132**

The applicants were not present at the meeting but would like to renew their kennel license. The board made a motion to extend the permit for another 5 years. A motion was made by Bradley Rowles and seconded by Alan Johnson. All in favor, motion carried

A motion was made by Mr. Johnson and seconded by Mrs. Retzlaff- Hurtgam to approve minutes from last month's meeting, all in favor motion carried.

New Business

**Crosslake Fiber USA LP
Special Permit (2)
Area Variances (2)
PSP-2020-006**

Crosslake Fiber

**5050 Lockport Junction Rd.
Lockport, NY 14094
SBL # 107.00-2-31**

Gary Billingsley read the public hearing notice as it appeared in the newspaper. There was a brief discussion on the location of the additional shed and where the placement of the antennas to clear up any misunderstanding. The New installation of the antennas will be 100 feet from the North property line the proposed storage shed will be inside the existing chain link fence near the existing shelter.

Public Hearing Open

Susan Backlass
5044 Lockport Junction Rd.
Lockport, NY 14094

Mrs. Backlass has concerns because this is what she sees when she looks out her dining room window. Her concerns were about the landscaping to hide chain link fence where the placement of the antenna were going to be and the conditions of the property, how is it going to look aesthetically with the additional things being added.

Public Hearing Closed

Gregory P. Scholand was representing Crosslake and was present at the meeting. They are looking for 2 special permits and 2 variances to be approved. It was asked if they could do some landscaping to hide the chain link fence, it was stated by Mr. Scholand that they would be doing some bushes to screen the fence. Mr. Smith asked where the placement of the satellites would be going. They will be closer to the center of the parcel further than 100 feet from the road right of way. The shed would be 20 feet from the existing shelter. The 2 area variances are for the height of the fence whereas it is only permitted for a 6 ft max they are asking for 8 ft. and side yard setback, whereas the zoning ordinance in the AR district the setback for non-residential structures from side lot lines permits total width must be at least 60 feet and the width of narrower two side yards must be at least 1/3 of the total width of the side yards together. Mr. Scholand stated that it would be difficult to meet that requirement with the size of the lot, they are asking for relief from the side yard setback to allow for these improvements. There was a brief discussion on this matter, it was recommended that Mr. Scholand be the contact for any complaints on this site, this was agreed upon. It is under recommendation of the planning board that these special permits and variances be granted.

Mr. Billingsley read the proposed findings report.

A motion was made for Negative SEQRA by Mr. Rowles and seconded by Mr. Johnson, all in favor, motion carried.

A motion was made by Mr. Rowles and seconded by Mrs. Retzloff – Hurtgam to approve the two area variances with the condition that the applicant have a contact person on file with the

town in the event that there is any concerns with aesthetics with the landscaping, all in favor, motion carried.

Niagara County planning board recommended approval of the special permit applications. A motion to approve these special permits and allow them to remain in effect for so long as premises are owned by the applicant without the requirement that they be renewable made by Mr. Johnson and seconded by Cheryl Shoop, all in favor, motion carried.

Reports:

Chairman- Nothing at this time

Building Inspector- Nothing at this time

Attorney- Nothing at this time

Board Members- Mr. Johnson questioned what was going on with Tyler Booth and his rezoning application.

The next meeting of the Zoning Board of appeals will be on January 25, 2021 @ 7:00pm

A Motion to adjourn the meeting at 7:52 pm made by Mr. Johnson and seconded by Mrs. Shoop.

Respectfully submitted by

Jennifer L. Wrate