

Town of Cambria  
Zoning Board of Appeals Meeting  
November 16, 2020

The regular monthly meeting of the Zoning Board of the Town of Cambria was called to order by Peter Smith, Chairman at 7:03pm. Everyone was welcomed to the meeting , followed by the Pledge to the Flag.

**Members Present:** Peter Smith  
Thomas C. Andrews  
Harmony Retzlaff- Hurtgam  
Bradley Rowles  
Alan Johnson  
Cheryl Shoop

**Members Absent:** No members were absent

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

A motion was made by Mr. Johnson and seconded by Mr. Andrews to approve the minutes from the October meeting as presented, all in favor, motion carried.

The Public Hearing Notice was read as it appeared in the newspaper

The special permit renewal for the applicants Ventry and Furman is being tabled until next month's meeting, the applicants did not receive a letter. A motion was made by Mr. Rowles and seconded by Mr. Andrews, all in favor, motion carried.

**New Business**                    **Doyle Alexander**  
**Special Permit**                **3779 Ridge Road**  
**Z-SP-2020-009**                **Lockport, NY 14094**  
   **Construct a Farm Pond**  
   **SBL # 78.00-1-31.12**

Mr. Alexander was present at the meeting, he would like to build a pond for his livestock and for irrigation.

**Public Hearing Open- No Public**

**Public Hearing Closed**

There was a brief discussion on this application. Mr. McCann has no issues with what Mr. Alexander is doing.

A motion was made for Negative Declaration under SEQRA by Mr. Andrews and seconded by Mr. Rowles. All in favor, motion carried.

A motion was made by Mr. Rowles and seconded by Mr. Johnson to approve this pond with conditions pursuant of Niagara County Soil and Water and that no fill be removed from the property also upon the finding that there is no environmental damage and no effect on drainage. All in favor, motion carried.

**New Business**                    **Michael and Brenda Gross**  
**Area Variance**                **4664 Green Road, Lockport, NY 14094**  
**ZB-AV-2020-009**                **SBL# 92.00-1-18.111**  
   **Construct an Accessory Building**

Mr. & Mrs. Gross were present at the meeting they would like to construct a third accessory building measuring 36 x48 ft. to keep farm equipment and to store hay on a premises that already has two accessory buildings which contains 11.4 acres whereas the Zoning ordinance only permits up to two buildings when combined square footage does not exceed 3,000 square feet.

**Public Hearing Open**

**Marshall Belling 4773 Green Road, Lockport**

Has no issues

**Scott Hammeister Green Road, West Side North of Gross's, no assigned address yet**

Has no issues.

**Scott Neubauer 4763 Green Road, Lockport**

Has no issues

## **Public Hearing Closed**

There was a brief discussion on this application a motion was made by Mr. Rowles and seconded by Mr. Andrews to grant this special permit. All in favor, motion carried.

**Old Business**                    **Richard Borkenhagen**  
**Use Variance**                **4181 Burch Road, Ransomville, NY 14131**  
**ZB-UV-2020-004**            **SBL# 77.00-1-36**  
   **Use Variance for two dwellings on a single lot**

Mr. Borkenhagen was present at the meeting the original application was for a second residence with the square footage it's a little bit more than an in law apartment. The Board had tabled this matter in October to consider this application further. It would be difficult to grant as use variance based on the Zoning Ordinance and applicable Zoning Law.

There was a brief discussion. Mr. Borkenhagen asked if the property could be divided. Mr. Billingsley stated that would require another application, not sure how the buildings would sit on the property. Mr. McCann said that would require a new survey of his property showing the new building.

A motion was made by Mr. Rowles and seconded by Mr. Johnson to adjourn for 6 months which would be the May 2021 Zoning Meeting. All in favor, motion carried.

**Old Business**                    **Cory Clark**  
**Area Variance**                **5204 Subbera Road, Lockport, NY 14094**  
**ZB-AV-2020-005**            **SBL# 120.07-1-7**  
   **Area variance to permit shed 15 feet off road right- of -way**

Mr. Clark was present at the meeting, he has a shed that is 10ft x12ft. that he originally wanted in his back yard but he says it won't fit through his gate so he wants to leave the shed where it is which is not within the Zoning Ordinance, it would need to be 60 feet from the road right of way. It was suggested that he take a couple sections of the fence down to move the shed in, Mr. Clark said due to the ditch that is right by the road it would be hard to maneuver the shed to get it in the back yard.

A motion was made by Mr. Andrews and seconded by Mr. Rowles to deny this area variance because it was feasible to move inside the fence. All in favor, motion carried. Mr. Clark asked if there was a time frame to move the shed, the Board thought 60 days was reasonable.

Timothy Waild was not present they are working on getting plans together for a building permit.

## **Reports**

**Chairman-Nothing at this time**

**Building Inspector- Nothing at this time**

**Attorney- Nothing at this time**

**Board Members- Nothing at this time**

The next meeting of the Zoning Board of Appeals will take place on December 21, 2020 @ 7:00pm.

Motion to adjourn Meeting by Mr. Andrews and seconded by Mr. Johnson, all in favor, motion carried,  
Meeting adjourned at 7:52pm.

Respectfully submitted by

Jennifer L. Wrate