

**Town Of Cambria  
Zoning Board of Appeals Meeting  
October 26, 2020**

The regular monthly meeting of the Zoning Board of the Town of Cambria was called to order by Peter Smith, Chairman at 7:03 pm with the Pledge of Allegiance to the flag.

**Members Present:** Peter Smith  
Thomas Andrews  
Alan Johnson  
Harmony Retzlaff- Hurtgam  
Badley Rowles

**Members Absent:** Cheryl Shoop

**Also Present:** Gary Billingsley, Attorney

A motion was made by Mr. Johnson and seconded by Mr. Andrews to approve the minutes for the September meeting as presented. All in favor, motion carried. Mr. Billingsley made a motion to only do a roll call for decisions that are not unanimous, all in favor, motion carried.

Mr. Billingsley announced that **Michael and Brenna Gross of 4664 Green Road** will be making changes on their application therefore they will be reapplying for the November meeting.

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

Mr. Roberts suggested that the doors be open to the public as it's supposed to be open to the public, Mr. Billingsley explained that the meeting is being recorded and the door is closed so that there is no noise interference of the recording. Mr. Smith stated he had no problem with the doors being open.

Mr. Billingsley has paperwork that was submitted to the Town as an alternative to appearing at the meeting in person for the Borkenhagen application that Mr. Billingsley distributed to the board.

Mr. Billingsley also handed out letters from all three (3) special permit renewal Individuals that Mr. Smith read.

**Old Business  
Special Permit – Renewal  
Z-SP-2019-004**

**Donald Barton  
3914 Lower Mountain Road, Sanborn, NY 14132  
Animal Husbandry**

Mr. Barton was not present at the meeting due to Covid19, a motion was made by Mr. Rowles and seconded by Mr. Johnson to renew for another 5 years. All in favor, motion carried.

**Old Business**  
**Special Permit –Renewal**  
**Z-SP-2003-12**

**Michael Maholsic**  
**4006 Beebe Road**  
**Dog Kennel**

Mr. Smith read the letter submitted by Mr. Maholsic for renewal stating they would not be present due to Covid19. Mr. Rowles made a motion to grant a 5 year renewal for the Dog Kennel seconded by Mrs. Retzlaff-Hurtgam, all in favor, motion carried.

**Old Business**  
**Special Permit – Renewal**  
**Z-SP-1995-17**

**Robert Smith**  
**4455 Saunders Settlement Road, Sanborn, NY 14132**  
**Repair & Sell Firearms**

Mr. Smith read the letter from Mr. Smith for his renewal stating that they would not be present due to Covid19. Motion to extend for another 5 years made by Mr. Johnson and seconded by Mr. Rowles, all in favor, motion carried.

Peter Smith addressed setting up a date and time to take a tour of Tyler Booth's Property all Board members are interested in going, Mr. Roberts was asked if he would like to join them, he declined. A decision will be made a later date.

Mr. Billingsley recommended to briefly adjourn the meeting until 7:30pm Mr. Andrews made a motion Mrs. Retzlaff-Hurtgam seconded, all in favor, motion carried.

Meeting was re adjourned @ 7:29pm

**New Business**  
**Special permit**  
**Z-SP-2020-008**

**John Soto**  
**5226 Baer Road, Sanborn, NY 14132**  
**SBL # 119.00-1-35.1**

Mr. Soto was present at the meeting, He wants to add an In-law apartment to be able to take care of his parents.

**Public Hearing Open**

William Kirk , 5242 Baer Road, Sanborn stated he had no problems with what the Soto's want to do.

**Public Hearing Closed**

Mr. Soto passed out drawings showing what his plans are, there was a discussion on the matter. Mr. Andrews stated the concern about this down the road is we will end up with a property with two residences on it. Mr. Soto said his son has Muscular Dystrophy and the in law apartment will be there for him after his parents pass. Mr. Billingsley asked Mr. Soto if he had a problem with it being used for family members only, Mr. Soto said no that is their full intention.

Motion for Negative SEQR made by Mr. Rowles, seconded by Mr. Johnson, all in favor, motion carried. Mr. Rowles made the motion seconded by Mr. Johnson to approve this special permit with the understanding that there be family members only, all in favor, motion carried.

**New Business**  
**Area Variance**  
**ZB-AV-2020-007**

**Frank and Elizabeth Hill**  
**5744 Campbell Blvd, Lockport, NY 14094**  
**SBL # 121.00-2-32**

Mr. Hill was Present at the meeting wants to construct a 40x40 Pole Barn for car storage, garden equipment and lawn tractors.

**Public Hearing Open**

No public

**Public Hearing Closed**

There was a brief discussion on this area variance, Mr. Johnson made a motion to approve Mr. Andrews seconded, all in favor, motion carried.

**New Business**  
**Area Variance**  
**ZB-AV-2020-008**

**Joanne Sentman**  
**3949 Fair Court East, Sanborn, NY 14132**  
**SBL # 120.17-1-7**

Mrs. Sentman was present at the meeting along with her agent Mark D'Alba. Mr. D'Alba showed the board pictures' Mrs. Sentman would like an area variance to build a front porch for protection during

inclement weather she is asking for the variance because the property is noncompliant. A brief discussion was had.

**Public Hearing Open**

No public

**Public Hearing Closed**

A motion to approve this variance was made by Mr, Andrews and seconded by Mrs. Retzlaff- Hurtgam. all in favor, motion carried.

**New Business**  
**Use Variance**  
**ZB-UV-2020-004**

**Richard & Patricia Borkenhagen**  
**4181 Burch Road, Ransomville, NY 14131**  
**SBL # 77.00-1-36**

Mr. Borkenhagen was present at the meeting, he would like to convert a detached garage into a single family home to help out his son who lost his job and had his home repossessed.

**Public Hearing Open**

No Public

Letter of concern attached from a resident Diane Godwin 4195 Burch Road, Ransomville, NY 14131

**Public Hearing Closed**

There was a brief discussion on this application. Mr. Billingsley is recommending the board table this matter until the November meeting to discuss this situation with the Building Inspector. Motion to table until next month made by Mr. Andrews seconded by Mr. Johnson, all in favor, motion carried.

A discussion was had on changing next month's meeting to November 16, 2020 @7:00pm. And about the times on the Agenda as to comply to Covid regulations.

**Reports**

**Chairman**-Nothing at this time

**Building Inspector**- Not present

**Attorney** – Nothing at this time

**Liaison** – Nothing at this time

Unapproved Minutes  
Contents subject to change

**Board Members – Mrs, Retzlaff – Hurtgam** asked about the Waield Use Variance.

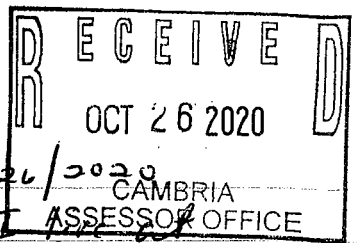
The next Meeting of the Zoning Board of Appeals will take place on Monday November 16, 2020 @ 7:00 pm

A motion was made to adjourn the meeting by Mr. Johnson and seconded by Mrs. Retzlaff – Hurtgam. All in favor, motion carried. Meeting adjourned at 8:25 pm.

Respectfully submitted by

A handwritten signature in cursive script that reads "Jennifer L. Wrate". The signature is written in black ink and is positioned above the printed name.

Jennifer L. Wrate



10/26/2020  
Hi! My name is Diane Godwin.  
4195 Burch Rd, Ransomville, NY. I am  
unable to attend the town meeting tonight,  
but have a few concerns regarding the  
variance (ZB-UV-2020-004) for the  
Borkenhagen residence.

My concerns are as follows:

- ① Sometimes we get an odor of sewage,  
not sure where it is coming from.  
Is there an approved septic system on  
this property for this "garage" + residence?  
People have been living here for 1-2 years now.
- ② I pay a significant amount of taxes,  
Have taxes been paid for this dwelling?
- ③ Being that people have already been living  
in this "garage" structure, Is it built  
to code? There are children living there,  
Is there a fire barrier?

What is going on here?

Diane Godwin