

**Town of Cambria  
Zoning Board of Appeals Meeting  
November 18, 2019**

The regular monthly meeting of the Zoning Board of the Town of Cambria was called to order by Peter Smith, Chairman at 7:00PM. Everyone was welcomed to the meeting, followed by the Pledge to the Flag.

**Members Present:** Peter Smith, Chairman  
Harmony Retzlaff-Hurtgam  
Alan Johnson  
Bradley Rowles  
Cheryl L. Shoop

**Members Absent:** Thomas C. Andrews

**Also Present:** Gary Billingsley, Attorney

A motion was made by Mr. Johnson and seconded by Mr. Rowles to approve the Minutes for the October Meeting as presented, unanimously approved, motion carried.

**Old Business**

**Special Permit** Kathrin Caccamise  
**Renewal** 4931 Ridge Road, Lockport, NY 14094  
**ZBSP-2002-011** SBL# 79.00-2-4  
**Dog-Cat Grooming Business**

Ms. Caccamise was not present at the meeting; a motion was made by Mr. Rowles and seconded by Mr. Andrews to table this Special Permit renewal until the end of the meeting, all in favor, motion carried.

Ms. Caccamise was not present at the end of the meeting, Mr. Billingsley had sent a letter advising that unless she requests renewal of this Special Permit it would be terminated, a motion was made by Mr. Rowles and seconded by Mr. Johnson to allow this Special Permit terminate by its own terms, all in favor, motion carried.

**Old Business**

**Special Permit** Timothy Swift-Niagara's Lazy Lakes Camping  
**Renewal** 4312 Church Road, Lockport, NY 14094  
**ZSP-1999-01** SBL# 77.00-2-56  
**(12-28-98)** Mobile Home year-round basis

**Old Business****Special Permit****Renewal****ZSP-1999-01****(12-28-98)****Timothy Swift****4314 Church Road, Lockport, NY 14094****SBL# 77.00-2-57****Business Purposes**

Mr. Swift was present and at the meeting and would like both of the above mentioned Special Permits renewed. Both permits have previously been approved for five (5) years.

A motion was made by Mr. Johnson and seconded by Mr. Rowles to approve both of Mr. Swifts Special Permits for five (5) years, all in favor, motion carried.

**New Business****Special Permit****ZBSP-2019-010****Christ Centered Properties/OXAIR****2990 Carney Drive, Sanborn, NY 14132****SBL# 119.00-1-12.11****Assembly of equipment for medical and industrial use**

On November 5, 2019 members of the Planning Board and Zoning Board conducted a site visit to the current facility that houses OXAIR. This site is located at 8320 Quarry Road, Niagara Falls. Mr. Smith asked each member of the Zoning Board their opinion of this site plan. The general consensus of the members is that OXAIR is a great small family business and would be wonderful located in the Town of Cambria just not at this site, wrong parcel for this type of operation.

Additional comments from the Board are listed below:

- The proposed location of 2990 Carney Drive is a residential neighborhood on a dead end road; the proposed facility would be too close to existing homes.
- A 5,000sq' addition is proposed, adequate space is not available at 2990 Carney Drive.
- The business uses a large air compressor which could be loud in a residential neighborhood.
- Delivery trucks arriving and leaving a residential neighborhood 6-12 times per week.
- In addition there was some discussion whether the proposed addition would be used to manufacture parts or for storage.
- The Board wondered if there would there be outside storage in place as at the current location.

There was some discussion as to the original application for a Special Permit vs the subsequent application for a Use Variance by the owner of OXAIR.

Mr. Billingsley acknowledged that as Mr. Wegrzyn had suggested at the October Meeting this application should have been referred to the Planning Board for its report and recommendation prior to the Public Hearing by the Zoning Board.

### **Christ Centered Properties/OXAIR**

According to Mr. Billingsley this application is on hold as the applicant/proposed buyer of 2990 Carney Drive, Mr. Zeni is out of the county. There is some indication that he may not be pursuing the purchase of this property, unless a Use Variance and/or permit for a 5,000 square foot addition can be obtained by applicant.

Mr. Billingsley suggested that the October Public Hearing be re-opened to allow residents who are present the opportunity to voice any additional comments.

Mr. Smith stated he had a long discussion with Mr. Zeni after the site visit and feels this location is not going to work.

### **Public Hearing Open**

**David Learman, 3020 Carney Drive, Sanborn** stated that he met with Mr. Zeni at his house and expressed his concerns about the proposed business growing at the 2990 Carney Drive location and feels it is not a good fit for the neighborhood.

**John Wegrzyn, 2980 Carney Drive, Sanborn** stated that he has worked 36 years in the gas business, stated that he knows the business, and what it takes to get these things done. To utilize this building for this type of business would require experts to look at the building, hoods would need to be installed, heating and air conditioning issues would need to be addressed. Feels too little information had be provided by Mr. Zeni.

### **Public Hearing Closed**

A motion was made by Mr. Rowles and seconded by Mrs. Retzlaff-Hurtgam to table this application until the December Meeting, all in favor, motion carried.

**Old Business**  
**Special Permit**  
**ZBSP-2019-009**

**Patrick Andalora**  
**4595 Townline Road, Ransomville, NY 14131**  
**SBL# 91.00-1-41.12**

### **Business**

Mr. Andalora was not present at the meeting. Mr. Billingsley suggested that no action be taken without Mr. Andalora present. This Special Permit went before the Niagara County Planning Board earlier today, which stated the application, would have no significant county-wide or inter-community impact and referred the application back to the Town of Cambria for consideration. Several concerned neighbors have been present at the meetings of this Board and would like action taken to prevent Mr. Andalora from operating a business from his residence.

**Andalora Special Permit continued**

The neighbors stated that roughly seven vehicles and trailers are parked on this property. The neighbors further stated that Mr. Andalora's operation at this site has expanded since it began in October of 2016.

A brief discussion took place regarding making a motion. Based upon Mr. Andalora's appearance earlier this afternoon at the Niagara County Planning Board, Mr. Billingsley recommended the board should refrain from taking action until Mr. Andalora was present. The neighbors felt this was unfair as Mr. Andalora will continue to operate his business as he has until a decision is made.

A motion was made by Mr. Smith to deny this Special Permit and was lost for want of a second.

A motion was then made by Mr. Rowles and seconded by Mr. Johnson to table this Special Permit until the December Meeting.

**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 Monday, December 16, 2019 at 7:00PM, following the Planning Board Meeting.

A motion was made by Mrs. Shoop and seconded by Mr. Rowles to adjourn the meeting at 7:35PM, all in favor, motion carried.

Respectfully Submitted by  
Melinda Olick

