

**Town of Cambria  
Zoning Board of Appeals Meeting  
February 24, 2020**

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  
Thomas C. Andrews

**Members Absent:** Cheryl L. Shoop

**Also Present:** Gary Billingsley, Attorney  
James McCann, Building Inspector  
Randy Roberts, Councilman, Town Board Liaison Zoning Board  
Ben Musall, Councilman, Town Board Liaison Planning Board

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

The Public Hearing Notice was read as it appeared in the Town Newspaper

<b>Old Business</b>	<b>Jay Eisenhardt</b>
<b>Renewal</b>	<b>5120 Ridge Road, Lockport, NY 14094</b>
<b>Special Permit</b>	<b>SBL # 79.00-2-53.2</b>
<b>ZBSP-2005-13</b>	<b>Private Kennel</b>

Mr. Eisenhardt was not present at the meeting; a motion was made by Mr. Rowles and seconded by Mrs. Retzlaff-Hurtgam to table this Special Permit renewal until the end of the meeting, all in favor, motion carried.

Mrs. Eisenhardt arrived at the meeting, and would like to renew her Special Permit to have a Private Kennel. She currently has two (2) Chihuahuas and plans to have more so she would like to renew this Special Permit.

According to Mr. McCann there have been no issues with this Special Permit. Mr. Billingsley stated there have been no issues with this Special Permit which has previously been renewed for five (5) years.

A motion was made by Mr. Johnson and seconded by Mr. Andrews to renew this Special Permit for five (5) years, all in favor, motion carried.

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**Renewal  
Special Permit  
ZBSP-2018-16**

**Brian Torsell  
4449 Ridge Road, Lockport, NY 14094  
SBL # 78.00-2-21  
Animal Husbandry-Chickens**

This Special Permit has been tabled until the March 23, 2020 Zoning Board of Appeals Meeting.

**Renewal  
Special Permit  
ZBSP-1983**

**Lynn Spina  
3278 Ridge Road, Ransomville, NY 14131  
SBL # 91.00-1-17  
Vehicle Inspection and General Repairs**

Ericka Spina-Benton was present at the meeting representing her mother Lynn, and stated they would like to renew this Special Permit. According to Mr. McCann there have been no issues with this Special Permit. Mr. Billingsley stated there have been no issues and the Spina's who have had this Special Permit since 1983, and has previously been renewed for five (5) years.

A motion was made by Mr. Rowles and seconded by Mr. Johnson to renew this Special Permit for five (5) years, all in favor, motion carried.

**Renewal  
Variance  
9/20/1976**

**Lynn Spina  
3278 Ridge Road, Ransomville, NY 14131  
SBL # 91.00-1-17  
Storage/Trucking of Fill and Gravel**

Ericka Spina-Benton was present at the meeting representing her mother Lynn, and stated they would like also like to renew this Variance. According to Mr. McCann there have been no issues. Mr. Billingsley stated there have been no issues with this renewable variance which the Spina's have had since 1976, and is one of very few that still exist in the town. This has also previously been renewed for five (5) years.

A motion was made by Mr. Rowles and seconded by Mrs. Retzlaff-Hurtgam to renew this Special Permit for five (5) years, all in favor, motion carried.

**New Business  
Area Variance  
ZBAV-2020-001**

**Thomas Biamonte  
4815 Marjorie Drive, Lockport, NY 14094  
SBL # 93.03-1-19  
Erect 50' x 70' Pole Barn**

### **Public Hearing Notice**

An area variance to permit applicant to construct a pole barn with dimensions of 50 feet by 70 feet upon said premises, whereas the Zoning Ordinance of the Town of Cambria does not permit construction of an accessory building that exceeds 2,000 square feet upon such a parcel

Mr. Biamonte was present at the meeting and would like to construct a 3,500sq' pole barn. According to Mr. Biamonte the proposed pole barn will be used to store personal vehicles and other items. The proposed building will not be used for business. The entrance for the proposed building will be off Carter Drive. Mr. Biamonte had previously combined the three (3) lots that he owns.

### **Public Hearing Open**

Jon Austin, 4785 Carter Drive stated that he was concerned about the height of the proposed building. According to Mr. Biamonte the proposed building will have 14' side walls with a 6', 12' pitch.

Diane Cox, 4820 Carter Drive spoke on behalf of Albert Johnston, 4830 Carter Drive and stated that the building would be too big and look commercial in a residential neighborhood; she further stated that a 30' x 40' building would have been OK but they have heard the building will have two (2) levels. In addition Ms. Cox stated that Mr. Johnston would be available via phone if the Board wished to speak to him. Mr. Biamonte provided an image of what the proposed building will look like and stated that the building will have one (1) level with the typical 14' side wall.

Diane Cox also shared a letter from Celeste Hake, 4790 Carter Drive, who is also opposed to a building this size and expressed concern that it will look commercial.

Carol Gilbert, 4815 Carter Drive, stated that she knows Mr. Biamonte has a nice house but doesn't want the neighborhood looking commercial with such a large building.

Ron Gilbert, 4185 Carter Drive, expressed that the proposed building is a good sized barn and will be very big and take up lots of space, smaller would be better.

### **Public Hearing Closed**

**New Business-Biamonte Area Variance**

Mr. Billingsley stated that this Board has had similar applications 2-3 years ago for which they have had to decide, the current variance is quite substantial 3,500sq' as opposed to 2,000sq' which would be allowed according to the Town of Cambria Zoning Ordinance. The applicant was asked if he would consider a smaller less drastic sized building. The Board suggested 2,500 sq', and Mr. Biamonte felt that would be fine.

A motion was made by Mr. Rowles and seconded by Mr. Johnson to approve this Area Variance for Mr. Biamonte's pole barn not to exceed 2,500 sq', all in favor, motion carried.

**New Business**  
**Area Variance**  
**ZBAV-2020-002**

**Chad and Louise Brachmann**  
**5354 Baer Road, Sanborn, NY 14132**  
**SBL # 119.00-1-41.11**  
**50' x 50' Addition to existing barn**

**Public Hearing Notice**

An Area Variance to construct an addition to an existing barn upon said premises to be used for agricultural purposes that is located 60 feet from the road right-of-way. The existing barn contains dimensions of 50 feet by 100 feet. The addition would contain dimensions of 50 feet by 50 feet. The Zoning Ordinance of the Town of Cambria does not permit buildings used for agricultural purposes to be located closer to the road right-of-way than 100 feet.

**Public Hearing Open**

No Public Comment

**Public Hearing Closed**

Mr. and Mrs. Brachmann were present at the meeting and would like to add a 50' x 50' addition to their existing barn. The existing barn was built several years ago on an existing slab. The addition will look the same as the existing structure and will also be used for the storage of farm equipment.

A motion was made by Mr. Rowles and seconded by Mr. Andrews to approve this 50' x 50' addition to their existing pole barn, all in favor, motion carried.

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

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

Mr. Andalora has withdrawn his application.

**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, March 23, 2020 at 7:00PM.

A motion was made by Mr. Andrews and seconded by Mr. Johnson to adjourn the meeting at 7:30PM, all in favor, motion carried.

Respectfully Submitted by  
Melinda Olick