

**Town of Cambria
Zoning Board of Appeals Meeting
September 28, 2020**

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

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

Also Present: Gary Billingsley, Attorney

Mr. Billingsley spoke about the meeting in August being a nullity, due to a problem with the public hearing notice therefor there wasn't a proper motion to approve prior meetings minutes, Mr. Billingsley recommends a motion that the following meetings minutes be approved for February 24th, July 5th, July 27th and September 14th. Motion made by Mr. Johnson and seconded by Mr. Andrews. Bradley Rowles just joined the meeting @7:02, Roll call for approving minutes, unanimously approved, motion carried.

The public hearing notice was read as it appeared in the town newspaper.

New Business	James and Luann Conte
Special Permit	4252 Plank Road
ZSP-2020-005	Lockport, NY 14094
	SBL # 79.00-1-73
	Animal Husbandry- Chickens

Public Hearing Notice

For a special permit to permit applicants to maintain up to eight (8) chickens on said premises which contains approximately 2.3 acres pursuant to the Zoning Ordinance of the Town of Cambria, which permits animal husbandry by Special Permit upon premises containing less than five (5) acres.

Mr. Conte was present at the meeting they wish to keep less than 8 chickens for eggs.

Public Hearing Open- No public to comment

Public Hearing Closed

Zoning Board

A motion was made for Negative SEQR by Mr. Johnson and seconded by Mr. Andrews
Roll call, all in favor, motion carried.

A motion was made by Mr. Rowles and seconded by Mrs. Retzlaff-Hurtgam for 1 year special permit under conditions of just hens not roosters and that they are not free range. Roll call, all in favor, motion carried.

New Business	Andrea Strangio and Rosa Strangio
ZB-UV-2020-001	1221 Brandi Drive Niagara Falls, NY 14304
	SBL # 91.00-1-54
	Use Variance

Public Hearing Notice

For a Use Variance to permit applicants to construct a building with dimensions of 25 feet by 30 feet to store a tractor, mower and farming tools upon a vacant lot on the west side of Baer Road between Lower Mountain Road and Ridge Road (Tax map No. 91.00-1-54) whereas the Zoning Ordinance of the Town of Cambria does not permit construction of such a structure upon a parcel that does not contain a principal building.

Public Hearing Open No public to comment

Public Hearing Closed

Mr. Andrea Strangio and Rosa Strangio were both present at the meeting, Rosa Strangio spoke on behalf of Andrea. Andrea owns land on Baer Rd that land is currently being farmed Mr. Strangio is asking for a use variance because he would like to erect a small building 25 x 30 for storage of farm equipment and lawn mowers to take care of the land

Mr. Smith asked if Mr. Strangio had plans on moving out there at any time, Mr. Strangio stated sometime in the future but not now. Mr. Rowles asked if there was another structure on that parcel Mr. Strangio stated that there is not and that the structure would sit 600 ft. back. Mr. Billingsley questioned whether this structure was being used by Mr. Strangio as opposed to somebody else, Mr. Strangio stated that its for personal use, he would like to put in some fruit trees and maintain the land. Mr. Rowles asked if he planned on running electricity to the building Mr. Strangio stated no electricity or water just storage. Becken Brothers farm leases the land and grows winter wheat.

Pete Smith looking for a motion for Negative SEQR Mr. Rowles made a motion, Mr. Johnson seconded the motion, roll call, all in favor motion carried

A motion was made by Mr. Rowles to grant use variance on conditions of using it for personal use, Mr. Johnson seconded, roll call, all in favor, motion carried

Zoning Board

Residents showed up for the public hearing after the Strangio's left, the letter they received stated the public hearing would be held at 7:30, Mr. Billingsley explained the agenda was intended for physical separation.

Mr. Billingsley briefly went over what the use variance was being applied for the concern of the residents is what Mr. Strangio was doing with the land and how it was going to be used another concern is that there is supposed to be a permanent structure on the land in order to build an accessory building and would they be building a permanent structure at some point, there was some discussion on the matter. Mr. McCann assured the residents if they saw any business being conducted to contact him and he would stop it.

New Business
Special Permit
Z-SP-2020-007

Jason Lawrence
5858 Shawnee Road, Sanborn, NY 14132
Animal Husbandry-10 Chickens
SBL# 120.00-1-68

Public Hearing Notice

For a Special Permit to permit applicant to maintain up to (10) chickens on said premises which contains approximately 1 acre pursuant to the Zoning Ordinance of the Town of Cambria which permits animal husbandry by special permit upon premises containing less than five (5) acres.

Public Hearing Open - No Public to Comment

Public Hearing Closed

Mr. Lawrence was present at the meeting he stated that he wanted 10 chickens for his 2 kids.

Mr. Rowles asked all Hens no Roosters, will they be self contained not free range do you plan on having more than 10 chickens at a time, Mr. Lawrence stated just hens they will be contained and he does not plan to have more than 10 at one time.

A motion was made by Mr. Andrews and seconded by Mr. Johnson to Declare Negative SEQR
 Roll call, all in favor motion carried

Mr. Rowles made a motion and Mrs. Retzlaff- Hurtgam seconded to approve special permit for one year not to exceed 10 chickens all hens no roosters in a self contained fenced in area. Roll call, all in favor, motion carried.

Zoning Board

**New Business
Special Permit
Z-SP-2020-006**

**Jon Beyer
4406 Ridge Road, Lockport, NY 14094
SBL# 79.00-1-79
Pond**

Public Hearing Notice

Special Permit to permit applicant to construct a farm pond containing a surface area of approximately

.5 acres upon premises commonly known as 4406 and 4440 Ridge Road approximately 275 feet from the road right-of-way pursuant to the Special Permit Ordinance of the Town of Cambria.

Public Hearing Open- No Public to Comment

Public Hearing Closed

Mr. Beyer was present at the meeting and stated he wants to put in a .5 acre pond and clean out adjacent pond that is going to be connected when done. The pond will be for recreational use and will be stocked, 15 ft. deep depending on when he hit water using ground water hoping to hit a spring and to aerate it. There was a lengthy discussion on the matter.

Mr. Smith asked if soil and water has looked at this Mr. McCann said yes.

Mr. Billingsley advised the Board that he talked to someone from Niagara County Soil and Water and they indicated that when there is already a pond in the existing area they do not always write one of their formal letters so there's no formal letter.

A motion was made by Mr. Andrews and seconded by Mr. Johnson to Declare a Negative SEQR, roll call, all in favor motion carried.

Motion made by Mr. Rowles and seconded by Mrs. Retzlaff –Hurtgam to approve special permit as long as applicant adheres to Niagara County soil and water recommendations and that no soil leaves the property. Roll call, all in favor, motion carried

**New Business
ZB-AV-2020-006**

**Timothy Waild
4485 Plank Road, Lockport, NY 14094
SBL# 93.00-1-10.2
Accessory Building**

Zoning Board

Public Hearing Notice

To permit applicant to construct an accessory building containing dimensions of 30 feet by 40 feet upon said premises which already contain two (2) accessory buildings, whereas the Zoning Ordinance of the Town of Cambria does not permit more than two (2) accessory buildings upon such a parcel.

Public Hearing Open - No Public to comment

Public Hearing Closed

Mr. Waile was present at the meeting and stated that he would like to build another building for storage of vehicles it would be 30x40 adjacent to the existing building, There was a lengthy discussion on this matter

Mr. Billingsley suggested to table this matter until next month so that the applicants can look at other options.

Motion made by Mr. Johnson and seconded by Mr. Rowles to table for one month. Roll call, all in favor motion carried.

Meeting is being briefly adjourned

Mr. Billingsley noted that the meeting is being reconvened after a brief adjournment.

Old Business

Tyler Booth
5182 Ridge Road, Lockport, NY 14094

Tyler Booth was present at the meeting to address questions that he stated he is not getting answers to. A very lengthy discussion was had.

Mr. Booth addressed Mr. Billingsley wanting to know where this law is stating in a letter about a limit to the Zoning Ordinance on accessory buildings permitted on a parcel used by a special permit applied to this instance. Mr. Billingsley stated the question is what Mr. Booth's principal use is. Mr. Billingsley is under the understanding that it is for a farm museum and for public events. Previous correspondence to Mr. Booth was intended to advise Mr. Booth that if he wants to add additional structures it might be handled a little differently if it was a new structure versus if he was replacing something that had previously been there. Mr. Booth feels that he is being discriminated against. Mr. Booth suggested setting up a meeting for the Zoning Board

Zoning Board

to come out to the property to take a tour to see what he is doing, Mr. Smith agreed and for Mr. Booth to call him to set up an appointment.

Reports

Mr. Billingsley- Nothing

Town Board - Nothing

Board members - Nothing

The next meeting of the Zoning Board of Appeals will take place on October 26th, 2020 at 7:00 pm.

A motion made by Mr. Johnson to adjourn the meeting, all in favor, Aye, motion carried. Meeting was adjourned at 9:00pm.

Respectfully Submitted by

Jennifer L. Wrate

