

Town of Cambria Zoning Board Meeting Minutes

October 24, 2022

Call to order

A meeting of the **Zoning Board of Appeals** was held at **Cambria Town Hall** on **October 24, 2022**, @ 7:00 pm. Everyone was welcomed followed by the Pledge of Allegiance.

Attendees included:

Peter A. Smith, Chairman
Thomas Andrews, Chairman
Harmony Retzlaff-Hurtgam, Member
Mark March, Member
Gary Billingsley, Town Attorney
Randy Roberts, Liaison to the Town Board
Building Inspector, James McCann and Deputy Building Inspector, Matthew Cooper
Krista Brocious, Clerk Planning /Zoning Board

Members not in attendance included: Cheryl Shoop, Member
Andrew Milleville, Member

Approval of minutes

A motion to approve September 26, 2022 minutes made by Mr. March and seconded by Mr. Andrews, all in favor, motion carried.

New Business/Public Hearings

Mr. Billingsley read the Public Hearing Notices.

SCHULTZ, James
4860 Baer Road
Pool in side yard

ZBAV-2022-015
SBL#10105.00-1-104

Danielle Borzillieri and James Schultz were present. They put a pool in the side yard because they have no backyard. They would like to keep the pool and would need an area variance to do so.

Public hearing opened.

Public hearing closed.

Mr. Smith asked Mr. Schultz to come to the table and explain where the pool would be on the aerial view provided.

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Mr. Billingsley explained that he inadvertently did not do the referral to the county. It should be referred to the County because the house is on a County road. He recommended this be tabled until the November meeting at which time the Schultz's will not be required to appear again.

Motion

A motion to table the area variance was made by Mr. Andrews and seconded by Ms. Retzlaff-Hurtgam, all in favor, so carried.

MANTA, Donald
5843 Baer Road
Airbnb

ZSP-2022-013
SBL#134.00-1-22

Donald Manta is present. Mr. Manta explained that he has a suite in the basement. There is a queen bed, bathroom, and egress window. He would like to run this as an Airbnb.

Public hearing open.

Alfred Morgan of 5813 Baer Road is concerned that they are going to build a tourist home. He doesn't want Baer Road turned into a commercial entity. He doesn't want that outside his home. He thought Mr. Manta was going to add a building as a tourist home.

Public hearing closed.

Mr. Smith said there are some Airbnb's in Cambria already.

Mr. McCann explained further how a Special Permit would work. The permit only goes to Mr. Manta. If he sells the property the Special use permit is then void. If there is a problem with the permit it can be revoked. Mr. Morgan said that he thought Mr. Manta wanted to build a tourist home. He has no problem if the Airbnb is in the basement of his home and they do not go any further with it.

Mr. Manta said it is not being rented right now but it has been rented out in the past.

Mr. March asked questions regarding the parameters allowed for the Airbnb such as occupancy and parking. Mr. Cooper stated that he has inspected the property. There is a dedicated entrance just for Airbnb. Mr. Manta said the space could hold two adults and two kids.

Mr. McCann says the parameters of occupancy would be no more than four (4) adults.

Motion

A motion for negative SEQR was made by Mr. Andrews and seconded by Mr. March, all in favor, so carried.

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A motion to approve the Special Permit for an Airbnb was made by Mr. Andrews and seconded by Mr. March, all in favor so carried with the conditions that:

- 🍷 There are no more than two vehicles
- 🍷 No more than four adults
- 🍷 No new construction
- 🍷 The Building Inspector's square footage parameters

BIAMONTE, Thomas
4815 Marjorie Drive
Pond

ZSP-2022-014
SBL#105.00-1-51.2

Mr. McCann requested that this be tabled so he may research the code for this further.

Motion

A motion to table by made by Mr. Andrews and seconded by Ms. Retzlaff-Hurtgam, all in favor, so carried.

Special Permit Renewals

SOTO, John
5226 Baer Road
In-law apartment

ZSP-2020-008
SBL#119.00-1-35.1

Mr. Soto provided the building department with a signed request to renew his special permit. Mr. McCann was asked if there had been any issues with this. He responded that the apartment has not yet been started. Based on the construction of the apartment not being underway the board decided to renew it for one year rather than five (5) years.

Motion

A motion to approve the special permit for one year was made by Mr. Andrews and seconded by Ms. Retzlaff-Hurtgam, all in favor, so carried.

KUKUCKA, Kelly
405 Burch Road
Private kennel

2008-09

Ms. Kukucka provided the building department with a signed request to renew her special permit. Mr. McCann said there have been no issues.

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Motion

A motion to approve the special permit for five years was made by Ms. Retzlaff-Hurtgam and seconded by Mr. Andrews, all in favor, so carried.

SIEGMANN, Lori
4460 Upper Mountain
Hair salon

10-06-05B

Ms. Siegmann provided the building department with a signed request to renew her special permit. Mr. McCann said there have been no issues.

Motion

A motion to approve the special permit for five years was made by Mr. March and seconded by Mr. Andrews, all in favor, so carried.

PROEFROCK, Cody
3041 Upper Mountain
Animal husbandry-Ducks

ZSP-2021-005
SBL#105.13-1-14.2
(retro to April 2021)

Mr. Proefrock provided the building department with a signed request to renew his special permit. Mr. McCann said there have been no issues.

Motion

A motion to approve the special permit for five years was made by Mr. Andrews and seconded by Ms. Retzlaff-Hurtgam, all in favor, so carried.

FORSEY, Craig
5020 Baer Road
Animal husbandry-Chickens

ZSP-2021-004
SBL#105.00-1-32.2
(retro to April 2021)

Mr. Forsey provided the building department with a signed request to renew his special permit. Mr. McCann said there have been no issues.

Motion

A motion to approve the special permit for five years was made by Mr. March and seconded by Ms. Retzlaff-Hurtgam, all in favor, so carried.

FAIR, Nicole
5319 Shawnee Road

ZSP-2021-008
SBL#120.00-1-3.1

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Horse Arena

(retro to April 2021)

Ms. Fair provided the building department with a signed request to renew her special permit. Mr. McCann said there have been no issues.

Motion

A motion to approve the special permit for five years was made by Mr. Andrews and seconded by Mr. Andrews, all in favor, so carried.

DEUBLE, Bryan
5266 Baer Road
Animal husbandry-Chickens

ZSP-2021-002
SBL#119.00-1-37
(retro to April 2021)

Mr. Deuble provided the building department with the signed request to renew his special permit. Mr. McCann said there have been no issues.

Motion

A motion to approve the special permit for five years was made by Mr. March and seconded by Ms. Retzlaff-Hurtgam, all in favor, so carried.

PARLETTE, Louretta
5478 Campbell Blvd.
Private Kennel

ZSP-2021-010
SBL#121.00-2-33

Ms. Twana Parlette (POA) provided the building department with the signed request to discontinue her special permit.

Motion

A motion to approve allowing the special permit to terminate at the applicant's request made by Mr. Andrews and seconded by Ms. Retzlaff-Hurtgam, all in favor, so carried.

Reports

There were no reports.

Announcements

The next Zoning meeting is on November 21, 2022, at 7:00 pm following the Planning Board meeting which begins at 5:30 pm.

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Adjournment

A motion to adjourn at 7:25 pm was made by Mr. March and seconded by Mr. Andrews, all in favor, carried.

Krista Brocious

Clerk