

December 18, 2006

The regular monthly meeting of the PLANNING BOARD of the TOWN of CAMBRIA was called to order at 7:00 P.M. by William Amacher, Chairman, followed by the Pledge to the Flag.

Members present: William Amacher, Chairman
Jeffrey Hurtgam, John Phillips, Thomas Willett
Member absent: Norman Human
Also present: Clifford Burch, Building Inspector
Donald Lane, Deputy Building Inspector
Gary Billingsley, Attorney

A motion was made by Mr. Willett and seconded by Mr. Phillips to approve minutes of meetings of November 20 and December 4, 2006 as submitted. Unanimously approved, motion carried.

Secretary read Notice of Public Hearing as it appeared in the Lockport Union Sun and Journal to consider one-lot minor subdivision approval for the following applicants at the following property locations:

- (06-11) **CRITELLI BUILDERS** - west side of Green Road between Lower Mountain Road and Ridge Road.
- (06-12) **ROSEMARY BADGER** - west side of Budd Road between Carter Drive and Ridge Road.

PUBLIC HEARINGS:

(06-11) Joseph **CRITELLI** was present at this meeting and has submitted the following: Application for Subdivision Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form and Agricultural Data Statement.

Mr. Critelli said there are two changes, namely, the subject lot is **165** feet wide by 862.22 feet in depth and will be the third (**3rd**) lot from the south line on Parcel No. 8.

Public Hearing open: there were no comments from members of the public.
Public Hearing closed.

There appears to be no drainage problems on this lot.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to declare **negative declaration under SEQR** on application of Critelli Builders. Unanimously approved, motion carried.

A motion was made by Mr. Phillips and seconded by Mr. Willett to **approve** application of Critelli Builders for a one-lot minor subdivision on the west side of Green Road between Lower Mountain Road and Ridge Road. Dimensions of subject lot are 165' in width by 862' in depth and is located approximately 367' north of south property line of Parcel No 8. It is understood that this is approval of one lot only and there are two potential lots on both sides of subject lot. Unanimously approved, motion carried.

(06-12) ROSEMARY BADGER – Margaret Badger Magno, daughter of applicant, was present at this meeting.

The following have been submitted: Application for Subdivision Review, Request or Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement and a copy of portion of town map highlighting subject parcel.

Public Hearing open – there were no comments from members of the public.
Public Hearing closed.

The entire parcel is approximately 14 acres and is being divided into two lots. Lot No. 1 fronting on Plank Road, is approximately 220 feet by 6 acres and is rectangular, and Lot No. 2 fronting on Budd Road, is approximately 210 feet by 7 acres and is irregular in shape and includes the jog.

There appears to be no drainage problems on this property.

Mrs. Magno said the buyer of lot fronting on Budd Road may wish to erect an out building and Building Inspector explained to her that the out building would be permitted as long as person abides by the setbacks.

Board members had no concerns on this proposal.

A motion was made by Mr. Reardon and seconded by Mr. Hurtgam to declare **negative declaration under SEQR** on application of Rosemary Badger. Unanimously approved, motion carried.

A motion was made by Mr. Willett and seconded by Mr. Phillips to **approve** application of Rosemary Badger for a one-lot minor subdivision on the west side of Budd Road between Carter Drive and Ridge Road as submitted, consisting of approximately 210 feet frontage by seven (7) acres including the jog. Unanimously approved, motion carried.

REPORTS:

Chairman:

1. (06-04) Willow Creek Patio Homes subdivision – there is a concern from D.E.C. about the flood plain. There appears to be a problem with the location of the proposed sewer in this new subdivision. The proposal is to move the sewer to a different location. The engineer for Willow Creek and town engineer are working on this issue.
2. Association of Towns' meeting to be held February 18 – 21 in New York City.
3. Referral from Zoning Board for a Site Plan Review for Pilgrim Holiness Church, 4157 Cambria Wilson Road. Rev. Smith, Pastor, was present this evening. He was informed that he needs to submit a Site Plan application and include all necessary information such as parking area for parishioners, any trees on the property, out buildings, location of restrooms and any other pertinent information. If application is completed and returned first part of January, will be on the January agenda.

Building Inspector:

Concerned about Pascoe Tea Room. They had a Special Permit for an in-law apartment and now proposing something different. Site Plan Review was held on September 25, 2006 for the Tea Room and approved.

At the October Zoning Board meeting Special Permit request was denied because there were only 4 board members present and a two to two vote.

Counsel said “in the past when there was a two to two vote, application was denied. There have been changes in Town law. Counsel advised that it is now clear that a majority of the full Board (3 members) must now concur in a vote (Town Law 267-a); that failure of the Board to have 3 members concur in a vote amounts to a non-action by the Board; and that a second vote by the Board on an Application is required.”

Deputy Building Inspector:

Niagara Falls Kennel Club Dog Show to be held at the Cambria Fire Company hall and grounds in 2008. In the past they have had the show at the Fire Hall for three (3) days which is permitted and now are requesting four (4) days. The Fire Co. will need to get a permit for this event. There may be approximately eighty (80) trailers and many dogs. Will there be a charge for the permit?

Mr. Lane said they will notify the neighbors, vehicles will be parked at least 100’ from property lines and patrons will be advised where they can park their vehicles. The event will run from Thursday through noon on Sunday.

A motion was made by Mr. Willett and seconded by Mr. Hurtgam that an application for permit must be submitted and the fee will be waived. Unanimously approved, motion carried.

Next regular Planning Board meeting will be held on January 15, 2007 at 8:00 P.M.

A motion was made by Mr. Willett and seconded by Mr. Hurtgam to adjourn at 7:40 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____