

June 19, 2006

The regular monthly meeting of the PLANNING BOARD of the TOWN of CAMBRIA was called to order at 8:00 P.M. by William Amacher, Chairman. He then said at this time we will have a moment of silence for Gerald Machajewski, our former alternate Planning Board member, who passed away recently, followed by the Pledge to the Flag. He welcomed everyone to the meeting this evening.

Members present: William Amacher, Chairman
Norman Human, Jeffrey Hurtgam, John Phillips, Thomas Willett
Also present: Clifford Burch, Building Inspector
Donald Lane, Ass't. Bldg. Inspector
Gary Billingsley, Attorney
Robert Klavoon, Wendel-Duchscherer, Eng.

One addition to the minutes of meeting of May 15, 2006 was made. George Bush, Councilman, was in attendance at that meeting.

A motion was made by Mr. Human and seconded by Mr. Willett to approve minutes of meeting of May 15, 2006 with addition as aforementioned. Unanimously approved, motion carried.

2006-09 NICHOLAS and EVELYN BUFFONE, 4611 Townline Road, Ransomville, N.Y. 14131, were present at this meeting and have submitted the following: Application for Special Permit, Short Environmental Assessment Form, Agricultural Data Statement and copy of Frontage Survey.

On the application, request is for a Variance to remodel existing home which is behind another home on the property.

Counsel explained that the Special Permit box was checked because building inspector said this building could possibly be used for an in-law apartment. In the application itself, request is for a Variance. The Notice of Public Hearing to be held by the Zoning Board states it is for a variance.

Counsel said per amendment to the Zoning Ordinance, Section 1100, which he read, states "Requests for Special Permits in the Agricultural-Residential, Residential and Escarpment Districts may be considered without necessity of a report or recommendation from the Planning Board", etc. whether request is for a special permit or variance, it only goes to the Zoning Board.

Counsel recommended that the Planning Board does not need to take any action on this application.

2006-10 JAMES D. HENNING, 2967 Lower Mountain Road, Sanborn, N.Y. 14132, was present at this meeting and has submitted the following: Application for Special Permit, Short Environmental Assessment Form, Agricultural Data Statement, copy of Survey maps and copy of portion of Town Map showing parcel.

Mr. Henning said he would like to operate a horse boarding stable for public use and for training. There are three existing buildings on the premises, namely, a 50' by 100' arena, 100' horse stable and another barn with stable. He said the property has been a horse farm for at least 30 years. The house that

was formerly with this property has been sold to someone else. Applicant said he lives next door to the west. He wants to keep the horse farm property separate from property his home is on. All utilities on the farm property are separate from his home property. The one barn has stalls for fourteen (14) horses and another barn has stalls for eight (8) horses. At present there are twelve (12) horses on the property per Mr. Henning which are owned by himself and a friend. Hours of operation are 8:00 A.M. to 8:00 P.M. seven (7) days per week. He has an outdoor arena and an indoor arena. Property is located on the north side of Lower Mountain Road, which he said he purchased in December of 2004 and contains 24.5 acres. There is a porta potty on the property, and no septic system on these premises at this time. One area in the large barn contains a lounge.

Mr. Phillips asked if the Health Department approves of a porta potty?

Mr. Henning said there will be no horse shows on the property. He has a separate driveway for his premises. The maximum number of horse stalls will be 22. No other people's horses will be permitted on this property. He said he has no plans for expansion of this facility.

Mr. Lane asked applicant if anyone lives on the horse farm and Mr. Henning said "no", he lives next door.

Mr. Henning said he would like to have a sign, size that is permitted in the ordinance. He said he has one light on one side of a barn. He said he purchases his hay and barn holds about 300 bales.

Mr. Lane said the driveway is barely wide enough for fire apparatus to use. Some ditching was done which eliminated the drainage problem and the mosquitoes. He said they can get fire equipment in there if necessary.

A motion was made by Mr. Human and seconded by Mr. Willett to recommend sending this application to the Zoning Board for their action.

Counsel recommended this board do a Site Plan approval.

The preceding motion is to include Site Plan approval, limit the number of horses to twenty-two (22), hours of operation 8:00 A.M. to 8:00 P.M. seven (7) days per week and sign permitted per code requirements. Mr. Human and Mr. Willett agreed to the addition of the preceding to their motion. Unanimously approved, motion carried.

It was suggested to Mr. Henning to furnish a little more detailed information and to show where the sign is to be located for the Zoning Board to review.

06-03 GREEN ACRES (Burcyk farm)

Mr. Burkwit, P.E. was present on behalf of Green Acres. Also, in attendance, were two of Mrs. Burcyk's daughters, Mariane DeMaison and Barbara Valenti.

Mr. Burkwit said he would like Preliminary approval on the subdivision. Drainage is still a

concern. Mr. MacSwan, Highway Superintendent, has some concerns on drainage across Lots No. 3 and 4. Ditch is to be cleaned out and the out-fall to the west needs cleaning. Mr. MacSwan requests 3:1 side slope and get swail cleaned out.

Mr. Burkwit said perk test was done by Health Department on May 25th. Sand filter systems will be required for all nine (9) lots. Lot No. 5 was divided into two lots, namely, No. 5 and 5A.

Mr. Phillips inquired about easements and Mr. Burkwit said easements will be included on the plans.

It was asked who is going to do the legal description for the proposed road?

Mr. Burch said the prospective buyer of lots No. 5 and 5A should be made aware that there is requirement of additional setback from the proposed road for corner lots.

Mr. Joseph Critelli, present at this meeting, is the prospective buyer of lots No. 2, 6 and 8.

Mr. Klavoon said drainage calculations should be indicated on the plans.

Counsel said a conditional Preliminary approval could be given subject to applicant resolving easement issue and any other issues requested by the town engineer and public hearing could be scheduled for July 2006.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to issue conditional Preliminary approval subject to conditions:

1. Contingent on applicant resolving drainage easement for the ditch.
2. Any further revisions recommended by the Town engineer to be addressed.

Unanimously approved, motion carried.

06-04 **Willow Creek Patio Homes P.D.**

Mr. Zollitsch and several people were present on behalf of this subdivision.

Mr. Zollitsch asked if there were any concerns on the preliminary drawings. He said final plans are approximately 95% complete. There are some minor details yet to be worked out. He said they have addressed sanitary facility, water, grading, drainage, erosion control and sub maps. He said they have changed location of sanitary sewer around pond area, using gravity without pump station. They are working on easements, not yet complete. They feel there will be no problem with that issue. He said there is a slight change in lots around the pond. The owners of these lots will have to maintain the grass.

All final plans are to be sent to Mr. Klavoon by end of this week.

Public Hearing could be scheduled for July 2006.

It was asked about street lighting? How far apart would the board like them to be? Who will maintain the lighting in the subdivision? This issue to be looked into a little more. Who will replace and pay for the light bulbs?

Counsel said public hearing could be scheduled for 8:00 P.M. on July 17.

Mr. Amacher would like the public hearing notice advertised in the Union Sun and Journal and the Niagara Falls Gazette.

New Business:

Chairman – Town Clerk received a communication from William Conrad, 5180 Townline Road dated May 31, 2006 regarding property at 5183 Townline Road, property is in a horrible condition. Mr. Conrad and the neighbors would like the problem rectified.

Building Inspector – said this is an on-going problem. He and Mr. Lane are aware of the issue. Monthly report given out.

Cambria Fire Co. property in front of BOCES - there is an application before the Zoning Board this month for a variance to divide property into two lots, subject property is zoned Residential.

Attorney – nothing to report

Board members – nothing to report

A motion was made by Mr. Willett and seconded by Mr. Human to adjourn at 8:40 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____