

November 21, 2005

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, followed by the Pledge to the Flag.

Members present: William Amacher, Chairman
Norman Human, Jeffrey Hurtgam, John Phillips
Thomas Willett, alternate

Also present: Clifford Burch, Building Inspector
Donald Lane, Ass't. Building Inspector
Joseph Ohol, Chairman of Zoning Board
Gary Billingsley, Attorney

A motion was made by Mr. Phillips and seconded by Mr. Human to approve minutes of meeting of October 17, 2005 as written. Unanimously approved, motion carried.

2005-12 LAURA HOREY-ROJAS, 3660 Human Road, Sanborn, N.Y. 14132
Business use – Shipping/Drop-off dry cleaning
Business site – 2962 Saunders Settlement Road, Sanborn, N.Y. 14132

Mrs. Horey-Rojas was present at this meeting and has submitted the following: Application for Site Plan Approval, Short Environmental Assessment Form, Agricultural Data Statement and a sketch of the building showing location of applicant's proposed business area.

Applicant said she would like to operate a business, namely, shipping packages for customers using FedEx, DHL and UPS; to sell office supplies such as envelopes, staples, making copies; and a dry cleaning drop off. Customers drop off their dry cleaning, picked up by Mr. and Mrs. Dry Cleaning who do the work at their establishment on Niagara Falls Boulevard, and return and then picked up by the customers. She operates this same type of business in a building on Shawnee Road.

The dimensions of the proposed area for this business are 18'6" by 25'6".

Applicant said she would like a sign in front of the store on top of the roof.

She is permitted to have a larger than 12 square feet sign because the business is in a B-2 district.

The only entrance will be through vestibule from parking lot in front of the store.

Building Inspector said this type of business is permitted in Business district.

Applicant stated business hours will be 9:00 A.M. to 9:00 P.M. Monday through Saturday and no Sunday hours. She said she will have two employees.

Mrs. Horey-Rojas said the weight of packages could be 250 lbs. to 300 lbs., example, engine parts. These larger items would be picked up by FedEx freight from a garage area in the back service area of the building. No large shipments in the front of the building.

There are bathrooms in the building but not in her area at present but one will be installed.

Mr. Phillips asked about the sign? Will it be on the building or on top of the structure?

Applicant said it will be placed on the roof.

Parking for her business is controlled by Mr. Tubinis, owner of the building.

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

A motion was made by Mr. Phillips and seconded by Mr. Human to **approve** application for Site Plan Approval, as submitted, for Laura Horey-Rojas to operate a business from building located at 2962 Saunders Settlement Road, Sanborn, 14132. The business is shipping parcels for customers via FedEx, DHL, and UPS; and dry cleaning drop off and pick up for customers. A sign, up to 32 square feet is permitted per Zoning Ordinance in B-2 district, and will be placed on the roof of the building. Sign should be compatible with other tenants in the building, and to work with the owner of the building on the sign issue. Unanimously approved, motion carried.

05-06 **Subdivision Exemption**

Owners of Record: Robert L. and Loanne L. McCollum, 4475 Upper Mountain Road, Lockport

Applicant: Loanne McCollum

Purchaser: Robert Shane McCollum, 4423 Upper Mountain Road, Lockport, 14094

The following have been submitted: Subdivision Exemption Application, copy of portion of town map which hi-lights subject area and copy of survey map showing same

Robert Shane McCollum appeared on behalf of his mother, Loanne McCollum.

Mr. McCollum said they are adjusting property line between two existing lots, no new lots created.

Counsel explained the exemption process.

Mr. McCollum is purchasing approximately 2.38 acres to the north and to the east of his existing home.

The Building Inspection department requested the Planning Board look at the proposal. Per Mr. Burch, there are no drainage concerns or land locking, adjusting property lines only.

The lot Mr. McCollum's home is on is 107' wide and there is 72.48' to the east that will be added on to property that the barns are on. Mr. McCollum is purchasing vacant land only.

Mr. McCollum said he will combine both parcels together, parcel his home is on and the 2.38 acres of vacant land, into one deed and also will either move the shed located on the east line of the property or demolish it.

Mr. McCollum submitted a letter to the Town of Cambria Planning Board dated November 16,

2005, confirming the aforementioned.

Board members would like to review the subdivision exemptions in the future to be aware of property divisions to prevent problems in the future.

A motion was made by Mr. Willett and seconded by Mr. Phillips to **approve** Subdivision Exemption Application of Loanne McCollum to sell 2.38 acre parcel of vacant land to her son, Robert Shane McCollum, which joins his existing property, provided the two parcels are put on one deed and the building that exists on the east line be demolished or moved. Unanimously approved, motion carried.

REPORTS:

Chairman - Letter received from Town of Pendleton informing us that they are in the process of doing a Comprehensive Plan.
Memo received dated October 19, 2005 from Niagara County Center for Economic Development regarding: General Municipal Law New Section 239-nn new State Law, regarding Rights and duties of neighboring municipalities in Planning and Zoning matters. Association of Towns' meeting in New York City – February 19 – 22, 2006

Building Inspector – Businesses are putting up lots of banners in the town; ordinance says no banners or portable signs allowed.
It was suggested to address the Town Board on the issue of banners. The board suggests a time limit, make them look attractive and limit on the size.
The board members are all in agreement with Building Inspector's plan on banners and signs.

Chairman – asked if a Site Plan Review was required for the two new proposed wineries, one on Lower Mountain Road, near Cambria Townline Road, owner – Sean Manning, and the other one on Ridge Road near Cambria Wilson Road, formerly Varney's? Varney's was formerly a winery per building inspector. On the Manning property, ground is being prepared for the planting of grapes.

Counsel - will check into the issue and see if Site Plans are required.

Chairman - inquired about the berm on the Hahn property on Lower Mountain Road that is near the road. Is it ever going to get finished? He said he was under the impression that trees and grass were to be planted on the berm. This issue to be looked into.

Attorney - nothing this evening.

The December Planning Board meeting will be held on December 19th at 7:00 P.M. and Zoning Board meeting at 8:00 P.M. This is agreeable with board members and Chairman of Zoning Board who was present at this meeting.

Vouchers were completed this evening.

A motion was made by Mr. Phillips to adjourn at 9:02 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____