

December 19, 2005

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, alternate  
Member absent: Norman Human  
Also present: Clifford Burch, Building Inspector  
Gary Billingsley, Attorney  
Deborah Kroening, new Town Board member effective January 2006

A motion was made by Mr. Phillips and seconded by Mr. Willett to approve minutes of meeting of November 21, 2005 as written. Unanimously approved, motion carried.

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

**(05-05) MARY C. APPS** – west side of Shawnee Road between Upper Mountain Road and Saunders Settlement Road.

The following have been submitted: Application for Subdivision Review, Request for Minor Subdivision Approval, Short Environmental Assessment Form, Agricultural Data Statement, copy of Survey map of entire 19.0 acres and copy of portion of town map showing hi-lighted subject parcel being divided off.

Mr. Louis Faery, Real Estate Agent, appeared on behalf of Mary C. Apps.

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

Public Hearing closed.

Mr. Faery said the proposal is to divide a lot, 200' by 500' off of the north-east corner of the main parcel which is 19.0 acres. Lots adjacent to subject parcel are 607' in length.

Mr. Faery was asked why isn't this lot the same in length?

He replied footage was left for access to the back property which is owned by the Apps family. Setbacks will be met on the south side.

Chairman questioned the placing of the stakes on this parcel.

It was stated that a portion of the remaining 17 acres is in the flood plain.

The house number on the subject lot, 200' by 500', is 5288 Shawnee Road and per Mr. Faery, is sold.

Building Inspector said there appears to be no drainage problems on this subject lot.

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

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to **approve** application of Mary C. Apps, as submitted, for a one lot subdivision located on the west side of Shawnee Road between Upper Mountain Road and Saunders Settlement Road.

Counsel said new owner of the subject property would need a survey. He recommended requesting applicant's representative, Mr. Faery, to provide the town with a copy of the new survey for the subdivided lot if available and if not available, to advise the board of same. Also to provide town Building Inspector Department with setbacks created which are to be in accordance with Zoning Ordinance.

The addition to the motion, as recommended by Counsel, is agreeable to Mr. Phillips and Mr. Hurtgam. Unanimously approved, motion carried.

Per Building Inspector, the created setbacks are okay.

**2005-13 (12-08-05) JAY EISENHARDT, 5120 Ridge Road, Lockport, N.Y. 14094**

The following have been submitted: Application for Special Permit, Short Environmental Assessment Form, Agricultural Data Statement and copy of portion of town map showing location of the property.

Mrs. Eisenhardt was present at this meeting to request Special Permit for a private kennel to house over three (3) dogs.

Chairman asked applicant where these dogs are housed?

Mrs. Eisenhardt said they are in the house, are taken out on a leash and walked and all are crate trained. The yard is not fenced at the present time but will be in the future. They are trying to locate where the septic tank is.

Applicant was asked when they plan to install the fence and she replied as soon as the ground thaws. They will be installing the fence themselves. It will be vinyl coated 4' high.

Mr. Phillips asked applicant how far will the runs be from the property line?

Building Inspector said there are several hundred feet to the property lines.

Mrs. Eisenhardt said dogs will be outdoors to run and go to the bathroom, but are not outside all of the time. She said they have eight (8) dogs. They will be more than 100' from property lines. She said the fence will be constructed according to the town ordinance. Waste will be taken care of in a proper manner.

A motion was made by Mr. Phillips and seconded by Mr. Hurtgam to send this application to the Zoning Board for their review and decision with the following recommendations:

1. Dog runs to be installed no closer than 100' from any property line.
2. Applicant to obtain a Building Permit prior to construction of the fence.
3. Waste to be disposed of in a proper manner.
4. Any noise from barking shall be controlled.
5. Per Zoning Ordinance, are permitted to have up to eight (8) dogs.

Unanimously approved, motion carried.

Next regular meeting will be Monday, January 16, 2006, at 8:00 P.M.

#### REPORTS:

##### Chairman:

1. Magazine "Rural Futures" – article on waste – septic systems
2. Site Plan – "Honeymoon Trail" - a new winery (formerly Varney's)
3. Berm on Hahn property.

Building Inspector: nothing to report this evening.

##### Attorney:

1. New law effective July 1, 2006 pertaining to "Rights and duties of neighboring municipalities in planning and zoning matters.
2. No regulations on adult entertainment in the town at present. Limit location on same.
3. Up-date of Subdivision Regulations.

A motion was made by Mr. Willett and seconded by Mr. Phillips to adjourn at 7:38 P.M. Unanimously approved, motion carried.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: \_\_\_\_\_