

May 15, 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, followed by the Pledge to the Flag. He welcomed everyone to the May meeting.

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

A motion was made by Mr. Willett and seconded by Mr. Human to approve minutes of work meeting and regular meeting of April 17, 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 a Site Plan Review for **GENE and TINA BOROWICZ**, 5065 Oakwood Drive, North Tonawanda, N.Y. 14120, to permit applicants to construct a 12' by 24' storage shed in the Escarpment District upon premises commonly known as 5098 Carriage Lane.

PUBLIC HEARING:

2006-07 GENE BOROWICZ was present at this meeting and has submitted the following:
Application for Site Plan Approval and Agreement, Short Environmental Assessment Form, Agricultural Data Statement, sketch of the property showing location of house, driveway, garage and proposed shed; picture of front of house and picture of back of home.

Mr. Borowicz said the dimensions of his lot are 100' by 274'.

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

Public Hearing closed.

Mr. Borowicz said he would like to construct a storage shed 12' by 24', 8' high, wood structure, with an 8' door in the front, two side windows and a man door for personal use. It will be set on crusher run stone and will be located approximately 12' from existing garage.

Mr. Phillips asked applicant if he had talked to his neighbor on the south about the proposed shed?

Mr. Borowicz said he has not met with the gentleman on the south side.

On the north side is property owned by Robert Bitterman, 5104 Carriage Lane, present at this meeting, who expressed no problem with this building.

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

A motion was made by Mr. Hurtgam and seconded by Mr. Human to **approve** Application for Site Plan of Gene and Tina Borowicz to permit applicants to construct a 12' by 24' storage shed in the Escarpment District upon premises commonly known as 5098 Carriage Lane. Unanimously approved, motion carried.

SITE PLAN:

2006-06 **HERBERT STEPHENSON**, 5314 Townline Road, Sanborn, N.Y. 14132, was present at this meeting and has submitted the following: Application for Special Permit to operate a business, Short Environmental Assessment Form, Agricultural Data Statement, sketch of the property at 5311 Townline Road, two copies of town map and two pages with pictures.

Mr. Stephenson said he lives at 5314 Townline Road and the display will be on his property at 5311 Townline Road. He said he wishes to display and sell outside furnaces. Piping and materials connected with the furnaces will be stored in a barn on the property.

Chairman asked about cleaning up in front of the building?

Mr. Stephenson said he will do what he can but there is solid rock in that area.

Advertising will be from shows and word of mouth per Mr. Stephenson.

Applicant said he owns about seventy (70) acres, will be power in the garage in the front but no water. He said he would like a sign, twelve (12) square feet in front of garage.

Counsel asked where will these furnaces be stored?

Mr. Stephenson said they will be stored outside approximately 75' back from the road. The garage is approximately 22' by 24' or 26'. Property is zoned Agriculture Residential.

Chairman asked how many furnaces will be stored outside on these premises at one time?

Applicant said six to eight furnaces will be stored on the property. All piping and material pertaining to the furnaces will be stored inside. Small furnaces weigh about 1400 pounds, next size 2200 pounds and the biggest furnace is approximately 4000 pounds.

Chairman asked how close to the road will these furnaces be?

Mr. Stephenson said these furnaces will be close enough to be seen, previously said about 75' back from the road.

Applicant said there will be no security lighting.

A motion was made by Mr. Phillips and seconded by Mr. Human to **approve** Site Plan of Herbert Stephenson to display outside furnaces and to have a twelve (12) square foot sign at 5311 Townline Road with condition that there be a limit of five (5) furnaces on display. Unanimously approved, motion carried.

Counsel informed applicant he must appear before the Zoning Board on May 22nd and advised him to submit a little more information such as where furnaces will be stored, sketch of the driveway, building and where sign will be located. Sign will be on the Cambria side.

06-04 WILLOW CREEK PATIO HOMES Subdivision, south side of Saunders Settlement Road,
Update on plans per letter of May 3, 2006

Mr. Kenneth C. Zollitsch and Thomas Plotar, Greenmann-Pedersen, Inc., Eng., on behalf of Castleton Develop. Corp., sub-divider, representing Willow Creek, were present at this meeting and have submitted an updated Full Environ. Assess. Form, Sketch Plan and Sketch Utility Plan dated Feb. 2006.

Mr. Zollitsch said they would like a recommendation to approve fifty-eight (58) lots 60' wide at the setback. He said a couple of the lots are a little larger. They revised the road namely, curves and median. There are two (2) water connections on Shenk Road. The type of curbs will be gutter curbs and they have set the divider back to at least 40' from shoulder of Shenk Road as recommended by the Town Highway Superintendent.

Counsel asked if there had been any contact with Mr. Jowdy, Water Superintendent, on the water issue?

It was said Mr. Jowdy had no problem with the loop.

Regarding sanitary sewer on private property, Mr. Zollitsch said there needs to be a separation of ten (10) feet between sewer and water lines.

Mr. Phillips asked if there is any reason for going on one side of the road only?

Mr. Plotar said usually sanitary sewer is on just one side of the road.

The aforementioned issue to be discussed further.

Have there been any communications regarding easement?

The ditch is owned by Conrail. Mr. Zollitsch said they have not discussed ditch issue with Conrail as of this meeting.

Chairman asked how are patio homes taxed? It was said they are assessed like ranch style homes.

By having Home Owner's Association, will not affect the assessment, homes will be assessed as single family homes.

One of the proposed stipulations in this subdivision is there will be no out buildings in the back yards, no sheds allowed. Each home will have a two-car garage and a full basement. There should be enough room for storage, will not need snow blowers or lawnmowers. Also, no swimming pools will be permitted.

A public hearing could be scheduled for next month and from there a recommendation from the Planning Board to the Town Board.

Discussion : sidewalks – nothing planned at this point, street lighting – five or six lights proposed, gutter curbs – width 30”.

Letter dated May 15 from Highway Superintendent with sketch and pictures attached pertaining to median at entrance to development. He wants to make sure that median is constructed to accommodate town trucks, in particular snow plows.

There will be a grassy area between Lots No. 56 and 57.

Counsel recommended representatives of Greenman- Pedersen have a meeting with someone from Highway and Water Departments and Engineering firm.

Mr. Zollitsch said this sketch plan and sketch utility plan is for road and lot lay out.

Counsel said under P.D. Ordinance, the Planning Board will make a recommendation to the Town Board on this proposal.

A motion was made by Mr. Human and seconded by Mr. Hurtgam to **approve** sketch plan and sketch utility plan dated February 2006 as submitted. Unanimously approved, motion carried.

More detailed information will be required for the Preliminary Plan.

NEW BUSINESS:

SITE PLAN:

2006-08 Stanley Tubinis – owner
Ronald R. Crossley, 984 Escarpment Drive, Lewiston, N.Y. 14092, and **Eric Ingraham** – applicants, were present at this meeting and are proposing to open a Subway on the south side of Saunders Settlement Road, Sanborn, 14132, between CVS on the east and Market Place on the west.

The following have been submitted: Application for Site Plan Approval and Agreement and a map.

This would be a sub-lease arrangement with owner, Stanley Tubinis. Building is owned by Benderson.

Applicants said as of this meeting, they do not have a lease agreement.

Dimensions of the Subway portion would be 60' by 30'. There are no doors or windows to their proposed business yet. Hours of operation will be 7:00 A.M. to 10:00 P.M. seven (7) days per week. They propose to have nine (9) employees and would like a sign out front included in the existing sign with other businesses in this plaza and also would like a sign on the building. Parking facilities are adequate per applicants. All equipment will be run by electric therefore no fire codes to adhere to. They said they have a walk-in cooler.

Chairman asked applicants if they plan to have banners and the answer was "no". They were told they are not permitted in Town Ordinance.

A motion was made by Mr. Willett and seconded by Mr. Phillips to declare **negative declaration under SEQR** on application for a Subway. Unanimously approved, motion carried.

A motion was made by Mr. Willett and seconded by Mr. Hurtgam to **approve** application for Site Plan Approval to permit Ronald R. Crossley and Eric Ingraham to operate a Subway on the south side of Saunders Settlement Road in an existing building located between CVS and Market Place and to install door and windows in the front of their business and anything else that is required. Unanimously approved, motion carried

REPORTS:

Chairman – berm on Hahn property is being spread out.
dirt pile on Barone property across from Hahn property

Building Inspector - dirt and fill on property behind beauty shop on Shenk Road
Thomas Zywiczyński, 4279 Lockport Road – landscaping business - is storing excavating material, pile is getting bigger and is stored close to the road.
Monthly report handed out

Attorney - nothing to report

Board members – nothing to report

Next meeting will be on June 19th at 8:00 P.M.

Respectfully submitted,

Marjorie E. Meahl, Rec. Secy.

Minutes approved: _____

