

## Town of Cambria Zoning Board Meeting Minutes

### November 10, 2025

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#### Call to order

A meeting of the **Zoning Board of Appeals** was held at **Cambria Town Hall** on **November 10, 2025**, @ 7:00 p.m. Chairman Smith welcomed everyone, followed by the Pledge of Allegiance.

#### **Attendees included:**

Peter A. Smith, Chairman  
Thomas Andrews, Vice Chairman  
Mark March, Member  
Harmony Retzlaff-Hurtgam, Member  
Andrew Milleville, Member  
Jennifer Garofalo, Alt. Member  
Louise Brachmann, Liaison to the Town Board  
Abe Platt, Town Attorney  
Krista Brocious, Planning /Zoning Board Clerk

Members not in attendance included: Building Inspector/Code Enforcement, James McCann, Deputy Building Inspector/Code Enforcement, Matthew Cooper

#### Approval of minutes

A motion to approve **September 22, 2025**, minutes was made by Mr. March and seconded by Ms. Retzlaff-Hurtgam; all in favor, motion carried.

Attorney Platt read the Public Hearing Notices.

#### New Business

**LAMB, Ryan & Kellsie**  
**4903 Thrall Rd., Lkpt**

**ZBAV-2025-017**  
**SBL#107.04-1-27**

#### **Area Variance-Shed setback**

OWNER/APPLICANT: Ryan and Kellsie Lamb

PROPERTY LOCATION: 4903 Thrall Road,  
(Tax Map No. 107.04-1-27) Lockport,  
Niagara County, New York

APPLICATION FOR AN AREA VARIANCE of the provisions of the Zoning Code of the Town of Cambria to construct an accessory structure (shed) located 40' from the street right-of-way on premises situated within the Agricultural Residential (AR) Zoning District, whereas the

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Zoning Code requires such structures to be located not closer than 60' from the street right-of-way on premises within said district.

Mrs. Lamb wants to build a shed for the house. It was 43' feet from the road and it should be 55' feet. 10X24 Shed.

Public hearing opened. No one spoke.

Public hearing closed.

Shed is already constructed on a concrete pad. They just didn't know it had to be 55'. There is Escarpment and Thrall as they are the corner lot. Front of the house faces Thrall Rd. S

Attorney Platt stated that because it's already poured it cannot be achieved by any other means. The question is 43' vs 60' substantial? There is a tree line there as well. No adverse environmental impacts that Attorney Platt can tell. Would the shed being closer have and undesirable change in the neighborhood.

#### Motion

A motion for negative SEQRA was made by Mr. Andrews and seconded by Mr. March, all in favor, so carried.

A motion to approve the area variance for the shed being 40' off Escarpment Drive was made by Mr. Andrews and seconded by Ms. Retzlaff-Hurtgam, all in favor, so carried.

**PARISE, Sam**

**ZBUV-2025-002**

**5475 Comstock, LKPT (lot next to)**

**SBL#121.00-2-64.1**

***Use Variance-Shed on property w/o principal structure.***

OWNER/APPLICANT: Sam Parise

PROPERTY LOCATION: (Lot next to) 5475 Comstock Road,  
(Tax Map No. 121.00-2-64.1) Lockport,  
Niagara County, New York

APPLICATION FOR A USE VARIANCE of the provisions of the Zoning Code of the Town of Cambria to construct an accessory structure (shed) on premises without a principal structure situated within the Agricultural Residential (AR) Zoning District, whereas the Zoning Code

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prohibits the construction of an accessory structure until the principal structure is completed or under construction on premises within said district.

The shed is already there on the vacant lot next to his house.

Public hearing opened. No one spoke.

Public hearing closed.

There was a written complaint from Linda Mariotta-Moore submitted which Attorney Platt read out loud stating that Mr. Parise has debris all over the lot. There were pictures attached that the board reviewed.

The board asked Mr. Parise if he would join the two lots. Mr. Parise stated he separated the lots years ago. He processes firewood over there for his house. He wants the log splitter and chainsaw over there and doesn't want to make his house a mess. He can get rid of the pallets, but the rest is logs.

Attorney Platt explained the criteria of a Use Variance and there is no way to show that the problem isn't self-created as Mr. Parise split the properties. Another fact to prove is that there is no other use for that vacant lot but to put a shed on it. The only way for this to go through would be to consolidate the two properties so long as the shed meets the setbacks.

Mr. Parise doesn't want to put the two parcels together and go through everything to deal with that again, that's why he separated them before. Mr. Milleville explained that it's not that much of a process. Mr. Parise doesn't want to add it to the parcel cause it's going to be added to his taxes and property. It's a small utility shed.

### Motion

A motion for negative SEQRA was made by Mr. March and seconded by Mr. Andrews, all in favor, so carried.

A motion to Deny the Use Variance was made by Mr. Andrews and seconded by Ms. Retzlaff-Hurtgam as it's a violation of zoning laws and self-created hardship, all in favor, so carried.

**ARNOLD, Dan**  
**V/L Plank Rd., Lkpt**  
***Special Permit-Pond***

**ZSP-2025-004**  
**SBL#79.00-1-65**

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OWNER/APPLICANT: Dan Arnold

PROPERTY LOCATION: V/L Plank Road,  
(Tax Map No. 79.00-1-65) Lockport,  
Niagara County, New York

APPLICATION FOR A SPECIAL USE PERMIT to construct a pond on premises situated within the Agricultural Residential (AR) Zoning District.

Mr. Arnold would like to put a pond in on his property and then use the fill from it to build a house on the property. He would like to use the pond for fish and maybe paddleboarding.

Public hearing opened.

Dennis Hoyt of 4430 Plank Rd., wants to know where the pond going, source of water for the pond, where is the drainage for the pond, how deep will it be?, How is it going to be on site and not exacerbate the drainage on his property. The pond will probably dry out.

Scott Sidel of 4400 Plank Rd. wants to know the intended use, location of pond, setbacks, water source, has there been any borings? Will it be lined with Clay? Drained to whereas he doesn't want it on his property. Who designed the pond? Can it sustain fish? What's the maintenance plan? He doesn't want a mosquito haven. What precautions will be taken to keep kids out of it?

Public hearing closed.

Attorney Platt read the letter from Niagara County Soil and Water which stated that the pond is located 650' west of Plank Road and 40' from the North property line, rectangular shape and 85 X 200 ft with a (.4 acres) depth of 14'. Another two-foot layer of soil is needed if bedrock is encountered. There are no wetlands on the property. Mr. Arnold agreed with same.

Mr. Milleville pointed out that the pond water won't create more water to the ditch. The ditch can't handle more water according to Mr. Sidel. There was more discussion about the water in the ditch.

Mr. Arnold explained that recreation means fishing and maybe paddle boats. He plans to start building this coming spring and pulling permits by the end of this year. He has two young kids as well and wants to make sure it's safe for them also.

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#### Motion

A motion for negative SEQRA was made by Mr. Andrews and seconded by Mr. Milleville, all in favor, so carried.

A motion to approved the special permit for a pond was made by Mr. Andrews under the conditions that Mr. Arnold follows the approvals by soil and water, does tests to know where the rock is before he starts, that the soil stays on the premises and that the spoils be rough graded to where they are going to be as soon as possible was seconded by Ms. Retzlaff-Hurtgam, all in favor, so carried.

**WHITTALL, Darren**

**ZSP-2025-005**

**V/L Lower Mtn Rd., Lkpt**

**SBL#107.00-1-15.112**

**Special Permit- Pond**

OWNER/APPLICANT: Darren Whittall

PROPERTY LOCATION: V/L Lower Mountain Road,  
(Tax Map No. 107.00-1-15.112) Lockport,  
Niagara County, New York

APPLICATION FOR A SPECIAL USE PERMIT to construct a pond on premises situated within the Agricultural Residential (AR) Zoning District.

#### Motion

A motion to save this until the end as Mr. Whittall is not currently present was made by Chairman Smith and Mr. March, all in favor, so carried.

**HENRY, Collin & Ciera**

**ZSP-2025-006**

**V/L Van Dusen, Lkpt**

**SBL#93.00-1-72**

**Special Permit-Pond**

OWNER/APPLICANT: Collin and Ciera Henry

PROPERTY LOCATION: V/L Van Dusen Road,  
(Tax Map No. 93.00-1-72) Lockport,  
Niagara County, New York

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APPLICATION FOR A SPECIAL USE PERMIT to construct a farm pond on premises situated within the Agricultural Residential (AR) Zoning District. At such public hearing, all persons interested, who wish to be heard will be heard.

Mr. Henry wants a pond to use the fill for the house. He is in process of getting the permit now.

Public hearing opened. No one spoke.

Public hearing closed.

Mr. Andrews wants them to find where the rock is before they start. Divert the water to the ditch.

#### Motion

A motion for negative SEQRA was made by Mr. Andrews and seconded by MR. March, all in favor, so carried.

A motion to approve the special permit for the pond was made by Mr. Andrews with the conditions that they find where the rock is and meet the condition set by soil and water, and that the spoils be kept on premises, was seconded by Mr. March, all in favor, so carried.

#### Special Permit-Renewals

**SMITH, Robert**  
**4898 Upper Mtn Rd., Lkpt**  
**Repair/Sell Firearms**

**1995-17**  
**SBL#121.00-1-5.2**

A signed letter indicating a request to renew the special permit was provided to the building department. No concerns from the Building Department.

#### Motion

A motion to renew the special permit for 5 years was made by Mr. Milleville and seconded by Mr. March, all in favor, so carried.

**MAHOLSIC, Michael**  
**4006 Beebe Rd., Newfane**  
**Private Kennel**

**9-4-03**  
**SBL#79.00-2-18.2**

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A signed letter indicating a request to renew the special permit was provided to the building department. No concerns from the Building Department.

#### Motion

A motion to renew the special permit for 5 years was made by Ms. Retzlaff-Hurtgam and seconded by Mr. Milleville, all in favor, so carried.

#### Motion

A motion to let Mr. Whittall know he missed this meeting and ask him to next weeks meeting.

Public hearing opened on this. No one spoke.

Public hearing closed.

A motion to defer for one week was made by Mr. Milleville and seconded by Mr. March, all in favor, so carried.

#### Reports

None.

#### Adjournment

A motion to adjourn @ 7:55 pm was made by Mr. Milleville and seconded by Ms. Retzlaff-Hurtgam, all in favor, so carried.

*Krista Brocious*

Planning/Zoning Clerk