

Town of Cambria Zoning Board Meeting Minutes September 22, 2025

Call to order

A meeting of the **Zoning Board of Appeals** was held at **Cambria Town Hall** on **September 22, 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
Building Inspector/Code Enforcement, James McCann
Deputy Building Inspector/Code Enforcement, Matthew Cooper
Krista Brocious, Planning /Zoning Board Clerk

Members not in attendance included:

Approval of minutes

A motion to approve the **July 28, 2025**, minutes was made by Mr. Andrews and seconded by Ms. Retzlaff-Hurtgam; all in favor, motion carried.

New Business

Attorney Platt read the following Public Hearing Notice:

OWNER/APPLICANT: Jeffrey Deering and Nicole Beringer

PROPERTY LOCATION: 4090 Burch Road,
(Tax Map No. 77.00-1-55) Ransomville,
Niagara County, New York

APPLICATION FOR AN AREA VARIANCE of the provisions of the Zoning Code of the Town of Cambria to construct a swimming pool in the side yard area of premises situated within the Agricultural Residential (AR) Zoning District, whereas the Zoning Code requires swimming pools to be placed in the rear yard area of premises within said district.

DEERING, Jeffrey & Nicole
4090 Burch Rd., Ransomville
Area Variance-Pool, side lot

ZBAV-2025-012
SBL#77.00-1-55

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Mr. Deering said his wife wants a pool. It's 250ft back from the road. Because of the size of his house there are nine leach lines for septic system directly behind the house. If he were to put the pool farther back, he would have to clear woods and have trees over the pool. He would prefer the pool closer to the house and free from trees hanging over it.

Public hearing opened. No one spoke.

Public hearing closed.

Motion

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

A motion to approve the area variance for the pool in the side yard was made by Mr. Andrews and seconded by Ms. Retzlaff-Hurtgam, all in favor, so carried.

Attorney Platt read the following Public Hearing Notice:

OWNER/APPLICANT: Manuel Koschnieder

PROPERTY LOCATION: 4521 North Ridge Road,
(Tax Map No. 78.00-2-7.12) Lockport,
Niagara County, New York

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

KOSCHNIEDER, Manuel
4521 N. Ridge Rd., Lkpt
Special Use Permit-Pond

ZSP-2025-003
SBL#78.00-2-7.12

Mr. Koschnieder explained that there is a pasture behind his property by a horse boarding arena. Both neighbors have a pond. The pasture is usually wet. They want to get rid of the eyesore and get the water moving and take a swim when it's hot.

Public hearing opened. No one spoke.

Public hearing closed.

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The pond is going to be 65'X 65' and 10 ft deep. All materials stay on sight to level the property where uneven. He dug test holes and found clay. Niagara County Soil and Water said that it will function.

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 pond was made by Mr. Andrews contingent upon it complying with any requirements from Niagara County Soil and Water, and all excavated material remains on sight. This was seconded by Ms. Retzlaff- Hurtgam, all in favor, so carried.

Attorney Platt read the following Public Hearing Notice:

OWNER/APPLICANT: Donald Beecher

PROPERTY LOCATION: 4898 Blackman Road,
(Tax Map No. 106.00-2-51) 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 (detached garage) closer than the front foundation of the residence from the street right-of-way, and within twenty-five feet of the residence, located on premises situated within the Escarpment District (ED) Zoning District, whereas the Zoning Code requires such an accessory structure to be situated no closer than the front foundation of a residence from the street right-of-way, and no closer than 25 feet from the residence, located on premises within said district.

BEECHER, Donald
4898 Blackman Rd., Lkpt

ZBAV-2025-014
SBL#106.00-2-51

Area Variance-garage in front of house

Mr. Beecher has a garage up for his cars at end of driveway. His house is perpendicular to the front of Blackman Road. The way his house is the leach beds and propane fill is behind the house. House is brick on the bottom and stucco and the top. The garage will be the same and have fire rated doors.

Public hearing opened. No one spoke.

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Public hearing closed.

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 was made by Mr. Milleville as requested in application, and that the structure cannot contain living space and seconded by Mr. Andrews, all in favor, so carried.

Attorney Platt read the following Public Hearing Notice:

OWNER/APPLICANT: Veikko Mielonen

PROPERTY LOCATION: V/L Lower Mountain Road,
(Tax Map No. 93.00-2-33.12) Lockport,
Niagara County, New York

APPLICATION FOR AN AREA VARIANCE of the provisions of the Zoning Code of the Town of Cambria to construct a single family residence at a distance of 400 feet from the nearest fire hydrant on premises situated within the Agricultural Residential (AR) Zoning District, whereas the Zoning Code requires that such structure be located no more than 125 feet from the nearest fire hydrant on premises within said district.

MIELONEN, Veikko
V/L Lower Mtn Rd., Lkpt
Area Variance-Setback

ZBAV-2025-015
SBL#93.00-2-33.12

Mr. Mielonen stated that he is looking to build my house 400 ft from the nearest fire hydrant which would be 300 ft from the road. Single family home next door to his parents. He's got two neighbors on either side and he will plant trees so there is a buffer between everyone, and everyone has their privacy.

Public hearing opened.

Heather Weaver-Sherman of 4964 Lower Mtn Rd. She is East of his property next door. She has a concern about the fire hydrant as its dead center between her property and him. Would a fire truck come through her property to get to his property? Mr. Mcann explained that the hydrant must be measured parallel to the road to his property and back to the front of his

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house. It would not be on her property. Concern that fire dept would go through her property where she has septic and everything.

Pam Follow of 4979 Lower Mountain Road expressed her dislike for Mr. Mielonen personally.

Kristen Mielonen defended her husband from what Ms. Follow stated.

Public hearing was then closed.

The man who sold the land didn't want Mr. Mielonen's house right next to his garage. Mr. Mielonen doesn't want to be near anybody.

Attorney Platt weighed in that maybe there is a middle point that could be reached between the board and applicant.

Mr. Mielonen's parent's house is next to him and they are 250 ft. back from garage door to road.

The deliberation continued about how many feet would be feasible.

Chairman Smith asked if Mr. Mielonen could go with 250ft and he agreed he could.

Motion

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

Mr. March stated that there are four criteria that are not being met in the area variance requirements.

Attorney Platt says self-created requirement is not make or break issue. The issue for the board is to decide on how much is substantial and not substantial. There is a house in the adjacent lot that it's right there also.

A motion to approve by Mr. Milleville with a maximum of 250 ft. setback, privacy bushes or hedges to screen the premises from neighboring parcels as there is not a negative impact on the character of the neighborhood because there is a house a back there already. There is no impact on health and safety. This variance is not substantial and was seconded by Mr. Andrews.

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The board was polled as follows:

Mark-Nay
Tom-Aye
Harmony-aye
Andrew-aye
Peter-aye

Approval was granted as stated in the previous paragraph.

FOURNIER, Christopher	ZBAV-2025-016
V/L Thrall Rd. Lkpt	SBL#107.00-1-11.22
<i>Area Variance-Setback</i>	

Attorney Platt read the following Public Hearing Notice:

OWNER/APPLICANT: Christopher Fournier

PROPERTY LOCATION: V/L Thrall Road,
(Tax Map No. 107.00-1-11.22) Lockport,
Niagara County, New York

APPLICATION FOR AN AREA VARIANCE of the provisions of the Zoning Code of the Town of Cambria to construct a single-family residence with a front setback of 238 feet on premises situated within the Agricultural Residential (AR) Zoning District, whereas the Zoning Code requires a maximum front setback of 125 feet from the right-of-way of all roads on premises within said district.

At such public hearing, all persons interested, who wish to be heard will be heard.

Construct a single-family home and line up with his brother's house next door. His brother is at max setback.

Public hearing opened. No one spoke.

Public hearing closed.

Proposed house in alignment with the one to the east and adjacent to it.

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Motion

A motion for negative SEQRA was made by Mr. Andrews and seconded by Ms. Retzlaff-Hurtgam, all in favor, so carried.

A motion to approve setback farther than his brothers made by MR. Andrews and seconded by Mr. Milleville, all in favor, so carried.

Motion

Special Permit-Renewals

VENTRY, Jeffrey
5155 Townline Rd, Sanborn
Heating and Cooling Business

1995-07
SBL#119.00-1-4

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. March, all in favor, so carried.

OUTDOOR ADVENTURES OF NIAGARA
4312 Church Rd., Lkpt
Mobile residence for employees

ZSP-2024-007
SBL#77.00-2-56

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. Andrews and seconded by Mr. Milleville, all in favor, so carried.

OUTDOOR ADVENTURES OF NIAGARA
4312 Church Rd., Lkpt
Residence as office

ZSP-2024-007
SBL#77.00-2-56

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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.

SALERNO/WEINERT
4898 Upper Mtn Rd., Lkpt
Private Kennel

SBL#107.00-2-40.111

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. Andrews and seconded by Mr. Milleville, all in favor, so carried.

Reports

Chairman Smith announced that the new Zoning Board liaison is Louise Brachmann.

Adjournment

A motion to adjourn @ 7:50 pm was made by Mr. Andrews and seconded by Mr. March, all in favor, so carried.

Krista Brocious

Planning/Zoning Clerk _____