

TOWN OF CAMBRIA TOWN BOARD

April 9, 2026

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 9th day of April 2026 at Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York.

BOARD MEMBERS' PRESENT:

Matthew Foe, Supervisor
Louise Brachmann, Councilwoman
Jeffrey S. Hurtgam, Councilman
Benjamin D. Musall, Councilman
Randy M. Roberts, Councilman, absent

ALSO PRESENT:

Tamara J. Cooper, Town Clerk
Abe Platt, Attorney
Steve Kroening, Highway Superintendent
Debra Littere, Assessor
Approximately 57 Individuals

Following salute to the flag Supervisor Foe opened the public hearing on Local Law #2 2026

The following public hearing notice was read by the Town Clerk:

NOTICE OF PUBLIC HEARING Local Law #2

TOWN OF CAMBRIA

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cambria on the 9th day of April, 2026, at 7:00 p.m., at the Town Hall, 4160 Upper Mountain Road, Sanborn, New York on the adoption of a proposed Local Law entitled, "A Local Law Repealing Local Law No. 1 of 2020, entitled 'A Local Law to Opt Out of the NY State Real Property Tax Law Section 487 Exemption,'" an abstract of which is as follows:

Said Local Law would repeal Local Law No. 1 of 2020, entitled "A Local Law to Opt Out of the NY State Real Property Tax Law Section 487 Exemption," which provided that no exemption from taxation shall be applicable with respect to any solar or wind energy system within the Town of Cambria.

This local law shall take effect immediately upon its filing in the Office of the Secretary of State.

The complete text of said proposed Local Law is on file at the Office of the Town Clerk and is available for review by any interested person during business hours.

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

Attorney Platt gave a brief summary of why the local law is being proposed.

7:10 pm Supervisor Foe opened the public hearing.

Several people didn't necessarily speak about being for or against this Local Law #2 to repeal Local Law No. 1 of 2020- but spoke on the potential effects the proposed solar panels will have on their properties and surrounding land.

7:27 pm Supervisor Foe closed the public hearing.

7:27 pm the following public hearing notice was read by the Town Clerk:

NOTICE OF PUBLIC HEARING Local Law #3

TOWN OF CAMBRIA

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cambria on the 9th day of April, 2026, at 7:00 p.m., at the Town Hall, 4160 Upper Mountain Road, Sanborn, New York on the adoption of a proposed Local Law entitled, "Amendment to the Zoning Map of the Town of Cambria" an abstract of which is as follows:

The official Zoning Map of the Town of Cambria shall be amended by rezoning the premises located at 5182 Ridge Road, Lockport, New York 14094 (SBL# 79.00-2-19.12), from the Agricultural Residential (AR) Zoning District to a Planned Development District as set forth in the rezoning application by Tyler Booth and the Forsyth-Warren Tavern, Living History Farm and Museum received on October 23, 2025.

This local law shall take effect immediately upon its filing in the Office of the Secretary of State.

The complete text of said proposed Local Law is on file at the Office of the Town Clerk, and is available for review by any interested person during business hours.

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

Attorney Platt gave a brief summary of local law #3.

Prior to opening the public hearing, the Town Clerk reported receiving an email correspondence from Michael & Jamie O'Shea of Ridge Road stating their opposition.

Supervisor Foe opened the public hearing.

Mary Brenzel, Thrall Rd., Duncan Ross, Townline Rd., John Strassheim, Plank Rd. were all in favor of moving forward with this Local Law #3- Re-zoning.

7:35 pm Supervisor Foe closed the public hearing.

7:35 pm Supervisor Foe opened the regular meeting, and the Town Board took action on the following matters:

APPROVAL OF MINUTES

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Musall it was resolved to approve the minutes of the Town Board meetings of March 9 and 12, 2026, work and regular.

Ayes: Foe, Brachmann, Hurtgam, Musall -Motion Carried-

APPROVAL OF VOUCHERS

Having been reviewed by the Town Board, the following claims were presented for payment:

April 9, 2026

ACCOUNT	AMOUNT
Drainage	\$ 1,295.99
General	\$ 102,784.47

- Building Inspector Report March: Total fees collected: \$ 2,853.40
Estimated value of construction: \$ 78,413.00
- In receipt of an internal advisory opinion from the Board of Ethics dated 3/25/2026.

HIGHWAY SUPERINTENDENT REPORTS

Steven Kroening, Highway Superintendent reported as follows:

HIGHWAY:

- Brush pickup starts April 15th.
- Highway, water & sewer summer hours start May 4th.
- Off road ditching-Andrews Rd. on hold.
- On road ditching trouble spots.
- Salt belt conveyor on site.
- Update fuel pump system- still waiting on quotes.

WATER

- Still changing out meters.
- Repairs to hydrant scarfs and leaks.

SEWER

- Waiting for National Fuel for Southway lift station generator.

BUILDING AND GROUNDS

- Waiting for quotes for heating system in Town Hall building.
- Waiting for quotes for alarm system.
- Handicapped entrance inside Town Hall- waiting on the electrician.

ATTORNEY

Abraham Platt, Town Attorney, reported as follows:

The Comprehensive Plan Committee has issued a determination to the Town Board. They have requested that the Town Board refer to them the Schedule A which was what last year's General Code (E Code) so they can start reviewing that.

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann it was resolved to refer Schedule A, General / E Code Local Law from last year to the Comprehensive Plan Committee and Agricultural Committee for their review and recommendation.

Ayes: Foe, Brachmann, Hurtgam, Musall

-Motion Carried-

LOCAL LAW NO. 2 OF 2026

LOCAL LAW NO. 2 OF THE YEAR 2026 TOWN OF CAMBRIA
COUNTY OF NIAGARA, STATE OF NEW YORK

A Local Law Entitled "A Local Law Repealing Local Law No. 1 of 2020, entitled 'A Local Law to Opt Out of the NY State Real Property Tax Law Section 487 Exemption'".

Be it enacted by the Town Board of the Town of Cambria as follows:

Local Law No. 1 of 2020, entitled "A Local Law to Opt Out of the NY State Real Property Tax Law Section 487 Exemption" is hereby repealed.

This local law shall take effect immediately upon its filing in the Office of the Secretary of State.

**TOWN OF CAMBRIA
RESOLUTION ADOPTING LOCAL LAW NO. 2 OF 2026**

WHEREAS, on March 12, 2020, the Town Board of the Town of Cambria enacted Local Law No. 1 of 2020, entitled, "A Local Law to Opt Out of the NY State Real Property Tax Law Section 487 Exemption," which provided that no exemption from taxation shall be applicable with respect to any solar or wind energy system within its jurisdiction, pursuant to New York Real Property Tax Law Section 487(8)(a); and

WHEREAS, subsequent to the adoption of Local Law No. 1 of 2020, over the strenuous objections of the Town Board, and despite the Town's legal challenges, the determination to site a solar energy system within the Town of Cambria pursuant to State law and regulations was upheld by the Fourth Department of the New York State Appellate Division; and

WHEREAS, although the Town Board in no way approves of, or supports, the siting of said solar energy system within the Town of Cambria, the reality is that said system will be constructed and operated within the Town, and the Town is now in the position of seeking to maximize the benefit to the Town from the inevitable operation of said system; and

WHEREAS, it would be more financially beneficial to the Town of Cambria to pursue an alternative to simply receiving its legally determined share of the real property tax revenue generated by the construction and operation of said system. This is such because although the Town is the party most affected by the construction and operation of the solar energy system, under the legally established tax revenue distribution hierarchy, the Town would receive the least financial benefit. Specifically, it would be in the Town's financial interests to pursue a Host Community Agreement with the owner/operator of said solar energy system, which would occur in concert with the entering into of a tax agreement between the owner/operator of the solar energy system and the Niagara County Industrial Development Agency; and

WHEREAS, the continued operation of Local Law No. 1 of 2020 operates as a legal impediment to the pursuit of the aforementioned alternative to the Town simply receiving its legally determined share of tax revenue; and

WHEREAS, a public hearing was held on April 9, 2026, at 7:00 p.m., to hear and consider adoption of a proposed Local Law for the year 2026, repealing said Local Law No. 1 of 2020, which was entitled, "A Local Law to Opt Out of the NY State Real Property Tax Law Section 487 Exemption."

NOW, THEREFORE, BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF CAMBRIA AS FOLLOWS:

Pursuant to, and in accordance with, Section 27 of the New York Municipal Home Rule Law, the Town Board does hereby enact a Local Law entitled, "A Local Law Repealing Local Law No. 1 of 2020, entitled 'A Local Law to Opt Out of the NY State Real Property Tax Law Section 487 Exemption,' to be renumbered as Local Law No. 2 of 2026 for filing purposes, hereby repealing the Town of Cambria's Local Law No. 1 of 2020, which was entitled 'A Local Law to Opt Out of the NY State Real Property Tax Law Section 487 Exemption.'"

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Musall it was resolved to adopt Local Law No. 2. A Local Law Repealing Local Law No. 1 of 2020 entitled 'A Local Law to Opt Out of the NYS Real Property Tax Law Section 487 Exemption'.

The question of the resolution was put to a vote on roll call which resulted as follows:

MATTHEW P. FOE voting AYE
LOUISE BRACHMANN voting AYE
JEFFREY S. HURTGAM voting AYE
BENJAMIN MUSALL voting AYE

The resolution was thereupon declared duly adopted.

LOCAL LAW NO. 3 OF THE YEAR 2026

TOWN OF CAMBRIA TOWN BOARD SEQR NEGATIVE DECLARATION RESOLUTION Rezoning Application of Tyler Booth and the Forsyth-Warren Tavern, Living History Farm and Museum

Whereas, the Town of Cambria Zoning Ordinance sets forth the Town's legal provisions related to zoning matters and concerns, including applications for rezoning and planned development districts (PDDs); and

Whereas, on October 23, 2025, the Town of Cambria Town Board received a Rezoning Application made by Tyler Booth and the Forsyth-Warren Tavern, Living History Farm and Museum requesting that the Town Board rezone the property commonly known as 5182 Ridge Road, Lockport, New York 14094, SBL #79.00-2-19.12, totaling approximately five (5) acres located in the Town of Cambria, Niagara County, New York to a PDD - (Planned Development District) so that the Applicants could construct and operate a living history museum (collectively, the "Project"); and

Whereas, pursuant to Article 8 of the Environmental Conservation Law (SEQRA), the project requires environmental review to assess any potential impact on the environment; and

Whereas, a public hearing concerning the subject application for Rezoning and the enactment of a Local Law amending the Town of Cambria Zoning Map pursuant to said rezoning application was held on April 9, 2026; and

Whereas, the Town Engineer and the Town Attorney have reviewed the subject rezoning application and determined that the project parameters are such that the proposed action and plan fall below the threshold that would trigger a coordinated review, and the Town Board has reviewed the Applicants' environmental assessment form and accompanying documentation in its role under SEQR.

Now, Therefore, Be It Resolved, that the Cambria Town Board issues a Negative Declaration finding that the rezoning of the property commonly known as 5182 Ridge Road, Lockport, New York 14094, SBL #79.00-2-19.12, totaling approximately five (5) acres located in the Town of Cambria, Niagara County, New York, from an Agricultural Residential (AR) District to a Planned Development District pursuant to the subject application, will not result in any significant adverse environmental impacts. Any subsequent site plan approvals must comply with this initial determination.

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann it was resolved that the Town Board issue a Negative Declaration finding that the rezoning of the property commonly known as 5182 Ridge Road, Lockport, New York 14094, SBL #79.00-2-19.12, totaling approximately five (5) acres located in the Town of Cambria, Niagara County, New York, from an Agricultural Residential (AR) District to a Planned Development District pursuant to the subject application, will not result in any significant adverse environmental impacts.

The question of the resolution was put to a vote on roll call which resulted as follows:

MATTHEW P. FOE voting AYE
LOUISE BRACHMANN voting AYE
JEFFREY S. HURTGAM voting AYE
BENJAMIN MUSALL voting AYE

The resolution was thereupon declared duly adopted.

**LOCAL LAW NO. 3 OF THE YEAR 2026 TOWN OF CAMBRIA
COUNTY OF NIAGARA, STATE OF NEW YORK**

A Local Law Entitled "Amendment to the Zoning Map of the Town of Cambria"

Be it enacted by the Town Board of the Town of Cambria as follows:

The official Zoning Map of the Town of Cambria shall be amended by rezoning the premises located at 5182 Ridge Road, Lockport, New York 14094 (SBL# 79.00-2-19.12), from the Agricultural Residential (AR) Zoning District to a Planned Development District as set forth in the rezoning application of Tyler Booth and the Forsyth-Warren Tavern, Living History Farm and Museum, received on October 23, 2025.

This local law shall take effect immediately upon its filing in the Office of the Secretary of State.

**TOWN OF CAMBRIA
RESOLUTION ADOPTING LOCAL LAW NO. 3 OF 2026**

WHEREAS, on October 23, 2025, Tyler Booth and the Forsyth-Warren Tavern, Living History Farm and Museum (the "Applicants"), presented an application (the "Application") to the Town Board of the Town of Cambria (the "Town"), which Application requested that the Town Board rezone the property commonly known as 5182 Ridge Road, Lockport, New York 14094, SBL #79.00-2-19.12 (the "Rezoning") totaling approximately five (5) acres located in the Town of Cambria, Niagara County, New York (the "Site") to a PDD- (Planned Development District) so that the Applicants could construct and operate a living history museum (collectively, the "Project"); and

WHEREAS, a PDD - Planned Development District, permits the establishment of areas of not less than five acres in which diverse uses may be brought together in a unified plan of development in which land and buildings may be used for any lawful purposes as determined by the Town Board. The subject Application includes a plan for the Site which divides the Site into different use areas that would include a historic tavern, retail shop, functional farm, historic distillery and areas for the provision of tours and special events, all of which comprise, in the aggregate, a Living History Museum; and

WHEREAS, pursuant to Section 239-m of Article 12-B of the New York General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended, a referral was made to the Niagara County Planning Board for its recommendations relative to the Project and said Niagara County Planning Board recommended the approval of said project at its meeting of February 23, 2026; and

WHEREAS, pursuant to Section 239-nn of Article 12-B of the New York General Municipal Law, Chapter 24 of the Consolidated Laws of New York, notice was provided to the Clerks of the adjacent municipalities of the Towns of Porter, Lewiston, Wheatfield, Pendleton, Lockport, Newfane and Wilson that the Town of Cambria was considering the adoption of a Local Law concerning the subject Application and advising said municipalities of their right to be present at the public hearing concerning same; and

WHEREAS, the Application to rezone the Site to PDD was referred to the Town Planning Board for its review and the Town Planning Board recommended that the Town Board approve the rezoning of the Site as requested; and

WHEREAS, a public hearing was held on April 9, 2026, at 7:00 p.m. to hear and consider adoption of a proposed Local Law for the year 2026, amending the Zoning Ordinance, and more specifically, the Zoning Map of the Town of Cambria to rezone the Site, presently located in an Agricultural-Residential (AR) Zoning District to a Planned Development District subject to all regulations created and established relative to said Planned Development District; and

WHEREAS, The Town adopted a Comprehensive Plan in 1965 (the "Comprehensive Plan"), which has been amended from time to time most recently in 2021, and the Town Board has considered the goals of the Comprehensive Plan relative to the Rezoning and the Project; and

WHEREAS, the Comprehensive Plan sets forth several goals designed to maintain and preserve the rural and agricultural character of the Town, protect prime agricultural land and environmental resources from adverse effects, create a vital and sustainable economy for the Town that provides a strong tax base and jobs for our citizens, and to manage growth so as to enhance the quality of life for the residents; among other things; and

WHEREAS, this Rezoning and the Project would offer the opportunity to preserve, maintain and highlight the historic nature of the Site by permitting a greater mix of uses on the Site specifically designed to accomplish these purposes; and

WHEREAS, according to Section 1000 of the Zoning Ordinance of the Town of Cambria, the intent of the Planned Development District is to permit the establishment of areas in which diverse uses may be brought together in a unified plan of development. The Application proposes a diverse number of uses that comprise a unified plan to develop the Site as a functional living history museum; and

WHEREAS, pursuant to and consistent with the requirements of Article 8 of the New York Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the SEQRA Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, et. Seq., as amended (the "Regulations" and collectively with the SEQRA Act, "SEQRA"), the Town Board has adopted a negative declaration for the Rezoning and the Project.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF CAMBRIA AS FOLLOWS:

Section 1. Based upon the Town Board's analysis of the Rezoning, the Project and its review of the Comprehensive Plan, the Town Board finds the following:

The Rezoning meets the goals and objectives of the Comprehensive Plan by developing a functional living history museum at the Site utilizing existing structures and restoring and/or reconstructing historic structures that were once situated at the Site. The Rezone request is located at the site of the Forsyth-Warren Tavern, one of the Town's oldest establishments, and the goal of the Applicants is to restore the Site, as near as is practicable, to its historic operation for the educational benefit of Town residents and visitors to the Town. The proposed uses will preserve the rural, agricultural and historic character of one of the Town's most significant landmarks, a site which is the epitome and embodiment of the Town's rural and agricultural heritage, and would be thus be wholly in conformity with the Comprehensive Plan.

The Rezoning is designed to protect important archeological resources that may be present on the Site while minimizing the disturbance to the land itself, which the Applicants seek to restore to a functional farm in keeping with the relevant historical period.

The Rezoning will further supplement the local agricultural tourism economy by offering residents and tourists a unique immersive experience of the Town's history and heritage that will draw additional visitors and patrons to the Town and potentially to the Town's other establishments, as the Site is situated along one of the area's most travelled state highways, in the heart of the Wine Trail, and is essentially a gateway to the Town for visitors approaching from the east.

The Rezoning will contribute to a sensible pattern of development through the restoration and recovery of an important historical site, in furtherance of one of the Town Comprehensive Plan's chief goals, namely the preservation of the character of the community. The design of the Project would not significantly impact land use resources or Town planning objectives.

The Rezoning proposes the following mixed derivative land uses, which, together, comprise an overarching Living History Museum use, and which the Town Board approves as lawful, consistent with the Comprehensive Plan and beneficial to the Town, its residents and visitors:

1. Tavern and Food and Beverage Service: An operational historic tavern, offering patrons the experience of dining and beverage service as it existed on Site in the early 19th century. Food and beverage to be prepared on or offsite, to be consumed at a dining area in the existing premises, which will be a reconstruction of the historic tavern, including the historic kitchen wing.
2. Retail Sales: The operation of an onsite antique shop, using existing premises, and including the ancillary retail sale of gifts and souvenirs.
3. Agricultural Activity and Animal Husbandry: An educational offering featuring the provision of heritage skills classes and demonstrations and exhibits of period accurate agricultural activity and animal husbandry, to utilize existing barns and outbuildings together with an additional barn and attached greenhouse.
4. Distillery: Restoration of the historic onsite distillery to demonstrate the production of period beverages which are to be sold at the onsite Tavern, to be reconstructed within existing facilities, if practicable, or in an additional structure, if appropriate.
5. Educational Workshops and Programming: Programs offered to homeschoolers, student groups and other small groups of twenty or fewer participants, which demonstrate period skills, tasks and jobs, utilizing blacksmith's quarters and similar accessory facilities.
6. Special Events: Periodic special seasonal and/or themed events and/or festivals to be offered to patrons for the purposes of providing education and information and/or a period accurate experience of specific aspects of living in the 19th century. To be held inside or on the grounds.
7. Tours: Guided educational tours to be offered onsite, either of the grounds or the various structures thereon.

For the foregoing reasons, the Rezoning of the Site to a Planned Development District is consistent with the requirements for PDD and the Comprehensive Plan.

Section 2. Pursuant to, and in accordance with, Section 27 of the New York Municipal Home Rule Law, Local Law No. 3 of 2026, numbered as such for filing purposes, entitled, "Amendment to the Zoning Map of the Town of Cambria" is hereby enacted and the official Zoning Map of the Town of Cambria shall be amended by rezoning the premises commonly known as 5182 Ridge Road, Lockport, New York 14094, SBL #79.00-2-19.12, from the Agricultural-Residential (AR) Zoning District to a Planned Development District as set forth in

the application by Tyler Booth and the Forsyth-Warren Tavern, Living History Farm and Museum received by the Town of Cambria on October 23, 2025.

This local law shall take effect immediately upon its filing in the Office of the Secretary of State.

Section 3. In establishing the subject Planned Development District, the Town Board hereby grants the Applicants permission for the development of such final site plan as may be reviewed and approved pursuant to Section 1004 of Town of Cambria Zoning Ordinance. An application for Site Plan Review shall be made to the Town Board and site plan approval must be granted prior to the commencement of the aforementioned uses of the premises or the erection, construction or placing of any structure or building on site.

Section 4. A copy of the complete Application depicting the above-described parcel, which is to be zoned a Planned Development District pursuant to this Local Law, shall be on file with the Town Clerk.

Section 5. The Supervisor of the Town Board and the Town Clerk are hereby authorized and directed to distribute and publish a copy, summary or abstract of this Local Law to the Applicants and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Upon a motion duly made by Councilman Musall and seconded by Councilman Hurtgam it was resolved to adopt Local Law No. 3. A Local Law Entitled ‘Amendment to the Zoning Map of the Town of Cambria’.

The question of the resolution was put to a vote on roll call which resulted as follows:

MATTHEW P. FOE voting AYE
LOUISE BRACHMANN voting AYE
JEFFREY S. HURTGAM voting AYE
BENJAMIN MUSALL voting AYE

The resolution was thereupon declared duly adopted.

Liaison Reports:

Councilwoman Brachmann reported as follows:

Zoning:

- One renewal in March which is waiting on the Planning Board and the next meeting is April 27th at 7:00 pm.

Councilman Hurtgam reported as follows:

Parks and Recreation:

- Spring cleaning is going on in the Town Park and the pickleball courts will be open soon.
- Immaculate Conception Church is interested in running the concessions stand at the park.
- Fishing Derby is scheduled for June 13th from 8 am to 11 am.

Highway:

Councilman Musall reported as follows:

- Brush pick up will be starting soon.
- It has been a long winter and he thanked the Highway guys for all he effort; he and the Town Board appreciates all the hard work.

NEW BUSINESS

TOWN PARK AGRICULTURAL LAND RENTAL

Supervisor Foe indicated that the Town has approximately +-30 acres to the east of the Town Park. He is requesting authorization to advertise it for a lease of 1 year. Bids will be sealed and accepted at supervisor@townofcambria.gov. Final day to receive bids is April 24th.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann it was resolved to authorize the Supervisor to advertise it for a lease of 1 year. Sealed Bids will be accepted at supervisor@townofcambria.gov. Final day to receive bids is April 24th. The Town reserves the right to accept or refuse any and all bids.

Ayes: Foe, Brachmann, Hurtgam, Musall -Motion Carried-

PERSONNEL MATTERS

CONCERNS OF THE CITIZENS

ADDITIONAL MATTERS

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilman Hurtgam and seconded by Councilman Roberts. Time: 8:25 pm.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts -Motion Carried-

Respectfully submitted,

Tamara J. Cooper, Town Clerk