

Audio transcribed from October 25, 2021 zoning meeting re: Booth per Robert Roberson, Esq.

Peter Smith: Building Inspector, do you have anything tonight?

Jim McCann: Yes, Mr. Chairman, I would like the board or at least a board member to make a motion to revoke three special use permits that were given to Tyler Booth down at his place. He continues, after three years to avoid giving my department state plans to show a conversion of the house from a residential to a business use, the barn from agricultural to a business use. I have a copy of the plans or a read out of from Troughtman & Associates that they paid for; I did not, that I agree with. What they should have done the whole time is to try to make it handicap accessible. There's a lot of things in this historical, you probably know a lot of it, a lot of things in historical buildings you can't touch, some of the structure and that, because of that but the ramp can go in. Installing a handicap bathroom would be a, for he's already got a bathroom on the second floor, be unisex downstairs. He just refuses to. We, just last weekend, gave him a little break because we were talking to the attorney he has now, which I have no problem with, he was trying. Mr. Booth continued to flaunt it at us so I would like somebody to make a motion to revoke these three permits. I have the motion in my hand if somebody would be willing to do it and if I can get a second then we come back to our way of thinking. Now we go back to square one and start all over again.

Peter Smith: Can I en-..

Alan Johnson: As I remember it, didn't we talk to him a few or several months ago and he was going to go through the process with his attorney and put forth all the papers and applications?

Jim McCann: Since that time, that attorney that you saw here, he has handed it off to Brad Marble, and now another attorney that actually handles this kind of stuff it was out of his

bailiwick. Brad has talked to Gary and I, he sat with us. He understands. He is trying to tell the young man don't use these buildings until you get this straightened out. Get the permits, the special use or occupancy from me. He continues to do it. So we've gone and nothing on, and I think Gary will agree with me this brad Marble is trying. I give him a ton of credit but this young man continues to do it. And sooner or later, this is three years folks; sooner or later it's got to come to an end. This is the only way I can see it. If I can get somebody to make a motion to second, if I can't I lose again. I mean I'm a big boy at this.

Alan Johnson: I'll make the motion to revoke his permits.

Jim McCann: There it is. Read it please.

Alan Johnson: Do I read this out loud?

Jim McCann: Please, so it can be inserted on the minutes.

Alan Johnson: Booth- Forsyth-Warren Tavern. Zoning October 25, 2021 Motion to revoke Special Use Permits Z-UV-2018-002, Z-SP-2019-006, Z-SP-2018-007 for failure to provide the Building Inspection Department with plans showing the change of use to the two buildings from residential to business and agricultural to business by a certified design professional that meets the NYS Building Code Requirements and failure to obtain a Certificate of Occupancy.

Peter Smith: Can I have a second on that?

Thomas Andrews: I'll second it

Peter Smith: All in favor?

Board Members: Aye.

Peter Smith: Apposed?

James McCann: Would you please take a roll call?

Peter: Cheryl?

Cheryl Shoop: I approve this motion.

Thomas Andrews: I approve.

Peter Smith: I approve it.

Alan Johnson: I approve it.

Harmony Retzlaff-Hurtgam: I approve it.

Jim McCann: Thank you.

(Board member): You're welcome.

Peter Smith: Anything else Building Inspector?

Jim McCann: No, I think I've done enough damage.

Peter Smith: Counsel?

Gary Billingsley: I have nothing this evening.

Prepared by: Krista Brocius
Zoning Board Clerk

TOWN CLERK'S CERTIFICATION
Transcription: Subject Relating to
Building Inspector/Mr. Tyler Booth
October 25, 2021
Zoning Board of Appeals Board Meeting.

I, Tamara J. Cooper, Town Clerk of the Town of Cambria, Niagara County, State of New York, do hereby certify that the foregoing transcript from an audio recording took place during the Town of Cambria Zoning Board of Appeals at their regular meeting conducted on the 25th day of October, 2021 and that the same is a true and correct copy of the original audio/partial transcript/complete minute document is on file in my office as Town Clerk.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of the Town of Cambria this 3rd day of March, 2022.

Tamara J. Cooper
Tamara J. Cooper, Town Clerk, RMC