



TOWN OF PEMBROKE PLANNING BOARD

1145 Main Rd., Pembroke, NY 14036

Minutes for the regular meeting held September 26, 2012

ATTENDANCE:

- Chairman-Richard Kutter
- Vice Chairman-Michael Herec-Absent
- Michael Bakos-Absent
- Linda Rindell
- David Sabato
- John Cima
- David Knupfer
- Doneen Pfalzer-Acting Recording Secretary

PUBLIC PRESENT: Scott Waite

MEETING called to order at 8:00 pm.

Chairman Kutter led the "Pledge of Allegiance".

PUBLIC PARTICIPATION: No comments were made.

A **MOTION to Approve** the Minutes for the August 29, 2012 Planning Board Meeting was made by David Sabato, second to motion was made by Linda Rindell.

ALL AYES--MOTION CARRIED.

George & Barbara Walker
1410 Main Rd., Town of Pembroke
(Tax Map #19.-1-25.11)
Application #12.08.02
SITE PLAN REVIEW

- George & Barbara Walker are requesting a Site Plan Review for the location of a pavilion.
- Zoning District is Commercial.
- A sketch of the project was presented as well as photos of the property.
- Genesee County Planning recommended approval.
- The Town of Pembroke Zoning Board granted an area variance at its September 19, 2012 meeting for the location of the pavilion.

George & Barbara Walker have submitted application #12.08.02 requesting a Site Plan Review for the location of a pavilion, for property located at 1410 Main Rd., Town of Pembroke and identified as Tax Map #19.-1-25.11.

On **MOTION** made by Linda Rindell, and seconded by David Knupfer the following **RESOLUTION** was **ADOPTED** by roll call vote: Linda Rindell; AYE, David Sabato; AYE, Chairman Kutter; AYE, John Cima; AYE, David Knupfer; AYE.
ALL AYES-MOTION CARRIED

RESOLUTION #24 of 2012-George & Barbara Walker/SITE PLAN REVIEW

WHEREAS George & Barbara Walker have submitted application #12.08.02 requesting a Site Plan Review for the location of a pavilion, for property located at 1410 Main Rd., Town of Pembroke and identified as Tax Map #19.-1-25.11.

WHEREAS The Pembroke Planning Board has made a detailed review of the Environmental Assessment Form and accepted same at this meeting held on September 26, 2012;
NOW, THEREFORE, BE IT RESOVLED the Town of Pembroke Planning Board hereby determines that there will not be a significant impact on the environment and makes a Negative Finding of Non-Significance for the project.

On **MOTION** of negative finding by David Sabato, seconded by John Cima, the following **RESOLUTION** of Negative Finding was **ADOPTED** by roll call vote: Linda Rindell; AYE, David Sabato; AYE, Chairman Kutter; AYE, John Cima; AYE, David Knupfer; AYE.
ALL AYES-MOTION CARRIED

RESOLUTION #25 of 2012—George & Barbara Walker/SITE PLAN REVIEW

RESOLVED that said Site Plan is hereby **APPROVED** by the Town of Pembroke Planning Board with the following stipulations.

- None were imposed.

PUBLIC HEARING

Scott Waite

2141 Main Rd., Town of Pembroke

(Tax Map #16-.1-26)

Application #12.08.01

SITE PLAN REVIEW

PUBLIC HEARING opened at 8:20 pm. The Notice of Public Hearing was printed in the Batavia Daily News as well as posted on the Town's bulletin board, and that Chairman Kutter read the Affidavit of Posting and discussed the Notice to Adjoining Property Owners.

- Mr. Waite is applying for a Special Use Permit Amendment and a Site Plan Review for the construction of a 15x40 ft. addition to a vehicle sales and repair shop.
- Mr. Waite was present at the meeting.
- Zoning District is LC.
- A sketch of the project was presented.
- Genesee County Planning recommended approval.
- No neighboring letters were returned.

PUBLIC PARTICIPATION—No one spoke.

On **MOTION** made by Linda Rindell, and seconded by John Cima, the Public Hearing was CLOSED at 8:25 pm.
ALL AYES—MOTION CARRIED.

On **MOTION** made by David Sabato, and seconded by Linda Rindell the following **RESOLUTION** was **ADOPTED** by roll call vote: Linda Rindell; AYE, David Sabato; AYE, Chairman Kutter; AYE, John Cima; AYE, David Knupfer; AYE.
ALL AYES-MOTION CARRIED

RESOLUTION #26 of 2012-Scott Waite/SPECIAL USE ADMENDMENT & SITE PLAN REVIEW

WHEREAS Scott Waite has requested a Special Use Amendment & Site Plan Review for property located at 2141 Main Rd., Town of Pembroke, TM#16.-2-26 for the purpose of constructing a 600 sq. ft. addition; and

WHEREAS The Pembroke Planning Board has made a detailed review of the Environmental Assessment Form and accepted same at this meeting held on September 26, 2012;
NOW, THEREFORE, BE IT RESOVLED the Town of Pembroke Planning Board hereby determines that there will not be a significant impact on the environment and makes a Negative Finding of Non-Significance for the project.

On **MOTION** of a negative finding by David Sabato, seconded by David Knupfer, the following **RESOLUTION** of Negative Finding was **ADOPTED** by roll call vote: Linda Rindell; AYE, David Sabato; AYE, Chairman Kutter; AYE, John Cima; AYE, David Knupfer; AYE.
ALL AYES-MOTION CARRIED

RESOLUTION #27 of 2012—Scott Waite/SPECIAL USE ADMENDENT & SITE PLAN REVIEW

RESOLVED that the Special Use Amendment and the Site Plan Review is hereby **APPROVED** by the Town of Pembroke Planning Board with the following stipulations.

- None were imposed.

On **Motion** to recommend text changes to the Town Board based upon the discussion held September 26, 2012 by the Planning Board made by Linda Rindell, second to motion David Knupfer.

ROLL CALL VOTE: Linda Rindell; AYE, David Sabato; AYE, Chairman Kutter; AYE, John Cima; AYE, David Knupfer; AYE.
ALL AYES-MOTION CARRIED

DISCUSSION:

- Chairman Kutter updated the board members concerning the property located at 1633 Indian Falls Rd., TM#12.-1-5.11. The property owner has removed the tenants and has the business using the west driveway.
- The town has received additional complaints about RC. Pulsars operating a radio control plane site on Knapp Rd. A resident recently had a 3 ½ ft. helicopter crash into a tree on his property. He has also found several pieces of planes as well. Some neighboring property owners complained about constant noise in November of 2011. Shellye Dale-Hall has been in contact with RC Pulsars and the property owners since that time. Both the president Frank Dalfonso and property owners Mr. & Mrs. Miles are willing to address the issues. A meeting will be held on November 28, 2012 with the land owner, RC Pulsars, neighbors, the Town Codes Administrator and Mr. Kutter, Chairman.

NEW BUSINESS:

OLD BUSINESS:

A **MOTION** to adjourn the meeting was made by David Sabato, and seconded by Linda Rindell
ALL AYES—MOTION CARRIED

Meeting Closed at 10:03 pm.

Respectfully Submitted,

Doneen Pfalzer
Acting Recording Secretary

Richard Kutter
Planning Board Chairman

These minutes are a draft only, subject to revision and or change prior to approval by the Town of Pembroke Planning Board.