



**TOWN OF PEMBROKE
ZONING BOARD OF APPEALS
Minutes for the regular meeting held on November 20, 2013**

ATTENDANCE:

- Chairman- Nathan Witkowski
- Terrance Daniels – Vice Chairman
- David Sabato
- Richard Doktor
- Ronald Kasinski
- Diane Denton-ZBA Secretary

PUBLIC PRESENT: Yes

MEETING called to order at 7:30 pm.

A Motion to Approve the Minutes from September 18, 2013 and October 16, 2013 was made by John Sabato; second to motion made by Richard Doktor.

Voice Vote—ALL AYES—**MOTION PASSED.**

PUBLIC HEARING

Jerry Klotzbach

7856 Gorton Rd., Town of Pembroke

(Tax Map #11.-1-3.22; Zoning District: AG)

Request for **AREA VARIANCE FOR ROAD FRONTAGE**

PUBLIC HEARING called to order at 7:32pm. The Notice of Public Hearing ran in the Batavia Daily News November 9, 2013, was posted on the Town’s Bulletin Board and letters were sent to adjoining property owners.

- Jerry Klotzbach was present. He is requesting an area variance for 197.50 ft. of road frontage for the construction of a single family dwelling. He said that the road is at a slight angle of 2.5 feet, bringing the road frontage to 200 feet; which was why it was approved for the lot to be sold to him. The survey was done in May 2013.
- Chairman Witkowski reported that no replies were received from the letters sent out to neighboring properties, and that this slight variance request was being brought before the board to review and make a determination so everything was in order and covered for the future.

PUBLIC PARTICIPATION—No members of the public were present.

Motion to Close the Public Hearing made by John Sabato and seconded by Ronald Kasinski.

Voice Vote: All Ayes—motion passed.

The Public Hearing Closed at 7:35pm

On **MOTION** made by Richard Doktor and seconded by Ronald Kasinski: **to grant a 2.6” area variance for 197.50 feet of road frontage.**

ROLL CALL VOTE: David Sabato-Aye; Terrance Daniels-Aye; Richard Doktor-Aye; Ronald Kasinski-Aye; Chairman Witkowski-Aye.

ALL AYES—MOTION PASSED.

Zoning Board Decision: APPROVAL.

PUBLIC HEARING

William PyszczeK

9156 S. Lake Rd., Town of Pembroke

(Tax Map # TM# 22.-1-111; Zoning District: AG/Res)

Request for **AREA VARIANCE FOR ROAD FRONTAGE**

Required Referral to Genesee County

PUBLIC HEARING called to order at 7:36pm. The Notice of Public Hearing ran in the Batavia Daily News November 9, 2013, was posted on the Town’s Bulletin Board and letters were sent to adjoining property owners.

- William PyszczeK was present. He is requesting an area variance for 199.87 feet of road frontage for the construction of a single family dwelling. When he purchased the property, he was told by his attorneys that it was a buildable lot.
- County approved as the variance isn’t substantial and will not have a significant impact on the surrounding neighborhood. They recommended a 911 verification form be completed by Mr. PyszczeK. Chairman Witkowski him a copy.
- The property owner next door to Mr. PyszczeK was present and said that he had been told when the property was up for sell by the previous owner that the frontage was 185 feet.
- Chairman Witkowski invited him to look at the Tax Map survey, which shows 199.87 feet of road frontage. Any questioning of the survey should be addressed to the code enforcement officer. The neighbor seemed satisfied with the frontage measurement on the survey.
- There was some concern about water drainage by both Mr. PyszczeK and his neighbor. Chairman Witkowski said that Mr. PyszczeK should speak to the Highway Superintendent.

Motion to Close the Public Hearing made by John Sabato and seconded by Terrance Daniel.

Voice Vote: All Ayes—motion passed.

The Public Hearing Closed at 7:50pm

On **MOTION** made by Richard Doktor and seconded by Ronald Kasinski: **to grant a .13 ft. area variance for 199.87 feet of road frontage.**

ROLL CALL VOTE: David Sabato-Aye; Terrance Daniels-Aye; Richard Doktor-Aye; Ronald Kasinski-Aye; Chairman Witkowski-Aye.

ALL AYES—MOTION PASSED.

Zoning Board Decision: APPROVAL.

Old Business: None

New Business: Mr. Kasinski announced that he would be leaving the board as of January 1, 2014. The Chairman has received an application from Kathleen Hooligan to serve on the Zoning Board of Appeals. She is willing to serve as an alternate. William Pyszczek also expressed an interest in serving on the board.

A **MOTION** to close the meeting was made by John Sabato, seconded by Terrance Daniel.

Voice Vote—ALL AYES

MOTION PASSED

Meeting adjourned at 8:00pm.

Respectfully Submitted,
Diane Denton-ZBA Secretary
Nathan Witkowski-ZBA Chairman

These minutes were approved by the Zoning Board of Appeals 12/18/13 and are final.