



**TOWN OF PEMBROKE
PLANNING BOARD**

1145 Main Rd., Pembroke, NY 14036

Minutes for the regular meeting held on March 27, 2013

ATTENDANCE:

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

PUBLIC PRESENT:

MEETING called to order at 7:30 pm.

Chairman Schneider led the “Pledge of Allegiance”.

A MOTION to Approve the Minutes for the January 30, 2013 Planning Board Meeting was made by Linda Rindell second to motion was made by David Knupfer.

ALL AYES--MOTION CARRIED.

Public Hearing

Debra Stalker

1624 Indian Falls Rd., Town of Pembroke

(Tax Map #12.-1-68)

Application #13.02.01

Request for a **TEMPORARY SPECIAL USE PERMIT**

- Ms. Stalker is requesting a Temporary Special Use Permit to use as storage an existing mobile home during the construction of a replacement dwelling.
- Genesee County Planning recommended approval.
- A Public Hearing was not required as the request is temporary in nature.
- A timeline will be setup and followed by the applicant.

PUBLIC HEARING opened at 8:07 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 Schneider read the Affidavit of Posting and discussed the Notice to Adjoining Property Owners.

- Ms. Stalker was present at the meeting
- Zoning District is AG/R.
- A sketch of the project was presented as well as an Ariel photo of the property.
- Two neighboring property owners returned letters stating concerns about the location of the new mobile home and they would also like some restrictions for the Temporary Special Use Permit. The third letter received supported Ms. Stalker’s request.

- No utilities will be hooked up to the temporary mobile home and no one will be residing in it.

PUBLIC PARTICIPATION—No questions were asked.

On **MOTION** made by David Knupfer, and seconded by Michael Bakos, the Public Hearing was **CLOSED** at 7:40 pm.

ALL AYES—MOTION CARRIED.

On **MOTION** made by David Knupfer, and seconded by Michael Bakos the following **RESOLUTION** was **ADOPTED** by roll call vote: Michael Bakos; AYE, Linda Rindell; AYE, Chairman Schneider; AYE, Michael Herec; AYE, David Knupfer; AYE.

ALL AYES-MOTION CARRIED

RESOLUTION #8 of 2013-Debra Stalker/TEMPORARY SPECIAL USE PERMIT

WHEREAS Debra Stalker has requested a Temporary Special Use Permit for property located at 1624 Indian Falls Rd., Town of Pembroke, TM#12.-1-68 for the purpose of retaining a single wide mobile home while a replacement is under construction; and

WHEREAS The Pembroke Planning Board has made a detailed review of the Environmental Assessment Form and accepted same at this meeting held on March 27, 2013;

NOW, THEREFORE, BE IT RESOLVED 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 Michael Herec, seconded by Chairman Schneider, the following **RESOLUTION** of Negative Finding was **ADOPTED** by roll call vote: Michael Bakos; AYE, Linda Rindell; AYE, Chairman Schneider; AYE, Michael Herec: AYE, David Knupfer; AYE.

ALL AYES-MOTION CARRIED

RESOLUTION #9 of 2013—Debra Stalker/TEMPORARY SPECIAL USE PERMIT

RESOLVED that the Temporary Special Use Permit is hereby **APPROVED** by the Town of Pembroke Planning Board with the following stipulations.

- No Utilities will be connected to the pre-existing mobile home.
- The Temporary Special Use Permit will expire sixty days from the date issued.

- **DISCUSSION:** Pilot Travel Center will reconstruct the interior restrooms. They will not be expanding. The Building and Codes Administrator Shellye Dale-Hall wanted Planning Board recommendation on whether or not they should be required to obtain an Amendment to their Special Use Permit. The board concluded that because this is considered just an upgrade a Special Use Permit should not be required.

SPECIAL USE PERMIT

The Planning Board has the authority to rescind a Special Use Permit that has been abandoned for more than one (1) year. The Zoning Administration will issue a Notice of Abandonment to the owner of record of the property.

The property owners have been sent multiple letters including certified letters that they have not responded to.

1. Lou Visone TM#14.-2-28.2—Sam Pilato-cubicle rentals
David Gardner- distribution business
2. Clearwater Asset Holdings TM#15.-1-30—Jeff Schwartz-Truck wash.

On **MOTION** made by Michael Bakos, and seconded by Linda Rindell, the following **RESOLUTION** was **ADOPTED** by roll call vote: Michael Bakos; AYE, Linda Rindell; AYE, Chairman Schneider; AYE, Michael Herec; AYE, David Knupfer; AYE.

ALL AYES-MOTION CARRIED

RESOLUTION #10 of 2013 that whereas Section 708-11-D-7 of the Pembroke Zoning Law specifies that when a Special Use Permit is abandoned for more than one (1) year, the Planning Board has the authority to rescind a Special Use Permit.

WHEREAS, the Zoning Administration will issue a Notice of Abandonment to the owners of record of the properties, listed above, and that there is evidence that the Special Use permit has been abandoned.

NOW, THEREFORE, BE IT RESOLVED, the Town of Pembroke Planning Board hereby has determined that the Named Special Use Permit holders listed are hereby **REVOKED** due to inactivity.

PUBLIC PARTICIPATION:

DISCUSSION: Yancey Fancy has received a grant from the EDC for the expansion of approximately one hundred thousand square feet. The EDC will be conducting a SEQR for the property.

NEW BUSINESS:

OLD BUSINESS: Chairman Schneider, Supervisor Mileham the town attorney, several neighboring property owners have discussed the noise issue with RC. Pulsars. It appears that not all the planes are annoying the neighborhood just the ones that run with a higher rpm. So the club may enter into an agreement to limit the fly times of those types of planes. The town has planned an additional meeting for the end of April to continue discussion.

A **MOTION** to adjourn the meeting was made by Michael Bakos, and seconded by Linda Rindell.

ALL AYES—MOTION CARRIED

Meeting Closed at 8:02 pm.

Respectfully Submitted,

Doneen Pfalzer
Acting Recording Secretary
Thomas Schneider Chairman