



**TOWN OF PEMBROKE  
ZONING BOARD OF APPEALS  
Minutes for the regular meeting held on January 15, 2014**

**ATTENDANCE:**

- Terrance Daniels – Vice Chairman
- David Sabato
- Richard Doktor  
Diane Denton—ZBA Secretary

**PUBLIC PRESENT: Yes**

**MEETING called to order at 7:31 pm.**

**Vice Chairman, Terrance Daniels chaired the meeting in Chairman Witkowski's absence.**

**PUBLIC HEARING (Postponed from 12/18/13)**

**Roger Durfee**

2477 Main Rd., Town of Pembroke  
(Tax Map # 17.-2-21.1; Zoning District: MDR)

**Request for SIDE LOT AREA VARIANCE**

*Required Referral to Genesee County*

**PUBLIC HEARING** was re-opened at 7:31pm. The Notice of Public Hearing ran in the Batavia Daily News December 12, 2013, was posted on the Town's Bulletin Board and letters were sent to adjoining property owners.

- The board decided to postpone the Public Hearing first opened at the December 18<sup>th</sup> meeting, as they had questions they wanted to put to Mr. Durfee regarding his request.
- Mrs. Durfee was present. She explained that they had been keeping their snow blower in the garage of the house across the street, in exchange for plowing that property's driveway while the occupants were away in Florida. The house has since been sold, so they have lost that storage place and want to put up a shed on their own property.
- One of the questions the ZBA had was why they needed the shed to be located at the side of the house.
- Mrs. Durfee explained that they would like to put the shed there so the snow blower was easily accessible to the driveway. The shed would be 5 ft. from the side yard property line. Otherwise, they would have to put the shed far back on their property. She also mentioned that there used to be a garage where they wish to put the shed.
- According to Zoning Code, a shed needs to be 8 ft. from the property line and located at the back of the house. Therefore, two variances are needed.
- County approved the request, stating that *given there are examples of similar such setbacks in neighboring properties, the proposed shed location should not pose significant impacts.*
- The Board thought the Durfee's request was reasonable.

**PUBLIC PARTICIPATION**—No members of the public were present.

**Motion to Close the Public Hearing** made by Richard Doktor and seconded by David Sabato.

**Voice Vote:** All Ayes—motion passed.

**The Public Hearing Closed at 7:37pm**

On **MOTION** made by Terrance Daniels and seconded by Richard Doktor: **to approve two variances:**

- 1. To allow the location of the shed in the side yard.**
- 2. To allow a side yard variance of 3 ft.**

**ROLL CALL VOTE:** Richard Doktor-Aye; Terrance Daniels-Aye; David Sabato-Aye.

**ALL AYES** (All three board members present - a quorum)—**MOTION PASSED.**

**Zoning Board Decision: APPROVAL of two variances.**

**Discussion:** Kathy Hooligan had questions regarding the difference between the Zoning Board of Appeals and the Planning Board

**Old Business:** None

**New Business:**

A **MOTION** to close the meeting was made by John Sabato, seconded by Richard Doktor.

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 on March 19, 2014.*