



**TOWN OF PEMBROKE
ZONING BOARD OF APPEALS
Minutes for the regular meeting held on April 16, 2014**

ATTENDANCE:

- Nathan Witkowski — Chairman
- Terrance Daniels — Vice Chairman
- David Sabato
- Richard Doktor
- Donald Dylag
- Diane Denton — ZBA Secretary

MEETING called to order at 7:32 pm.

A Motion to Approve the Minutes from March 19, 2014 was made by Terrance Daniels; second to motion made by Richard Doktor.

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

PUBLIC HEARING Vincent & Joan Antonicelli

8427 N. Lake Rd., Town of Pembroke
(Tax Map # 14.-2-57; Zoning District: AG/RES)
Request for **AREA VARIANCE**
Required Referral to Genesee County

PUBLIC HEARING was opened at 7:33pm. The Notice of Public Hearing ran in the Batavia Daily News April 5, 2014, was posted on the Town’s Bulletin Board and letters were sent to adjoining property owners.

- One letter was received from a neighbor who had no problem with the Antonicellis’ proposed project.
- Joan and son, Stephen Antonicelli, were present. Joan and Vincent Antonicelli are requesting an area variance for the installation of a 12 ft. x 50 ft. Mobile Home in lot #9 of Antone’s Mobile Home Park. The habitable floor area would be 600 sq. ft., 120 less than the required Zoning law minimum of 720 sq. ft. The smaller size is necessary because there is an electrical meter panel at the back of the lot.
- County approved the granting of the area variance, stating that given the lot limitations and that the new mobile home would be located within an existing mobile home park, the proposed size should not pose significant impacts.
- There was a 12 ft. x 50 ft. mobile home in this lot previously. Recently updated Zoning states that a mobile home park cannot extend with an additional mobile home, but that a new home can replace an old one. So, the new mobile home would create the same non-compliance.
- Chairman wondered if the board needed to grant a variance. It was decided that it would be best to do so to cover the situation and document officially.

PUBLIC PARTICIPATION—Members of the public were present.

Motion to Close the Public Hearing made @ 7:41pm by David Sabato and seconded by Richard Doktor.
Voice Vote: All Ayes—motion passed.

The Public Hearing Closed at 7:43pm

On **MOTION** made by Terrance Daniels and seconded by Richard Doktor: **to approve the area variance based on recent changes to Section 602 D, which refers to Section 601 D 1. b, as the unit will not increase the non-conformity due to it being a replacement of an identical size mobile home.**

ROLL CALL VOTE: Richard Doktor-Aye; Terrance Daniels-Aye; David Sabato-Aye; Donald Dylag-Aye; Chairman Witkowski-Aye.
ALL AYES—MOTION PASSED.

Zoning Board Decision: APPROVAL of Area Variance.

Discussion: Mr. Doktor heard that there might be plans to put something on the west corner of the Rt. 5 and Rt. 77 intersection. The stumbling block has always been that the owner of the parcel wants too much for it.

Flying J's and the other truck stop are now wanting in on the sewer, having pooled their money together. That would re-direct it from the Industrial Park, which might affect the potential of attracting new businesses to the park.

Old Business: Discussed previous and next meeting regarding the Comprehensive Plan.

New Business: The house next to the park by the school has been purchased by the woman who owns Linda's Diner in Corfu, to turn into a restaurant.

The old Pembroke Historical Association's display cases cannot be given away because they were purchased with tax payer's money. There will probably be a garage sale for them.

A **MOTION** to close the meeting was made by David Sabato, seconded by Terrance Daniels.
Voice Vote—ALL AYES
MOTION PASSED

Meeting adjourned at 8:05pm.

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

These minutes were approved by the Zoning Board of Appeals on August 20, 2014.