



THE TOWN OF PEMBROKE PLANNING BOARD

1145 Main Rd., Pembroke, NY 14036

Minutes for the regular meeting held on August 26, 2015

ATTENDANCE:

- Chairman-Thomas Schneider
 - Linda Rindell
 - Mike Bakos
 - Richard Kutter
 - David Knupfer
 - Marie Vaughn
 - Greg Kuras
- Diane Denton-Acting Recording Secretary

PUBLIC PRESENT: Yes

MEETING called to order at 7:30pm.
Chairman Schneider led the "Pledge of Allegiance".

A MOTION TO APPROVE the Minutes from the July 29, 2015 Planning Board Meeting was made by Mr. Kuras; second to motion was made by Ms. Vaughn.

Voice Vote: ALL AYES—MOTION CARRIED.

Public Hearing

Karl & Jill Schneider/Special Use Permit

2425 Kilian Rd., Town of Pembroke

Tax Maps #17.-1-44.2

Zoning District: AG/RES

Request to operate a Bed and Breakfast for up to 2 persons

Required Genesee Country Recommendation

PUBLIC HEARING opened at 7:31pm. The Notice of Public Hearing appeared in the Batavia Daily News on August 7, 2015, an Affidavit of Posting was posted on the Town's bulletin board and letters were sent to neighboring properties.

- Karl and Jill Schneider were present. They purchased a home at 2425 Kilian Rd. that contains an in-law apartment. They would like to offer it as a Bed and Breakfast for up to two people, listing it on www.airbnb.com. The space is well-suited and there is adequate parking.
- Under the Zoning Law for AG/RES, a Bed and Breakfast, defined as a Tourist Home in which overnight accommodation is provided for profit for less than four people, is allowed with the granting of a Special Use Permit.

- County approved, stating that given the applicant will provide a turn-around/parking off the driveway, the proposed bed and breakfast should post no significant county-wide or inter-community impact.
- No one from the public was present for this application, and no letters or calls were received from neighbors within 500 feet of the property.
- At this time Mr. Schneider doesn't intend to put up a sign, although he is allowed a small one. If he decides to in the future, he will need to go through the Building Inspector.

On **MOTION** made by Mr. Knupfer, and seconded by Ms. Rindell, the Public Hearing was CLOSED at 7:45pm.

Voice Vote: ALL AYES—MOTION CARRIED.

On **MOTION** made by Mr. Bakos and seconded by Mr. Knupfer to make a **negative Declaration on the SEQR short form.**

ROLL CALL VOTE Mr. Bakos-Aye; Ms. Rindell-Aye; Mr. Kutter-Aye; Mr. Knupfer-Aye; Ms. Vaughn-Aye; Mr. Kuras-Aye; Mr. Schneider-Aye
ALL AYES-MOTION CARRIED

On **MOTION** made by Mr. Schneider and seconded by Ms. Vaughn to **APPROVE the Special Use Permit for the operation of a Bed and Breakfast under the existing Zoning Regulations and County's recommendation.**

ROLL CALL VOTE Mr. Bakos-Aye; Ms. Rindell-Aye; Mr. Kutter-Aye; Mr. Knupfer-Aye; Ms. Vaughn-Aye; Mr. Kuras-Aye; Mr. Schneider-Aye
ALL AYES-MOTION CARRIED

Land Separation and Merger

Frank Pfalzer

Meiser Rd., Town of Pembroke

Tax Maps #9.-1-32.2, 9.-1-32.1, and 9.-1-33

Zoning District: MDR

- **ON HOLD until September as new survey has not been done yet.**

Land Separation

Kathleen O'Shea

9267 Lake Rd., Town of Pembroke

Tax Map# 22.-1-55.1

Zoning District: AG/RES

- Ms. O'Shea was present. She and her sister want to sell parcel to their cousin for the building of a house. She presented a survey from 1991, but intends to have the property re-surveyed.
- Frontage meets Zoning requirements.

On **MOTION** made by Mr. Kutter and seconded by Ms. Rindell to make a **negative Declaration on the SEQR short form.**

ROLL CALL VOTE Mr. Bakos-Aye; Ms. Rindell-Aye; Mr. Kutter-Aye; Mr. Knupfer-Aye; Ms. Vaughn-Aye; Mr. Kuras-Aye; Mr. Schneider-Aye
ALL AYES-MOTION CARRIED

On **MOTION** made by Mr. Schneider and seconded by Mr. Knupfer to **APPROVE the Land Separation as presented.**

ROLL CALL VOTE Mr. Bakos-Aye; Ms. Rindell-Aye; Mr. Kutter-Aye; Mr. Knupfer-Aye; Ms. Vaughn-Aye; Mr. Kuras-Aye; Mr. Schneider-Aye
ALL AYES-MOTION CARRIED

Land Separation and Merger
Colleen Rudolph/Miller's SonShine Acres Inc.
2142 Genesee St., Town of Pembroke
Tax Map# 24.-1-54.1 and 24.-1-54.2
Zoning District: AG/RES

- Ms. Rudolph was present. Dan Miller, owner of Miller's SonShine Acres, is the current owner of the property. Ms. Rudolph gave the board a letter from him authorizing her to act on his behalf.
- This application, to cut 4.2 acres with existing house off larger parcel that Ms. Rudolph intends to purchase, is an amendment to a previous Land Separation that Mr. Miller had approved about a year ago.
- A new survey was presented.
- Area of easement is on new parcel and gives access to a landlocked field at the back, which because of wetlands can't have a driveway at its frontage.
- When the new Land Separation is completed, the old one will be dissolved.

On **MOTION** made by Mr. Kutter and seconded by Chairman Schneider to make a **negative Declaration on the SEQR short form.**

ROLL CALL VOTE Mr. Bakos-Aye; Ms. Rindell-Aye; Mr. Kutter-Aye; Mr. Knupfer-Aye; Ms. Vaughn-Aye; Mr. Kuras-Aye; Mr. Schneider-Aye
ALL AYES-MOTION CARRIED

On **MOTION** made by Mr. Schneider and seconded by Mr. Kuras to **APPROVE the Land Separation as shown on new survey, requiring appropriate parcels to be merged with appropriate parcels.**

ROLL CALL VOTE Mr. Bakos-Aye; Ms. Rindell-Aye; Mr. Kutter-Aye; Mr. Knupfer-Aye; Ms. Vaughn-Aye; Mr. Kuras-Aye; Mr. Schneider-Aye
ALL AYES-MOTION CARRIED

New Business: Mark Barden of the RC Pulsars had an inquiry for the board. He is looking for a potentially better location for the club to fly their radio-control airplanes. The board suggested he look at land on the arterial highways, i.e. Rts 77 and 5, zoned for outdoor recreation.

Old Business: None

A MOTION to adjourn the meeting was made by Mr. Bakos, and seconded by Chairman Schneider.

ALL AYES—MOTION CARRIED

Meeting Closed at 8:17pm.

Respectfully Submitted,

Diane M. Denton,

Acting Recording Secretary

Thomas Schneider Chairman

These minutes were approved by the Town of Pembroke Planning Board 9/30/15