



**TOWN OF PEMBROKE
ZONING BOARD OF APPEALS
Minutes for the regular meeting held on June 17, 2015**

ATTENDANCE:

- Nathan Witkowski — Chairman
- Terrance Daniel
- Donald Dylag
- Donald Showler
- Diane Denton — ZBA Secretary

MEETING called to order at 7:30 pm.

A Motion to Approve the Minutes from May 20, 2015 was made by Mr. Daniel; second to motion made by Mr. Dylag.

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

Public Hearing
Side Lot Area Variance/Chad Smith
Genesee St., Town of Pembroke
Tax Map #22.-1-41; Zoning District: AG/RES
Required referral to Genesee County

PUBLIC HEARING was opened at 7:37pm. The Notice of Public Hearing ran in the Batavia Daily News June 12, 2015, was posted on the Town's Bulletin Board, and letters were sent to 12 adjoining property owners within 500 feet.

- Mr. Chad Smith's father, Gary Smith, owner of TM #22.-1-41, provided a letter giving his son permission to act on his behalf.
- Neither Mr. Chad Smith and nor members of the public were present.
- The variance is needed for a large wood building left on the west portion of the property after a land separation of approximately 3 acres to create a building lot. This land separation was approved by the Planning Board in May on the condition that the side lot variance was obtained.
- No letters from the public were received; there was one phone call from a neighbor who had some questions about what Mr. Smith was intending to do with the separated property.
- County approved the application for a side lot area variance as it should cause no significant county wide or inter-community impact. County recommended that the applicant submit an application for 911 Address Verification to the Genesee County Sheriff's Office to ensure that an address is assigned that meets Enhanced 911 standards, and further recommended that the

applicant and his neighbor to the east sign a boundary line agreement to legally define the property boundary at the existing fence.

- It was suggested that a restriction be put on any approval stating that the variance was for the existing building only, and if it ever needed to be re-built it must in compliance, and, if not, a new variance would have to be applied for.
- Mr. Dylag questioned if it was necessary to put in the restriction.

PUBLIC PARTICIPATION—None

Motion to Close the Public Hearing made by Chairman Witkowski and seconded by Terry Daniel.
Voice Vote: All Ayes—motion passed.

The Public Hearing Closed at 7:45pm

On **MOTION** made by Mr. Showler, and seconded by Mr. Daniel: **to approve an 8.8 ft. side lot area variance for TM #22.-1-41 on the basis that it was approved by County and will have no significant impact on the community.**

Restriction: This variance is for the existing building only. If the building is ever re-built, it will must be in compliance or, if not, a new variance will have to applied for.

ROLL CALL VOTE: Mr. Daniel-Aye; Mr. Dylag - Nay; Mr. Showler -Aye; Chairman Witkowski-Aye.

THREE AYES, ONE NAY—MOTION PASSED.

Old Business:

New Business: Chairman Witkowski said he was probably going to attend the meeting on June 24th at County Building #2 regarding the renewal of Agricultural districts in Genesee County, and was wondering if any other board members wanted to attend.

A **MOTION** to close the meeting was made by Mr. Dylag, seconded by Mr. Daniel.

Voice Vote—ALL AYES

MOTION PASSED

Meeting adjourned at 8:05pm.

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

These were approved by the Town of Pembroke Zoning Board of Appeals July 15, 2015