



**TOWN OF PEMBROKE  
ZONING BOARD OF APPEALS  
Minutes for the regular meeting held on September 21, 2016**

**ATTENDANCE:**

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

**MEETING called to order at 7:30 pm.**

**A Motion to Approve** the Minutes from April 20, 2016 was made by Mr. Dylag; second to motion made by Mr. Showler.

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

**Public Hearing/Area Variance/Clark Holdings, Inc./Tim Hortons**

1106 Main Rd., Town of Pembroke  
Tax Map #19.-1-14.1; Zoning District: Interchange  
*Referred to Genesee County*

**PUBLIC HEARING** was opened at 7:32pm. The Notice of Public Hearing ran in the Batavia Daily News September 14, 2016, was posted on the Town's Bulletin Board, and letters were sent to adjoining property owners within 500 feet.

- Kurt Harland was present to represent Clark Holdings/Tim Hortons, who are requesting an 87.18 sq. ft. sign variance as well as a variance for 4 signs (3 on building and 1 freestanding). Code allows for 2 on-premises signs, one of which may be freestanding, total signage 100 sq. ft.
- Board discussed that a variance for too many signs and another for the size of pole sign were needed.
- Only three board members were present, so there wasn't the super-majority needed to overrule County.
- Board decided to leave Public Hearing open, with a determination tabled until the board's regular October meeting. Mr. Harland was fine with it being tabled on the expectation that if the Planning Board approved the site plan it would be on the contingency of the sign variances being approved.

**PUBLIC PARTICIPATION—No**

**Motion to leave Public Hearing Open** made by Chairman Witkowski and seconded by Mr. Dylag.

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

**Old Business: None**

**New Business:** Chairman Witkowski is stepping down from the board as he is moving to Akron and will no longer be a resident of the Town of Pembroke. Tom Schneider will see if Terry Daniel is willing to take over as Chairman. This will also create a vacancy for a regular Zoning Board of Appeals member.

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

Voice Vote—ALL AYES

**MOTION PASSED**

Meeting adjourned at 7:55pm.

Respectfully Submitted,

Diane Denton-ZBA Secretary

Nathan Witkowski-ZBA Chairman

*These minutes were approved by the Zoning Board of Appeals 10/19/16*