



THE TOWN OF PEMBROKE ZONING BOARD OF APPEALS

1145 Main Rd., Pembroke, NY 14036

Minutes for the regular meeting held on October 16, 2019

ATTENDANCE:

- Terrance Daniel — Chairman
- Don Dylag — Vice Chairman
- Margaret Tuerk
- Cherie Uebelhoer
- Donald Showler
- Joseph Meacham — Alternate
- Diane Denton, Recording Secretary

PUBLIC PRESENT: Yes

MEETING called to order at 7:00pm.
Mr. Daniels led the “Pledge of Allegiance”.

MOTION TO APPROVE the Minutes from August 21, 2019 with one correction made by Mr. Showler; Second to motion was made by Mr. Dylag.

Voice Vote: ALL AYES—MOTION CARRIED.

Public Hearing **Area Variance/Pole Barn** **Brian Metz**

9071 Boyce Rd., Town of Pembroke
Tax Map# 24.-1-10.12
Zoning District: AG/RES

PUBLIC HEARING was opened at 7:05pm. The Notice of Public Hearing ran in the Batavia Daily News October 11, 2019, was posted on the Town’s Bulletin Board, and letters were sent to adjoining property owners within 500 feet.

- Mr. Metz was present. He is requesting a 15 ft. side lot variance to construct a 30 ft. x 40 ft. pole barn off the south side corner of his house due to the location of the US Gas line and away from his septic system.
- Boyce Rd. is a Town road, so Mr. Metz’s application did not have to go to County.
- Mr. Dylag wondered why Mr. Metz didn’t put the barn somewhere else (i.e. further back) on his seven acres. Besides the obstacle of USG in the front and his septic in the back, Mr. Metz explained that further back the land drops off towards the woods and he would need a lot of fill to construct it there.
- Mr. Daniel noted that the proposed pole barn would be 500 ft. from road, not in close proximity to or lined up with any other houses and, therefore, not apt to cause any disturbance to the neighborhood in terms of visibility or noise.

Public Present: Yes—applicant

Motion to Close the Public Hearing @ 7:10pm made by Mr. Daniel and seconded by Mr. Dylag.
Voice Vote:

ALL AYES-MOTION CARRIED

On **MOTION** made by Mr. Dylag and seconded by Mr. Showler to grant a 15ft. side lot variance as it won't affect other residences.

ROLL CALL VOTE: Ms. Tuerk-Aye; Mr. Daniel-Aye; Ms. Uebelhoer-Aye; Mr. Dylag-Aye; Mr. Showler-Aye;

Five (5) AYES; Zero (0) NAYS—**MOTION CARRIED**

Public Hearing
Area Variances/Two-car Garage
Frank and Rolene Meldrum

2189 Main Rd., Town of Pembroke

Tax Map# 17.-1-89

Zoning District: LC

Required referral to County

PUBLIC HEARING was opened at 7:16pm, motion made by Mr. Dylag, second to motion by Ms. Tuerk. The Notice of Public Hearing ran in the Batavia Daily News October 11, 2019, was posted on the Town's Bulletin Board, and letters were sent to adjoining property owners within 500 feet.

- Mr. and Mrs. Meldrum were present. Currently, the property doesn't have a garage. The Meldrums wish to have cover for their cars, especially in the winter. They would like to build a 24 ft. x 24 ft. two-car garage behind an existing concrete parking area to the front and side of their house. This would require three variances: 1) 30 ft. front yard variance; 2) 24 ft. side lot variance; 3) variance to put garage in front of house.
- County approved with a modification: that the applicant relocate or reduce the size of the garage to allow for at least a two ft. side yard setback to allow for proper maintenance of the garage without having to trespass onto the adjacent property.
- The Meldrums stated that their neighbor didn't have a problem with them going on his property, or even taking down a few trees.
- Mr. Daniel noted that there were no properties in the area as close to the road or property line as the Meldrums' initial proposal. He also felt that putting garage so close to the road could pose a safety hazard.
- Mr. Daniel said that variances were only given for unique situations. Options were discussed to eliminate the need for some variances and reduce the side lot variance:
 - The Meldrums buy 15-20 ft.—the more the better—of property from their neighbor, so the garage could be moved back and alongside their home.
 - Build a one-car garage instead.
 - Attach the garage to the house.
 - Move the garage to the back of the house, moving a prefab shed currently there, and extending the driveway back to it.

- The Meldrums said they had to consider the cost of the options but were willing to look at them. They just wanted to get the process started and didn't intend to build the garage until next year, after the winter.
- Mr. Daniel suggested the Public Hearing be left open until the ZBA's November meeting to give the Meldrums time to look at the options and decide what they wanted to do. The Meldrums agreed.

Public Present: Yes—applicants

Motion to keep the Public Hearing open made by Ms. Uebelhoer and seconded by Ms. Tuerk.

Voice Vote:

ALL AYES-MOTION CARRIED

Old Business: None

New Business: None

A MOTION to adjourn the meeting was made by Mr. Dylag and seconded by Mr. Showler.

Voice Vote:

ALL AYES—MOTION CARRIED.

Meeting Closed at 7:38pm.

Respectfully Submitted,

Diane Denton, Recording Secretary

Terrance Daniel, Chairman

These minutes were approved by the Town of Pembroke Zoning Board of Appeals November 20, 2019