

TOWN OF PENDLETON
ZONING BOARD OF APPEALS
February 28, 2017 Meeting

Members:

Wolfgang Buechler, Chairman
Lee Daigler
James Schlemmer
James G. Meholick, Secretary
Dennis Welka

The ZBA open regular meeting was called to order by Mr. Wolfgang Buechler at 7:15 PM. ZBA members Mr. Buechler, Mr. Daigler, Mr. Meholick & Mr. Welka were present at the meeting. No changes were made to the ZBA agenda submitted by Wolfgang Buechler.

PUBLIC HEARINGS:

Howard Urban
6856 Transit Road
Pendleton, New York

APPLICATION FOR VARIANCE of the provisions of the Zoning ordinance of the Town of Pendleton to construct a high temperature air dome at a maximum height of 60 ft. where the maximum allowed is 35 feet per Town Code. The variance request would be 25 ft. as per Town Code §247-13.J. The property is 155.4 acres and is CO-2 medium commercial zoning.

Mr. Rick Kech & Mr. Bryan Caudill, owners of the Dugout at the above address, were present at the meeting. Mr. Kech presented the Town of Pendleton Building Inspector's denial; site survey with the proposed air dome structure location; side, top & front view drawing of the air dome; and several photographs of the used air dome.

Mr. Kech indicated that the air dome would allow them to have volleyball leagues in the winter that would increase their bar & restaurant business during this slow time of the year. The 205 ft. length x 120 ft. width x 60 ft. height air dome would not be used for golf, but would house four volleyball courts. The proposed location would be approximately 105 ft. from the edge of the ditch and would be configured length wise to Transit Road. It was indicated that the light standards in front of the ball fields were at a height of 60 feet. The front parking lot was the preferred location as it would support the foundation. There are woods behind the ball fields which would prevent locating the air dome in this location, and would be more expensive as they would have to install a foundation that doesn't currently exist.

Mr. Buechler requested that Mr. Kech provide a document from Mr. Howard Urban confirming that they can install the air dome on the property and that they represent Mr. Urban.

All ZBA members stated that they had driven by or visited the property.

The public hearing was closed at approximately 7:40 PM.

Ethan & Marian Blanton
5761 Dunnigan Road
Pendleton, New York

APPLICATION FOR VARIANCE of the provisions of the Zoning ordinance of the Town of Pendleton to construct a 24 ft. x 14 ft. (336 sq. ft.) accessory structure at a front yard setback of 100 ft. where the minimum allowed is 150 feet per Town Code. The variance request would be 50 ft. as per Town Code §247-34.F(2)(a). The property is 1.43 acres and is R-2 medium density residential zoning.

Mr. Blanton presented the Town of Pendleton Building Inspector's denial, a site survey with the proposed accessory structure location, picture of the proposed shed, photographs of the front & back of his property, and a Google Earth photograph of the neighborhood. Mr. Blanton indicated that there was approximately 450 ft. of mature woods behind his home which prevented the accessory structure from being located further back in his property. The shed would be installed length wise to the property & parallel to his house.

All ZBA members stated that they had driven by or visited the property.

The public hearing was closed at approximately 8:00 PM.

REGULAR ZBA MEETING:

Review Minutes from Prior Meeting:

A motion was made by Dennis Welka to accept the minutes of the January 24, 2017 meeting and was seconded by Lee Daigler. All voted in favor.

Specific Board Deliberation Actions:

Howard Urban
6856 Transit Road
Pendleton, New York

A motion was made by Mr. Welka to table the deliberation in order to see the location of the accessory structure on the property, and was seconded by Mr. Meholick. All voted in favor.

Ethan & Marian Blanton
5761 Dunnigan Road
Pendleton, New York

A motion was made by Mr. Welka to table the deliberation in order to see the location of the accessory structure on the property, and was seconded by Mr. Meholick. All voted in favor.

Correspondence:

1. Town proposal for alternate members of the Planning Board & Zoning Board of Appeals.
2. Letter to Mike Thomas regarding a building permit for the compressor station project.

Special Topics:

1. The ZBA board reviewed the referral requirement to the Niagara County Planning Board.
2. The ZBA board reviewed the notification requirement to neighboring municipalities.

Miscellaneous ZBA Topics:

1. The next scheduled meeting will be on Tuesday, March 28, 2017, at 7:00PM.

A motion was made by Dennis Welka to adjourn the meeting at 9:10 PM, and seconded by Wolf Buechler.

Submitted for:

James G. Meholick
Secretary

Attachments: Available for review in the Town Clerk's Office