Town of Pendleton, NY
Zoning Board of Appeals (ZBA)
Meeting Agenda – November 17, 2026
Pendleton Town Hall - 7:00 PM

1. Public Hearings
    a. **Joseph Snyder** — Continued
    6600 West Canal Road, Lockport, NY 14094.
        - Owner proposes a 10’ x 24’ shed, 85’ from West Canal Road (150’ required, §247-34F(2)(a)) and 30’ from Bear Ridge Road (43’ required, §247-26). R-2 residential; 1.3-acre irregular corner lot. Total relief sought: 65’ West Canal front and 13’ Bear Ridge street-side setback area variances. Public hearing continued from October 27, 2026 for further consideration of the application.

    b. **Matthew McClelland** — Continued
    4899 Beach Ridge Road, Lockport, NY 14094.
        - Owner proposes a 12’-wide concrete driveway extension to the rear pole barn, 1’ from the side lot line where 5’ is required (§247-11E(1)(a)). R-2 residential; 2.07 acres. Total relief sought: 4’ driveway side yard setback area variance. Public hearing continued from October 27, 2026.

2. Open regular meeting of ZBA

3. Changes to agenda

4. Review minutes from prior meeting(s)
    a. October 2026

5. Deliberation on Hearings
    a. Snyder
    b. McClelland

6. Review Correspondence

7. Special Topics

8. Miscellaneous ZBA items:
    a. Next Meeting/Attendance:
        - Next meeting 12/15/2026 at 7:00 PM, Pendleton Town Hall.
    b. Comments: ZBA members, Legal, Building Dept, Public

9. Adjournment

Area Variance Considerations

1. Benefit to applicant vs Detriment to community
2. Mandatory considerations:
    a. Will the granting of the variance result in an undesirable change to the character of the neighborhood or will it be detrimental to nearby properties
    b. Are there alternative solutions that would not require a variance
    c. Is the requested variance substantial
    d. Will the variance have an adverse effect on the physical or environmental conditions in the neighborhood or district
    e. Is the applicant's difficulty self-created

Use Variance Requirements

No such use variance shall be granted by a board of appeals without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the board of appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located,

(1) the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;
(2) that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
(3) that the requested use variance, if granted, will not alter the essential character of the neighborhood; and
(4) that the alleged hardship has not been self-created.