

**PLANNING BOARD
TOWN AND VILLAGE OF ARCADE
17 Church Street, Arcade, New York 14009
Village Office (585) 492-1111
Town Office (585) 492-4685**

At a meeting of the Planning Board of the Town and Village of Arcade held on Wednesday, June 11, 2008 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

MEMBERS PRESENT: Acting Chairman Donald Suttell, Dan Meyers, and Tom Mason

MEMBERS ABSENT: Paul Bijhouwer, Andy Schnitzler

OTHERS PRESENT: Don and Jennifer Schwab
Tom Beiersdorf, Fire Chief
Paul Burkett, Deputy Mayor

The meeting was called to order at 7:00 P.M. by Acting Chairman Don Suttell.

APPROVAL OF MINUTES:

MOTION by Tom Mason, seconded by Dan Meyers and unanimously carried, to accept the minutes of the meeting of April 9, 2008.

ZONING BOARD OF APPEALS REQUESTS RECOMMENDATION AND COMMENT ON AREA VARIANCE, SBL NO. 161.-1-11.112, SUBMITTED BY DONALD SCHWAB, REQUESTING CONSTRUCTION OF A ONE-STORY, TWO-CAR GARAGE ON PROPERTY LOCATED AT 6641 NORTHWOODS ROAD, NOT IN COMPLIANCE WITH ZONING LOCAL LAW SECTION 404 (8), MINIMUM SIDE YARD DIMENSION OF 35 FEET:

Mr. and Mrs. Schwab stated:

1. They staked out the garage, moving it towards the house by 9 feet and it does not look right in that position. It does not look balanced and they do not want to ruin the look of the property and decrease its value.
2. It will improve the look of the property, being sided to match the house.
3. The drawing indicates the side yard as 20 feet. It is actually 23 ½ feet.
4. The driveway does not presently extend to the proposed garage. They will extend and pave it.
5. They built the house 6 years ago.

6. There are no structures on the property next door. It is wooded and used for recreational use.
7. They have not talked to the neighboring property owners to get their opinion.
8. There is presently a garage attached to the house, however it is not large enough to house Mr. Schwab's work truck. They also have two teenage drivers and would like to be able to house all their vehicles inside during the winter.

The Board stated:

1. Zoning regulations were in place when the applicant built the house. When obtaining a building permit it must have been indicated to them the requirements for side yard. They have created the problem.
2. The applicant must show a hardship. Having 20 acres on which to build is not presenting a hardship.
3. The 23 foot proposed side yard seems to be a lot compared to properties in the Village, however the adjacent property owner needs to be considered. The Board would like to know the opinion of that neighbor.
4. When asked if the garage could be deeper and narrower so that the garage doors could be placed on the side the applicant stated there would not be enough room to swing his work truck into and out of the garage.
5. The Board suggested building the garage so that vehicles could be parked in tandem. The applicant stated that because of everyone's work schedules it would be very inconvenient to have to jockey vehicles.

MOTION by Dan Meyers, seconded by Tom Mason and unanimously carried to recommend the following to the Zoning Board of Appeals: If there are no objections from the adjacent property owner or any others at the Public Hearing scheduled for Monday, June 16th, the Area Variance be approved.

PRESENTATION BY TOM BEIERSDORF REGARDING PROPOSED SIGN FOR ARCADE FIRE DEPARTMENT LOCATED ON ROUTE 98 NORTH:

Mr. Beiersdorf, Chief of the Arcade Fire Department, presented plans for a new sign to be located at the Arcade Fire Hall.

1. The proposed sign will be similar to the sign recently erected at the New St. Mary's parish on Main Street. It will be 5' x 8' and high enough off the ground not to be blocked by snow. It will be lighted.
2. The Village owns the property and the building that houses the Fire Department. The A & A Railroad owns the property on which the sign will be placed. The Village Attorney is completing a lease agreement with the A & A for the approximate cost of one dollar per year to be paid by the Fire Department. The lease will be signed by the Village.
3. The sign will be placed 35 feet from the center line of Rte. 98 between the tracks

and the ditch. It will be far enough away from the driveway as not to block the sight of drivers exiting the driveway. It is approximately 100 feet from the A & A sign.

4. Chief Beiersdorf has met with Larry Kilburn, Supt. of Public Works, to complete the plot diagram. The present sign is in disrepair and the new sign will be a big improvement to the looks of the property.
5. Although municipalities are exempt from zoning regulations, Deputy Mayor Burkett stated that regulations will be followed as much as possible. The Fire Department and the Village Board have worked closely planning the sign.

MOTION by Don Suttell, seconded by Dan Meyers, and unanimously carried, to allow the Arcade Fire Department to move forward in conjunction with the Village Board regarding plans and construction of the proposed sign to be located at the Arcade Fire Hall on Route 98 N.

IN OTHER BUSINESS:

Regarding the Arcade Business Park located on Rte. 98 N:

1. An email has been received from Tim Webber of Clark Patterson Lee which stated:
“We have come to an agreement with one of the neighbors and will be discharging the retention pond directly to the NYSDOT right-of-way. As compensation, the Wyoming County IDA has agreed to install portions of the laterals needed to serve this home.” A PDF of the changes was attached to the email.
2. An email has been received from the Town Clerk which stated:
“At the Town of Arcade’s Board meeting held on June 9, 2008, Highway Supervisor Lester reported the TOA has not received a final report on the Arcade Business Park road. The coring of the road was done by a third party company and was not accepted by the TOA as of June 9, 2008.

ADJOURNMENT:

There being no further business brought before the Board, the meeting adjourned at 7:59 P.M. upon **motion** by Tom Mason, seconded by Dan Meyers and unanimously carried. The next regular meeting of the Planning Board of the Town and Village of Arcade will be held on Wednesday, July 9, 2008 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter
Secretary