

**ZONING BOARD OF APPEALS  
TOWN AND VILLAGE OF ARCADE  
17 Church Street, Arcade, New York 14009  
(585) 492-1111**

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At a meeting of the Zoning Board of Appeals of the Town and Village of Arcade, held on Monday, April 16, 2007 in the Village Boardroom, 17 Church Street, Arcade, New York:

**MEMBERS PRESENT:** Jeff Snyder, Gordon Cramer, Paul Sanders, Lee Ameis,  
Doug Eigenbrod

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Marv Zielonka, ZEO; Tom Flint, Floyd Braun,  
Bradley Lons

Chairman Snyder called the meeting to order at 7:02 P.M., followed by introductions of Board Members, ZEO and Secretary.

**APPROVAL OF MINUTES:**

**MOTION** by, Paul Sanders, seconded by Doug Eigenbord and unanimously carried, to approve the minutes of the meeting of February 2007.

**AREA VARIANCE APPLICATION, PERMIT NO. 1878-ZBA, SUBMITTED BY  
BRADLEY LONS, REQUESTING DIVISION OF LOT AT 219-221 LIBERTY  
STREET INTO TWO LOTS NOT IN COMPLIANCE WITH SECTION 412(4)  
MINIMUM LOT WIDTH:**

Chairman Snyder explained the variance procedure. If the application is deemed complete at this meeting, it is then forwarded to the appropriate Planning Boards for recommendation and comments and a Public Hearing will be scheduled for the next meeting. The ZBA then has up to 61 days to render a decision.

The Board reviewed and read from the application (See Attachment A).

In discussion:

1. The Board noted that according to the deed and survey there is sufficient frontage on the south (161 feet) for both lots to be in compliance with the 80' required by Local Zoning Law. Mr. Lons stated he was told they were two lots when he purchased the property.

2. Across the back, one lot would only be inches short of being in compliance. Surveyors indicate on their maps “within 1-3 feet either way”. Those few inches are not an issue.
3. The Board suggested to Mr. Lons to have the property resurveyed, dividing the lot so that the lot with just the garage is in compliance. This would give the lot increased value and salability. The remaining lot with the house will still meet side yard set backs.
4. If and when Mr. Lons decides to sell the lot with the garage, the DEC could be contacted for a new curb cut for the driveway to that lot.
5. Once the lots are resurveyed, divided and deeded, the Village will have to correct its’ records. There is a discrepancy of approximately 8 feet between the survey/deed and the Village records across the back.

Upon recommendation of the Board, Mr. Lons withdrew his application for an area variance and will proceed as indicated above.

**AREA VARIANCE APPLICATION, PERMIT NO. 1883-ZBA, SUBMITTED BY KOIKE ARONSON, INC., REQUESTING ADDITION TO AN EXISTING MANUFACTURING PLANT AT 635 WEST MAIN STREET, NOT IN COMPLIANCE WITH SECTION 430 (7) MINIMUM SIDE YARD DIMENSION TO RESIDENTIAL LOT:**

The Chairman explained the procedure for an Area Variance. The Board reviewed and read from the application (See Attachment B).

In discussion:

1. The proposed addition will be 16,100 sq. feet and will house a new product line.
2. The zoning is appropriate except for the neighboring non-conforming house in the LI district. Zoning calls for 100 feet side yard setback. The proposed addition will only have 40 feet.
3. The house is owned by multiple owners and they do not wish to sell the property to Koike Aronson at this time.
4. This plan will have the least impact. The addition can not be added to the back due to the railroad tracks.
5. The addition will not be directly next to the house. The house is towards the front of the property and the addition to the back.
6. The applicant will be requesting a new four-way stop light at the Tops entrance so that their driveway can make use of it. Some of the existing driveways into the plant will then be closed making for safer traffic flow.

**MOTION** by Paul Sanders, seconded by Gordon Cramer, and unanimously carried, to accept Area Variance Application, Permit No. 1883-ZBA, submitted by Koike Aronson, Inc., as complete and determined it to be a Type II Action under SEQR, 617.5 (12). The

Board directed the Secretary to forward the application to both the Wyoming County and Arcade Planning Boards for recommendation and comment, and further, directed the Secretary to publish a Public Hearing to be held at 7:00 P.M. on Monday, May 21, 2007, in the Village Boardroom, 17 Church Street, Arcade, New York.

**AREA VARIANCE APPLICATION, SBL NO. 182.1-30-1, SUBMITTED BY PIONEER CHRISTIAN FELLOWSHIP CHURCH, REQUESTING CONSTRUCTION OF AN ADDITION TO AN EXISTING BUILDING LOCATED AT 303 RTE. 39 WEST, NOT IN COMPLIANCE WITH SET BACK:**

The Chairman explained the procedure for an area variance.

The Board reviewed and read from the application (see Attachment C).

In discussion:

1. The Secretary informed the Board that a Site Plan Application had been approved by the Planning Board but had to be rescinded when it was discovered the Church did not own the piece of property adjacent to the proposed addition. The Planning Board then directed Mr. Braun to apply for the area variance. The Planning Board has done the SEQR.
2. The proposed addition will make use of an existing foundation, thus saving the applicant both money and time.
3. The addition will be used for the storage of tables, chairs, Sunday school supplies, etc. and will be a non-habitable area.
4. Owner of the adjacent property, Coldsprings, uses their property mainly for parking of construction vehicles and uses their alternate driveway off Hurdville Road to access the property.

**MOTION** by Paul Sanders, seconded by Lee Ameis, and unanimously carried, to accept as complete Area Variance Application, SBL No. 182.1-30-1, submitted by Pioneer Christian Fellowship and directed the Secretary to forward the application to both the Wyoming County and Arcade Planning Boards for recommendation and comment, and further, directed the Secretary to publish a Public Hearing to be held at 7:00 P.M. on Monday, May 21, 2007, in the Village Boardroom, 17 Church Street, Arcade, New York.

**IN FURTHER BUSINESS:**

The Secretary distributed information to Board members regarding training sessions approved by the Village Board that they could attend. She also distributed information regarding proposed training that may be held in two-hour sessions in the evening in the Village Boardroom, over the course of a three month time period.

Board members indicated that they would be interested in an overview of Zoning Board duties and responsibilities, the Area Variance process and SEQR. The Secretary was directed to forward this information to Village officials.

**ADJOURNMENT:**

There being no further business brought before the Board, the meeting adjourned at 8:15 P.M. upon **motion** by Paul Sanders, seconded by Doug Eigenbrod, and unanimously carried. The next regular meeting of the Zoning Board of Appeals will be held on Monday, May 21, 2007, at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter  
Secretary