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

At a meeting of the Zoning Board of Appeals of the Town and Village of Arcade held on Monday, November 19, 2007 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

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

MEMBERS ABSENT: None

OTHERS PRESENT: ZEO Marvin Zielonka, Mike Driver, Bill Whitney

Chairman Snyder called the meeting to order at 7:00 P.M. followed by introductions of Board Members, Zoning Enforcement Officer and Secretary.

APPROVAL OF MINUTES:

MOTION by Doug Eigenbrod, seconded by Paul Sanders and carried four yes votes to one abstention, to accept the minutes of the meeting of September 17, 2007. Gordon Cramer abstained as he was not present at that meeting.

AREA VARIANCE APPLICATION, PERMIT NO. 1933-AV, SUBMITTED BY BLUE SEAL FEEDS, INC., REQUESTING CONSTRUCTION OF PRODUCT STORAGE TOWERS NOT IN COMPLIANCE WITH SECTION 806 (11), MAXIMUM HEIGHT, LOCATED AT 50 WILLIAMS STREET:

Chairman Snyder explained the application procedure and that the Board had up to 61 days to render a decision.

Chairman Snyder read the application (see Attachment A). The Board reviewed the plans.

In discussion:

1. Blue Seal would like to begin construction as soon as possible with concrete being poured by January 1, if possible, pending permitting processes.
2. The storage tanks are used and coming from a closed facility.
3. Two tanks will be 14' x 60' and two tanks will be approximately 12' x 48'. The

existing storage tanks on site are taller.

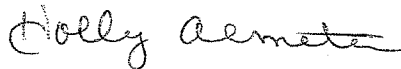
4. The Board reviewed the recommendation from the Planning Board which stated that "...the Area Variance be approved with an extension of six months for completion. There will be no significant change in the characteristic of the neighborhood and no visual impact. Existing tanks are of a larger size. Further, the Planning Board recommends to the ZBA that they follow the lead of the Planning Board by amending the application to include all four tanks."
5. The Board agreed that all four tanks should be included in the Variance Application and the additional two tanks were added.
6. The Board reviewed SEQR which has been completed by the Planning Board.
7. The Board reviewed the minutes of the Planning Board meeting of November 14, 2007 and agreed with their conclusions.

MOTION by Paul Sanders, seconded by Lee Ameis and unanimously carried, to accept as complete Area Variance Application, Permit No. 1933-AV, submitted by Blue Seal Feeds, Inc., requesting construction of two product storage towers, 14' x 60' and two towers approximately 12' x 48', located at 50 Williams Street. Further, the secretary was directed to forward the application to the Wyoming County Planning Board for recommendation and comments and to publish a Public Hearing to be held on Monday, December 17, 2007 at 7:00 P.M. in the Village Boardroom.

ADJOURNMENT:

There being no further business brought before the Board, the meeting adjourned at 7:18 P.M. upon **motion** by Lee Ameis, seconded by Gordon Cramer and unanimously carried. The next regular meeting of the Zoning Board of the Town and Village of Arcade will be held on Monday, December 17, 2007 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,



Holly L. Almeter
Secretary

Corrected 11/19/07

Permit # _____
SBL# _____

Criteria for AREA VARIANCE

Please complete the following questions in as much detail as possible.
PLEASE PRINT Continue answers on other side if necessary.

1. Is it possible to achieve your project by any other feasible means? Please explain.
No - This is EXPANSION of dry ingredient storage -
allowing expansion of present product line

2. Will your project cause an undesirable change in the characteristic of the neighborhood or to nearby properties? Please explain.
No - Similar structures are already next to this AREA

3. Is this a substantial (major) project? Please explain.
No, 1436 sq ft concrete pad - 2 welded steel dry
product tanks - 14' diameter by 60' high
and 2 12' x 48' tanks

4. Will your project have any negative physical or environmental effects? Please explain.
No

5. Have you caused the problem that you are requesting to change? Please explain.
No - This is simply AN EXPANSION of dry product storage
to allow AN EXPANSION of products sold
There are used tanks (2-14x60) and the two 12x48 may be
either new or used.

Michael A. Pover - Plant Mgr.
Signature of Applicant Blue Seal Feeds Inc

11/5/07
Date