

**ZONING BOARD OF APPEALS
TOWN AND VILLAGE OF ARCADE
17 Church Street, Arcade, New York 14009
Village Office (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, November 16, 2009 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

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

MEMBERS ABSENT: None

OTHERS PRESENT: ZEO Marvin Zielonka, Kermit and Shirley Haggerty

The meeting was called to order at 7:00 P.M. by Chairman Snyder, followed by introductions of Board members, the ZEO and the Secretary.

APPROVAL OF MINUTES:

MOTION by Doug Eigenbrod, seconded by Paul Sanders and carried three yes votes to two abstentions, to accept the minutes of the meeting of October 19, 2009. Jeff Snyder and Gordon Cramer abstained as they were not present at that meeting.

PUBLIC HEARING FOR AREA VARIANCE APPLICATION, SBL NO. 193.-2-2, SUBMITTED BY BRIAN STRAUSS, REQUESTING A 20' X 24' ADDITION TO AN EXISTING GARAGE NOT IN COMPLIANCE WITH SIDE AND REAR SETBACK REQUIREMENTS, AT 231 LIBERTY STREET:

The Chairman explained the purpose of the Public Hearing to the public.

The Chairman opened the Public Hearing.

In discussion:

1. The recommendation from the Arcade Planning Board was read. Since the lot size and the existing buildings on the lot were established before zoning went into effect and it is not possible to comply with the laws that are now in existence, the Planning Board recommends approval of the variance.
2. The recommendation and comments from the Wyoming County Planning Board were read (see Attachment A). They recommended approval.

The Chairman asked if there were any comments from the Public.

1. Shirley Haggerty stated that they had no objections to the addition to the garage not being in compliance with side and rear yard setbacks.
2. There were no other comments from the Public or the Board.

MOTION by Lee Ameis, seconded by Paul Sanders and unanimously carried, to close the Public Hearing for Area Variance, SDL No. 193.-2-2.

MOTION by Lee Ameis, seconded by Gordon Cramer and unanimously carried to approve Area Variance SBL No. 193.2-2, submitted by Brian Strauss, requesting construction of an addition to an existing garage at 231 Liberty Street not in compliance with side and rear yard setbacks as the size of the property allows for no other place for the addition and the size of the lot was established before zoning went into effect.

Board Members' Reasons:

Jeff Snyder – Voted yes. To accommodate the required storage space considering the size of the lot, this is the only option.

Doug Eigenbrod – Voted yes. The design of the addition will be appealing and the placement is the only option available.

Lee Ameis – Voted yes. Considering the size of the lot there are no other options and the addition will be constructed to blend with the existing garage.

Paul Sanders – Voted yes. The look of the addition will fit with the property and the added indoor storage will keep items from sitting in the yard.

Gordon Cramer – Voted yes. I agree that it is the only option available.

ADJOURNMENT:

There being no further business brought before the Board, the meeting adjourned at 7:20 P.M. upon **motion** by Jeff Snyder, seconded by Doug Eigenbrod and unanimously carried. The next regular meeting of the Zoning Board of Appeals is scheduled for Monday, December 21, 2009 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter
Secretary