

ZONING BOARD OF APPEALS
Town and Village of Arcade
17 Church Street, Arcade, NY 14009
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At a meeting of the Zoning Board of Appeals of the Town and Village of Arcade held on Monday, January 17, 2011 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

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

MEMBERS ABSENT: None

OTHERS PRESENT: Glenn Maue, Timothy Berger, and ZEO Marv Zielonka

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

APPROVAL OF MINUTES:

MOTION by Doug Eigenbrod, seconded by Lee Ameis and unanimously carried to accept the minutes of the meeting of December 20, 2010.

PUBLIC HEARING FOR AREA VARIANCE APPLICATION, SBL NO. 183.-1-55.11, SUBMITTED BY TIMOTHY BERGER, REQUESTING TO REPLACE AN EXISTING SIGN AT SPRUCE RIDGE GOLF COURSE LOCATED AT 798 GENESEE ROAD, NOT IN COMPLIANCE WITH TOWN ZONING LAW SECTION 805, SIZE EXCEEDING MAXIMUM OF 4 SQ. FT. IN AN AGRICULTURAL DISTRICT:

1. The Chairman read the application and the Criteria for Area Variance submitted by the applicant.
2. The Board reviewed the recommendation and comments from the Wyoming County Planning Board (WCPB) and the Arcade Planning Board. (See Attachments A and B).
3. The Chairman explained the public hearing and variance process.

MOTION by Paul Sanders, seconded by Lee Ameis and unanimously carried, to open the Public Hearing at 7:04 P.M. for Area Variance Application, SBL No. 183.-1-55.11, submitted by Timothy Berger, requesting to replace an existing sign at Spruce Ridge Golf Course located at 798 Genesee Road, not in compliance with Town Zoning Law, Section 805, size exceeds maximum of 4 sq. ft. in an Agricultural District.

The Public was asked if there were any comments.

In Discussion:

1. Chairman Snyder asked the owner if he was concerned about erecting the sign with 23k gold ball tops and the possibility of someone stealing them. Tim Berger explained that the balls were painted with 23k gold paint and affirmed that the balls were not solid gold.
2. Chairman Snyder asked the owner if he intended to install lights at the time of constructing the new sign. Tim Berger replied, not at this time. Currently, Mr. Berger is more concerned about passersby seeing it in the day time. He may consider installing a low voltage solar light in the future. Chairman Snyder understood Mr. Berger's reasoning and acknowledged that golf is a day time sport but given the fact that the golf course is not visible from the road Chairman Snyder highly recommended that the owner consider installing lights to improve the businesses visibility at night when motorists pass.
3. Glenn Maue (Genesee Road neighbor) commented that neither he nor any of the neighbors have any opposition to the new, larger sign. Mr. Maue expressed his disapproval of large, neon, bright, flashing lights, but agreed that some lighting would be beneficial. On behalf of other neighbors that were not able to attend the public hearing, Glenn pointed out that neighbors were impressed that owner, Timothy Berger, contacted each of them before proceeding with the sign to obtain their feedback and support.

There being no further comments or concerns, **MOTION** by Doug Eigenbrod, seconded by Paul Sanders and unanimously carried, to close the Public Hearing at 7:08 P.M.

MOTION by Lee Ameis, seconded by Paul Sanders and unanimously carried, to approve Area Variance Application, SBL No. 183.-1-55.11, submitted by Timothy Berger, requesting to replace an existing sign at Spruce Ridge Golf Course located at 798 Genesee Road, not in compliance with Town Zoning Law Section 805, size exceeding maximum of 4 sq. ft. in an Agricultural District based on the fact that the existing position of the sign cannot be viewed from the road and the increase in sign size is needed for the good of the business and to direct people to the location of the golf course.

Board Members' Reasons:

Jeff Snyder: Voted yes – Chairman Snyder is in favor of the sign as presented to the ZBA because of the characteristics of the neighborhood, the location of the golf course being hidden by the woods and the fact that the golf course is not visible from the road. Chairman Snyder further understands the need for advertising at this location to raise awareness of the business.

Doug Eigenbrod: Voted yes – Mr. Eigenbrod agreed with the sign because neighbors indicated that they have no objections to the sign. In addition, there was an existing sign there and Mr. Berger is merely making it slightly larger.

Lee Ameis: Voted yes – The fact that the existing position of the sign cannot be viewed from the road and the increase in sign size is needed for the good of the business and to direct people to the location of the golf course.

Paul Sanders: Voted yes – Mr. Sanders is in favor of the sign simply because it will help direct folks to the location of the golf course and enhance the business.

Gordon Cramer: Voted yes – Mr. Cramer is in accord with the sign to improve awareness of the business.

IN OTHER BUSINESS:

1. Village Clerk/Treasurer Pam Beiersdorf informed the ZBA Members that the Village had recently adopted a revision to the Zoning Local Law. One hardcopy was presented to the ZBA Secretary. Additional hardcopies will be distributed to each ZBA Member once the law has been officially filed with the NYS Department of State. In addition, Clerk Beiersdorf advised the Board that an electronic copy of the newly revised law is available on the Village's website at <http://www.villageofarcade.org/departments/planning-zoning.html>

ADJOURNMENT:

There being no further business brought before the Board, the meeting adjourned at 7:17 P.M. upon **MOTION** by Paul Sanders, seconded by Doug Eigenbrod and unanimously carried. The next regular meeting of the Zoning Board of Appeals of the Town and Village of Arcade is scheduled for Monday, February 21, 2011 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Pam Beiersdorf
Acting Secretary