

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

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At a meeting of the Zoning Board of Appeals of the Town and Village of Arcade held on Monday, February 18, 2013 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

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

**MEMBERS ABSENT:** Lee Ameis

**OTHERS PRESENT:** George Hudson, Amanda Hudson, Ty Hudson, Sandra Dutton, Amanda Snyder

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

**APPROVAL OF MINUTES:**

**MOTION** by Paul Sanders, seconded by Doug Eigenbrod and carried three yes votes to one abstention, to accept the minutes of the meeting of March 19, 2012. Gordon Cramer abstained as he was not present at that meeting.

**AREA VARIANCE APPLICATION, PERMIT NO. 2168-AV, SUBMITTED BY GEORGE HUDSON, REQUESTING CONSTRUCTION OF A TWO-CAR GARAGE NOT IN COMPLIANCE WITH SECTION 412, NO. 9 OF VILLAGE ZONING LAW, AT PROPERTY LOCATED AT 96 EAST MAIN STREET:**

The Chairman explained the procedure for an Area Variance and read the application.

In discussion the applicant stated:

1. He had received a Wyoming Co. Building permit and construction has begun. He thought the rear property line was at the tree line but now has been informed it is to the north of the tree line. As a result, the two-garage is only eight feet from the property line instead of the 10 feet required. He has stopped construction as per the Zoning Enforcement Officer.

2. The garage is 24 feet by 24 feet with 9 ft. sidewalls, a single overhead door and no loft. It is a pole barn with eight ft. centers, four ft. trusses and six by six posts.
3. He does not have a survey. He purchased the property at a bank auction and they did not provide him with a survey.
4. At this time the walls are framed and the roof is on.
5. When the property was purchased there was an existing barn which was falling down and not useable. That has been removed and the new garage being constructed in its place.

The Board:

1. Completed the Area Variance checklist (see Attachment A);
2. Completed SEQR;
3. Stated that the application must be sent to the Wyo. Co. Planning Board as it is located on a State Highway (Rte. 39).

**MOTION** by Doug Eigenbrod, seconded by Paul Sanders and unanimously carried, to accept as complete this Type II Action under SEQR Section 617.5 C 12, for Area Variance Application, Permit No. 2168-AV, submitted by George Hudson, requesting construction of a two-car garage not in compliance with rear yard setback located at 96 East Main Street. Further, the Board directed the Secretary to forward the application to the Wyoming County Planning Board for recommendation and comment and to publish a Public Hearing to be held on Monday, March 18, 2013, at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, NY.

**ADJOURNMENT:**

There being no further business brought before the Board, the meeting adjourned at 7:28 P.M. upon **motion** by Doug Eigenbrod, seconded by Paul Sanders and unanimously carried. The next regular meeting of the Zoning Board of Appeals of the Town and Village of Arcade will be held on Monday, March 18, 2013 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter  
Secretary