

**ZONING BOARD OF APPEALS
TOWN AND VILLAGE OF ARCADE
Village Office - 17 Church Street, Arcade, New York 14009
Town Office – 15 Liberty Street, Arcade, New York 14009
Village Office 585 492-1111
Town Office 585 492-4685**

At a meeting of the Zoning Board of Appeals of the Town and Village of Arcade held on Monday, February 16, 2015, at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

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

MEMBERS ABSENT: None

OTHERS PRESENT: ZEO George Spears, Jeremy Lons, Doug Ronan

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

The Board welcomed George Spears, the new Zoning Enforcement Officer for the Town of Arcade.

The Board acknowledged the resignation of Board member Gordon Cramer and directed the Secretary to send a letter expressing the Board's appreciation for his years of service.

APPROVAL OF MINUTES:

MOTION by Lee Ameis, seconded by Paul Sanders and carried three yes votes to one abstention, to accept the Minutes of December 16, 2013. Doug Eigenbrod abstained as he was not present at that meeting.

AREA VARIANCE APPLICATION, SBL NO. 173.-1-45.2, SUBMITTED BY JEREMY LONS, FOR PROPERTY LOCATED AT 1289 GENESEE ROAD, REQUESTING THE ADDITION OF A LEAN-TO ON THE BACK OF THE EXISTING BUILDING THAT IS NOT IN COMPLIANCE WITH THE SIDE YARD SETBACK FROM THE A&A RAILROAD TRACKS/PROPERTY.

1. The Chairman explained the variance procedure and that the Board has 62 days to render a decision.
2. The Board reviewed the application and plans and read the Criteria for Area Variance. Regarding question number five, the Board stated that it is the responsibility of the

applicant to check property lines and required setbacks.

3. The Board noted that the former Town ZEO had approved a Certificate of Zoning Compliance without due diligence and that a Building Permit was issued by the County as a result. Both the back and front lean-tos are already constructed.
4. The variance is needed as the A&A Railroad owns the property upon which the tracks are located and it is not just a right-of-way through the applicant's property. A side-yard setback requires 25 feet. The back lean-to is only 12 feet 6 inches from the property line. The existing building was constructed before zoning was in place.
5. The Board reviewed the Site Plan Checklist already completed by the Planning Board.
6. Since the Planning Board has already forwarded the application to the Wyoming County Planning Board and received their response, it is unnecessary for this Board to do so.

MOTION by Paul Sanders, seconded by Lee Ameis and unanimously carried, to accept as complete Area Variance Application, SBL No. 173.-1-45.2, submitted by Jeremy Lons, for property located at 1289 Genesee Road, requesting the addition of a lean-to on the back of the existing building that is not in compliance with the side yard setback from the A&A Railroad tracks/property. Further, the Board directed the Secretary to publish a Public Hearing to be held on Monday, March 16, 2015, 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 7:22 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 16, at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter
Secretary