

**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**

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At a meeting of the Zoning Board of Appeals of the Town and Village of Arcade held on Monday, March 21, 2016, at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

**MEMBERS PRESENT:**     Jeff Snyder, Paul Sanders, Lee Ameis

**MEMBERS ABSENT:**     Mike Sonner, Doug Eigenbrod

**OTHERS PRESENT:**     Town ZEO Don Roberts, Contractor Corey Rehrauer, Melissa Marshall

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

**APPROVAL OF MINUTES:**

Approval of the Minutes of the meeting of June 15, 2015 was tabled as a quorum from that meeting was not present.

**AREA VARIANCE APPLICATION, SBL No. 182.-1-56.2, SUBMITTED BY MARK SANDBURG, REQUESTING CONSTRUCTION OF A 30 FT. BY 40 FT. POLE BARN NOT IN COMPLIANCE WITH SIDE YARD SETBACK ON PROPERTY LOCATED AT 7395 NORTHWOODS ROAD:**

The applicant was represented by his contractor as the applicant was unable to attend.

The Chairman explained the variance procedure read, the application and the Criteria for Area Variance (see Attachment A). The request is for a 15 ft. side yard setback. Local Zoning Law requires a 35 ft. side yard setback.

In discussion:

1. The contractor stated that due to the grade of the property, existing drain tiles and leach field, it would be prohibitively expensive to build the proposed pole barn in any other location on the property. As it is, the proposed placement is six feet out of grade with a cost of \$4500 to prepare the pad.

2. The Town ZEO has visited the property and concurs that the proposed site is the only option. He provided photos of the property.
3. The property is located on a Town Road and as such the application does not need to be forwarded to the County Planning Board. The application will be forwarded to the Town Planning Board for recommendation and comment.
4. The Checklist was completed (see Attachment B).
5. It was determined that this is a Type II action under SEQRC (12).

**MOTION** by Lee Ameis, seconded by Paul Sanders and unanimously carried, to accept as complete Area Variance Application, SBL No. 182.-1-56.2, submitted by Mark Sandburg, requesting construction of a 30 ft. by 40 ft. pole barn not in compliance with side yard setback on property located at 7395 Northwoods Road. Further, the Secretary was directed to forward the application to the Town Planning Board for recommendation and comment and to publish a Public Hearing to be held on Monday, April 18, 2016, in the Village Boardroom, 17 Church Street, Arcade, New York.

**ADJOURNMENT:**

There being no further business brought before the Board, the meeting adjourned at 7:30 P.M. upon **motion** by Jeff Snyder, 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, April 18, 2016 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter  
Secretary

## ATTACHMENT B – ZBA March 21, 2016

Applicants' Name Mark Sandburg  
Date March 21, 2016

Permit No. N/A  
SBL No. 182.-1-56.2

### **ARCADE ZONING BOARD OF APPEALS VARIANCE APPROVAL CHECKLIST**

The Zoning Board of Appeals of the Town and Village of Arcade has identified the following as important elements which should be included when submitting variance applications.

Failure to submit the requested documentation and information, if applicable, may cause the Arcade Zoning Board of Appeals and/or the Wyoming county Dept. of Planning and Development to consider the application incomplete and consequently table the proposed project until complete materials are submitted.

For questions or assistance, please contact the TOWN Zoning Enforcement Officer at 716 496-7448 or the VILLAGE ZEO at 585 492-1111.

#### **FOR BOTH RESIDENTIAL AND COMMERCIAL PROPERTIES:**

- 1. Fees paid for Variance Application and Certificate of Zoning Compliance. Both applications completed, signed and submitted.
- 2. Criteria for Area or Use Variance form completed INCLUDING explanations. One word answers of "yes" or "no" are unacceptable.
- 3. Tax map identifying adjacent properties and usages. If applicable: Agricultural Data Statement and Flood Hazard Permit. **Not in a Flood Zone.**
- 4. Property Survey prepared by a registered NY State surveyor.
- 5. Drawing of proposed construction.
- 6. Boundaries of the property plotted to scale; location and dimensions of setbacks; exact size and location of all existing buildings/structures on property; location of proposed building on lot drawn to scale with all dimensions; north arrow.
- 7. Existing watercourse and bodies of water. **Stream located at rear of property.**
- 8. Type of construction materials; exterior dimensions of all buildings; architectural Design features.

\_N/A\_ 9. Description of the method of sewage disposal and location of the sewage disposal facilities.

\_N/A\_ 10. Identification and description of the method, location, design and source of securing Public or private potable water.

\_x\_ 11. Any easements and/or deed restrictions. **None.**

\_x\_ 12. Identification of any State or County permits required for the project's execution.  
**Wyo. County Building Permit**

\_X\_ 13. Appropriate State Environmental Quality Review form (SEQR) completed (Short or (Long form). **Type II Action C (12)**