

**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, April 18, 2016, at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

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

MEMBERS ABSENT: None

OTHERS PRESENT: Town ZEO Don Roberts, Mark Sandburg

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:

MOTION by Paul Sanders, seconded by Mike Sonner and carried four yes votes to one abstention, to accept the Minutes of the meeting of June 15, 2015. Lee Ameis abstained as he was not present at that meeting.

MOTION by Lee Ameis, seconded by Paul Sanders and carried three votes to two abstentions, to accept the Minutes of the meeting of March 21, 2016. Mike Sonner and Doug Eigenbrod abstained as they were not present at that meeting.

PUBLIC HEARING FOR 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 Chairman explained the Public Hearing procedure and stated the Board had 62 days to render a decision.

MOTION by Lee Ameis, seconded by Doug Eigenbrod and unanimously carried, to open the Public Hearing.

There was no one present from the public.

The Chairman read the application and the recommendation and comments from the Planning Board. The Planning Board stated: "The Planning Board does not see any harm in proceeding with the variance based in the criteria found in the 'Zoning Board of Appeals, James A. Coon Local Government Technical Series' published by NYS dated 2005, 2nd printing 2011, page 17 describing how to assess the five criteria for Area Variances; and page 19, defining that the Board needs to do a balancing test weighing the benefit to the applicant against the detriment...of the neighborhood or community. (A copy is attached.) Considering all this and public input at the hearing, our recommendation is to approve the variance."

In discussion:

1. The Board asked the applicant to add the septic system and drainage lines to the drawing, which he did.
2. The applicant stated there would be no driveway added to the proposed pole barn.

The Chairman asked three times if there were any other questions or comments. There were none.

MOTION by Paul Sanders, seconded by Mike Sonner and unanimously carried, to close the Public Hearing.

MOTION by Mike Sonner, seconded by Paul Sanders and unanimously carried, to approve 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.

Board Members' Reasons:

Lee Ameis – Voted yes. Due to the lay of the land there are no other options.

Paul Sanders – Voted yes. The placement of the septic system does not allow for a different placement of the pole barn.

Mike Sonner – Voted yes. It would be a financial hardship for the applicant to fill in the dips and re-grade the back of the property.

Jeff Snyder – Voted yes. Besides the financial hardship of re-grading the property it would also cause environmental concerns.

Doug Eigenbrod – Voted yes. I agree with all of the comments of the other Board members.

ADJOURNMENT:

There being no further business brought before the Board, the meeting adjourned at 7:20 P.M. upon **motion** by Paul Sanders, seconded by Mike Sonner 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, May 16, 2016 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter
Secretary