

**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, September 16, 2019 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

PRESENT:

Jeff Snyder, Lee Ameis, Mike Sonner Jr, Tim Sonner, Doug Eigenbrod,

ABSENT:

OTHERS PRESENT:

Michelle Karpinski, Chris Lexer, Forrest & Beverly Davies, Nick George, Joe & Jessica Russo

The Chairman opened the meeting at 7:00 P.M.

APPROVAL OF MINUTES:

MOTION by Mike Sonner, seconded by Tim Sonner and was unanimously carried, to accept the minutes of the meeting of August 19, 2019.

PUBLIC HEARING ON AREA VARIANCE APPLICATION, SBL NO. 183.14-1-66.11, SUBMITTED BY NICK GEORGE, REQUESTING PERMISSION FOR A POOL, NOT IN COMPLIANCE WITH THE VILLAGE ZONING LAW 412-R2 DISTRICT: LOW DENSITY RESIDENTIAL (WITH PUBLIC SEWERS)- REQUESTS A 3' SETBACK ON LEFT SIDE. THE PROPERTY IS LOCATED AT 101 LIBERTY ST, ARCADE, NY.

MOTION by Lee Ameis, seconded by Doug Eigenbrod and was unanimously carried, to re-open the Public Hearing from the meeting on August 19, 2019 at 7:03 pm.

Nick George was present and stated that the pool is a 5' setback and not the 3' that was on the application.

Chairman Snyder asked if the pool becomes damaged and water is drained will it affect the neighbor at 97 Liberty Street. The applicant stated if that were to happen it would run into his driveway or towards his house.

MOTION by Mike Sonner, seconded by Tim Sonner and was unanimously carried, to close the Public Hearing at 7:13 pm.

MOTION by Mike Sonner, seconded by Doug Eigenbrod and unanimously carried, to approve with the stipulation that if the present owner Nick George one day sells his home then he will need to take the pool down. The Area Variance Application, SBL No 183.14-1-66.11, submitted by Nick George, requesting permission for a above ground pool, not in compliance with Town Zoning Law 412-R2 District: Low Density Residential (with public sewers)-request a 3' setback on left side. The property is located at 101 Liberty St, Arcade, NY.

Board Members' Reason

Mike Sonner Jr voted Yes-his approval was based if Nick George puts the house up for sale-the pool will be removed upon sale of the house.

Lee Ameis voted Yes-due to the consideration of having the pool located as far away as possible and the stipulation of the pool coming down upon the house being sold in the future.

Doug Eigenbrod Yes-the stipulation of the pool coming down upon the house being sold in the future.

Jeff Snyder voted Yes- he has done his best to locate the pool in the best situation for the size of the lot. There was no other way to put the pool up without the variance.

Tim Sonner voted Yes-as long as the neighbor did give permission for the pool.

The applicant was given his approved Variance.

PUBLIC HEARING ON AREA VARIANCE APPLICATION, SBL NO. 161.-1-18, SUBMITTED BY FORREST & BEVERLY DAVIES, REQUESTING PERMISSION TO BUILD A 32'X40' POLE BARN, NOT IN COMPLIANCE WITH THE TOWN ZONING LAW-AG DISTRICT, DOES NOT MEET THE REQUIRED 35' SIDE YARD SETBACK. THE PROPERTY IS LOCATED AT 6808 NORTHWOOD'S RD, ARCADE, NY.

MOTION by Lee Ameis, seconded by Mike Sonner and was unanimously carried, to re-open the Public Hearing at 7:23 pm.

Joseph & Jennifer Russo from 6756 Northwood's Rd were in attendance and had no problem with the addition.

MOTION by Mike Sonner, seconded by Tim Sonner and was unanimously carried, to close the Public Hearing at 7:26 pm .

MOTION by Mike Sonner, seconded by Lee Ameis and unanimously carried, to approve the Area Variance Application, SBL No 161.1-18, submitted by Forrest & Beverly Davies, requesting permission to build a 32'x40' pole barn, not in compliance with the Town Zoning Law-AG District, does not meet the required 35' side yard setback. The property is located at 6808 Northwood's Rd, Arcade, NY. The property is located at 101 Liberty St, Arcade, NY.

Board Members' Reason

Mike Sonner Jr voted Yes-the location is the most reasonable place.

Doug Eigenbrod Yes-yard is wet all the time, the location is the best option for the building

Jeff Snyder voted Yes- in replacing the previous building will be an improvement of their property.

Tim Sonner voted Yes-neighbors have no complaints against it so it would not affect anyone else.

Lee Ameis voted Yes- based on the centering over the existing building and minor difference in the setbacks.

ADJOURNMENT:

There being no further business brought before the Board, the meeting adjourned at 7:30 P.M. upon **motion** by Lee Ameis, seconded by Doug Eigenbrod 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, October 21, 2019 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Michelle Karpinski
Secretary