

BOARD OF APPEALS

Regular Session

North Tonawanda, New York 14120

Monday, December 11, 2017

6:03P.M.

THE REGULAR SESSION OF THE BOARD OF APPEALS WAS CALLED TO ORDER BY CHAIRMAN BRAUN.

ROLL CALL

Present: Chairman Braun
Commissioner Dreier, Evans, Haacker, Lemke

Absent: None

Also Present: Assistant City Attorney Nick Robinson
Building Inspector Cosimo Capozzi

APPROVAL OF THE MINUTES OF THE REGULAR SESSION NOVEMBER 20, 2017

MOVED by Commissioner Lemke SECONDED by Commissioner Evans
That the minutes of the regular session held November 20, 2017 be approved as circulated and filed in the office of the City Clerk-Treasurer.

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)

Nays: None (0)

CARRIED.

PROOF OF PUBLICATION PUBLISHED NOVEMBER 11, 2017

MOVED by Commissioner Dreier SECONDED by Commissioner Haacker
That the proof of publication presented by the Clerk of the Board of Appeals of the notice of a public hearing of the various appeals filed with and to be presented at the regular session of the Board of Appeals, which was published November 11, 2017 be received and filed.

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)

Nays: None (0)

CARRIED.

OLD BUSINESS

#1

AREA VARIANCE TO CONSTRUCT A 50' X 60' SINGLE STORY STORAGE BUILDING LESS THAN THE REQUIRED 245' FRONT SET BACK. [§103-12 D (1) MINIMUM FRONT YARD SET BACK IN AN M-1 ZONE NOT PERMITTED TO BE LESS THAN 25'.]

Richard Fix
108 Sommer Street
North Tonawanda, NY 14120

Re: Area Variance to construct a 50' x 60' steel storage building on property located at 108 Sommer Street.

At this time the Chairman asked if anyone wanted to speak for or against the requested variance.

Sonia Dusza 123 Miller Street – Spoke against the construction of a storage building at 108 Sommer Street.

MOVED by Commissioner Haacker SECONDED by Commissioner Dreier
That the Zoning Board of Appeals finds that there will be no significant environmental impact and as such declares a Negative Declaration on the SEQR, except with a change #3 to less than an acre, 5a to No, 5b to No, 12b to No and 14 to Suburban.

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)

Nays: None (0)

CARRIED.

MOVED by Commissioner Dreier SECONDED by Commissioner Haacker
That the Zoning Board of Appeals denies the aforementioned request to Richard Fix, 108 Sommer Street to construct a 50' X 60' single story storage building. The request will change the character of the neighborhood, there was an alternate solution, the request was substantial, the request will have an adverse effect on the physical or environmental conditions of the neighborhood and the alleged difficulty was self-created.

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)

Nays: None (0)

CARRIED.

NEW BUSINESS

#1

AREA VARIANCE TO INSTALL A 6' STOCKADE FENCE AT RIGHT REAR YARD. [§103-15 C (1) (b) FENCES NOT PERMITTED IN RESTRICTED SIDE YARD.] CORNER LOT MODIFICATION.

**John Lesny
 610 Wright Avenue
 North Tonawanda, NY 14120**

**Re: Area Variance to install a 6'
 stockade fence at right rear yard
 property located at 610 Wright
 Avenue**

At this time the Chairman asked if anyone wanted to speak for or against the requested variance.

There were no speakers for or against the requested area variance.

MOVED by Commissioner Haacker SECONDED by Commissioner Evans
That the Zoning Board of Appeals finds that there will be no significant environmental impact and as such declares a Negative Declaration on the SEQR.

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)

Nays: None (0)

CARRIED.

MOVED by Commissioner Dreier SECONDED by Commissioner Evans
That the Zoning Board of Appeals hereby approves an area variance to John Lesny, 610 Wright Avenue to install a 6' stockade fence at right rear yard of property with a 45% cut at neighbor's driveway on Pine Street. The variance is granted contingent upon corner lot modification and paper work coming from the Assessor's office. The request will not change the character of the neighborhood, will not have an adverse effect on the physical or environmental conditions of the neighborhood and the alleged difficulty was not self-created.

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)

Nays: None (0)

CARRIED.

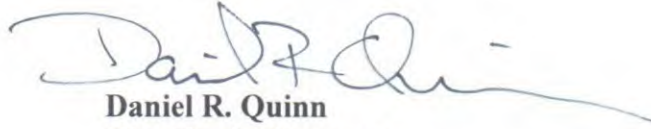
ADJOURNMENT

**MOVED by Commissioner Evans SECONDED by Commissioner Dreier
That the meeting of the Zoning Board of Appeals be adjourned.
CARRIED.**

Time Adjourned: 6:35 P.M.

Next Regular Meeting: January 15th, 2018 at 6:00 P.M.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel R. Quinn", with a long horizontal flourish extending to the right.

**Daniel R. Quinn
City Clerk-Treasurer**