

BOARD OF APPEALS

Regular Session

North Tonawanda, New York 14120

Monday, April 9, 2018

6:03P.M.

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

ROLL CALL

**Present: Chairman Braun
Commissioner Evans, Haacker, Lewis**

Absent: Commissioner Dreier

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

APPROVAL OF THE MINUTES OF THE REGULAR SESSION MARCH 12, 2018

**MOVED by Commissioner Lewis SECONDED by Commissioner Evans
That the minutes of the regular session held March 12, 2018 be approved as
circulated and filed in the office of the City Clerk-Treasurer.**

Ayes: Commissioner Evans, Haacker, Lewis, Braun (4)

Nays: None (0)

CARRIED.

PROOF OF PUBLICATION PUBLISHED MARCH 3, 2018

**MOVED by Commissioner Haacker SECONDED by Commissioner Evans
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 March 3, 2018 be
received and filed.**

Ayes: Commissioner Evans, Haacker, Lewis, Braun (4)

Nays: None (0)

CARRIED.

OLD BUSINESS

#1

USE VARIANCE TO CONTINUE A NONCONFORMING USE AS A MULTIPLE DWELLING, THREE DWELLING UNITS IN AN R1-2 ZONING DISTRICT. [§103-16G WHEN A NONCONFORMING USE DISCONTINUED FOR MORE THAN ONE YEAR SUCH NONCONFORMING USE SHALL NOT THEREAFTER BE REESTABLISHED AND ALL FUTURE USE SHALL BE CONFORMING].

**Edward A. Zebulske III
Attorney At Law
150 Payne Avenue, PO Box 159
North Tonawanda, NY 14120**

**Re: Use Variance to continue a non-
conforming use as a multiple
dwelling, three units in an
R1-2 Zoning District located at
1521 Ruie Road.**

AMENDED 4/19/2018

MOVED by Commissioner Braun SECONDED by Commissioner Haacker
That the Zoning Board of Appeals hereby makes no decision on the SEQR and agrees that the Building Inspector was correct to remove the non-conforming use on said property. Per seller of 1521 Ruie Road, the Use Variance will be removed from property.

Ayes: Commissioner Evans, Haacker, Lewis, Braun (4)
Nays: None (0)
CARRIED.

NEW BUSINESS

#1

SPECIAL USE PERMIT FOR OUTDOOR STORAGE OF MOTOR VEHICLES, RECREATIONAL VEHICLES, CAMPERS, BOATS AND BOAT TRAILERS. [§103-12 DOES NOT PERMIT OUTDOOR STORAGE OF VEHICLES WITHOUT FIRST OBTAINING A "SPECIAL USE PERMIT" PER §103-18 B (4) & §103-12 A (20) BY THE ZBA.]

Rivermist Wash & Storage, LLC
Ralph Allen
655 River Road
North Tonawanda, NY 14120

Re: Special Use Permit to store 46 motor vehicles, recreational vehicles, campers boat and/or boat trailers on lot located at 655 River Road

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 Braun SECONDED by Commissioner Haacker
That the Zoning Board of Appeals hereby makes to decision on the SEQR and tables the aforementioned request to Ralph Allen, 655 River Road, for Rivermist Wash & Storage, LLC to send paperwork to the Niagara County Planning Board for their non-binding recommendation, and applicant will also have to meet with the North Tonawanda Planning Board.

Ayes: Commissioner Evans, Haacker, Lewis, Braun (4)
Nays: None (0)
CARRIED.

ADJOURNMENT

MOVED by Commissioner Haacker SECONDED by Commissioner Lewis
That the meeting of the Zoning Board of Appeals be adjourned.
CARRIED.

Time Adjourned: 6:31 P.M.

Next Regular Meeting: May 14, 2018 at 6:00 P.M.

Respectfully submitted,



Daniel R. Quinn
City Clerk-Treasurer

AMENDED 4/19/2018