

**BOARD OF APPEALS**  
**Regular Session**  
**North Tonawanda, New York 14120**  
**Monday, March 11, 2019**  
**6:00 P.M.**

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

**ROLL CALL**

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

**Absent:** None

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

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**APPROVAL OF THE MINUTES OF THE REGULAR SESSION JANUARY 14, 2019**

**MOVED** by Commissioner Dreier **SECONDED** by Commissioner Haacker  
That the minutes of the regular session held January 14, 2019 be approved as circulated and filed in the office of the City Clerk-Treasurer.  
**Ayes:** Commissioner Dreier, Evans, Haacker, Lewis, Braun (5)  
**Nays:** None (0)  
**CARRIED.**

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**PROOF OF PUBLICATION PUBLISHED JANUARY 5, 2019**

**MOVED** by Commissioner Dreier **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 January 5, 2019 be received and filed.  
**Ayes:** Commissioner Dreier, Evans, Haacker, Lewis, Braun (5)  
**Nays:** None (0)  
**CARRIED.**

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**OLD BUSINESS**

#1

1 -AREA VARIANCE TO REMODEL AN EXISTING BUILDING WITH LESS THAN THE REQUIRED 120 PARKING SPACES. [§103-14 A (2) (f) A MINIMUM OF 1 PARKING SPACE PER 150 SQUARE FEET OF GROSS FLOOR SPACE, 18 SPACES PROVIDED].

2 - AREA VARIANCE TO REMODEL AN EXISTING BUILDING WITH LESS THAN THE REQUIRED GREEN SPACE. [§103-26 C (1) (a) REQUIRES A MINIMUM OF 25% LANDSCAPING].

3 - AREA VARIANCE TO REMODEL AN EXISTING BUILDING WITH LESS THAN THE 5% OF THE INTERIOR PARKING AREA DEVOTED TO LANDSCAPED AREA. [§103-26 C (1) (j)].

4 - AREA VARIANCE TO REMODEL AN EXISTING BUILDING WITH LESS THAN THE REQUIRED SHADING OF PARKING AREAS, WALKWAYS AND PEDESTRIAN ACCESS. [§103-26 C (1) (1) A MINIMUM OF 30% OF ALL

**PARKING AREAS, WALKWAYS AND PEDESTRIAN ACCESS MUST BE SHADED WITHIN 15 YEARS OF PLANTING].**

**Enterprise Lumber & Silo  
Joy Kuebler  
62 Webster Street  
North Tonawanda, NY 14120**

**Re: Area Variance for parking spaces,  
green space and landscaping for the  
reconstruction of 211 Main Street**

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.

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**MOVED by Commissioner Braun      SECONDED by Commissioner Lewis**  
That the Zoning Board of Appeals hereby makes no decision on the SEQR and tables all four (4) items for the area variance for Enterprise Lumber & Silo, Joy Kuebler, 62 Webster Street, for parking spaces, green space and landscaping for the reconstruction of 211 Main Street. City Engineer Dale Marshall will have to review and approve plans that include additional 24 spaces for phase 2 of construction.

**Ayes: Commissioner Dreier, Evans, Haacker, Lewis, Braun      (5)**

**Nays: None      (0)**

**CARRIED.**

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**NEW BUSINESS**

**#1**

**SPECIAL USE PERMIT FOR OUTDOOR STORAGE OF MOTOR VEHICLES, RECREATIONAL VEHICLES, CAMPERS, BOAT AND BOAT TRAILERS & IMPOUND YARD. [§103-12 DOES NOT PERMIT OUTDOOR STORAGE OF VEHICLES WITHOUT FIRST OBTAINING A "SPECIAL USE PERMIT" PER SEC. §103-14B (4) BY THE ZBA].**

**Johns Towing Services, Inc  
1212 Erie Avenue  
North Tonawanda, NY 14120**

**Re: Special Use Permit for outdoor storage  
of motor vehicles, recreational vehicles,  
campers, boat and boat trailers and  
impound lot at property located 1212  
Erie Avenue**

**Bogart-Sinatra Development, LLC  
165 Stahl Road  
Getzville, NY 14068**

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.

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**MOVED by Commissioner Lewis      SECONDED by Commissioner Haacker**  
That the Zoning Board of Appeals hereby makes no decision on the SEQR and tables the special use permit for Johns Towing Services, for storage of motor vehicles, recreational vehicles, campers, boat and boat trailers and impound lot located at 1212 Erie Avenue. Applicant will have to meet with the Planning Board for the site plan approval, also contingent on approval of the Fire Department, City Engineer and Building Inspector.

**Ayes: Commissioner Dreier, Evans, Haacker, Lewis, Braun      (5)**

**Nays: None      (0)**

**CARRIED.**

**ADJOURNMENT**

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

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**Time Adjourned: 6:43 P.M.**

**Next Regular Meeting: April 8, 2019 at 6:00 P.M.**

**Respectfully submitted,**

A handwritten signature in cursive script, appearing to read "Matthew L. Parish".

**Matthew L. Parish  
City Clerk-Treasurer**