

BOARD OF APPEALS

Regular Session

North Tonawanda, New York 14120

Monday, January 23, 2023

6:00 P.M.

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

ROLL CALL

**Present: Chairman Smolinski
Commissioner Haacker, Kuebler, Wistner**

Absent: Commissioner Evans

Also Present: Building Inspector Robert C. DePaolo

APPROVAL OF THE MINUTES OF THE REGULAR SESSION DECEMBER 12, 2022

**MOVED by Commissioner Haacker SECONDED by Commissioner Kuebler
That the minutes of the regular session held December 12, 2022 be approved as
circulated and filed in the office of the City Clerk-Treasurer.**

Ayes: Commissioner Haacker, Kuebler, Wistner, Smolinski (4)

Nays: None (0)

CARRIED.

PROOF OF PUBLICATION PUBLISHED DECEMBER 3, 2022

**MOVED by Commissioner Haacker SECONDED by Commissioner Wistner
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 December 3, 2022 be
received and filed.**

Ayes: Commissioner Haacker, Kuebler, Wistner, Smolinski (4)

Nays: None (0)

CARRIED.

NEW BUSINESS

#1.

**AREA VARIANCE TO ERECT A 288 SQUARE FOOT ADDITION TO
EXISTING DETACHED GARAGE. TOTAL EXISTING STORAGE SQUARE
FOOTAGE IS 1172 SQUARE FEET IN THREE BUILDINGS. IF APPROVED
TOTAL SQ FT WILL BE 1460 SQ FT. [§103-6A (9) (e) PRIVATE GARAGES
WITH A LIMIT OF 750 SQUARE FEET IN SIZE AND OF SIMILAR
CONSTRUCTION STYLE AS THE SURROUNDING NEIGHBORHOOD].**

**Gregory W. Weber
852 Ruie Road
North Tonawanda, NY 14120**

**Re: Area Variance to erect a 288 sq.ft.
addition to existing detached garage,
located at 852 Ruie 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 Haacker SECONDED by Commissioner Wistner
That the Zoning Board of Appeals hereby makes no decision on the SEQR and
tables the aforementioned request till the February meeting, to correct the location
address, should have been 853 Ruie Road not 852 Ruie Road for the area variance.

Ayes: Commissioner Haacker, Kuebler, Wistner, Smolinski (4)

Nays: None (0)

CARRIED.

#2.

AREA VARIANCE TO INSTALL A 60 SQ FT (64 SQ FT ILLUMINATED – 2
SIDES) MONUMENT -STYLE SIGN CENTERED BETWEEN DRIVEWAY AND
FRONT PROPERTY LINE. [§103-9A (10) (b) (3) (b) ACCESSORY USES AND
STRUCTURES, PROVIDED THAT NO EXTERIOR SIGNS SHALL BE
ALLOWED UNLESS IT: [3] IS ATTACHED FLAT AGAINST THE WALL].

Quimby Signs, Inc.
P.O. Box 287
North Tonawanda, NY 14120

Re: Area Variance to install a 60 sq ft
illuminated 2-sided monument style
sign, located at 800 Niagara Falls
Blvd. (St. Jude Church)

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 Kuebler
That the Zoning Board of Appeals hereby officially designates themselves as lead
agency for said SEQR for 800 Niagara Falls Blvd. and will notify other agencies
involved.

Ayes: Commissioner Haacker, Kuebler, Wistner, Smolinski (4)

Nays: None (0)

CARRIED.

MOVED by Commissioner Haacker SECONDED by Commissioner Wistner
That the Zoning Board of Appeals hereby finds that there will be no significant
environmental impact for 800 Niagara Falls Blvd. and as such declares a Negative
Declaration on the SEQR, with a change to No.5a. to No.

Ayes: Commissioner Haacker, Kuebler, Wistner, Smolinski (4)

Nays: None (0)

CARRIED.

MOVED by Commissioner Haacker SECONDED by Commissioner Wistner
That the Zoning Board of Appeals hereby approves the area variance to St. Jude
Church, 800 Niagara Falls Blvd., North Tonawanda, NY and Quimby Signs, Inc.
P.O. Box, North Tonawanda, NY for a 60 sq. ft. 2-sided illuminated monument-style
sign in front of property, located at 800 Niagara Falls Blvd., North Tonawanda, NY.
The request will not change the character of the neighborhood, the request was not
substantial, the request 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 Haacker, Kuebler, Wistner, Smolinski (4)

Nays: None (0)

CARRIED.

ADJOURNMENT

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

Time Adjourned: 6:13 P.M.

Next Regular Meeting: February 13, 2023 at 6:00 P.M.

Respectfully submitted,



Donna L. Braun
City Clerk-Treasurer