

BOARD OF APPEALS
Regular Session
North Tonawanda, New York 14120
Monday, March 9, 2020
6:00 P.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, Lewis

Absent: None

Also Present: Asst. City Attorney Nick Robinson
Building Inspector Cosimo Capozzi

APPROVAL OF THE MINUTES OF THE REGULAR SESSION FEBRUARY 10, 2020

MOVED by Commissioner Lewis SECONDED by Commissioner Dreier
That the minutes of the regular session held February 10, 2020 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.

PROOF OF PUBLICATION PUBLISHED FEBRUARY 1, 2020

MOVED by Commissioner Evans 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 February 1, 2020 be
received and filed.

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

Nays: None (0)

CARRIED.

OLD BUSINESS

#1.

AREA VARIANCE TO REMODEL EXISTING BUILDING TO 4 UNITS. [§103-9 (C)
(1) MINIMUM LOT SIZE IS 3000 SQUARE FEET PER DWELLING]. [§103-9 (C) (3)
TWO PARKING SPACES ARE REQUIRED PER DWELLING UNIT].

Steve Kottakis
P.O. Box 525
Clarence Center, NY 14032

Re: Area Variance to remodel vacant
building into a 4 unit apartment
dwelling located at 244 Payne Avenue

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

Sonia Dusza – Was neither for or against the area variance, just wanted to make a
statement about City variances.

MOVED by Commissioner Haacker SECONDED by Commissioner Dreier
That the Zoning Board of Appeals hereby officially designates themselves as lead agency for said SEQR for 244 Payne Avenue and will notify other agencies involved. The Zoning Board of Appeals finds that there will be no significant environmental impact and as such declares a Negative Declaration on the SEQR, with change to #2. To Yes.

Ayes: Commissioner Dreier, Evans, Haacker, Lewis, Braun

(5)

Nays: None

(0)

CARRIED

MOVED by Commissioner Dreier SECONDED by Commissioner Haacker
That the Zoning Board of Appeals hereby approves the Area Variance for Steve Kottakis P.O. Box 525, Clarence Center, NY 14032. For 4 unit apartments with a minimum size of 3,000 sq. ft. per dwelling and parking, located at 244 Payne Avenue. The request will not change the character of the neighborhood, there was not an alternate solution, 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 Dreier, Evans, Haacker, Lewis, Braun

(5)

Nays: None

(0)

CARRIED

NEW BUSINESS

#1.

AREA VARIANCE TO ERECT AT 24' X 24' ADDITION TO EXISTING DETACHED GARAGE. [§103-6 A (9) (e) ACCESSORY USES. PRIVATE GARAGES ARE LIMITED TO 750 SQUARE FEET IN SIZE AND OF SIMILAR CONSTRUCTION STYLE AS THE SURROUNDING NEIGHBORHOOD].

Kurt Mang
1093 Walck Road
North Tonawanda, NY 14120

Re: Area Variance to erect a 24' x 24'
addition to detached garage located
at 1093 Walck Road

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

Luke Brown – Was in favor of the area variance, says he is a good neighbor and sees no reason not to grant variance.

Sonia Dusza – Was very much opposed of area variance.

MOVED by Commissioner Haacker SECONDED by Commissioner Lewis
That the Zoning Board of Appeals hereby officially designates themselves as lead agency for said SEQR for 1093 Walck Road and will notify other agencies involved. The Zoning Board of Appeals finds that there will be no significant environmental impact and as such declares a Negative Declaration on the SEQR with a change to #2. to Yes, #5a. to No and #14 to suburban.

Ayes: Commissioner Dreier, Evans, Haacker, Lewis, Braun

(5)

Nays: None

(0)

CARRIED

MOVED by Commissioner Braun **SECONDED** by Commissioner Dreier
 That the Zoning Board of Appeals hereby denies the requested Area Variance from Kurt Mang, 1093 Walck Road to erect a 24' x 24' addition to detached garage at aforementioned location. The request did change the character of the neighborhood, there was an alternate solution. The requested area variance was substantial, 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, Lewis, Braun (5)

Nays: None (0)

CARRIED

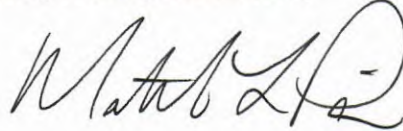
ADJOURNMENT

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

Time Adjourned: 6:45 P.M.

Next Regular Meeting: April 13, 2020 at 6:00 P.M.

Respectfully submitted,



Matthew L. Parish
 City Clerk-Treasurer