

BOARD OF APPEALS
Regular Session
North Tonawanda, New York 14120
Monday, September 21, 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 Haacker, Evans, Lewis

Absent: Commissioner Dreier

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

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

MOVED by Commissioner Lewis SECONDED by Commissioner Evans
That the minutes of the regular session held August 10, 2020 be approved as
circulated and filed in the office of the City Clerk-Treasurer.

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

PROOF OF PUBLICATION PUBLISHED AUGUST 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 August 1, 2020 be
received and filed.

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

NEW BUSINESS

#1.
AREA VARIANCE TO ERECT 6 FOOT SOLID FENCE ALONG PROPERTY
LINE ADJACENT TO DIMATTEO LESS THAN 15 FEET FROM PROPERTY
LINE. [§103-15 (C) (1) (b) IN THE CASE OF A CORNER LOT IN AN R
DISTRICT WHERE THE REAR LOT LINE ABUTS A SIDE LOT LINE OF AN
ADJACENT LOT IN ANY R DISTRICT, THE REQUIRED SIDE YARD ON THE
STREET SIDE OF SUCH CORNER LOT SHALL EQUAL 60 % OF THE
REQUIRE FRONT YARD OF SAID ADJACENT LOT (15 FEET)]

Steve Bertini - Re: Area Variance to replace and
637 East Goundry Street extend fencing along corner
North Tonawanda, NY 14120 property line located at 637
East Goundry 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.

MOVED by Commissioner Braun SECONDED by Commissioner Lewis
That the Zoning Board of Appeals makes no motion on the SEQR and tables the
above-mentioned area variance for Steve Bertini, 637 East Goundry, applicant was
not present at meeting.

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

Nays: None (0)

CARRIED

#2.

AREA VARIANCE TO CONSTRUCT A 20' X 30' SINGLE STORY DETACHED
POLE BARN. [§103-6 A (9) (e) POLE BARN NOT PERMITTED TO EXCEED
750 SQUARE FEET AND MUST BE CONSTRUCTED USING SIMILAR
CONSTRUCTION IN ANY RESIDENTIAL ZONE].

Danielle DiPasquale & Shawn McDonough - Re: Area Variance to construct a
1335 Sisson Drive 20' x 30' Pole Barn located at
North Tonawanda, NY 14120 1335 Sisson Drive

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 Lewis
That the Zoning Board of Appeals hereby officially designates themselves as lead
agency for said SEQR for 1335 Sisson Drive 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
#5a to No and #6 to No.

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

Nays: None (0)

CARRIED

MOVED by Commissioner Lewis SECONDED by Commissioner Braun
That the Zoning Board of Appeals hereby denies the requested Area Variance from
Danielle DiPasquale & Shawn McDonough, 1335 Sisson Drive, to erect a 20' x 30'
pole barn. 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 Haacker, Evans, 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: 6:13 P.M.

Next Regular Meeting: October 19, 2020 at 6:00 P.M.

Respectfully submitted,

Donna L. Braun

Donna L. Braun

City Clerk-Treasurer