



**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 297 Drake 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.

Ayes: Commissioner Dreier, Haacker, Lewis, Evans, 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 James Hanna, 297 Drake Drive, for a 30' x 36' garage with an 18' overall height, after removal of existing garage. 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, Haacker, Lewis, Evans, Braun (5)

Nays: None (0)

**CARRIED**

---

**NEW BUSINESS**

#1.

**AREA VARIANCE TO INSTALL A 6' FENCE @ RIGHT SIDE OF GARAGE. [§103-15 C (1) (b) FENCES NOT PERMITTED WITHIN 60% OF RESTRICTED AREA OF CORNER LOT – CORNER LOT MODIFICATION].**

April Alba  
 157 Belmont Court East  
 North Tonawanda, NY 14120

Re: Area Variance to install a 6' fence on right side of garage, of a corner lot located at 157 Belmont Court East

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 Lewis      **SECONDED** by Commissioner Evans  
 That the Zoning Board of Appeals hereby makes no decision on the SEQR, and tables the aforementioned request, applicant was given other options for fencing. Will be discussed at next meeting.

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

Nays: None (0)

**CARRIED**

---

#2.

**USE VARIANCE TO CONVERT PART OF AN EXISTING BUILDING INTO AN ICE CREAM SHOP. [§108-8 (A) GENERAL RESIDENTIAL DISTRICT. PROPOSED USE IS NOT PERMITTED IN AN R-2 DISTRICT].**

David Kelly  
 849 Oliver Street  
 North Tonawanda, NY 14120

Re: Use Variance to convert an existing building into an ice cream shop, located at 108 12<sup>th</sup> Avenue

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 no decision on the SEQR, and**  
**tables the aforementioned request, applicant was not present for meeting.**

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

**Nays: None      (0)**

**CARRIED**

---

**#3.**

**AREA VARIANCE TO CONSTRUCT A NEW 30' X 40' SINGLE STORY POLE BARN @ REAR YARD. [§103-6 (A) (9) (e) PRIVATE GARAGES NOT PERMITTED TO EXCEED 750 SQ. FT. IN SIZE].**

**Daniel Zatkos  
 134 Forbes Terrace  
 North Tonawanda, NY 14120**

**Re: Area Variance to construct a 30' x 40'  
 pole barn in rear yard, located at  
 134 Forbes Terrace**

**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 Evans**  
**That the Zoning Board of Appeals hereby makes no decision on the SEQR, and**  
**tables the aforementioned request, applicant needs to reevaluate plans to bring**  
**down to recommended size.**

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

**Nays: None      (0)**

**CARRIED**

---

**#4.**

**AREA VARIANCE TO ERECT A 40' X 60' POLE BARN STRUCTURE ON VACANT COMMERCIAL LOT. [§103-20 (B) DEFINITIONS AND RULES OF CONSTRUCTION. ACCESSORY STRUCTURE IS REQUIRED TO HAVE A PRIMARY STRUCTURE ON THE SAME PREMISES].**

**Edward Smolinski  
 1097 Sweeney Street  
 North Tonawanda, NY 14120**

**Re: Area Variance to construct a 40' x 60'  
 pole barn on a vacant lot, located at  
 91 Mead Street**

**Stephen Sabo  
 313 Frontier Avenue  
 North Tonawanda, NY 14120**

**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 Evans**  
**That the Zoning Board of Appeals hereby makes no decision on the SEQR, and**  
**tables the aforementioned request, applicant needs to get a DBA with Niagara**  
**County and apply for a contractors license with the City of North Tonawanda.**

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

**Nays: None      (0)**

**CARRIED**

---

#5.

**AREA VARIANCE TO ERECT A 32' X 34' ATTACHED GARAGE. [§103-6 (A) (9) (c) PRIVATE GARAGES ARE LIMITED TO 750 SQ. FEET IN SIZE].**

**Kevin McCadden  
15 Ridgedale  
Tonawanda, NY 14150**

**Re: Area Variance to erect a 32' x 34'  
attached garage, located at 132  
Greenwood Circle**

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 Dreier  
That the Zoning Board of Appeals hereby officially designates themselves as lead agency for said SEQR for 132 Greenwood Circle 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, #3a to less than 1 acre, #5a to No, #5b to No, #8b to No, #8c to No and #9 to No.

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

**Nays: None** (0)

**CARRIED**

---

**MOVED** by Commissioner Haacker      **SECONDED** by Commissioner Evans  
That the Zoning Board of Appeals hereby approves the Area Variance request from Kevin McCadden, 15 Ridgedale, to build a 32' x 34' attached garage with removal of current garage located at 132 Greenwood Circle. 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, Haacker, Lewis, Evans, Braun** (5)

**Nays: None** (0)

**CARRIED**

---

**ADJOURNMENT**

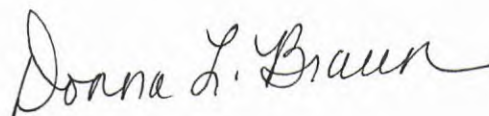
**MOVED** by Commissioner Braun      **SECONDED** by Commissioner Dreier  
That the meeting of the Zoning Board of Appeals be adjourned.  
**CARRIED.**

---

**Time Adjourned: 7:00 P.M.**

**Next Regular Meeting: June 14, 2021 at 6:00 P.M.**

Respectfully submitted,



**Donna L. Braun  
City Clerk-Treasurer**