

BOARD OF APPEALS
Regular Session
North Tonawanda, New York 14120
Monday, May 9, 2022
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, Evans, Kuebler, Wistner

Absent: None

Also Present: Assistant City Attorney Nicholas Robinson
Building Inspector Robert C. DePaolo

APPROVAL OF THE MINUTES OF THE REGULAR SESSION MARCH 14, 2022

MOVED by Commissioner Evans SECONDED by Commissioner Haacker
That the minutes of the regular session held March 14, 2022 be approved as
circulated and filed in the office of the City Clerk-Treasurer.

Ayes: Commissioner Haacker, Evans, Kuebler, Wistner, Smolinski (5)

Nays: None (0)

CARRIED.

PROOF OF PUBLICATION PUBLISHED MARCH 5, 2022

MOVED by Commissioner Haacker 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 March 5, 2022 be
received and filed.

Ayes: Commissioner Haacker, Evans, Kuebler, Wistner, Smolinski (5)

Nays: None (0)

CARRIED.

NEW BUSINESS

#1.

AREA VARIANCE TO INSTALL A 26' TALL SOUND ATTENUATION FENCE
ALONG EAST PROPERTY LINE. [§103-12 E (4) FENCING. ALL SIDE AND
REAR LOT LINES ADJACENT TO ANY R DISTRICT SHALL BE PROPERLY
FENCED OR SCREENED BY PLANTING. NO FENCE OTHER THAN THAT
CONSTRUCTED OF WIRE AND COMMONLY KNOWN AS A "CYCLONE"
FENCE NOT MORE THAN 10 FEET IN HEIGHT SHALL BE PERMITTED].

Fortistar North Tonawanda
Dan Rotunno
1070 Erie Avenue
North Tonawanda, NY 14120

Re: Area Variance to install a 26' foot
sound attenuation fence on side and
rear of property line located at
1070 Erie Avenue

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

Deborah Gondak, 257 Brentwood Drive, Darlene Bolsover, 1337 Sweeney Street, Larry Young, 837 Fairmont Avenue, John Hahn, 1181 Sherwood Avenue and Karen Hance, 1191 Sherwood Avenue were speakers against the requested area variance.

MOVED by Commissioner Haacker **SECONDED** by Commissioner Evans
That the Zoning Board of Appeals hereby officially designates themselves as lead agency for said SEQR for 1070 Erie Avenue and will notify other agencies involved.
Ayes: Commissioner Haacker, Evans, Kuebler, Wistner, Smolinski (5)
Nays: None (0)
CARRIED.

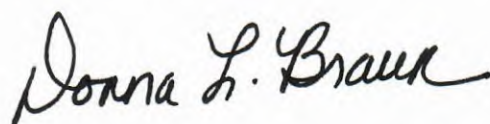
MOVED by Commissioner Kuebler **SECONDED** by Commissioner Haacker
That the Zoning Board of Appeals hereby tables the aforementioned variance request.
Ayes: Commissioner Haacker, Evans, Kuebler, Wistner, Smolinski (5)
Nays: None (0)
CARRIED.

ADJOURNMENT

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

Time Adjourned: 6:48 P.M.
Next Regular Meeting: June 13, 2022 at 6:00 P.M.

Respectfully submitted,



Donna L. Braun
City Clerk-Treasurer