

BOARD OF APPEALS

Regular Session

North Tonawanda, New York 14120

Monday, October 17, 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 Evans, Kuebler, Wistner**

Absent: Commissioner Haacker

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

APPROVAL OF THE MINUTES OF THE REGULAR SESSION SEPTEMBER 19, 2022

**MOVED by Commissioner Evans SECONDED by Commissioner Kuebler
That the minutes of the regular session held September 19, 2022 be approved as
circulated and filed in the office of the City Clerk-Treasurer.**

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

Nays: None (0)

CARRIED.

PROOF OF PUBLICATION PUBLISHED SEPTEMBER 10, 2022

**MOVED by Commissioner Evans 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 September 10, 2022 be
received and filed.**

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

Nays: None (0)

CARRIED.

NEW BUSINESS

#1.

**AREA VARIANCE TO INSTALL A 8' X 25'6" ROOF STRUCTURE OVER
CONCRETE FRONT ENTRY PORCH. NEW ROOF TO BE 22' FROM FRONT
PROPERTY LINE. [§103.7 (D) (1) REQUIRED YARDS. (1) FRONT YARD
DEPTH: 25 FEET].**

**Michael Gibbons
410 Woodlin Avenue
North Tonawanda, NY 14120**

**Re: Area Variance to install an 8' x 25'6"
covered front porch, located at
410 Woodlin 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 Kuebler **SECONDED** by Commissioner Wistner
 That the Zoning Board of Appeals hereby officially designates themselves as lead agency for said SEQR for 410 Woodlin Avenue and will notify other agencies involved, with a change to #5a to No and #14 to Suburban.

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

Nays: None (0)

CARRIED.

MOVED by Commissioner Evans **SECONDED** by Commissioner Kuebler
 That the Zoning Board of Appeals finds that there will be no significant environmental impact for 410 Woodlin Avenue and as such declares a Negative Declaration on the SEQR.

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

Nays: None (0)

CARRIED.

MOVED by Commissioner Smolinski **SECONDED** by Commissioner Wistner
 That the Zoning Board of Appeals hereby grants approval for an Area Variance to Michael Gibbons, 410 Woodlin Avenue to install an 8' x 25' 6" covered front porch 22' from front property line. 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 Evans, Kuebler, Wistner, Smolinski (4)

Nays: None (0)

CARRIED.

ADJOURNMENT

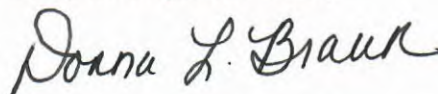
MOVED by Commissioner Evans **SECONDED** by Commissioner Kuebler
 That the meeting of the Zoning Board of Appeals be adjourned.

CARRIED.

Time Adjourned: 6:12 P.M.

Next Regular Meeting: November 7, 2022 at 6:00 P.M.

Respectfully submitted,



Donna L. Braun
 City Clerk-Treasurer