

**BOARD OF APPEALS**

**Regular Session**

**North Tonawanda, New York 14120**

**Monday, January 15, 2024**

**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: Asst. City Attorney Mario Gregori  
Building Inspector Robert C. DePaolo**

**APPROVAL OF THE MINUTES OF THE REGULAR SESSION OCTOBER 16, 2023**

**MOVED by Commissioner Evans      SECONDED by Commissioner Kuebler  
That the minutes of the regular session held October 16, 2023 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 OCTOBER 7, 2023**

**MOVED by Commissioner Kuebler      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 October 7, 2023 be received and filed.**

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

**Nays: None      (0)**

**CARRIED.**

**NEW BUSINESS**

**#1**

**AREA VARIANCE TO DEMOLISH EXISTING DETACHED GARAGE AND ERECT A  
NEW 1,056 SQUARE FOOT DETACHED GARAGE IN REAR YARD. [§103-6A (9) (e)  
PRIVATE GARAGES WITH A LIMIT OF 750 SQUARE FEET IN SIZE AND OF  
SIMILAR CONSTRUCTION STYLE AS THE SURROUNDING NEIGHBORHOOD.  
DRIVEWAY BY SEPARATE PERMIT.]**

**Thomas Czerwinski  
478 Kohl Street  
North Tonawanda, NY 14120**

**Re: Area Variance to demolish existing garage  
and erect a new 1,056 square foot detached  
garage, located at 478 Kohl 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 Kuebler      **SECONDED** by Commissioner Wistner  
 That the Zoning Board of Appeals hereby officially designates themselves as lead agency for said SEQR for 478 Kohl Street and will notify other agencies involved and finds that there will be no significant environmental impact and as such declares a Negative Declaration on the SEQR.

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

Nays: None (0)

**CARRIED.**

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**MOVED** by Commissioner Wistner      **SECONDED** by Commissioner Kuebler  
 That the Zoning Board of Appeals hereby approves the area variance to Tom Czerwinski, to demolish existing garage and erect a new 1056 sq. ft. garage, located at 478 Kohl Street. The request will not change the character of the neighborhood, there was not an alternate solution, the request was not substantial, and the request will not have an adverse effect on the physical or environmental conditions of the neighborhood.

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

Nays: None (0)

**CARRIED.**

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### ADJOURNMENT

**MOVED** by Commissioner Evans      **SECONDED** by Commissioner Kuebler

That the meeting of the Zoning Board of Appeals be adjourned.

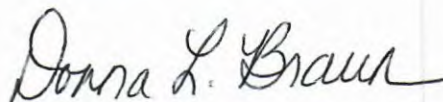
**CARRIED.**

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Time Adjourned: 6:06 P.M.

Next Regular Meeting: February 12, 2024 at 6:00 P.M.

Respectfully submitted,



Donna L. Braun  
 City Clerk-Treasurer