

**BOARD OF APPEALS**  
**Regular Session**  
**North Tonawanda, New York 14120**  
**Monday, July 14, 2025**  
**6:00 P.M.**

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**THE REGULAR SESSION OF THE BOARD OF APPEALS WAS CALLED TO ORDER  
BY CHAIRMAN SMOLINSKI**

**ROLL CALL**

**Present: Chairman Smolinski**  
**Commissioner Haacker, Kuebler, Wistner, Brown**

**Absent: None**

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

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**APPROVAL OF THE MINUTES OF THE REGULAR SESSION JUNE 9, 2025**

**MOVED by Commissioner Brown      SECONDED by Commissioner Kuebler**  
**That the minutes of the regular session held May 12, 2025, be approved as circulated and**  
**filed in the office of the City Clerk-Treasurer.**

**Ayes: Commissioner Haacker, Kuebler, Wistner, Brown, Smolinski      (5)**

**Nays: None      (0)**

**CARRIED.**

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**PROOF OF PUBLICATION PUBLISHED MAY 31, 2025**

**MOVED by Commissioner Kuebler      SECONDED by Commissioner Brown**  
**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 May 31, 2025, be received and filed.**

**Ayes: Commissioner Haacker, Kuebler, Wistner, Brown, Smolinski      (5)**

**Nays: None      (0)**

**CARRIED.**

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**NEW BUSINESS**

**#1.**

**AREA VARIANCE TO ERECT AN 840 SQ/FT DETACHED GARAGE AT REAR OF**  
**PROPERTY IN ADDITION TO THE 375 SQ/FT DETACHED SHED. [§103-6A(9)(e)**  
**PRIVATE GARAGES WITH A LIMIT OF 750 SQUARE FEET IN SIZE AND OF**  
**SIMILAR CONSTRUCTION STYLE AS THE SURROUNDING NEIGHBORHOOD].**

**Christopher Haney & Darlene Fagen**  
**506 East Stenzil St.**  
**North Tonawanda, NY 14120**

**Re: Area Variance to erect an 840 sq/ft**  
**detached garage in addition to a 375 sq/ft**  
**shed located, at 506 East Stenzil 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.**

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**MOVED by Commissioner Haacker      SECONDED by Commissioner Brown**  
That the Zoning Board of Appeals hereby officially designates themselves as lead agency for said SEQR for 506 East Stenzil St. and will notify other agencies involved and finds that there will be no significant environmental impact for 506 East Stenzil St. and as such declares a Negative Declaration on the SEQR with changes to #2 to Yes, and #5a to No.  
Ayes: Commissioner Haacker, Kuebler, Wistner, Brown, Smolinski (5)  
Nays: None (0)  
**CARRIED.**

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**MOVED by Commissioner Haacker      SECONDED by Commissioner Kuebler**  
That the Zoning Board of Appeals hereby approves the area variance to Chrisopher Haney & Darlene Fagen, to erect an 840 sq. ft detached garage in addition to a 375 sq. ft. shed, located at 506 East Stenzil St. The request did not change the character of the neighborhood, the requested area variance was not substantial, and the request will not have an adverse effect on the physical or environmental condition of the neighborhood.  
Ayes: Commissioner Haacker, Kuebler, Wistner, Brown, Smolinski (5)  
Nays: None (0)  
**CARRIED.**

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**#2.**  
**AREA VARIANCE TO ERECT AN 80" WIDE BY 100" HIGH INTERNALLY LIT MONUMENT STYLE SIGN IN REQUIRED FRONT YARD. [§103-9A(10)(b) ACCESSORY STRUCTURES PROVIDED THAT NO EXTERIOR SIGNS BE ALLOWED UNLESS IT: [3] IS ATTACHED FLAT AGAINST THE WALL [8] DOES NOT PROJECT BEYOND THE EDGES OF THE BUILDING].**

<b>NAS Sign Company / Paul Strada</b>	<b>Re: Area Variance to install an 80" wide by</b>
<b>1574 Kenmore Avenue</b>	<b>100 "high internally lit monument style sign</b>
<b>Buffalo, NY 14216</b>	<b>in front yard, located at 661 Erie Avenue</b>

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.

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**MOVED by Commissioner Haacker      SECONDED by Commissioner Wistner**  
That the Zoning Board of Appeals hereby officially designates themselves as lead agency for said SEQR for 661 Erie Ave. and will notify other agencies involved and finds that there will be no significant environmental impact for 661 Erie Ave. and as such declares a Negative Declaration on the SEQR with changes to #2 to Yes and #5a to No.  
Ayes: Commissioner Haacker, Kuebler, Wistner, Brown, Smolinski (5)  
Nays: None (0)  
**CARRIED.**

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**MOVED by Commissioner Wistner      SECONDED by Commissioner Haacker**  
That the Zoning Board of Appeals hereby approves the area variance to NAS Sign Company to install an 80" x 100" high internally lit monument style sign in front yard, located at 661 Erie Ave. The request did not change the character of the neighborhood.  
Ayes: Commissioner Haacker, Kuebler, Wistner, Brown, Smolinski (5)  
Nays: None (0)  
**CARRIED.**

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#3.

**AREA VARIANCE TO DEMOLISH EXISTING GARAGE AND ERECT A 1,600 SQUARE FOOT DETACHED GARAGE IN REAR YARD IN ADDITION TO THE 200 SQUARE FOOT ATTACHED GARAGE. [§103-6A(9)(e) PRIVATE GARAGES WITH A LIMIT OF 750 SQUARE FEET AND OF SIMILAR CONSTRUCTION STYLE AS THE SURROUNDING NEIGHBORHOOD].**

**James Nyari  
284 Spruce Street  
North Tonawanda, NY 14120**

**Re: Area Variance to demolish existing garage  
and construct a 1,600 sq. ft. pole barn &  
garage, located at 284 Spruce 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.**

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**MOVED by Commissioner Haacker      SECONDED by Commissioner Kuebler  
That the Zoning Board of Appeals hereby makes no decision on the SEQR and tables the  
aforementioned request until the next meeting, pending updated and revised scaled  
drawing to be submitted by applicant.**

**Ayes: Commissioner Haacker, Kuebler, Wistner, Brown, Smolinski      (5)**

**Nays: None      (0)**

**CARRIED.**

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#### **ADJOURNMENT**

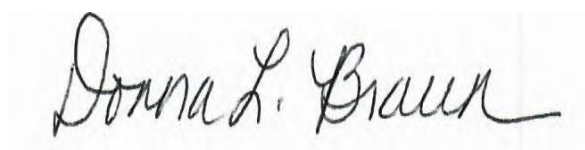
**MOVED by Commissioner Wistner      SECONDED by Commissioner Kuebler  
That the meeting of the Zoning Board of Appeals be adjourned.  
CARRIED.**

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**Time Adjourned: 6:33 P.M.**

**Next Regular Meeting: August 11, 2025, at 6:00 P.M.**

**Respectfully submitted,**



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