BOARD OF APPEALS

Regular Session
North Tonawanda, New York 14120
Monday, February 10, 2014
6:00P.M.

THE REGULAR SESSION OF THE BOARD OF APPEALS WAS CALLED TO ORDER BY CHAIRMAN BRAUN.

ROLL CALL

Present:	**Chairman Braun** **Commissioner Dreier, Evans, Haacker, Pasiak**
Absent:	**Building Inspector Cosimo Capozzi**
Also Present:	**City Attorney Shawn Nickerson**

APPROVAL OF THE MINUTES OF MEETING OF JANUARY 13, 2014

MOVED by Commissioner Dreier SECONDED by Commissioner Haacker
That the minutes of the regular session held January 13, 2014 be approved as circulated and filed in the office of the City Clerk-Treasurer.
Ayes: Commissioner Dreier, Evans, Haacker, Pasiak, Braun (5)
Nays: None (0)
CARRIED.

PROOF OF PUBLICATION PUBLISHED FEBRUARY 1, 2014

MOVED by Commissioner Haacker SECONDED by Commissioner Dreier
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 February 1, 2014 be received and filed.
Ayes: Commissioner Dreier, Evans, Haacker, Pasiak, Braun (5)
Nays: None (0)
CARRIED.

#1.
AREA VARIANCE TO SUBDIVIDE PARCEL FROM 953 PAYNE AVENUE FOR TAX BILL PURPOSES. §103-15 (5) PROPOSED LOT HAS NO STREET FRONTAGE.

IT-Mid-City Plaza, LLC Re: Subdivision of Lot – 953 Payne Avenue
c/o Katherine C. Phufas, Esq.
343 Christiana Street
North Tonawanda, NY 14120

MOVED by Commissioner Evans SECONDED by Commissioner Dreier
That the Zoning Board of Appeals finds that there will be no significant environmental impact and as such declares a Negative Declaration on the SEQR.
Ayes: Commissioner Dreier, Evans, Haacker, Pasiak, Braun (5)
Nays: None (0)
CARRIED.

MOVED by Commissioner Evans SECONDED by Commissioner Dreier
That the Zoning Board of Appeals hereby grants an area variance to waive the frontage requirement for the subdivision of 953 Payne Avenue, to create a new parcel to be known as 943 Payne Avenue, as per Job #14J4-008, as the request did not change the character of the neighborhood; there was not an alternate solution; the requested area variance 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. The North Tonawanda Planning Board has approved this subdivision contingent upon the Zoning Board of Appeals approval of the aforementioned variance.
Ayes: Commissioner Dreier, Evans, Haacker, Pasiak, Braun (5)
Nays: None (0)
CARRIED.

ADJOURNMENT

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

Time Adjourned: 6:10P.M.

Next Regular Meeting: March 10, 2014, 6:00 P.M.

Respectfully submitted,

Scott P. Kiedrowski
City Clerk-Treasurer