BOARD OF APPEALS
Regular Session
North Tonawanda, New York 14120
Monday, May 12, 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, Pasiak, Haacker**
Absent:	**None**
Also Present:	**City Attorney Shawn Nickerson** **Building Inspector Cosimo Capozzi**

APPROVAL OF THE MINUTES OF MEETING OF APRIL 14, 2014

MOVED by Commissioner Pasiak SECONDED by Commissioner Evans
That the minutes of the regular session held April 14, 2014 be approved as circulated and filed in the office of the City Clerk-Treasurer.
Ayes: Commissioner Dreier, Evans, Pasiak, Haacker, Braun (5)
Nays: None (0)
CARRIED.

PROOF OF PUBLICATION PUBLISHED MAY 3, 2014

MOVED by Commissioner Pasiak 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 May 3, 2014 be received and filed.
Ayes: Commissioner Dreier, Evans, Pasiak, Haacker, Braun (5)
Nays: None (0)
CARRIED.

NEW BUSINESS

#1.
USE VARIANCE TO CONDUCT A BOAT STORAGE FACILITY IN AN R1-2 ZONE, SAID USE FIRST PERMITTED IN AN M-1 ZONING DISTRICT. [§103-5 B (2) USE NOT PERMITTED BY EXCLUSION.]

Roger C. Bush Re: 1144 Sweeney Street
1144 Sweeney Street
North Tonawanda, NY 14120

MOVED by Commissioner Dreier SECONDED by Commissioner Pasiak
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 with additions/changes as follows: #4. Added – Agriculture; #5a. Changed to No; #5b. Changed to No and #6. Changed to No.
Ayes: Commissioner Dreier, Evans, Pasiak, Haacker, Braun (5)
Nays: None (0)
CARRIED.

MOVED by Commissioner Dreier SECONDED by Commissioner Pasiak
That the Zoning Board of Appeals hereby denies the aforementioned request for a use variance to conduct a boat storage facility at 1144 Sweeney Street as the land in question can yield a reasonable return if used only for a purpose allowed in that zone; the applicant's difficulty does not stem from unique circumstances and not to the general neighborhood conditions; the requested use will alter the essential character of the neighborhood and the applicant's hardship has been self-created.

Ayes: Commissioner Dreier, Evans, Pasiak, Haacker	**(4)**
Nays: None	**(0)**
Abstained: Commissioner Braun	**(1)**

CARRIED.

ADJOURNMENT

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

Time Adjourned: 6:33P.M.

Next Regular Meeting: June 9, 2014, 6:00 P.M.

Respectfully submitted,

Scott P. Kiedrowski
City Clerk-Treasurer