BOARD OF APPEALS
Regular Session
North Tonawanda, New York 14120
Monday, February 9, 2015
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, Pecoraro, Haacker**
Absent:	**None**
Also Present:	**City Attorney Shawn Nickerson** **Building Inspector Cosimo Capozzi**

APPROVAL OF THE MINUTES OF MEETING OF JANUARY 12, 2015

MOVED by Commissioner Dreier SECONDED by Commissioner Haacker
That the minutes of the regular session held January 12, 2015 be approved as circulated and filed in the office of the City Clerk-Treasurer.
Ayes: Commissioner Dreier, Evans, Pecoraro, Haacker, Braun (5)
Nays: None (0)
CARRIED.

PROOF OF PUBLICATION PUBLISHED JANUARY 31 , 2015

MOVED by Commissioner Evans 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 January 31, 2015 be received and filed.
Ayes: Commissioner Dreier, Evans, Pecoraro, Haacker, Braun (5)
Nays: None (0)
CARRIED.

NEW BUSINESS

#1
USE VARIANCE TO USE PROPERTY FOR STORAGE OF BOATS, TRAILERS & CARS. [§103-12A (20) OUTDOOR STORAGE OF MOTOR VEHICLES, RECREATIONAL VEHICLES, BOATS AND BOAT TRAILERS].

Ron Wang
227 Sundown Trail
Williamsville, NY 14221

Re: Use Variance for site location – 565 River Rd.

MOVED by Commissioner Dreier SECONDED by Commissioner Haacker
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, Pecoraro, Haacker, Braun (5)
Nays: None (0)
CARRIED.

MOVED by Commissioner Dreier SECONDED by Commissioner Haacker
That the Zoning Board of Appeals hereby grants a use variance to use property for storage of boats, trailers and cars at 565 River Road, eliminating 3 parking areas and removing the triangular area in center of lot per fire code with a total of 80 vehicles to park, as recommended by the North Tonawanda Planning Commission, as the land in question cannot yield a reasonable return if used only for a purpose allowed in that zone; the applicant's difficulty stems from unique circumstances and not the general neighborhood conditions; the requested use will not alter the essential character of the neighborhood and the applicant's hardship has not been self-created.
Ayes: Commissioner Dreier, Evans, Pecoraro, Haacker, Braun (5)
Nays: None (0)
CARRIED.

#2
AREA VARIANCE TO ERECT 5′ X 8′ (2) SIDED SIGN IN FRONT YARD. [§103-15(A)(5)(a) SIGN CANNOT BE CLOSER THAN ½ OF THE REQUIRED FRONT SETBACK (12.5 FEET IS MINIMUM).]

Rosewood Signs, Inc.
400 Wales Ave.
Tonawanda, NY 14150

Re: Installation of Double Sided 5′x 8′ Sign at 664 Niagara Falls Blvd.

MOVED by Commissioner Haacker 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, Pecoraro, Haacker, Braun (5)
Nays: None (0)
CARRIED.

MOVED by Commissioner Haacker SECONDED by Commissioner Dreier
That the Zoning Board of Appeals hereby grants an area variance to erect a 5′ x 8′ two-sided sign in the front yard at 665 Niagara Falls Blvd., 6′ from front property line as the request did not change the character of the neighborhood; the requested are variance was not substantial and the request will not have an adverse effect on the physical or environmental conditions of the neighborhood.
Ayes: Commissioner Dreier, Evans, Pecoraro, Haacker, Braun (5)
Nays: None (0)
CARRIED.

<u>ADJOURNMENT</u>

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

Time Adjourned: 6:15P.M.

Next Regular Meeting: March 9, 2015, 6:00 P.M.

Respectfully submitted,

Denise Proefrock

Denise M. Proefrock
Acting City Clerk-Treasurer