

# BOARD OF APPEALS

Regular Session

North Tonawanda, New York 14120

Monday, January 11, 2016

6:00 P.M.

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

## ROLL CALL

Present: Chairman Braun  
Commissioner Dreier, Evans, Haacker, Lemke

Absent: None

Also Present: City Attorney Katherine D. Alexander  
Building Inspector Cosimo Capozzi

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## APPROVAL OF THE MINUTES OF MEETING OF NOVEMBER 9, 2015

MOVED by Commissioner Haacker      SECONDED by Commissioner Evans  
That the minutes of the regular session held November 9, 2015 be approved as circulated and filed in the office of the City Clerk-Treasurer.

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)

Nays: None (0)

CARRIED.

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## PROOF OF PUBLICATION PUBLISHED OCTOBER 31, 2015

MOVED by Commissioner Dreier      SECONDED by Commissioner Lemke  
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 31, 2015 be received and filed.

Ayes: Commissioner Dreier, Evans, Haacker, Lemke, Braun (5)

Nays: None (0)

CARRIED.

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## NEW BUSINESS

#1

CONSTRUCT A MIXED USE DEVELOPMENT CONSISTING OF TWO FOUR STORY BUILDINGS GREATER THAN 35' IN HEIGHT, THREE SINGLE STORY CONDOMINIUMS, TWO RETAIL/OFFICE BUILDINGS AND ACCESSORY BUILDINGS[§103-13.2B-RESIDENTIAL AND COMMERCIAL BUILDINGS NOT PERMITTED ON LOTS THAT HAVE WATER FRONTAGE WITHOUT A "SPECIAL USE PERMIT" PER SEC. §103-18B(4)].

Rock One Development, LLC  
10151 Main Street  
Clarence, NY 14031

Re: Area Variance to construct a mixed use development of buildings greater than 35' in height.

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CONSTRUCT TWO FOUR STORY BUILDINGS GREATER THAN 35' IN HEIGHT, [§103-2G (1) BUILDINGS NOT PERMITTED TO EXCEED 35' IN HEIGHT IN A WD ZONE-CONSTRUCT 98 APARTMENTS ON EXISTING

