



TOWN OF WHEATFIELD

COUNTY OF NIAGARA

Zoning Board of Appeals

2800 Church Road, North Tonawanda, NY 14120

Phone: (716) 694-1026 Fax: (716) 694-1800

www.wheatfield.ny.us

Minutes of Meeting

March 13 2023

Vice - Chairman Garrow called the meeting to order at 7:00pm

Roll Call:

Present: Walter Garrow
Matt Klettke
Arthur Kroening – via speaker phone
Matt Kroening

Planned Absence: Michael Schaffer – Official accepted excuse

General Business:

Motion to approve Board minutes of February 13, 2023 was made by M. Klettke, Seconded by A. Kroening.

- W. Garrow – Yes
- A. Kroening – Yes
- M. Kroening – Yes
- M. Klettke – Abstain

Motion carried.

Chairman Schaffer requested that the ZBA members have a discussion about SEQR (State Environmental Quality Review) to become more familiar with the process. This discussion was tabled due to the Public Hearings at this meeting. This discussion will resume at a more appropriate time.

Hearings Held:

7:05pm: Francisco Delauro requests an area variance for 2257 Cayuga Drive Extension, Lot# 147.17-1-52, to build a six-foot fence along Walmore Road. The property is a corner lot at Cayuga Drive Extension and Walmore Road.

Vice-Chairman Garrow opened the Public Hearing at 7:03pm. Several residents were in attendance.

Board Findings

1. Applicant acquired the property in January 2023.
2. Property fronts on two streets – Cayuga Drive Extension and Walmore Road.
3. Applicant is looking to place a fence around his entire property, the front yard will be a four (4) foot fence and the backyard will have a six (6) foot fence. The variance request is for transitioning from a six (6) foot slat fence to a four (4) foot slat fence along Walmore Road.
4. Applicant claims the entire fence will be white vinyl. He also mentioned that the four-foot fence will be picket/slat fence and the six-foot portion will be a solid fence.
5. Applicant claims the picket portion of the fence will match the period of the existing house.
6. The fence will be installed 18 feet from the pavement edge of Walmore Road and 16 feet from the pavement edge of Cayuga Drive Extension.
7. A member of the ZBA did note that there are line of sight concerns with the picket/slat fence at the intersection of Cayuga Drive Extension and Walmore Road.

Motion to close the Public Hearing was made by M. Klettke, Seconded by M. Kroening.

- Ayes – unanimous

Motion carried.

Findings per NYS Law Guidelines

1. Whether benefit can be achieved by other means feasible to the applicant: No, the owner had other plan opportunities.
2. Undesirable change in the neighborhood character or detriment to nearby properties: No, the neighbors attended the Hearing and, once they understood the application, were in favor of the

- variance request. The property owner is installing an aesthetically pleasing fence, utilizing a white vinyl fence.
3. Whether request is substantial: No.
 4. Whether request will have adverse physical or environmental effects: No. However, a ZBA member did note potential line of sight issues at the road intersection.
 5. Whether alleged difficulty is self-created: This is a self-created hardship.

Motion to grant the variance to build a six-foot fence along Walmore Road at 2257 Cayuga Drive Extension made by M. Klettke, Seconded by M. Kroening.

- Ayes – unanimous

Motion carried with two notes: (1) This is considered a Type 2 action under SEQR. (2) The applicant was advised about the sewer easement at the property and the applicant wants to move forward at his own risk.

7:35pm: Christopher Schotz requests an area variance for 3468 Raymond Road; Lot# 134.04-1-1 and 134-04-1-2, to build an addition to the existing garage. The applicant is requesting a reduction to the setback, from 40 feet to 26 feet. Vice-Chairman Garrow opened the Public Hearing at 7:38pm. No residents were in attendance.

Board Findings

1. Applicant acquired the property in October 2002.
2. Applicant is looking to build an addition to existing garage. This will be a pole barn that will match the existing garage.
3. The existing garage is 50 feet from the right-of-way.
4. The closest neighbor will not see the addition due to a stand of pine trees along the east side of the property.
5. The applicant looked at placing the addition to the west of the existing garage but there is not enough space. The applicant also looked at placing the addition to the south of the existing garage but the area is low and he would need approval from the neighbor to drive on his property to get supplies to the area of the backyard.
6. The ZBA is suggesting that the property owner drain the water from the garage to the south of the property, away from Raymond Road.
- 7.

Motion to close the Public Hearing was made by M. Klettke, Seconded by M. Kroening.

- Ayes – unanimous

Motion carried.

Findings per NYS Law Guidelines

1. Whether benefit can be achieved by other means feasible to the applicant: No, the options are not feasible: to the east and to the south of the existing garage.
2. Undesirable change in the neighborhood character or detriment to nearby properties: No, this request infringes on the setback, however, the property owner allegedly spoke to his neighbors who were okay with this request and did not show to the Hearing. The visibility is reduced due to the stand of blue spruce trees. The setback is changing from 40 feet to 26 feet due to the existing garage being 50 feet from the right-of-way.
3. Whether request is substantial: Yes.
4. Whether request will have adverse physical or environmental effects: No, with discussion by the ZBA and the property owner, draining the water is up to the discretion of the property owner.
5. Whether alleged difficulty is self-created: This is a self-created hardship.

Motion to grant the variance to build an addition to existing garage, reducing the setback from 40 feet to 26 feet at 3468 Raymond Road as presented and after discussion, made by M. Klettke, Seconded by M. Kroening.

- Ayes – unanimous

Motion carried.

Next meeting: March 27, 2023 @ 7:00pm, Town Hall, Upper Level

Public Hearings: 7:05pm – 24 Hird Street – Kirk & Dori Parry

A motion to adjourn: Motion made by M. Klettke, Seconded by M. Kroening. Ayes: unanimous

Respectfully Submitted,
Melissa Germann, Secretary

ZBA Distribution Listing

Town Supervisor
Building Dept

Town Board
Planning Board

ZBA members
Town Clerk