



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

June 13, 2022

Chairman Schaffer called the meeting to order at 7:00 pm

Roll Call:

Present:

Michael Schaffer (Chairman)
Matthew Kroening
Matthew F. Klettke

Arthur Kroening
Jerry Canada (Vice Chair)

Absent:

Debbie Carr (Secretary) on vacation

Reading & Approval of Previous Meeting Minutes:

Motion to approve Board minutes of May 23, 2022 was made by J. Canada and seconded by M. Kroening:

- M. Klettke - Yes
- A. Kroening - Yes
- J. Canada - Yes
- M. Kroening - Yes
- M. Schaffer - Yes

Motion approved

New Business: None

Hearings(s) Held/Interpretations:

7:05 pm: St. Paul's United Church of Christ requests an area variance for Lot # 135.03-1-23 located at 3921 Mapleton Rd, to construct an electronic message center (LED) sign to replace existing sign.

Hearing Summary

Hearing was attended by approximately 10 individuals consisting of a mix of neighbors and members of St. Paul's church.

Jennifer Cooper, from Cooper Signs outlined the proposed project on behalf of the applicant.

Two neighbors residing at adjacent properties objected to the proposal and expressed concerns that the sign would be on 100% of the time. Ms. Cooper explained how the brightness of the sign would be automatically adjusted later in the evening per town code.

One additional neighbor residing on the opposite side of the street from the Church indicated support for the proposed sign.

Findings per New York State Law Guidelines:

1. No. New sign is of similar size and being placed in same location as existing sign. Sign is more modern and will provide applicant with a method to customize messages in a manner not currently available.

2. Two neighbors expressed concerns about the brightness of the sign and the amount of time the sign would be illuminated.
3. No. Sign is being placed in exact location as current sign.
4. No. A sign has resided in the same location for 20+ years.
5. Yes. Applicant has opted to replace current sign at this time. Existing sign could have remained in place

Motion to approve the variance to construct an electronic message center (LED) sign to replace the existing sign made by M. Kroening, seconded by A. Kroening.

- M. Klettke - Yes
- A. Kroening - Yes
- J. Canada - Yes
- M. Kroening - Yes
- M. Schaffer - Yes

Motion Approved

7:25 pm: Falcon Land Development requests an area variance for Lot # 163.00-2-16.11 located on Niagara Falls Blvd. to construct a mixed-use complex with a buffer of 10' where 30' is required.

Hearing Summary

Hearings was attended by approximately 20 individuals consisting of representatives for the applicant and nearby neighbors of the parcel.

On behalf of the applicant, Jeffery D. Palumbo, attorney from Barclay Damon, outlined the project and addressed each of the five considerations for granting a variance per NYS guidelines. Richard Gicewicz of Falcon Land Development, LLC, provided additional details.

Eight of the neighbors in attendance spoke during the hearing. All were opposed to the project. Their top three concerns were drainage, privacy and impact on wildlife habitat.

No representative of the cemetery attended the hearing.

Findings per New York State Law Guidelines:

1. Applicant has adjusted proposal to minimize amount of setback required and has worked with the Planning Board to address key issues of concern. The current plan seeks to address the concerns of the neighbors, and town while allowing the applicant to utilize the property in a manner consistent with its zoning.
2. Many nearby residents expressed concerns about the project including drainage, privacy, scenic nature of their neighborhood and the impact on the cemetery. Applicant intends to continue working with the Planning Board to address these issues in a reasonable manner.
3. Yes. Numerical significant. However, the primary area impacted by the project is the adjacent cemetery.
4. 4 Members - No. 1 Member - Yes.
5. 4 Members - Yes. 1 Member - No.

Motion to approve the variance as proposed and to recommend to the Planning Board that the final site plan include fencing and greenery to address neighbors' concerns made by M. Klettke, seconded by J. Canada.

- M. Klettke - Yes
- A. Kroening - Yes
- J. Canada - Yes
- M. Kroening - Yes

M. Schaffer - Yes

Miscellaneous: None at this time.

Next Meeting Schedule : July 11, 2022 @ 7:00 pm (later cancelled)

Public Hearings: None.

A motion to adjourn : Made by M. Schaffer, seconded by M. Klettke. Ayes: Unanimous

Respectfully Submitted,
Jerry Canada

ZBA Distribution Listing

Town Supervisor
Building Dept.

Town Board
Planning Board

ZBA Members
Town Clerk