



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 28, 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

Debbie Carr (Secretary, non-member)

Absent:

Jerry Canada (Vice Chair)

Reading & Approval of Previous Meeting Minutes:

Motion to approve Board minutes of February 14, 2022 was made by A. Kroening and seconded by M. Klettke:

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

Motion approved

New Business: None

Hearings(s) Held/Interpretations:

7:05 pm: Michael & Ashley Maciejewski requests an area variance for Lot # 176.05-1-8, located at 7361 Winbert Drive to construct a front porch with a front yard set-back of 34'6" where 40 feet is required.

Board Findings

1. Applicant submitted letters from adjacent neighbors, 7357 & 7365 Ward Rd., in approval of the front porch.
2. No neighbors physically attended today's meeting in favor of or against the request.

Motion to close the public hearing was made by M. Klettke, seconded by A. Kroening. Ayes:

Unanimous

Motion approved

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

Findings per New York State Law Guidelines:

1. A covered porch will eliminate the applicants concern of a rotting door frame from the weather.
2. There are other front porches in the area. The front porch will enhance the character of the dwelling.
3. **No. Only 5 ½ feet.**

4. No.
5. Yes.

Motion to approve the variance as requested to construct a front porch with a front yard set-back of 34' 6" made by M. Klettke, seconded by A. Kroening.

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

Motion Approved

7:35 pm: Michael Zlotkowski & Rebecca Sheehan request an area variance for Lot #162.16-1-36.1, located at 7087 Ward Rd to construct a pole barn with a height of 21' where the maximum height is 14'.

Board Findings

1. No neighbors physically attended today's meeting in favor of or against the request.

Motion to close the public hearing was made by A. Kroening, seconded by M. Klettke. Ayes:
Unanimous
Motion approved

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

Findings per New York State Law Guidelines:

1. Applicant has a 37' camper with an a/c unit on top and needs 14' garage doors for storage of the unit.
2. There are other pole barns in the neighborhood. There is no neighbor to the east of the property. There would be no sight line issues.
3. Yes. Numerically 7'.
4. Neighbor to the north has standing water in the area. Drain tile and gutters should eliminate some of the water.
5. Yes.

Motion to approve the variance as submitted from 14' to 21' with the condition that the water shed from the square footage of the roof line be guttered and have down spouts with 4-6" drain tile from the structure to Ward Rd and have a minimum of a 12' side yard setback made by M. Schaffer, seconded by M. Klettke.

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

Motion Approved

8:00 pm: Sam D'Angelo & Sons requests an area variance for Marc-Shawn Estates, phases 2-5, to construct single family dwellings on 12,000 square foot lots where 16,000 square foot lots are required.

M. Klettke recused himself from the hearing.

Board Findings

1. Applicant has been paying taxes on the approved lots since the 1990's.
2. Neighbors physically attended today's meeting asking questions. They were neither in favor of or against the request.

Motion to table the public hearing until April 11, 2022 was made by M. Schaffer, seconded by M. Kroening.

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

Motion approved

Miscellaneous: None at this time.

Next Meeting Schedule : April 11, 2022 @ 7:00 pm, sharp

Public Hearings: 7:05 Marc-Shawn Estates

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

Respectfully Submitted,
Deborah Carr

ZBA Distribution Listing

Town Supervisor
Building Dept.

Town Board
Planning Board

ZBA Members
Town Clerk