

TOWN OF WHEATFIELD
Zoning Board of Appeals
2800 Church Road
North Tonawanda, NY 14120

MINUTES OF ZONING BOARD OF APPEALS
January 22, 2018

Meeting: Called to order by Board Chairman Richard W. Muscatello, at 7:00 p.m.
Members Present: R.W. Muscatello, Arthur Gerbec, Michael S. Schaffer (Note: One position vacancy)
Member Notified Absence: Jerry Canada
Guest: Arthur Kroening

Approval of Minutes: Motion by Art Gerbec, seconded by Mike Schaffer to approve the January 8, 2018, ZBA minutes. Motion unanimously approved.

- a) **Future meetings** will be conducted in the Building Department Conference Room, Town Hall, lower level, starting at 7:00 p.m.
 - 1. Meeting schedule for CY 2018 distributed to Town officials, departments, committees.
 - 2. Meetings shall be at the call of the Chairperson and at such other times as the board may determine.
- b) **Dress Attire (amended)** at officially announced meetings –
 - 1. Business attire, e.g., shirt with tie or open collar with jacket or sweater, dresses appropriate in a business milieu. *Summer months: sport shirts/dress: no T-shirts with printing of pictures or symbols.*
 - 2. **Attendance Computation:** Jerry Canada, through no fault of his own incurs two (2) absences as of this meeting. Historically, Board meetings were previously scheduled from one meeting to the next. This year, the Board reverted to scheduled meeting dates, e.g., 2nd and 4th Mondays of the month. Doing so precluded Jerry (Board Secretary) little time to adjust his private and business commitments accordingly. To compensate for this situation, Jerry's CY 2018 attendance will be based on an eleven (11) month basis. (February to December 2018)

The above actions were voted upon as noted: Role Call (alphabetical)

Jerry Canada	Absent
Art Gerbec	Yes
Richard W. Muscatello	Yes
Mike Schaffer	Yes
One Vacancy	

Motion Carried.

Future Public Hearings: None scheduled

Informal assistance provided to the Town Planning Board: Anchor Motel Expansion Rebuilding (Reference Planning Board Site Review Process Results, dated January 17, 2018).

- a. Set Back on River Road – Site Plan Page 7, 65' setback, in our judgement based upon data made available, does not reflect an encroachment. Perhaps, querying the engineering drawings may clarify the situation. In the event a New York State waiver is needed it should be channeled through the Town ZBA, from there to the Niagara County Planning Board to New York State.
- b. Non-Conforming Use - The entire project is and has been non-conforming for multiple years. Our assumption: the property operation has been "grandfathered."

- c. Non-Conforming Use Continued – At what point did the Planning Board measure from the center of River Road? It is the south side of River Road.
- d. Employing a “Mixed Use” concept is consistent within the Town’s Master Planning.
- e. Addition of dining facilities for motel users is a welcome amenity and maximizes the potential value of the property.
- f. Architectural drawings should show on the plans as structure supporting posts are behind existing exterior building foundation.
- g. Thanks for accessing the ZBA capabilities at this early stage.

Notice to Code Enforcement Officer. Effective immediately, please institute controls to ensure that requests for waivers be received and stamped no later than Tuesday, 4:00 p.m., prior to the ZBA Monday meeting date to receive consideration at that meeting.

Next ZBA Meeting: February 12, 2018, starting at 7:00 p.m. No hearings scheduled at this time.

Adjournment:

There being no other business to come before the Board, a motion to adjourn by A. Gerbec, seconded by R. W. Muscatello.

Vote: (Alphabetic) A. Gerbec Yes
 R. W. Muscatello Yes
 M. Schaffer Yes
 J. Canada Absent
 One Board position vacant

Respectfully submitted:

Michael S. Schaffer, Secretary Pro Tem (Edited by R. W. Muscatello for detail)

Distribution:	Town Board Members	Town Supervisor	Don Wallace
	Fire Advisory Board	Planning Board	B. Grawe
	Mike Klock	Kathy Harrington McDonell	ZBA Members
	Walt Garrow	File Copy	

Thought for the Day:

“Simplicity is the ultimate sophistication” ~ Leonardo do Vinci