



# 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](http://www.wheatfield.ny.us)

#### **Minutes of Meeting January 23, 2023**

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

#### **Roll Call:**

Present: Walter Garrow  
Arthur Kroening  
Matt Kroening  
Michael Schaffer (Chairman)

Planned Absence: Matthew Klettke – Official accepted excuse

#### **General Business:**

Motion to approve Board minutes of January 9, 2023 was made by W. Garrow, Seconded by M. Kroening.

- W. Garrow – Yes
- A. Kroening – Yes
- M. Kroening – Yes
- M. Schaffer – Yes

Motion carried.

Discussion: W. Garrow has put forth a question of whether the Zoning Board of Appeals should have a laptop for Board use. This idea could be ideal for when the Board has meetings where the public could benefit from a visual look, by projecting a map on the wall, at property being discussed. It was determined, by the Board, that W. Garrow would have a discussion with Councilman Helwig to determine the feasibility of buying a laptop for the Zoning Board of Appeals.

#### **Hearings Held:**

7:05 pm: John & Veronica Miller request an area variance for 7288 Ward Road, Lot # 175.00-2-2.2, to subdivide the rear portion of the property to sell to their neighbor.

Chairman Schaffer opened the Public Hearing at 7:50pm. The applicant explained their request for variance.

#### **Board Findings**

1. The Miller's plan on selling the rear portion of their property to their neighbor.
2. This property has been in the Miller's family for more than 80 years.
3. The Miller's will be conveying 2.23 acres (70' X 1553')
4. The neighbor has been living next door for more than 20 years.
5. The land will not be landlocked because the neighbor must add this 2.23 acres to their existing property.

Motion to close the Public Hearing was made by Chairman Schaffer, Seconded by W. Garrow.

- Ayes - unanimous

Motion carried.

Findings per NYS Law guidelines

1. Whether benefit can be achieved by other means feasible to applicant: The property has been in the family in excess of 80 years. The neighbor has been at their home in excess of 20 years. The goal of this change is to alleviate trespassing & hunting. The West side of the parcel is not an issue because National Grid does not own along Ward Road.
2. Undesirable change in neighborhood character or detriment to nearby properties: No persons attended the hearing, for or against this request. The exchange of property will not change the character of the neighborhood. There is no intention to develop or create a new area of the subdivided property.
3. Whether request is substantial: The request is going from the required 80-foot frontage to 70 feet frontage. This is subdividing the rear portion of the property, not changing the front. This subdivision encompasses 2.23 acres.
4. Whether request will have adverse physical or environmental effects: This request is keeping the property status quo. There is no intention to develop or create a new area of the subdivided property. There are no sight line issues because the subdivision is only in the rear of the parcel.
5. Whether alleged difficulty is self-created: This is a self-created hardship.

Motion to grant the variance to subdivide the rear portion of the property at 7288 Ward Road made by W. Garrow, Seconded by A. Kroening.

- W. Garrow – Yes
- A. Kroening – Yes
- M. Kroening – Yes
- M. Schaffer – Yes

Motion carried.

**Next meeting:** February 13, 2023 @ 7:00pm, Town Hall, Upper Level

**Public Hearings:** None

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

Respectfully Submitted,  
Melissa Germann, Secretary

ZBA Distribution Listing

Town Supervisor  
Building Dept

Town Board  
Planning Board

ZBA members  
Town Clerk