



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

September 12, 2022

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

Roll Call:

Present:

Michael Schaffer (Chairman)
Matthew Kroening
Matthew F. Klettke

Jerry Canada (Vice Chair)
Arthur Kroening
Debbie Carr (Secretary, non-member)

Reading & Approval of Previous Meeting Minutes:

Motion to approve Board minutes of July 25, 2022 was made by M. Kroening and seconded by M. Klettke:

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

Motion approved

Motion to approve Board minutes of August 8, 2022 was made by J. Canada and seconded by M. Klettke:

- 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: Anthony Brothers requests an area variance for Lot # 163.01-3-2 located at 3241 Woodland Ct S, to construct a fence 6' high where 4' is the maximum.

Board Findings

1. Applicant wants a 6' fence for privacy and security for dogs and children.

Motion to close the public hearing was made by A. Kroening, seconded by J. Canada. 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 could put up a 4' fence with no variance. Existing 6' fence to be replaced with a 6' vinyl fence with more fenced in area and a 44' setback from the road.
2. One neighbor spoke and did not like the fact that the 6' vinyl fence would block his view to Nash Road. There are other 6' fences in the area.
3. No, there are no other sight line issues.
4. No, the fence will enhance the aesthetics of the applicant's property.
5. Yes

Motion to approve the variance for as submitted made by J. Canada, seconded by M. Kroening.

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

Motion Approved

7:25 pm: Chris & Katie Stratford requests an area variance for Lot # 147.20-1-44.1 located at 6766 Errick Rd, to construct a single-family dwelling with a front yard setback of 600'±.

Board Findings

1. For clarification purposes, the 15' setback should be a 40' setback.
2. The lot was split in July of 2022. They have a 13 acre lot.
3. 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. They could build 40' back on the 100' frontage lot.
2. No.
3. Yes.
4. Town engineer Tim Zuber and Highway Superintendent Paul Siegmann walked the property with the applicant. The drainage ditches were moved and cleaned per their suggestions.
5. Yes.

Motion to approve the variance for a setback between 600-650' for the construction of a single family dwelling was made by A. Kroening, seconded by M. Klettke.

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

Motion Approved

7:50 pm: Michele DiBiase requests an area variance for Lot # 174.14-1-1.1 located at 2413 River Rd, to construct a single-family dwelling with a front yard setback of 55' where 65' is required.

Board Findings

1. Property was purchased in July of 2019.

Motion to table the public hearing was made by M. Schaffer, seconded by A. Kroening. Ayes: Unanimous

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

Motion approved

Miscellaneous: None at this time.

Next Meeting Schedule : September 26, 2021 @ 7:00 pm, sharp, Court Room

Public Hearings: None at this time.

A motion to adjourn : Made by J. Canada, seconded by A. Kroening. Ayes: Unanimous

Respectfully Submitted,
Deborah Carr

ZBA Distribution Listing

Town Supervisor
Building Dept.

Town Board
Planning Board

ZBA Members
Town Clerk