



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

November 28, 2022

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

Roll Call:

Present: Michael Schaffer (Chairman)
Matthew F. Klettke
Jerry Canada (Vice Chair)
Arthur Kroening
Matt Kroening

Planned Absence: Debbie Carr (Secretary, non-member)

General Business:

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

Ayes - Unanimous

Motion to approve 2023 meeting calendar was made by M. Schaffer and seconded by A. Kroening.

Ayes - Unanimous

Hearings Held:

7:05pm - 7386 and 7398 Shawnee Road - DATO Development, LLC

Hearing was held simultaneously for both parcels. Anthony Pandolfe was the represent present on behalf of the project.

Findings per New York State Law Guidelines:

1. Alternative would be to install storm sewers above the current grade, then raise the elevation of the parcel by bringing in extra fill. This plan would move the driveway closer to Shawnee Road. There is very limited benefit to the Town with this alternative and significant additional cost to the applicant.
2. No sight line issues with entering via Capitan's Way. Applicant is meeting all other setback requirements including for neighboring residential properties.
3. Yes. It is numerically significant.
4. Minimal. Received a negative SEQR. Project has been approved by the town engineer. Applicant is installing increased privacy via the installation of additional landscaping.
5. Yes.

Motion to approve the variances was made by M. Klettke, seconded by A. Kroening.

Ayes: Unanimous

7:30pm - 3636 Mapleton Rd. - DG New York CS IV, LLC

Findings per New York State Law Guidelines:

1. Most neighbors support the 10' tall fence. Sue Agnello-Eberwein, Chair of the Planning Board, was present. She outlined the history of the project and expressed support for the taller fence.
2. Although there is significant neighborhood support for the taller fence, one neighbor in attendance at the hearing expressed concerns about the size and appearance of the fence. He felt landscaping should be sufficient.
3. Numerically, it is significant.
4. Extra height will have minimal impact on the neighborhood (4 members). Impact is significant (1 member).
5. 4 Members indicated it is not a self-created hardship. 1 member indicated it is a self-created hardship.

Motion to approve the variance was made by M. Schaffer, seconded by M. Klettke.

Ayes: Unanimous

Next Meeting : December 12, 2022 @ 7:00 pm, Town Hall, Upper Level

Public Hearings: None.

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

Respectfully Submitted,
Jerry Canada, Jr.

ZBA Distribution Listing

Town Supervisor
Building Dept.

Town Board
Planning Board

ZBA Members
Town Clerk