TOWN OF NIAGARA

COUNTY OF NIAGARA, STATE OF NEW YORK

NIAGARA FALLS, N.Y.



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**TOWN OF NIAGARA**

**ZONING BOARD OF APPEALS**

**PUBLIC HEARING MEETING MINUTES**

**REGULAR MEETING MINUTES**

**August 13, 2024**

**Present:** Jody Wienke, JoAnna Wallace, Guido Virtuoso,

Richard Halleen, Jackie Duff - Secretary, Thomas Cuddahee - Chairman

The meeting opens at 6:30 P.M. with the Pledge of Allegiance.

**PRESENTATIONS – As of 07/23/2024**

**Martin Cancilla.**

Area Variance

7407 Recovery Rd

Tax Map No. 145.16-2-6

Applicant seeks relief of Town of Niagara Zoning Ordinance Chapter 245 Zoning. Article V. Supplementary Regulations Sect: §245-30. Vision Clearance and Fences. Subsection §245-30 B. Fences. Applicant seeks an area variance to erect a fence measuring 8 ft. tall, which is 2 ft. taller than the 6 ft. maximum allowed.

Martin Cancilla shows a picture of the existing fence, which was knocked down due to a weather event. He explains that the old fence sloped to the ground due to the ground being uneven but the fence was all a uniform height. Mr. Cancilla did not like the look of that and so he is looking to replace it instead with a fence that remains a constant height, but is different lengths towards the bottom to accommodate the slope of the ground.  The highest point the proposed fence is only 6 ft. high (next to the house) but at the lowest point of the ground, the fence is approximately 8 ft. high due to the slope.

Mr. Cancilla shows a photo rendering of the proposed fence and shows the small triangle that is the only portion that requires the variance. Mr. Cancilla states that it dead-ends at the trees:  which is the back of the U-Haul so no one can really see it.

Mr. Cuddahee asks if anyone has any questions. No Questions are asked.

Mr. Cuddahee closes the presentation.

**PUBLIC HEARING**

**Martin Cancilla.**

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Mr. Cancilla was for the project.

No one was against the project.

Public hearing closed at 6:38 pm

**REGULAR MEETING**

**Martin Cancilla.**

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Tax Map No. 145.16-2-6

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Mr. Cuddahee asks if anyone has any concerns or questions. All Zoning Board members have no questions or concerns. Mr. Cuddahee asks if having balanced the application versus the five criteria of the area variance is there anyone willing to make a motion to approve the variance as submitted.

Mr. Virtuoso made a motion approve the applicant as submitted. Mrs. Wienke seconds.

**ROLL CALL**

Ayes: Mrs. Wienke, Mrs. Wallace, Mr. Halleen, Mr. Virtuoso, Mr. Cuddahee,

Noes: None

Abstained: None

# MINUTES

Meeting minutes of the Zoning Board of Appeals July 9, 2024.

Mr. Cuddahee asks if everyone got the email minutes.

Mrs. Wallace Motions to approve the minutes. Mr. Halleen Seconds.

**ROLL CALL**

Ayes: Mrs. Wienke, Mrs. Wallace, Mr. Halleen, Mr. Virtuoso, Mr. Cuddahee

Noes: None

Abstained: None

As there was no further business, the meeting ended at 6:40 PM

Respectfully submitted

Jackie Duff