



**WEST SENECA
ZONING BOARD OF APPEALS
1300 Union Road, West Seneca, NY 14224
6:00 PM in the Community Center
January 28, 2026**

AGENDA

Meeting # 2026-1

CALL TO ORDER

OPENING OF PUBLIC HEARING

APPROVAL OF PROOFS OF PUBLICATION

APPROVAL OF MINUTES

1. Minutes of Meeting #2025-11

OLD BUSINESS

2025-042

Request of Young Development, Inc. for property located at 2852 Transit Road to allow construction of a fence 8' in height (maximum height in front/side yard 4' and rear yard 6').

2025-047

Request of Anthony Nieves Garcia for property located at 137 Fernald Avenue to allow construction of a fence 4' in height in the front yard with a 25' projection (maximum projection 10' allowed).

NEW BUSINESS

2025-049

Request of Kristin L. Arcuri for property located at 3 Rene Drive to allow for a fence projection 15' past home dwelling (maximum projection 10' allowed).

2025-050

Request of Colin McLaughlin for property located at 80 Greenspring Court to allow construction of a fence 6' in height in the front/side yard (maximum height in front/side yard 4' permitted).

2026-001

Request of Precision Remodels for property located at 1245 Seneca Creek Road construction of an accessory building with a height of 18' 6" to midspan (maximum height 12' is permitted).

ADJOURN

Future meetings are held the fourth Wednesday of the month at 6:00 pm

ROLL CALL: Present: Deputy Supervisor Amelia Greenan
Paul Lang
Edmund Bedient

Absent: Joette Tronolone
Chairperson Stephen Stachowski

CALL TO ORDER

OPENING OF PUBLIC HEARING

Motion by Bedient, seconded by Greenan, to open the public hearing.

Ayes: 4 Noes: 0 Abstain: 0 Motion Carried

Town Attorney Trapp was present at the meeting.

APPROVAL OF PROOFS OF PUBLICATION

Motion by Lang, seconded by Bedient, to approve the proofs of publication.

Ayes: 4 Noes: 0 Abstain: 0 Motion Carried

APPROVAL OF MINUTES

1. Minutes of Meeting #2025-10

Motion by Bedient, seconded by Greenan, to approve Meeting Minutes 2025-10 of October 22, 2025.

Ayes: 4 Noes: 0 Abstain: 0 Motion Carried

OLD BUSINESS

2024-033

Request of Diana Harfouche for property located at 1245 Seneca Creek Road for a variance to allow live music on the property (live music not permitted).

Mr. Lang recused himself and left the meeting room at 6:07 P.M.

Sean Hopkins, Attorney for the applicant, provided the following information:

- Variance originally granted by the Zoning Board of Appeals on June 26, 2024, for a term of 6 months; then extended for a year on November 13, 2024; and most recently, a variance for indoor music was approved October 22, 2025, but outdoor music was not determined
- The variance is unrelated to another project at this property
- The applicant is open to considering a few additional conditions
- Live music is limited to the hours 6 P.M. - 9 P.M.
- There is no record of noise complaints - Mr. Busse confirmed this was correct
- The applicant complies with occupancy load and the number of bathrooms among others
- Applicant is willing to abide by additional restrictions: 1) add sound monitoring equipment for the outdoor Wednesday evening events; 2) Work with the Code Enforcement Office if any bonafide noise

complaints are made; 3) The property would be cleaned the evening of the event or following day
- Mr. Hopkins performed the use variance balancing test:

1) Can a reasonable rate of return be achieved: no, this is absolutely essential to the business as was previously found on June 26, 2024 and noted many other events are generated by live music events

2) Is it a unique circumstance: yes, given the size of the site and nature of use

3) Does the variance change the character of the neighborhood: no, there are no known record of noise complaints by the Code Enforcement Office or Police Department, noting the applicant is willing to abide by the 3 additional criteria

4) Is this a self-created hardship: It is difficult, but the Zoning Board previously found that did not justify denying the variance

- Given that the variance has been granted twice previously and given the additional information, the applicant respectfully requests the variance be granted

Chairperson Hicks stated the Zoning Board received a letter from the applicant giving Mr. Hopkins permission to represent her at this meeting. Chairperson Hicks read letters of no objection from 100 Schultz Road, 1260 and 1281 Seneca Creek Road before realizing they were actually from June 2024. Ms. Greenan stated her father is the property owner of 100 Schultz Road and she has been advised by the Mr. Trapp there is not a conflict of interest for her to hear and vote on the variance. Chairperson Hicks stated she received additional correspondence but asked the public to identify what they were.

Mr. Trapp stated Ms. Greenan does not reside at 100 Schultz Road and is not an ethical conflict. Additionally, the issues regarding the parking lot and hotel are not before the Zoning Board.

The following public comments were received:

James Raymond, 81 Cedar Ridge Drive:

- If the proposed development is approved, would the occupancy limit increase - Mr. Busse stated the occupancy limit outside would not change and noted over 2,000 people NYS Fire Code requires crowd control, fire and escape planning, among other things. Further, no changes are being proposed for the indoor venue.

- In his opinion, more people on the property would increase noise in the neighborhood and he would like the Zoning Board to wait for the Town Board's decision

- In his opinion, the petitions are related to the noise from the Wednesday night events

Chris Owczarczak, 1255 Seneca Creek Road:

- In his opinion, he and his neighbors did not make complaints about the live music because they assumed Kloc's Grove was allowed to have live music and claimed he was not aware of a variance for live music - Chairperson Hicks challenged this statement and referred to the signed letters submitted to the Zoning Board. Further, no calls have been made to the Police Department and Code Enforcement Office.

- Expressed concern about parking for the events if more of the property is developed

- Is the variance for a hardship - Mr. Trapp stated there are 4 criteria to obtain a use variance: 1) cannot realize a reasonable return, provided the lack of return is substantial and is demonstrated by competent financial evidence which Mr. Trapp understands has been provided to the Zoning Board;

2) the hardship relating to the property is unique and does not apply to a substantial portion of the

district or neighborhood and granting it will not alter the essential character of the neighborhood; 3) the hardship has not been self-created. Mr. Owczarczak asked if the business could not continue to run as it has for decades without live music. Mr. Trapp stated the Zoning Board would determine this based on evidence the applicant has presented.

- Is it odd the site is cash only with ATM's onsite - Chairperson Hicks stated that how the business obtains the money is not a concern for the Zoning Board's consideration and confirmed the applicant provided financial evidence in 2024 which she believes is public record. The Zoning Board did determine that a reasonable return could not be achieved between 6 P.M. - 9 P.M. without live music. In her opinion, Chairperson Hicks stated many similar businesses are struggling post-pandemic.
- Did the applicant buy the business knowing it was not doing well

Mr. Raymond returned to the microphone:

- Whose responsibility is it to inform residents of a variance change to a business in the town - Mr. Trapp stated that a public notice is published in the paper and the town's website. Additionally, property owners within a defined distance receive letters. Mr. Raymond asked what paper is used and how much it costs for a subscription. Mr. Trapp stated the West Seneca Bee is the town's official paper and he does not know how much a subscription is.
- Residents must have a subscription to the Bee to be aware of variances - Chairperson Hicks stated the information is posted on the Town Clerk's bulletin board. Mr. Raymond asked how many people see this board. Town Clerk Newton stated thousands of people see the bulletin board when conducting business in the office. Ms. Greenan stated the town complies with Open Meetings Law. Mr. Trapp stated this is correct, and he is not aware of any free newspapers available and all municipalities must have an official newspaper of general circulation within the municipality.
- Was the original application for live music posted on the town's Facebook page - Chairperson Hicks stated the town is not required to post this information to Facebook and could not confirm if it ever was. In addition, neighbor notification is not required at the Zoning Board level, but noted notices of public hearings are published in the ways previously noted. Applicants are required to obtain letters of no objection from surrounding property owners.
- How are neighbor letters vetted - Chairperson Hicks stated the letters are provided by the Code Enforcement Office.
- Is it a conflict of interest that an employee of an applicant signs a letter supporting them - Mr. Trapp stated it is not a conflict, and the weight of the support is considered. Mr. Raymond asked how employees are identified. Chairperson Hicks stated that in her understanding, the Code Enforcement Office identifies the property owners that the applicant must approach.
- In his opinion, the new owner bears the responsibility to contact the neighboring property owners and asked why Chairperson Hicks would encourage the neighbors to contact the Police Department over noise problems. The petition submitted has 50 signatures in opposition of the live music.
- In his opinion, there are many conflicts of interest across the boards involved in pending decisions about this property

Chairperson Hicks asked Mr. Raymond to excuse himself from the microphone and stated she finds his comments insulting on a personal and professional level. Mr. Raymond continued to interrupt Chairperson Hicks.

Ms. Greenan acknowledged Mr. Raymond's comments and also recognized the concessions the applicant has presented, and asked the neighbors for their thoughts on the compromise. Mr. Raymond stated the decibel level and number of attendees could be discussed and continued to be

argumentative.

Chairperson Hicks once again asked Mr. Raymond to return to his seat.

Mr. Bedient asked Mr. Busse if contacting the Police Department to report an issue is appropriate. Mr. Busse confirmed that would be appropriate, and the Police Department can address an incident immediately. In fact, Mr. Busse stated he believes every Patrol Lieutenant has a decibel reader in their vehicle. Mr. Bedient stated there is a difference between the decibel level and a person's tolerance level.

Mr. Owczarczak returned to the microphone to report that one of the property owners that signed a letter of no objection now regrets this and reiterated that no property owners knew of the variance.

Mr. Hopkins made the following comments:

- The Zoning Board of Appeals complies with NYS law
- Disagrees with the request to delay the decision on the variance for live music until the Town Board makes a decision on the applicant's other application.
- The Code Enforcement Office advised that occupancy is based on Building Code and Fire Code and the town is aware of the allowable occupancy level and property
- Further discussions with neighbors about live music would not be fruitful
- Requested the variance be granted relying on the merits of what was originally approved and the Zoning Board's previous determination
- West Seneca does something atypical and explained that typically, when an area variance or use variance is granted, reasonable conditions can be imposed but cannot impose a condition whereby the variance requires a renewal or expiration date; that would apply to a Special Use Permit but not a variance. Variances run with the land.

Motion by Chairperson Hicks, seconded by Bedient, to close the public hearing and table the variance to investigate a Special Use Permit.

Mr. Hopkins stated the Zoning Board has determined that the applicant has met the criteria for a use variance and would ask that it be granted at this meeting. Further, Mr. Hopkins stated he was pointing out that typically use variances run with the land and, in the future, a process for a Special Use Permit should be established. Furthermore, Mr. Hopkins stated that he is not asking for a complete overhaul, he was merely pointing out the differences between West Seneca and other municipalities.

Mr. Bedient stated that he understands the Zoning Board is only considering extending the variance for live music on Wednesdays between 6 P.M. - 9 P.M. Mr. Trapp referred to modifying the code and changing the law with regard to chickens. In fact, removing live music from the Zoning Board of Appeals' purview and addressing it as a Special Use Permit by the Town Board as a process is being reviewed and may be drafted. Ms. Greenan asked if the Zoning Board should vote on the application or wait for the code update. Mr. Hopkins stated the applicant would begin booking events for the summer and reiterated the need for a decision to be made and appreciates changes to the process that may occur.

Ms. Greenan asked why this request was referred to the Zoning Board and not handled by the Code

Enforcement Office as a Special Event. Mr. Busse stated the events at Kloc's Grove exceed the number of special events that can be permitted by the Code Enforcement Office. Mr. Trapp advised the Zoning Board that they may make a decision on the application.

Mr. Bedient asked Chairperson Hicks the purpose of tabling the decision to January. Chairperson Hicks stated she would like to pursue further advice from Mr. Trapp about the upcoming changes. Mr. Hopkins stated any changes to town codes are not a quick process and the Zoning Board of Appeals has jurisdiction over this request. Further, it is not unreasonable to wait until the other member is present, but it is not reasonable to wait for a revision to the town code.

Chairperson Hicks asked the other board members' positions. Mr. Bedient stated he supports approving the variance this evening with the additional conditions but also supports tabling the decision to obtain additional information. Chairperson Hicks expressed her concern that the variance would be permanent. Mr. Hopkins stated he expects the variance to be for a term of 1 year, it is not his intention to pursue litigation.

Ms. Greenan expressed uncertainty about making a decision based on the previous discussion. Mr. Trapp stated that the Zoning Board of Appeals is allowed under the law to grant the minimum variance under the use variance that is allowable and place reasonable conditions, the question is does a time limit on the variance constitute an appropriate condition to be placed on the variance. Mr. Trapp stated he would need to review the town code but suggested withdrawing the motion to close and table the decision because it does not allow for further public comment. Ms. Greenan asked if the law was changed by the time the variance expired would the variance continue to run with the property or until the variance expires. Mr. Trapp stated the answer would depend on the update to the law. Mr. Busse asked if a stipulation could be placed. Mr. Trapp stated this is the question, would a time limit be appropriate condition on a use variance that would otherwise run with the land. Mr. Trapp reminded the board that this is a nonconforming preexisting use. Ms. Greenan stated if the Zoning Board has the jurisdiction to decide the request, if the applicant and neighbors are willing to compromise, and if the variance can be for a temporary amount of time as determined by the Zoning Board then she would like to vote on the application. However, if there is a possibility that the Zoning Board's decision would run with the property forever, she would favor tabling the decision. Mr. Trapp advised the Zoning Board they could extend the variance for an additional year and at that point: there would be an answer from us (Town Board and Town Attorney); the applicant could file an Article 78 proceeding; or, should the new procedure be followed.

Mr. Hopkins reiterated the original approval was for 6 months and the second approval was for 1 year. To put an end to the debate about whether or not imposing a time frame would be a reasonable condition and subject to challenge, Mr. Hopkins stated for the record, on behalf of his client, he is waiving any right in connection with this renewal to challenge it on that basis. The applicant is completely comfortable following past precedent and would deal with any new process that may be in place at the time the variance expires. It is important to begin booking performers.

Chairperson Hicks asked Mr. Hopkins to repeat the applicant's self-imposed conditions. Mr. Hopkins listed them:

- 1) Wednesdays from 6 P.M. - 9 P.M.
- 2) Sound monitoring equipment for the Wednesday events and records will be kept
- 3) If the Building Department receives a legitimate noise complaint, the applicant would work with the

Building Department to address the complaint to the satisfaction of the Building Department

3) The premises would be cleaned up after live music events by the following day

Mr. Busse stated he has monitored the sound level with other property owners and would be willing to do this with the applicant. Mr. Hopkins stated that would be acceptable.

Chairperson Hicks withdrew her motion to table the item. Mr. Bedient withdrew his second.

Chairperson Hicks referred to neighbor complaints including litter and trespassing, noting the litter complaint was addressed, and stated she has concerns about guest behavior that were mentioned, including public urination among other bad consequences of having live music, and asked for a guarantee of security in the parking lot. Mr. Hopkins stated that requiring an employee on the premises to monitor the parking lot is acceptable. Chairperson Hicks stated that, in her opinion, contacting the police department would be appropriate in such instances and noted the area is open without many fences. Mr. Hopkins stated fencing is an acceptable condition and reiterated that the applicant wants to be a good neighbor. Chairperson Hicks stated that she understands the applicant owns other property and is interested in living there at some point. Mr. Hopkins stated there was going to be a residential subdivision, but this could not go forward because of existing wetlands.

Ms. Greenan requested the neighbors to focus on the 5 concessions.

Mr. Owczarczyk asked if the Zoning Board would have denied the original variance if the neighbors had voiced opposition at that time. Further, the applicant did not approach the neighbors to communicate their plans. Ms. Greenan asked what can be done to make the situation better and would the concessions be amenable. Mr. Owczarczyk stated he would be diligent about reporting incidents to the Police Department. Mr. Bedient stated he looks forward to seeing how the events go now that everyone is aware of the situation. Mr. Owczarczyk reiterated that in his opinion, there would not be problems if the applicant had made the neighbors aware of the events and their plans for the property. Ms. Greenan listed the 5 conditions and asked Mr. Owczarczyk for his comments:

- 1) the applicant will have sound monitoring equipment and records will be kept accordingly - This makes sense.

- 2) the applicant will work with the Building Department (Code Enforcement Office) to resolve any noise complaints;

- 3) the applicant is committed to expeditious cleanup

- 4) Code Enforcement will measure the sound

- 5) an employee will be on the premises in the parking lot to monitor behavior - No, this is not enough and would like a physical barrier to stop patrons from entering private properties. Chairperson Hicks offered the possibility of orange snow fencing or permanent fencing. Mr. Owczarczyk stated he would need to ask his neighbors.

Ms. Greenan again asked if the conditions were amenable, and she desired to make a determination at this meeting. Chairperson Hicks stated the Zoning Board does not negotiate with neighbors, they make a decision based on information. The point was made that it is not possible to go back and second guess how the neighbors would have responded when the original variance was granted.

Mr. Hopkins stated the conditions Ms. Greenan listed are acceptable and stated the Zoning Board rules based on statutory criteria regardless of the number of people in the room. In his opinion, the

applicant has satisfied the Zoning Board's request from October and have proposed additional protective measures for the neighborhood. The variance would only be for 1 year.

Ms. Greenan offered one last opportunity for public comments.

Rob, Ebenezer:

- full board, please - Chairperson Hicks stated one member has a conflict and a full board is not possible.

Mr. Bedient asked which neighbors would need fencing and stated the snow fencing is used for other events, including Community Days and is effective. Mr. Hopkins asked where the fencing would be placed. Mr. Busse referred to a map to illustrate the size of the property. Mr. Owczarczak spoke from the audience and his comments were inaudible on the recording. Mr. Hopkins suggested posting No Trespassing signs. Chairperson Hicks stated in her opinion that guests are not aware of the property lines. Ms. Greenan asked how to define the condition. Mr. Bedient suggested fencing off the parking area and asked if people park on the roads and cut through yards to get to Kloc's Grove. Mr. Owczarczyk spoke from the audience and stated that people were walking through yards along Seneca Creek Road. Chairperson Hicks asked Mr. Trapp for his opinion about fencing. Mr. Trapp stated permanent fencing would not be considered a reasonable condition and while temporary fencing is a good idea, the property is very large. Ms. Greenan asked if the condition could be "reasonable temporary fencing." Mr. Trapp stated that, as a compromise between both parties, it is not an unreasonable condition.

Motion by Greenan, seconded by Chairperson Hicks, to close the public hearing.

Ayes: 3 Noes: 0 Abstain: 0 Motion Carried

Voting For: Chairperson Hicks, Ms. Greenan, Mr. Bedient

Voting Against: None

Abstain: None

Motion by Greenan, seconded by Bedient, to grant a variance for property located at 1245 Seneca Creek Road to allow live music on the property on Wednesdays from 6 P.M. - 9 P.M. through November 2026 with the following conditions:

- 1) the applicant will have sound monitoring equipment and records will be kept accordingly;
- 2) the applicant will work with the Building Department (Code Enforcement Office) to resolve any noise complaints;
- 3) the applicant is committed to expeditious cleanup;
- 4) Code Enforcement will measure the sound;
- 5) an employee will be on the premises in the parking lot to monitor behavior; and,
- 6) reasonable, temporary fencing will be installed.

On the question, Mr. Trapp advised that a specific date should be used.

Motion by Greenan, seconded by Bedient, to amend the previous motion to indicate that the variance would expire on October 28, 2026.

Ayes: 3 Noes: 0 Abstain: 0 Motion Carried

Voting For: Chairperson Hicks, Ms. Greenan, Mr. Bedient
Voting Against: None
Abstain: None

NEW BUSINESS

2025-042

Request of Young Development, Inc. for property located at 2852 Transit Road to allow construction of a fence 8' in height (maximum height in front/side yard 4' and rear yard 6').

Motion by Chairperson Hicks, seconded by Greenan, to table the request to the January 2026 meeting noting two Zoning Board members would need to recuse themselves and there would not be a quorum.

Ayes: 4

Noes: 0

Abstain: 0

Motion Carried

2025-043

Request of X-Press Signs for property located at 3815 Clinton Street to allow a LED messaging sign within 500' of residential zoning (LED signs not permitted within 500' of residential zoning)

Mr. Lang returned to the meeting at 7:39 P.M.

Rick Johnson of X-Press Signs spoke on behalf of the applicant:

- Distributed copies of a letter to the Zoning Board members
- Proposing to replace the existing sign poles with a single pole and add a full-color LED message display underneath the existing sign
- The existing poles are in disrepair
- The display LED sign would conform to town codes
- The sign would be placed in the same location

Chairperson Hicks referred to the letter just received from Mr. Johnson which indicates the purpose of the sign is to relay information to the public, and it will be made available to be used for emergency messages when necessary.

Chairperson Hicks stated neighbor signatures with no objection to the variance were received from residents at 3769, 3767, 3781, 3799, 3809, 3855, 3875, 3886, 3882, 3870, 3796, 3786 Clinton Street and 20 Northwood Avenue. Mr. Johnson stated no property owners refused to sign the letter.

Chairperson Hicks stated NYSDOT indicated that the following:

- The existing sign appears to be within NYDOT's Right-of-Way and the existing sign shall be removed
- A NYSDOT Highway Work Permit will be required for sign removal work located within the Highway Right-of Way, more detailed plans are required for the permit application, and an additional site engineering review will be performed

- Any proposed sign shall be installed on private property outside of NYSDOT's Right-of Way

Mr. Johnson referred to the layout and stated the pole would be located closer to the existing fence, not the road. Chairperson Hicks confirmed that the sign would not be in the right-of-way. Mr. Johnson stated it would not. Mr. Bedient referred to the picture he received and asked if the picture did not accurately depict the location. Mr. Busse confirmed the post would actually be located next to the fence and he would assist Mr. Johnson with the NYSDOT work permit application. Mr. Bedient asked if the sign would be clear of the power lines. Mr. Johnson confirmed the sign would not hit the power lines.

Chairperson Hicks stated Erie County Department of Environment and Planning responded to the ZR-1 notification, has no recommendation, and determined the request is a local concern.

Mr. Johnson asked if he would need to return to the Zoning Board after receiving a work permit from NYSDOT. Mr. Trapp stated if the Zoning Board approves the variance, it would be contingent upon meeting NYSDOT's requirements.

Chairperson Hicks commented that the adjacent neighbors did not have any objections to the proposed sign.

Ms. Greenan referred to the area variance balancing test: 1) Is there an undesirable change to the neighborhood - no, there are neighbor letters in support; 2) Is there an alternative – Ms. Greenan asked Mr. Johnson if there are any alternatives to the LED sign. Mr. Johnson stated that in his opinion, there is not an alternative means to achieve the impact on passing motorists. Mr. Busse added that the LED would provide additional advertising opportunities. 3) Is the request substantial – Chairperson Hicks stated the sign is otherwise compliant with the town code. Mr. Busse confirmed this is correct. Chairperson Hicks concluded the request is not substantial. 4) Does the variance have an impact on the environment – Mr. Johnson stated the hours of operation are daily between the hours of 10 A.M. - 11 P.M. Mr. Busse stated he would review the LED sign requirements with the applicant when the permit is issued. 5) Is this a self-created difficulty – Chairperson Hicks stated the business is located in a mixed use area and there is limited space for the sign to be located and concluded this is not a self-created difficulty. Mr. Bedient referred to item no. 3 and stated that, in his opinion, the request is not substantial and the sign appears to be at least 500' from either adjacent residence. Further, the proposed sign would be an improvement to the area.

Motion by Bedient, seconded by Greenan, to close the public hearing and grant a variance for property located at 3815 Clinton Street to allow a LED Messaging sign within 500' of residential zoning pursuant to compliance with NYSDOT requirements.

Ayes: 4

Noes: 0

Abstain: 0

Motion Carried

2025-044

Request of Mike Betti for property located at 11 Greenspring Court to allow construction of a fence 6' feet height in the front/side yard (maximum height of 4' allowed in front/side yard).

Mike Betti stated he is requesting to extend a 6' fence along the side of his property to provide safety

for his dog, privacy for his family, increase the usable area of the backyard, and improve the aesthetic appeal of the property.

Chairperson Hicks stated neighbor signatures with no objection to the variance were received from residents at 7, 19, 20, 16, and 15 Greenspring Court; 7 and 15 Greenspring Court are the adjacent properties.

Chairperson Hicks stated NYSDOT indicated that the project does not appear to have a significant impact on traffic on the State Highway System, has no opinion, and is determined to be a local concern. In addition, Erie County Department of Environment and Planning responded to the ZR-1 notification, has no recommendation, and determined the request is a local concern.

Ms. Greenan referred to the area variance balancing test: 1) Is there an undesirable change to the neighborhood - no, there are neighbor letters in support; 2) Is there an alternative – no, based on the purpose of the request; 3) Is the request substantial – no, the request is very common; 4) Does the variance have an impact on the environment – no, there is no impact on the environment; 5) Is this a self-created difficulty – yes, but this is not the determining factor.

Motion by Greenan, seconded by Lang, to close the public hearing and grant a variance for property located at 11 Greenspring Court to allow construction of a fence 6' in height in the front/side yard.

Ayes: 4

Noes: 0

Abstain: 0

Motion Carried

2025-045

Request of Anthony Marinaro for property located at 923 Orchard Park Road to allow construction of a pole barn with a midspan of 17'6" (maximum 12' midspan allowed)

Anthony Marinaro stated he would like to build a pole barn that would allow him to work on vehicles in his retirement. Chairperson Hicks asked how the upstairs of the pole barn would be utilized. Mr. Marinaro stated he anticipates using the space as a play area for his grandchildren.

Ms. Greenan asked Mr. Marinaro if there is an alternative and why he is requesting a height of 17' 6". Mr. Marinaro stated he would like an upstairs level and prefers the look of a Gambrel roof. Mr. Busse stated the height is necessary to achieve the 2nd floor area regardless of the roof style. Chairperson Hicks asked if there would be an apartment or bathroom or plumbing. Mr. Marinaro stated he may want plumbing for a bathroom in the barn for his own use. Chairperson Hicks requested assurance the barn would not be used for business purposes. Mr. Marinaro stated he would not be using the barn for any business.

Ms. Greenan asked Mr. Busse if the proposal would have an adverse effect on the physical environment. Mr. Busse stated it would not create an adverse impact and if any issues arose they would be addressed. Mr. Marinaro stated the property is 15 acres.

Mr. Bedient stated neighbor signatures with no objection to the variance were received from residents at 928, 918, 921, 940, 955, 901, 933, and 934 Orchard Park Road.

Chairperson Hicks referred to the area variance balancing test: 1) Is there an undesirable change to the neighborhood - no, there are neighbor letters in support; 2) Is there an alternative – no, there is no alternative to achieve the applicant's objective; 3) Is the request substantial – no, the applicant owns the property around the proposed pole barn; 4) Does the variance have an impact on the environment – no, there is no impact on the environment; 5) Is this a self-created difficulty – yes, but this is not the determining factor.

Motion by Bedient, seconded by Greenan, to close the public hearing and grant a variance for property located at 923 Orchard Park Road to allow construction of a pole barn with a midspan of 17' 6".

On the question, Chairperson Hicks stated Erie County Department of Environment and Planning responded to the ZR-1 notification, has no recommendation, and determined the request is a local concern.

In addition, NYSDOT indicated that the project does not appear to have a significant impact on traffic on the State Highway System, has no opinion, and is determined to be a local concern.

Ayes: 4

Noes: 0

Abstain: 0

Motion Carried

2025-046

Request of Christine Schwarzott for property located at 147 Reserve Road to allow construction of a accessory building 7.25' from the existing house (front setback 10' from the house).

Christine Schwarzott stated she is requesting to build a shed in the side yard. The shed is approximately 8' x 12' and is requesting a variance of less than 10' from the house.

Chairperson Hicks asked Mr. Busse why the deck is also marked on the survey. Mr. Busse stated the deck was a previous project and does not require action by the Zoning Board.

Chairperson Hicks asked what the shed would be used for. Ms. Schwarzott stated she would store her riding lawnmower and snowblower in the shed. Mr. Busse stated there is a steep slope at the rear of the property which limits the possible location of the shed. Ms. Schwarzott stated she plans to place the shed on a concrete pad. Mr. Busse confirmed that a concrete pad would be sufficient in this location and fill would not be needed.

Chairperson Hicks stated NYSDOT indicated that the project does not appear to have a significant impact on traffic on the State Highway System, has no opinion, and is determined to be a local concern. In addition, Erie County Department of Environment and Planning responded to the ZR-1 notification, has no recommendation, and determined the request is a local concern.

Chairperson Hicks stated neighbor signatures with no objection to the variance were received from residents at 137 Reserve Road noting it is the neighbor nearest the proposed shed. Mr. Busse stated he does not anticipate runoff issues with the neighbor.

Chairperson Hicks referred to the area variance balancing test: 1) Is there an undesirable change to the neighborhood - no, there are neighbor letters in support; 2) Is there an alternative – no, other

areas on the property are not level; 3) Is the request substantial – no, the intent is being achieved; 4) Does the variance have an impact on the environment – no, there is no impact on the environment; 5) Is this a self-created difficulty – no, the lay of the land limits the placement.

Motion by Lang, seconded by Greenan, to close the public hearing and grant a variance for property located at 147 Reserve Road to allow construction of an accessory building 7.25' from the existing house.

Ayes: 4

Noes: 0

Abstain: 0

Motion Carried

2025-047

Request of Anthony Nieves Garcia for property located at 137 Fernald Avenue to allow construction of a fence 4' in height in the front yard with a 25' projection (maximum projection 10' allowed).

Anthony Nieves Garcia stated he is requesting a 4' high chain link fence in the front yard to provide safety and security for his autistic children and his pets. Mr. Garcia stated he has experienced vehicle driving on his front lawn and placed large stones to deter them. The stones have not been effective.

Chairperson Hicks stated neighbor signatures with no objection to the variance were received from one of the neighbors, but noted there was only a letter of notification sent to the other neighbor and asked if Angel Castoioire was present. Mr. Garcia stated he was advised to notify Mr. Castiore and invite him to attend the meeting and commented that they have had difficulties with each other. Chairperson Hicks noted the neighbor at 141 Fernald Avenue has no objections. Mr. Busse stated the applicant has a shared driveway with Mr. Castiore, and it is a unique circumstance that the property line runs down the driveway and noted the proposed fence would be towards the neighbor's side of the driveway. Chairperson Hicks asked if Mr. Garcia planned to install a fence in the driveway. Mr. Garcia stated he does intend to add a fence along the driveway, but the variance is limited to the front yard. Mr. Busse stated the fence is allowed at 4' in height up to the property line.

Angel Castoioire, property owner of 135 Fernald Avenue, made the following comments:

- The proposed fence would keep the dogs contained, but expressed concerns that one of the dogs is large and a jumper, and it could clear a 4' fence
- Expressed concerns that the Garcias would leave their dogs outside and unattended for long periods of time
- Previous situation where the larger dog got free and went after Mr. Castoioire's friend and his own dog and there is a police report of this incident
- The shared driveway can be challenging in the winter months and expressed concerns about the Garcias parking at the end of the driveway
- Understands the Garcias' concern for their children's safety, but in his opinion, he feels that the Garcias are trying to be inconsiderate to himself and the fence would be unsightly

Mr. Busse stated he does not have any records of incidents in the Code Enforcement Office, noting these types of incidents would not involve his office.

Chairperson Hicks asked Mr. Garcia if his backyard was fenced. Mr. Garcia stated it is not. Chairperson Hicks asked an alternative would be to fence his backyard. Mr. Garcia stated his

backyard is mostly gravel and only a small patch of recently planted grass. Chairperson Hicks asked Mr. Garcia if he intends to use the front yard as a recreation area. Mr. Garcia confirmed this and reiterated his concern that cars had entered his property when turning the nearby corner.

Mr. Bedient stated he understands the limitations of the backyard and asked if the Zoning Board could discuss the location of the fence. Ms. Greenan stated it is common practice for the Zoning Board to require fences to be 3' off sidewalks and could apply the same logic for this circumstance. Mr. Busse stated there is a grassy area right-of-way next to the road and Fernald Avenue is 50' wide. Mr. Bedient asked if the fence could be located a bit more off the driveway to alleviate congestion at the end of the driveway. Mr. Garcia stated that there is an existing gas line which requires the fence to be placed closer to the driveway. Mr. Busse suggested keeping the fence closer to the front of the house.

Mr. Bedient asked when the fence would be installed. Mr. Garcia stated he does not think it will be during the winter months. Mr. Bedient stated he would prefer to table the application and have the applicant provide more specific details. Chairperson Hicks stated she agrees and would also like more details about the fence.

Chairperson Hicks asked if a 4' fence would be adequate to contain the applicant's large dog. Mr. Garcia stated that while the dog is large, she is not agile; she is still a puppy, and they are working on training issues with a dog trainer. Chairperson Hicks stated she would like the applicant to resolve any neighbor issues and if the fence would adequately contain animals and children she is not opposed to the fence.

Chairperson Hicks referred to the area variance balancing test: 1) Is there an undesirable change to the neighborhood - the applicant's side of the fence may be safe, but the neighbor's side might not be; 2) Is there an alternative – the applicant does not like the concept of using the backyard; 3) Is the request substantial – yes, and asked if a 25' projection is too much; 4) Does the variance have an impact on the environment – possibly; 5) Is this a self-created difficulty – yes, but the situation could be seen as no due to the limitations of the backyard.

Motion by Bedient, seconded by Chairperson Hicks, to table the item pending receipt of additional information from the petitioner regarding the proposed fence for the January 28, 2026, meeting.

Ayes: 4

Noes: 0

Abstain: 0

Motion Carried

2025-048

Request of Jaclyn Schneider of Green Philosophy 716 for property located at 99-101 Slade Avenue to allow construction of an additional sign (ground sign) (one sign per lot permitted).

Ralph Lorigo, Attorney for the applicant, provided the following information:

- Within the next few years, Slade Avenue and the properties around the building will be commercially developed
- Would an undesirable change occur - no, there is no change in the character of the neighborhood and reiterated the neighborhood would eventually be commercial
- There is not a feasible alternative due to the existing building design and the sign would better

direct customers to the business

- The sign is 20.8-sf and the town allows 32-sf and is a professional sign
- The sign would not have an adverse effect on the environment
- In his opinion, this is not a self-created hardship due to the design of the building
- The owner is a medical doctor and the business is run extremely well
- Another dispensary is located less than a mile away and the sign would allow the business to be more easily found

Chairperson Hicks asked why the applicant's business name was not added to Mr. Lorigo's sign. Mr. Lorigo stated he has 9 attorneys to include on his sign and keeping the signs separate also serves to direct customers and clients to the appropriate entrances. Chairperson Hicks stated she agrees that it is not practical to combine the businesses onto one sign.

Chairperson Hicks stated considering the width of the parcel, this is a unique circumstance. The location in the town is challenging for businesses. The site is compliant in every other aspect and sets a good example for other businesses.

Chairperson Hicks stated there are no neighbors to provide consent. Mr. Lorigo stated that he represents Benchmark, the new owners of the Seneca Mall property and they have no issues. Additionally, Carl Paladino, owner of many properties across the street, has indicated that he has no issues with the proposed sign.

Chairperson Hicks stated NYSDOT has no opinion on the town granting a variance for a second sign, and the Erie County Department of Environment and Planning responded to the ZR-1 notification, has no recommendation, and determined the request is a local concern.

Mr. Bedient agreed that the sign is very attractive and appreciates that a business is operating in this location and the space is not vacant. Mr. Bedient asked if the sign will have lighting. Mr. Lorigo stated the sign is not intended to be lit.

Ms. Greenan stated she agrees with the balancing test as stated by Mr. Lorigo, this is a unique situation, and she is in favor of granting the variance.

Mr. Lang was also in agreement.

Motion by Bedient, seconded by Greenan, to close the public hearing and grant a variance for property located at 99-101 Slade Avenue to allow construction of an additional ground sign.

Ayes: 4

Noes: 0

Abstain: 0

Motion Carried

ADJOURN

Motion by Greenan, seconded by Bedient, to adjourn the meeting at 8:56 P.M.

Ayes: 4

Noes: 0

Abstain: 0

Motion Carried

**WEST SENECA COMMUNITY CENTER
1300 Union Road
West Seneca, NY 14224**

**Zoning Board of Appeals
Minutes #2025-11
December 3, 2025**

Future meetings are held the fourth Wednesday of the month at 6:00 pm

APPLICATION TO BOARD OF APPEALS

Tel. No. -

Appeal No. 2025-642

Date 10/20/25

TO THE ZONING BOARD OF APPEALS, WEST SENECA, NEW YORK:

I (we) Bryan Young of Young Development Inc.

_____, HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE
DECISION OF THE BUILDING INSPECTOR ON AN APPLICATION FOR A BUILDING PERMIT, WHEREBY THE BUILDING
INSPECTOR DID DENY PERMIT TO: N/A

- | | |
|--|---|
| ☐ A PERMIT FOR USE | ☐ A CERTIFICATE OF EXISTING USE |
| ☐ A PERMIT FOR OCCUPANCY | ☐ A CERTIFICATE OF ZONING COMPLIANCE |
| ☐ A TEMPORARY PERMIT OR EXTENSION THEREOF | ☒ AREA PERMIT |
1. Applicant is the ☐ PROPERTY OWNER
☒ CONTRACTOR FOR THE WORK CONCERNED HEREIN
☐ PROSPECTIVE TENANT
☐ OTHER (Describe) _____

2. LOCATION OF THE PROPERTY 2852 Transit Road, West Seneca

3. State in general the exact nature of the permission required, Erect an 8-foot x 160 foot wood privacy fence along the western border of the development.

4. PREVIOUS APPEAL. No previous appeal has been made with respect to this decision of the Building Inspector or with respect to this property, except the appeal made in Appeal No. N/A, dated _____, 20____.

5. REASON FOR APPEAL.

A. A Variance to the Zoning Ordinance is requested because strict application of the ordinance would produce undue hardship, or the hardship created is unique and is not shared by all properties alike in the immediate vicinity of this property and in this use district, or the variance would observe the spirit of the ordinance and would not change the character of the district because: _____

(See Attached)

B. Interpretation of the Zoning Ordinance is requested because: _____

C. A Special or Temporary Permit or an Extension thereof Under the Zoning Ordinance is requested pursuant to Article _____, Section _____, Subsection _____, Paragraph _____ of the Zoning Ordinance, because: _____

Yancy Dev.
Applicant's Signature

TO BE COMPLETED BY THE BUILDING INSPECTOR

1. Provision(s) of the Zoning Ordinance Appealed, including article, section, subsection or paragraph of the Zoning Ordinance
120 - 39(B) Fences shall not exceed 4' in front/side yard + 6' in rear yard. Requesting 8' privacy fence
2. Zoning Classification of the property concerned in this appeal _____
3. Type of Appeal:
☒ Variance to the Zoning Ordinance.
☐ Interpretation of the Zoning Ordinance or Zoning Map.
☐ Special or Temporary Permit or an extension thereof under the Zoning Ordinance.
4. A statement of any other facts or data which should be considered in this appeal. _____

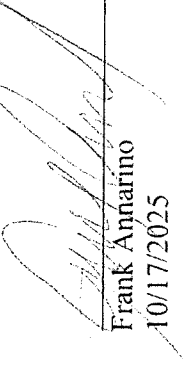
Building Inspector D+B

October 17th, 2025

Frank Annarino
359 Schultz Rd.
West Seneca NY 14224

Re: Multifamily Project - 391 Schultz and 2852 Transit Road

Young Development Inc will be appearing in front of West Seneca Zoning Board of Appeals on (date) 12/2/2025, requesting a variance to erect a 8' privacy fence separating your property located at 359 Schultz Road and the Young Development Inc property located at 391 Schultz Road. Along with the 8' privacy fence, we will also be planting additional 2.5" caliper deciduous trees on our property to further reduce visibility between our parcels. If you are in favor of these additions, please sign below.


Frank Annarino
10/17/2025



1120 Bullis Road
Elma, New York 14059
Phone (716) 675-8000
Fax (716) 675-1942
www.youngdevelopmentinc.com

10/15/2025

Doug Busse
Town of West Seneca
1250 Union Rd., Rm 210
West Seneca, NY 14224

Re: The Springs at West Seneca
2852 Transit Road, West Seneca

Sub: Letter of Intent - Request for Variance

Mr. Busse,

It is the intent of Young Development Inc. to erect/install an 8-foot wood privacy fence along the western border of the site known as The Springs of West Seneca Apartment Community. The fence would be no longer than 160 lineal feet.

Reasons for the variance:

Add privacy to both the apartment residents and the adjoining residential properties.

Sincerely,

Cindi Baumgartner

Cindi Baumgartner
Project Coordinator
Young Development, Inc.

GENERAL NOTES:

1. INSTALL ALL MATERIALS TO MANUFACTURER'S RECOMMENDATIONS AND BEST STANDARDS OF TRADE INVOLVED.
2. SUBSTITUTIONS SHALL BE MADE ONLY WITH OWNER'S APPROVAL AND BE OF EQUIVALENT QUALITY TO WHAT IS SPECIFIED.
3. WORK SHALL BE COMPLETED IN STRICT ACCORDANCE WITH ALL LOCAL CODES AND OSHA SAFETY RULES AND REGULATIONS.
4. VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AT THE SITE. NOTIFY OWNER IF DISCOVERED DISCREPANCIES IN CONDITIONS SHOWN ON DRAWINGS PRIOR TO PROCEEDING WITH THE WORK.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ANY EXISTING STRUCTURES TO REMAIN AND ANY FINISH MATERIALS INSTALLED WHILE WORKING ON OTHER COMPONENTS.
6. CONTRACTOR SHALL KEEP JOB FREE OF DEBRIS AND MAKE FINAL CLEANUP TO SATISFACTION OF OWNER.
7. CONTRACTOR SHALL ASCERTAIN THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION SO THAT THIS WORK WILL NOT DISTURB EXISTING LINES AND/OR INSTALLATIONS. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.
8. ALL OTHER PERMITS REQUIRED BY STATE OF NEW YORK, COUNTY OF ESSEX, AND TOWN OF WEST SENECAS ARE THE RESPONSIBILITY OF THE CONTRACTOR/DEVELOPER/OWNER.
9. EXISTING CURB AT PROPOSED DRIVEWAY ENTRANCE AND REMOVAL OF EXISTING ENTRANCE SHALL BE SAW CUT (TALL CURB) AND HEAVILY REINFORCED FROM THE BACKSIDE. EXISTING PAVEMENT SHALL NOT BE DISTURBED AND THE PAVEMENT EDGE SHALL BE USED AS FORM FOR PLACING NEW CURB.
10. ALL DISTURBED AREAS WITHIN HYDROLOGIC UNIT NO. 10 TO BE RESTORED USING ITEM #14.1; 14.2 TOPSOIL - RECOVERED AND ITEM #14.3; 14.4 TOPSOIL - REPLACEMENT. LAYOUT AND COMPLY WITH HYDROLOGIC STANDARDS AND SPECIFICATIONS SECTION 113 - LANDSCAPE DEVELOPMENT MATERIALS.

NOTES:

1. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE TOWN OF WEST SENECAS SPECIFICATIONS WHERE APPLICABLE.
2. FILL SHALL BE PLACED AND SATISFACTORILY COMPACTED PRIOR TO THE INSTALLATION OF WATER AND SEWER LINES (TYPICAL).
3. ALL UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTRACTOR SHALL VERIFY ALL LOCATIONS BEFORE BEGINNING WORK AS REQUIRED BY APPLICABLE LAWS AND REGULATIONS.

NOTES:

1. ALL ROADS SHALL BE 14' UNLESS OTHERWISE NOTED.
2. ALL DISTURBED AREAS SHALL HAVE 4" MIN. OF TOPSOIL AND SEED.
3. ALL DIMENSIONS FROM PROPERTY LINES SHALL BE MEASURED PERPENDICULAR TO THE PROPERTY LINE.
4. CENTER ENTRANCE SIDEWALKS ON DRIVEWAYS.
5. ALL HANDICAP RAMPS MUST WITHIN THE HYDROLOGIC UNIT NO. 10 AND/OR SIDEWALKS FLUSH TO PAVEMENT SHALL HAVE ADA COMPLIANT TACTILE WARNING STRIPS WHERE ENTERING PARKING AREAS/DRIVEWAYS. SIDEWALKS FLUSH TO PAVEMENT WITHIN THE HYDROLOGIC UNIT NO. 10 SHALL COMPLY TO THE NOTES AND DESIGN REGULATIONS AS STATED ON HYDROLOGIC STANDARD SHEET #60-61.
6. BUILDING DIMENSIONS ARE APPROXIMATE. REFER TO ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS.
7. ALL SIDEWALKS 5' WIDE UNLESS OTHERWISE NOTED.

SITE PLAN
SCALE: 1"=30'

SITE DATA - 1257 TRANSIT RD. 100' WIDE 40' HIGH 40' RADIUS
ZONING - URBAN SITE (RELAYED TO C-100) APPROVED BY TOWN BOARD ON 7/16/2023
(THIS CRITERIA APPLIES TO C-1 WITH REGARD TO MULTIFAMILY USE)
(PREVIOUSLY ZONED C-1 B. 1994)

MULTIFAMILY ALLOWED BY SPECIAL PERMIT

MIN. LOT WIDTH = 50 FT FOR FIRST DWELLING UNIT, PLUS 10 FT FOR EACH ADDITIONAL UNIT

MIN. LOT AREA = 8,000 SF FOR FIRST DWELLING UNIT, PLUS 3,000 SF FOR EACH ADDITIONAL DWELLING UNIT

FRONT SETBACK = 40 FT

SIDE SETBACK = 10 FT MIN. OR A DISTANCE EQUAL TO 1/4 HCT. OF SUCH BUILDING, WHICHEVER IS GREATER

REAR SETBACK = 30 FT

MAXIMUM BUILDING HEIGHT = 40 FT (MULTIFAMILY)

DRIVEWAY: 30 FT WIDE REQUIRED FOR MULTIFAMILY

DWELLING SIZE: 500 SF EACH MULTIFAMILY UNIT

PARKING CALCULATION
MULTIFAMILY
REQD = 1.5 SPACES PER UNIT - 13 UNITS SPACES
REQD = 1.5 SPACES + 19 SPACES = 28 SPACES
TOTAL PROVIDED = 75 SPACES + 50 GARAGE SPACES = 125 SPACES

DENSITY CALCULATION
REQD = 4,000 SF FOR FIRST DWELLING UNIT, PLUS 3,000 SF FOR EACH ADDITIONAL DWELLING UNIT
ALLOWED NUMBER OF UNITS:
141 UNITS: 127,751 SF + 4,000 SF = 131,751 SF
ADDITIONAL UNITS: 131,751 SF / 5,000 SF = 26 UNITS
TOTAL ALLOWED UNITS = 24 UNITS
TOTAL PROVIDED UNITS = 24 UNITS

*VARIANCE GRANTED BY ZBA ON 8/23/2023

GREENSPACE PROVIDED = 1.91 AC. (16,811)

SITE LEGEND

PROPERTY LINE

PROPOSED CONCRETE CURB

PROPOSED SIDEWALK / CONCRETE PAD

NUMBER OF PARKING SPACES

PROPOSED SIGN

PROPOSED HEAVY DUTY ASPHALT PAVEMENT

PROPOSED LIGHT POLE

PROPOSED WALL MOUNTED LIGHT

NOTE: ROADWAY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS; CARMINA WOOD DESIGN ASSUMED NO RESPONSIBILITY FOR ITS ACCURACY.

30' 60' 120'

- DETAIL LEGEND
- 1. 10' PARKING STALL
 - 2. STOP BAR
 - 3. CONCRETE SIDEWALK, 5' WIDE UNLESS OTHERWISE NOTED
 - 4. STANDARD DUTY ASPHALT
 - 5. HEAVY DUTY ASPHALT
 - 6. EXTERIOR CONCRETE SLAB ON GRADE
 - 7. HANDICAPPED CONCRETE MARKINGS
 - 8. HANDICAPPED PARKING SIGN
 - 9. LIGHT POLE FOUNDATION
 - 10. 4" VINYL COATED CHAINLINK FENCE
 - 11. DUMPSTER ENCLOSURE
 - 12. PIPE ROLLBACK
 - 13. TYPE 'A' CONCRETE CURB
 - 14. DECORATIVE WOODEN GUARDRAIL
 - 15. TYPE 'A' CONCRETE CURB
 - 16. SIDEWALK CURB RAMP
 - 17. 8" HIGH BOARD-ON-BOARD FENCE

- NOTE LEGEND
- 1. INSTALL STOP SIGN - ALUT. C.D. SIGN NO. R1-1C
 - 2. INSTALL THE PARKING SIGN, ALUT. C.D. SIGN NO. R7-1
 - 3. LANDSCAPED AREA - SEE LANDSCAPE PLAN, IF NO PLANTINGS, INSTALL TOPSOIL & SEED
 - 4. EDGE OF PAVEMENT
 - 5. WATER METER & BACKFLOW DEVICE IN ISOLATED ENCLOSURE
 - 6. MAIL BOX & 4"X4"X4" CONCRETE PAD, SEE PLANS BY OTHERS
 - 7. WATER EDGE OF PAVEMENT, SAWCUT AS REQD TO ACHIEVE SQUARE EDGE TO MATCH
 - 8. 5' WIDE MAIN GATE
 - 9. 5' WIDE DOUBLE SERVICE GATE
 - 10. MONUMENT SIGN, SEE PLANS BY OTHERS
 - 11. BENCHES WITH BACKS & DOGS WASTE STATION
 - 12. 6"X6" CONCRETE PAD AND BONE RACK
 - 13. 4" WIDE YELLOW PAVEMENT STRIPES @ 2" O.C. @ 4' TO PARKING LINES
 - 14. NEW STORAGE AREA
 - 15. INSTALL NEW CONCRETE CURB, MATCH EX., SEE HYDRO STANDARD SHEET #60-61
 - 16. 2" HIGH VINYL FENCE, CREAM COLOR
 - 17. RAINOUT CURB IN 2" ON MATCH EX.
 - 18. 4" WIDE WHITE PAVEMENT STRIPES @ 1" SPACING (CROSS WALK)

NOTICE: RIGHT OF WAY NOTE: ANY DAMAGES CAUSED BY EXISTING CONSTRUCTION WITHIN THE RIGHT OF WAY SHALL BE REPAIRED OR REPLACED PER THE MOST RECENT HYDRO STANDARDS AND SPECIFICATIONS AT THE CONTRACTOR'S EXPENSE.

NOTICE: RIGHT OF WAY NOTE: THE EXISTING CURB SHALL BE SAWCUT FOLLOWING THE FIRST JOINT IN THE WALL HEIGHT CURB OTHER SIDE OF THE DRIVEWAY APPROX. THE CURB CUT SHALL BE REMOVED FROM THE BACK SIDE WITHOUT DISTURBING THE EXISTING PAVED SHOULDER. NEW FULL HEIGHT CURB SHALL BE POURED UP AGAINST THE EXISTING ASPHALT SHOULDER.

CARMINA WOOD DESIGN

148 Main Street, Suite 509
Buffalo, New York 14203
Phone: (716) 842-3165

YOUNG DEVELOPMENT

Proposed Apartments
The Springs at West Seneca
2857 Transit Road
West Seneca, NY 14224

REVISIONS:	Date
1. Rev. Site layout per Town & Young	12/27/2023
2. Add Sidewalk to Schultz Rd	2/2/2024
3. Rev. per HYDRO Comments	3/28/2024
4. Rev. and Landscaping West F.L.	10/9/2025

DRAWING NAME:
Site Plan

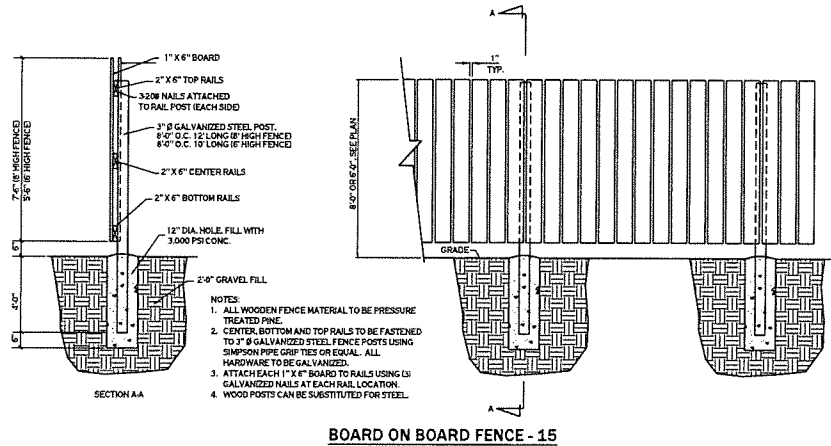
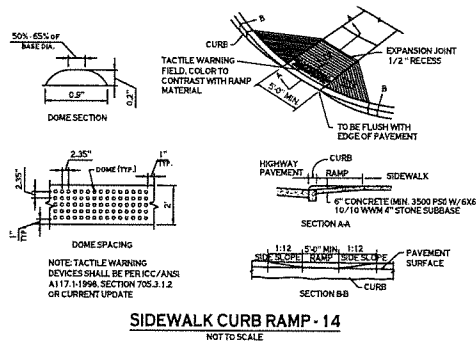
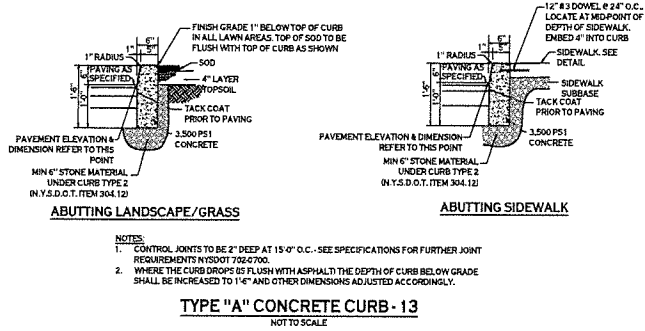
Date: 8/29/23
Drawn By: JFB
Scale: As Noted

DRAWING NO.

C-100

Project No: 23-4009

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Proposed Apartments
The Springs at West Seneca
2852 Transit Road
West Seneca, NY 14224

REVISIONS:	DATE
1. REVISED	10/19/2025
2. REVISED	
3. REVISED	
4. REVISED	
5. REVISED	
6. REVISED	
7. REVISED	
8. REVISED	
9. REVISED	
10. REVISED	
11. REVISED	
12. REVISED	
13. REVISED	
14. REVISED	
15. REVISED	

DRAWING NAME:
Site
Details

Date: 8/29/23
Drawn By: JPB
Scale: As Noted

DRAWING NO.

C-102

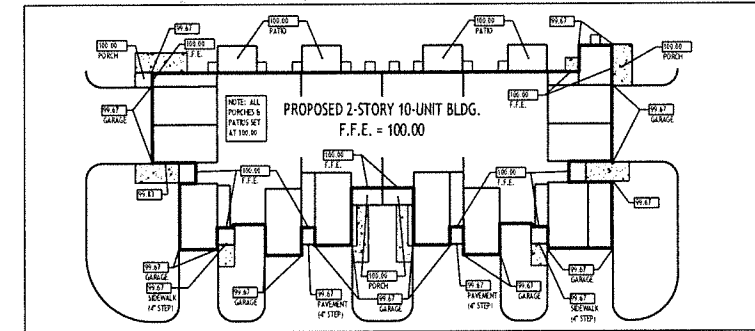
Project No: 23-4009

CARMINA WOOD DESIGN
111 Main Street, Suite 312
Buffalo, New York 14203
Phone: (716) 462-3185
Fax: (716) 462-3186

YOUNG DEVELOPMENT

NOTES: 1. This drawing is a plan view of the proposed development. It is not a section. 2. The proposed development is shown in black. 3. The existing topography is shown in gray. 4. The proposed grading is shown in white. 5. The proposed building footprint is shown in black. 6. The proposed parking spaces are shown in white. 7. The proposed stormwater management area is shown in white. 8. The proposed stormwater management area is shown in white. 9. The proposed stormwater management area is shown in white. 10. The proposed stormwater management area is shown in white.

C. CARMINA WOOD DESIGN



TYPICAL BUILDING GRADING PLAN
SCALE: 1"=20'

GRADING PLAN
SCALE: 1"=30'

S.O.I. NO. 1
130.00-130.25
(UNDER 100% GROUND PAGE 1410)

STORM EVENT	EXISTING RAINFALL	POND OUTFLOW	OVERALL RAINFALL
1 YEAR	2.43 CFS	0.97 CFS @ 7.00' ELEV.	1.46 CFS
10 YEAR	6.11 CFS	1.15 CFS @ 7.00' ELEV.	4.96 CFS
25 YEAR	7.33 CFS	1.46 CFS @ 7.00' ELEV.	5.87 CFS
100 YEAR	11.55 CFS	4.43 CFS @ 7.00' ELEV.	7.12 CFS

WATER QUALITY SUMMARY:
WHO REQUIRED: 1.15 CFS @ 7.00' ELEV.
WHO REQUIRED: 1.15 CFS @ 7.00' ELEV.
WHO PROVIDED WITH INFILTRATION AREA: 1.15 CFS @ 7.00' ELEV.
WHO PROVIDED WITH INFILTRATION AREA: 1.15 CFS @ 7.00' ELEV.

NOTES:
1. INFILTRATION AREA SHALL NOT BE INSTALLED UNTIL AFTER THE SITE HAS BEEN DEEMED STABLE BY THE QUALIFIED PROFESSIONAL ENGINEER.
2. SELECT BACKFILL IS REQUIRED FOR ALL BUILDING UTILITIES (GAS, WATER, STORM, SANITARY) THAT CROSS THROUGH ANY PAVEMENT COMPACTED STONE SURFACE AREA.

PROPOSED GRADING LEGEND	
PROPOSED CONTOUR	101
PROPOSED SPOT ELEVATION	100.00
PROPOSED TOP/BOTTOM OF CURB ELEV.	TC 100.50 BC 100.00
PROPOSED CATCH BASIN	CB
PAVEMENT/GROUND SLOPE	1:10
PROPOSED YARD DRAIN	YD
PROPOSED MANHOLE	MH
PROPOSED STORM SEWER	ST
PROPOSED STORM WY. STONE FILL	ST

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS. CARMINA WOOD DESIGN ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.



CARMINA WOOD DESIGN
111 Main Street, Suite 332
Buffalo, New York 14203
Phone: (716) 842-1855

YOUNG DEVELOPMENT

Proposed Apartments
The Springs at West Seneca
2852 Transit Road
West Seneca, NY 14224

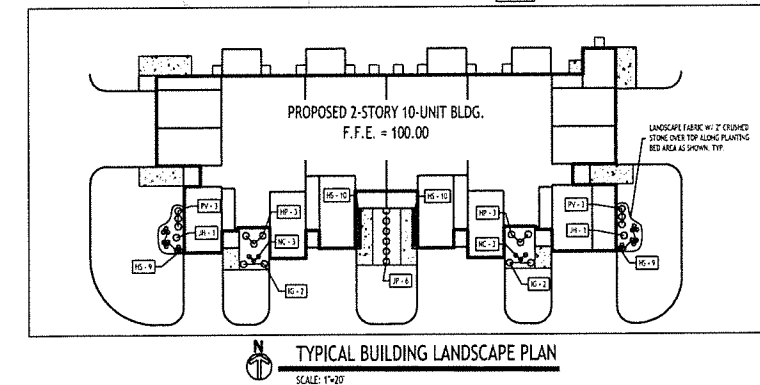
REVISIONS	Date
1. Rev. 01:00:00	12/27/2023
2. Rev. 02:00:00	10/19/2023

DRAWING NAME:
Grading
Plan

Date: 8/24/23
Drawn By: JPB
Scale: As Noted
DRAWING NO.:
C-200
Project No: 23-4009

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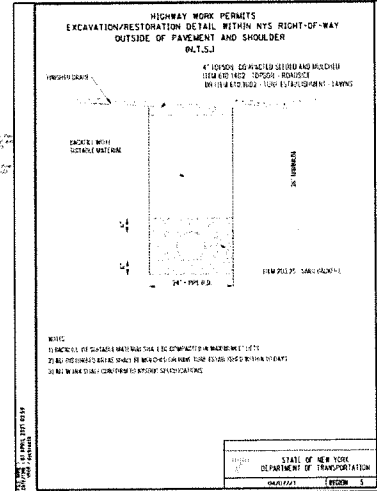
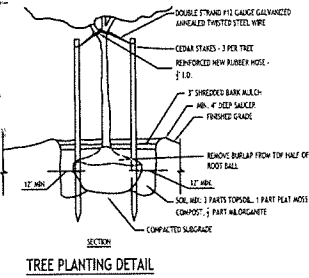
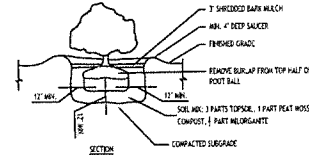
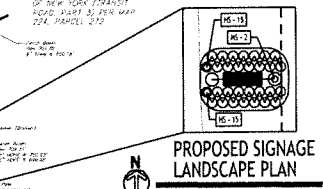
PLANTING NOTES:

1. ALL INTERIOR LANDSCAPED AREAS SHALL HAVE A MINIMUM PLANTING SOIL DEPTH OF THREE (3) FEET AND BE FREE FROM ALL FORMS OF CONTAMINATION, DEBRIS, AND FOREIGN MATERIAL.
2. ALL TREES, PINE TREES, SHRUBS, ORNAMENTAL GRASS BEDS, AND PERENNIAL FLOWER BEDS SHALL RECEIVE "TREEN" HERBICIDE AND THREE (3) INCHES DEPTH OF DARK SHREDED HARDWOOD BARK MULCH. LOCATIONS TO BE COORDINATED BY FIELD WITH OWNER REP.
3. ALL SEASONAL FLOWER BEDS SHALL BE A MINIMUM OF TWENTY (20) INCHES DEEP WITH A WELL-BLENDED MIXTURE OF SOIL, PEAT MOSS, SEASONAL FLOWERS SHALL RECEIVE "TREEN" HERBICIDE, NO MULCH SHALL BE INSTALLED IN THE SEASONAL FLOWER BEDS. LOCATIONS TO BE COORDINATED BY FIELD WITH OWNER REP.
4. ALL DECIDUOUS AND EVERGREEN TREES SHALL BE STAKED WITH THREE (3) TREE STAKES AS PER TREE PLANTING DETAIL.

LANDSCAPE PLAN
SCALE: 1"=30'

PLANTING SCHEDULE

NO.	QTY.	ITEM NAME	COMMON NAME	MIN. SIZE	REMARKS
1	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
2	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
3	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
4	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
5	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
6	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
7	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
8	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
9	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
10	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
11	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
12	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
13	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
14	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
15	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
16	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
17	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
18	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
19	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
20	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
21	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
22	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
23	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
24	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
25	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
26	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
27	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
28	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
29	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	
30	1	SHRUB 12' TALL	SHRUB 12' TALL	12' TALL	



CARMINA WOOD DESIGN

111 Main Street, Suite 300
Buffalo, New York 14203
Phone: (716) 841-1145

Proposed Apartments
The Springs at West Seneca
2852 Transit Road
West Seneca, NY 14224

DATE: 7/17/2023
REVISED: 7/17/2023
REVISED: 7/17/2023
REVISED: 7/17/2023

DRAWING NAME:
Landscape Plan

DATE: 8/29/23
DRAWN BY: JPB
SCALE: AS NOTED

DRAWING NO.:
L-100

PROJECT NO.: 23-4009

APPLICATION TO BOARD OF APPEALS

Tel. No.

Appeal No. 2025-047

Date 11/12/25

TO THE ZONING BOARD OF APPEALS, WEST SENECA, NEW YORK:

I (we) Anthony Nieves Garcia of 137 Fernald ave West Seneca NY 14218

, HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE DECISION OF THE BUILDING INSPECTOR ON AN APPLICATION FOR A BUILDING PERMIT, WHEREBY THE BUILDING INSPECTOR DID DENY PERMIT TO:

- | | |
|--|---|
| ☐ A PERMIT FOR USE | ☐ A CERTIFICATE OF EXISTING USE |
| ☐ A PERMIT FOR OCCUPANCY | ☐ A CERTIFICATE OF ZONING COMPLIANCE |
| ☐ A TEMPORARY PERMIT OR EXTENSION THEREOF | ☒ AREA PERMIT |

1. Applicant is the ☒ PROPERTY OWNER
☐ CONTRACTOR FOR THE WORK CONCERNED HEREIN
☐ PROSPECTIVE TENANT
☐ OTHER (Describe) _____

2. LOCATION OF THE PROPERTY 137 FERNALD AVE W. SENECA NY 14218

3. State in general the exact nature of the permission required, ERECT 4 FT FENCE IN FRONT YARD

4. PREVIOUS APPEAL. No previous appeal has been made with respect to this decision of the Building Inspector or with respect to this property, except the appeal made in Appeal No. NA, dated _____, 20____.

5. REASON FOR APPEAL.

A. A Variance to the Zoning Ordinance is requested because strict application of the ordinance would produce undue hardship, or the hardship created is unique and is not shared by all properties alike in the immediate vicinity of this property and in this use district, or the variance would observe the spirit of the ordinance and would not change the character of the district because:

I am asking for a 4ft high chain link fence in my front yard because I have two children on the Autism spectrum with different needs, and cars have driven onto the front yard. The fence provides a safe place for children & pets

B. Interpretation of the Zoning Ordinance is requested because: _____

C. A Special or Temporary Permit or an Extension thereof Under the Zoning Ordinance is requested pursuant to Article _____, Section _____, Subsection _____, Paragraph _____ of the Zoning Ordinance, because: _____


Applicant's Signature

TO BE COMPLETED BY THE BUILDING INSPECTOR

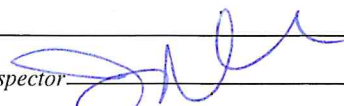
1. Provision(s) of the Zoning Ordinance Appealed, including article, section, subsection or paragraph of the Zoning Ordinance
120-39 (B) - 4 FT FENCE WITH 10 FT PROJECTION ALLOWED
- 4 FT FENCE WITH 25 FT PROJECTION REQUESTED

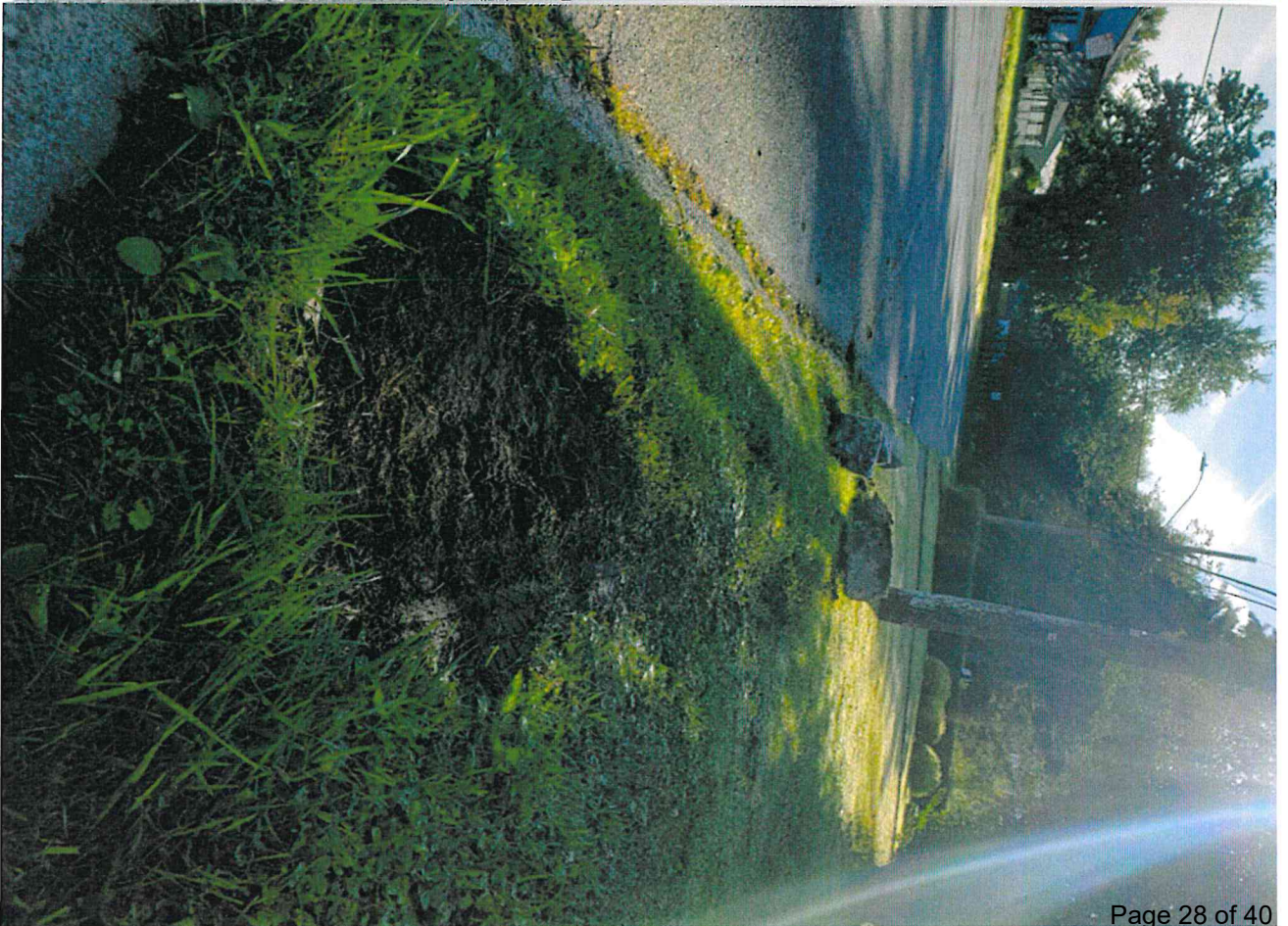
2. Zoning Classification of the property concerned in this appeal R-50

3. Type of Appeal:

- ☒ Variance to the Zoning Ordinance.
☐ Interpretation of the Zoning Ordinance or Zoning Map.
☐ Special or Temporary Permit or an extension thereof under the Zoning Ordinance.

4. A statement of any other facts or data which should be considered in this appeal. _____

Building Inspector 





ANTHONY NIEVES GARCIA
137 Fernald Ave.
West Seneca, NY 14218

CASTOIORE, ANGEL M.
135 Fernald Ave.
West Seneca NY. 14218

Angel,

This letter is to inform you of your neighbors at 137 Fernald Ave are applying for a variance to erect a four foot chain-link fence on their front facing property.

The purposed fence would extend roughly 25 to 30 feet forward from the front north west corner of the building and roughly 30 feet across the front of the property connecting with the existing fence on the east side of the property.

Any objections can be heard on December 3rd during the next town board meeting.

Thank you for your attention to this matter.

Best regards

Anthony Nieves Garcia

ANTHONY NIEVES GARCIA
137 Fernald Ave.
West Seneca, NY 14218

This letter is to inform you of your neighbors at 137 Fernald Ave are applying for a variance to erect a four foot chain-link fence on their front facing property.

The purposed fence would extend roughly 25 to 30 feet forward from the front north west corner of the building and roughly 30 feet across the front of the property connecting with the existing fence on the east side of the property.

If there are no objections to the purposed fence please print and sign below for submission to the Town of West Secena

141 Fernald Ave.
West Seneca NY 14218

Print name Thomas J Kapiros Sr
Signature Thomas J Kapiros Sr

APPLICATION TO BOARD OF APPEALS

X Tel. No. _

Appeal No. 2025-049
Date 12/10/25

TO THE ZONING BOARD OF APPEALS, WEST SENECA, NEW YORK:

X I (we) Kristin L. Acuti of 3 Rene Drive
WS, NY 14224, HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE
DECISION OF THE BUILDING INSPECTOR ON AN APPLICATION FOR A BUILDING PERMIT, WHEREBY THE BUILDING
INSPECTOR DID DENY PERMIT TO: _____

- | | |
|--|---|
| ☐ A PERMIT FOR USE | ☐ A CERTIFICATE OF EXISTING USE |
| ☐ A PERMIT FOR OCCUPANCY | ☐ A CERTIFICATE OF ZONING COMPLIANCE |
| ☐ A TEMPORARY PERMIT OR EXTENSION THEREOF | ☐ AREA PERMIT |

1. Applicant is the ☒ PROPERTY OWNER
☐ CONTRACTOR FOR THE WORK CONCERNED HEREIN
☐ PROSPECTIVE TENANT
☐ OTHER (Describe) _____

2. LOCATION OF THE PROPERTY SAME

3. State in general the exact nature of the permission required, _____

4. PREVIOUS APPEAL. No previous appeal has been made with respect to this decision of the Building Inspector or with respect
to this property, except the appeal made in Appeal No. _____, dated _____, 20____.

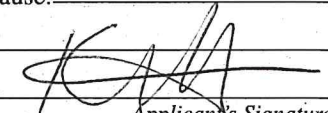
5. REASON FOR APPEAL.

A. A Variance to the Zoning Ordinance is requested because strict application of the ordinance would produce undue hardship, or
the hardship created is unique and is not shared by all properties alike in the immediate vicinity of this property and in this use district,
or the variance would observe the spirit of the ordinance and would not change the character of the district because: _____

Enclose property on corner lot. Privacy, yard, Pets, Kids

B. Interpretation of the Zoning Ordinance is requested because: _____

C. A Special or Temporary Permit or an Extension thereof Under the Zoning Ordinance is requested pursuant to Article _____,
Section _____, Subsection _____, Paragraph _____ of the Zoning Ordinance, because: _____

X 
Applicant's Signature

TO BE COMPLETED BY THE BUILDING INSPECTOR

1. Provision(s) of the Zoning Ordinance Appealed, including article, section, subsection or paragraph of the Zoning Ordinance
120-39(B) Fences shall not project more than 10' past house. Requesting 15'
2. Zoning Classification of the property concerned in this appeal R75
3. Type of Appeal:
☒ Variance to the Zoning Ordinance.
☐ Interpretation of the Zoning Ordinance or Zoning Map.
☐ Special or Temporary Permit or an extension thereof under the Zoning Ordinance.
4. A statement of any other facts or data which should be considered in this appeal. _____

Building Inspector 

*** * * RECEIPT * * ***

Date: 12/10/25

Receipt#: 97899

Quantity	Transactions	Reference	Subtotal
1	Zoning Board of Appeals	20160117	\$160.00
Total Paid:			\$160.00

Notes:

Payment Type	Amount	Paid By
CK #6756	\$160.00	Arcuri, Kristin L

Thank you for allowing the West Seneca Town Clerk's office to serve you. Have a wonderful day!
1250 Union Road, Room 212 West Seneca, NY 14224

Name: Arcuri, Kristin L
3 Rene Dr
West Seneca, NY 14224

Clerk ID: MAM

Internal ID: 20160117

NOT

tion of the law, excepting as provided in Section 7209, Part 2 of the New York State Education Law

3

ASHLEY DRIVE
(60' Wide)
(FORMERLY LANCELOT LANE)

FOUND
PIPE
(BENT)
0.21'S
0.10E

EASTERLY LINE OF
ASHLEY DRIVE

134.00'

15.0' WIDE EASEMENT
L-9944, P-521

FENCE
0.50N

75.38'

15.0' WIDE STORM EASEMENT

POOL
7.70'S
Irregular
Inground
Pool

FENCE
0.28W
0.41E

Sub Lot 65
Cover 2525

FENCE
0.19W

FENCE
0.63W

Town of
West Seneca
Erie Co., N.Y.

Part of
Lot 207,
T.10, R.7
B.C.R.

Frame
House
Vinyl
Siding
Brick
Front

Inbuilt
Garage

No.3

15.0' WIDE EASEMENT
L-9944, P-521

75.00'

NORTHERLY LINE OF
RENE DRIVE

FENCE
0.27W

FOUND
I.P.
ON-LINE
ON-LINE

RENE DRIVE
(60' Wide)
(FORMERLY CAMELOT COURT)

SURVEY
made for

PAUL F. LABAKI, Attorney
91 Westland Parkway

Buffalo, N.Y.
Job No. 84635

July 30, 2004
Scale-1"=20'

MARK A. FENTER - Professional Licensed Surveyor No.49810
5355 Main Street, Williamsville, N.Y.14221, Phone (716)631-1515, Fax 631-1085

Successor to the Records of C.E.Hartke
& J.W.Darling-Established Since 1923

APPLICATION TO BOARD OF APPEALS

Tel. No

Appeal No. 2025-050
Date 12/22/25

TO THE ZONING BOARD OF APPEALS, WEST SENECA, NEW YORK:

I (we) X Colin McLaughlin of X 80 Greenspring CT

_____, HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE
DECISION OF THE BUILDING INSPECTOR ON AN APPLICATION FOR A BUILDING PERMIT, WHEREBY THE BUILDING
INSPECTOR DID DENY PERMIT TO: _____

- | | |
|--|---|
| ☐ A PERMIT FOR USE | ☐ A CERTIFICATE OF EXISTING USE |
| ☐ A PERMIT FOR OCCUPANCY | ☐ A CERTIFICATE OF ZONING COMPLIANCE |
| ☐ A TEMPORARY PERMIT OR EXTENSION THEREOF | ☒ AREA PERMIT |
1. Applicant is the ☒ PROPERTY OWNER
☐ CONTRACTOR FOR THE WORK CONCERNED HEREIN
☐ PROSPECTIVE TENANT
☐ OTHER (Describe) _____

2. LOCATION OF THE PROPERTY 80 Greenspring Court

3. State in general the exact nature of the permission required, _____

4. PREVIOUS APPEAL. No previous appeal has been made with respect to this decision of the Building Inspector or with respect
to this property, except the appeal made in Appeal No. _____, dated _____, 20____.

5. REASON FOR APPEAL.

A. A Variance to the Zoning Ordinance is requested because strict application of the ordinance would produce undue hardship, or
the hardship created is unique and is not shared by all properties alike in the immediate vicinity of this property and in this use district,
or the variance would observe the spirit of the ordinance and would not change the character of the district because: to have

X Privacy for my family.

B. Interpretation of the Zoning Ordinance is requested because: Requesting 6 foot fence
in side yard/corner lot 4 foot permitted

C. A Special or Temporary Permit or an Extension thereof Under the Zoning Ordinance is requested pursuant to Article _____,
Section 120, Subsection 37, Paragraph B of the Zoning Ordinance, because: _____

X Colin McLaughlin
Applicant's Signature

TO BE COMPLETED BY THE BUILDING INSPECTOR

1. Provision(s) of the Zoning Ordinance Appealed, including article, section, subsection or paragraph of the Zoning Ordinance

Town Zoning Ordinance 120-37 B

2. Zoning Classification of the property concerned in this appeal R-75

3. Type of Appeal:

- ☒ Variance to the Zoning Ordinance.
☐ Interpretation of the Zoning Ordinance or Zoning Map.
☐ Special or Temporary Permit or an extension thereof under the Zoning Ordinance.

4. A statement of any other facts or data which should be considered in this appeal. Corner Lot

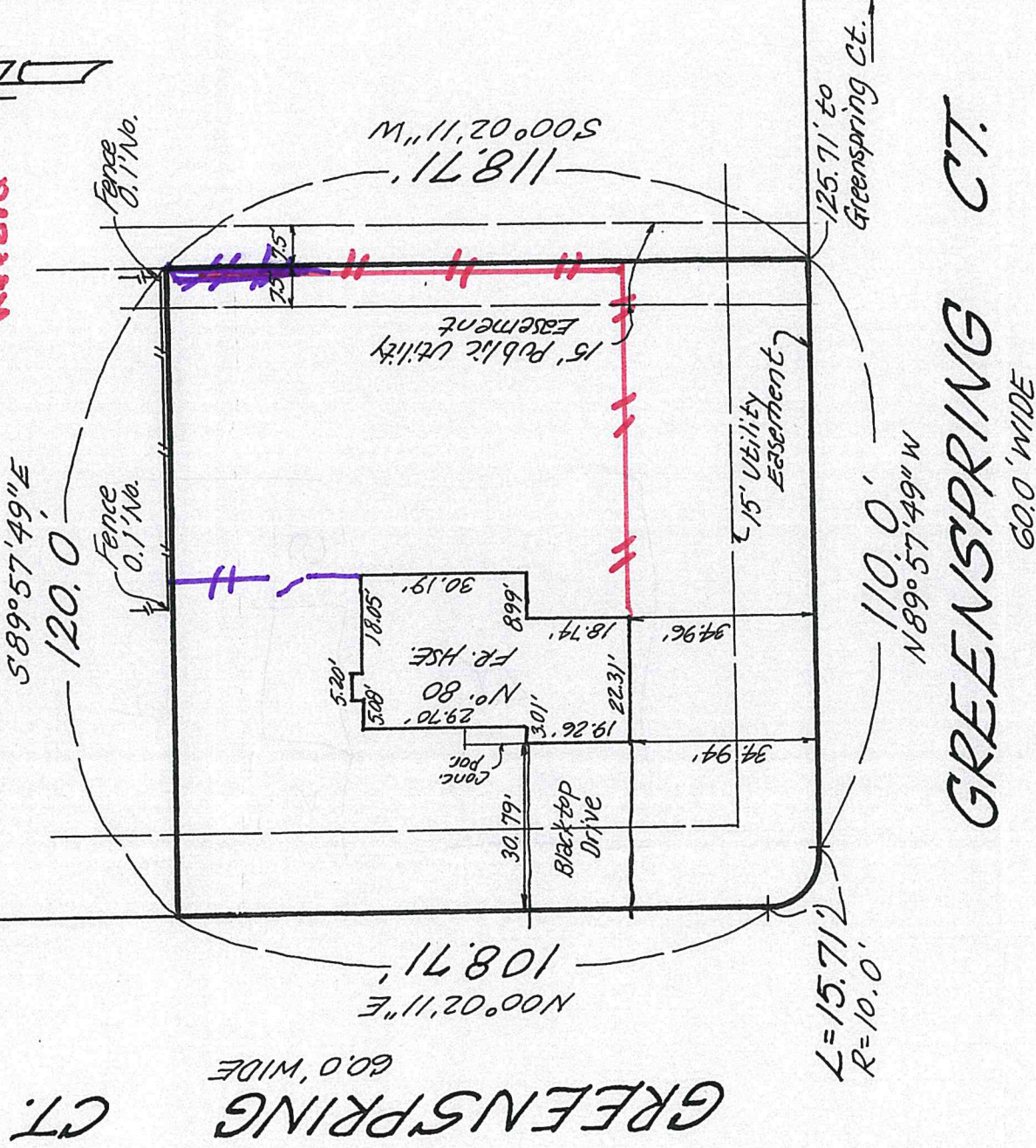
Building Inspector JGR

This survey was prepared without the benefit of an abstract of title and is subject to any state of facts that may be revealed by an examination of such

Altering any item on this map is in violation of the law, excepting as provided in Section 7209, Part 2 of the New York State Education Law



Permitted 6' fence
Proposed 6' fence variance needed

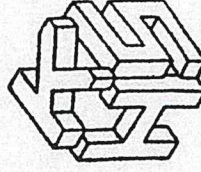


Town of West Seneca
County of Erie, New York
Part of Lot 388, Twp. 10, Rge. 7
Buffalo Creek Reservation
Map Cover 3922, Sublot 25

Scale: 1"=30'
Survey Date: 11-6-25

Kenneth M. Hahn
Licensed Land Surveyor
N.Y.S. License No. 050151

89 Willow Green Drive
Amherst, NY 14228
Phone: (716) 957-3326
Fax: (716) 525-1513



APPLICATION TO BOARD OF APPEALS

X Tel. 1

Appeal No. 2026-001
Date 11/7/26

TO THE ZONING BOARD OF APPEALS, WEST SENECA, NEW YORK:

X I (we) Michael Evans and Elie Harfauch of 12450 Genesee Road Chaffee
(Precision Remodels) NY 14030, HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FROM THE
DECISION OF THE BUILDING INSPECTOR ON AN APPLICATION FOR A BUILDING PERMIT, WHEREBY THE BUILDING
INSPECTOR DID DENY PERMIT TO: _____

- | | |
|--|---|
| ☐ A PERMIT FOR USE | ☐ A CERTIFICATE OF EXISTING USE |
| ☐ A PERMIT FOR OCCUPANCY | ☐ A CERTIFICATE OF ZONING COMPLIANCE |
| ☐ A TEMPORARY PERMIT OR EXTENSION THEREOF | ☐ AREA PERMIT |

1. Applicant is the ☐ PROPERTY OWNER
☒ CONTRACTOR FOR THE WORK CONCERNED HEREIN
☐ PROSPECTIVE TENANT
☐ OTHER (Describe) _____

2. LOCATION OF THE PROPERTY 1245 Seneca Creek

3. State in general the exact nature of the permission required, _____

4. PREVIOUS APPEAL. No previous appeal has been made with respect to this decision of the Building Inspector or with respect
to this property, except the appeal made in Appeal No. _____, dated _____, 20____.

5. REASON FOR APPEAL.

A. A Variance to the Zoning Ordinance is requested because strict application of the ordinance would produce undue hardship, or
the hardship created is unique and is not shared by all properties alike in the immediate vicinity of this property and in this use district,
or the variance would observe the spirit of the ordinance and would not change the character of the district because: (See letter)

B. Interpretation of the Zoning Ordinance is requested because: _____

C. A Special or Temporary Permit or an Extension thereof Under the Zoning Ordinance is requested pursuant to Article _____,
Section _____, Subsection _____, Paragraph _____ of the Zoning Ordinance, because: _____

X Amel US8
Applicant's Signature

TO BE COMPLETED BY THE BUILDING INSPECTOR

1. Provision(s) of the Zoning Ordinance Appealed, including article, section, subsection or paragraph of the Zoning Ordinance
120-34 (c) Accessory buildings shall not exceed 12' to midspan
of roof in R districts. Requesting 18' 6" to midspan

2. Zoning Classification of the property concerned in this appeal R90

3. Type of Appeal:
☒ Variance to the Zoning Ordinance.
☐ Interpretation of the Zoning Ordinance or Zoning Map.
☐ Special or Temporary Permit or an xtension thereof under the Zoning Ordinance.

4. A statement of any other facts or data which should be considered in this appeal. _____

Building Inspector D.B.

I am interested in building a storage barn to support the ongoing operations and maintenance of the venue.

At present, the property has no adequate storage space for essential items required for daily operations and event set up.

The proposed storage barn will be used solely to house chairs, tables, ladders, outdoor furniture and lawn maintenance equipment and a tractor.

This structure is intended strictly for storage purposes and will not be used for events, public access and or commercial occupancy.

The proposed barn will have wall heights of approximately 12 feet with a pitch roof ranging from 4/12 to 8/12 slope. The design is intended to be functional, durable and consistent with the surrounding structures and character of the area.

The height to the midspan of the roof will be 18'6"

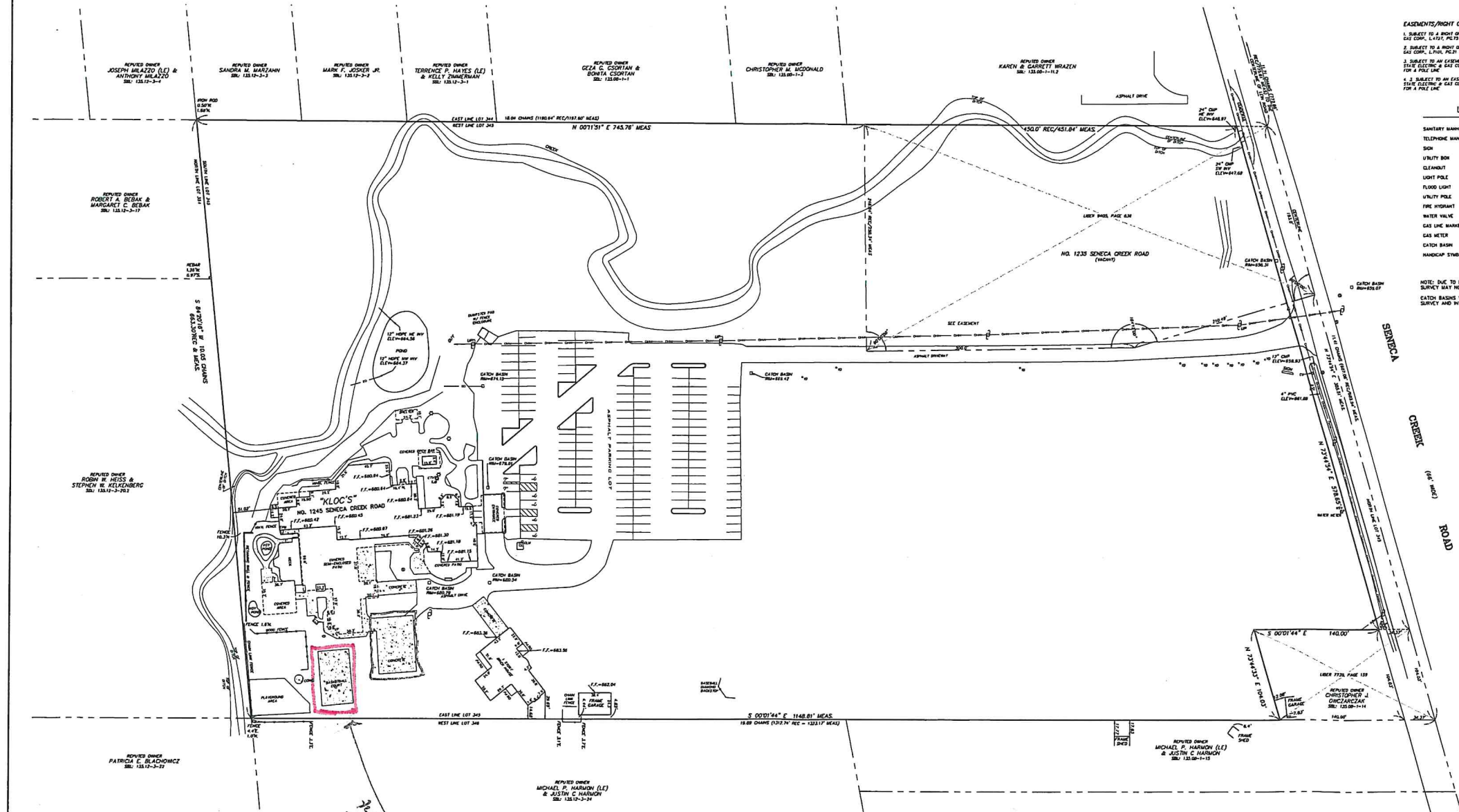
NOTE: UNCHANGED ALTHOUGH AN ADDITION TO THE
RECORD OF THE NEW YORK STATE ENGINEERING
AND SURVEYING BOARD. THE SURVEYOR'S
OFFICE HAS REVIEWED THE SURVEY
AND HAS FOUND IT TO BE CORRECT
AS SET ON EX. 1-10-12

- EASEMENTS/RIGHT OF WAYS
1. SUBJECT TO A RIGHT OF WAY TO HIGHWAY
GAS COMP. 1-10-12, 1-10-12, 1-10-12, 1-10-12
 2. SUBJECT TO A RIGHT OF WAY TO HIGHWAY
GAS COMP. 1-10-12, 1-10-12, 1-10-12, 1-10-12
 3. SUBJECT TO AN EASEMENT TO NEW YORK
STATE ELECTRIC & GAS COMP. 1-10-12, 1-10-12
FOR A POLE LINE
 4. 3. SUBJECT TO AN EASEMENT TO NEW YORK
STATE ELECTRIC & GAS COMP. 1-10-12, 1-10-12
FOR A POLE LINE

LEGEND

- SANITARY MANHOLE
TELEPHONE MANHOLE
SIGN
UTILITY BOX
CLEANOUT
LIGHT POLE
FLOOD LIGHT
UTILITY POLE
FIRE HYDRANT
WATER VALVE
GAS LINE MARKER
GAS METER
CATCH BASIN
HANDICAP SYMBOL

NOTE: DUE TO HEAVY SNOW AND/OR ICE COVER, THIS
SURVEY MAY NOT REFLECT ACTUAL GROUND CONDITIONS.
CATCH BASINS WERE FILLED WITH SNOW AT THE TIME OF
SURVEY AND HEIGHTS WERE UNABLE TO BE MEASURED.



DATE	REVISION/TYPE
1/15/25	ADDITIONAL TOPOGRAPHIC SURVEY
10/25/24	TOPOGRAPHIC SURVEY UPDATE

SURVEY OF
PART OF LOT 345 OF THE
ENGINEER LANDS MAP COVER 58
TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK

GPI GPI ENGINEERING, LANDSCAPE
ARCHITECTURE & SURVEYING, LLP
ENGINEERING • SURVEYING • LANDSCAPE ARCHITECTURE
4000 SENECA STREET, SUITE 100
WEST SENECA, NY 11590
(716) 433-1884 FAX 433-1884

Job No. 9821 Date: FEBRUARY 17, 2022
Scale: 1" = 30' TAX No. 135.08-1-12 & 13