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TOWN OF EVANS

REGULAR MEETING
OF THE
ZONING BOARD OF APPEALS

RECEIVED
JUL 09 2026
Lynn M. Krajacic
Town Clerk
Town of Evans

Members Present: H. Martin Jr., D. Maglich, J. Kennedy, C. LaRusso

Members Absent: T. Spada, V. Gugliuzza

Also Present: Endell Osuna, Esq., J. Elliott, Code Enforcement Officer

Mr. Martin opened the meeting with a quorum at 6:00pm. The meeting was held in the Municipal Building Court room, 8787 Erie Road, Angola, New York 14006.

Mr. Martin explained the procedure in which the meeting will be conducted. The procedures are that old business matters are heard first and then appeals are heard according to the order of publication in The Dunkirk Observer. The staff report prepared by the building inspector is read. The board has had your file for a week. We have had an opportunity to review your appeal. The appellant is then given the opportunity to speak, and then those in favor or in opposition are allowed to speak. After hearing the respective matters, the Board will either vote or reserve the right pursuant to our local statue to adjourn to executive session to deliberate. Motions granting and rejecting appeals are voted upon in the public portion of the meeting.

New Business:

Mr. LaRusso moved to approve the minutes from the May 14th meeting. Mr. Maglich seconds.

All in favor:
Mr. Martin Jr., aye
Mr. Maglich, aye
Mr. LaRusso, aye
Mr. Kennedy, aye
Ms. Spada, abs
Mr. Gugliuzza, abs

1. Matthew Nasca, of 91 Homer Ave, Buffalo, NY 14216, is requesting to construct an attached deck on the rear of house at 313 Roat Dr, Angola, NY 14006 in violation of the Town of Evans Zoning Law Section 200-10(C)(1)(c)[4] minimum rear yard setback of 35feet wherein applicant is requesting +/- 29 feet.

The applicant was present to represent the appeal.

Mr. Martin asked if anyone would like to speak in favor or against the variance. Hearing no comments, Mr. Martin closed the public discussion and opened the board for discussion.

Mr. Maglich moved to approve the variance. Mr. Kennedy seconds.

All in favor:

Mr. Martin Jr., aye	Mr. Kennedy, aye
Mr. Maglich, aye	Ms. Spada, abs
Mr. LaRusso, aye	Mr. Gugliuzza, abs

2. Joesph Waz, of 414 Roat Dr Angola, NY 14006, is requesting to have a shed dropped off in rear yard in violation of the Town of Evans Zoning Law Section 200-10(C)(2)(a)[1] Accessory structure location from any structure to be minimum of 10 feet wherein applicant is requesting +/- 7 feet.

The applicant was present to represent the appeal.

Mr. Martin asked if anyone would like to speak in favor or against the variance. Mr. Martin reads one letter from Sandra O'Donnell of 418 Roat Dr, in opposition to the variance. Mr. Martin closed the public discussion and opened the board for discussion.

Mr. Maglich moved to approve the variance, with the stipulation that either the garage wall or the shed wall is fire coded, under the assumption that there are no other "distance between structure" variances on the property. Mr. Kennedy seconds.

All in favor:

Mr. Martin Jr., aye	Mr. Kennedy, aye
Mr. Maglich, aye	Ms. Spada, abs
Mr. LaRusso, aye	Mr. Gugliuzza, abs

3. Kevin Rasinski, of 9176 Mohawk Rd, Angola, NY 14006 is requesting to construct a Pole barn in violation of the Town of Evans Zoning Law Section 200-17(A)(4)(a) maximum 1200 square feet of accessory structure Accessory structures must be located on the same lot as the primary dwelling shall not exceed more than 900 square feet; if any lot exceeds 2.5 acres, the limit shall increase to 1,200 square feet in floor area., wherein applicant is requesting a 1200 square feet accessory structure on .plus or minus .23 acre lot.

The applicant was present to represent the appeal.

Mr. Martin asked if anyone would like to speak in favor or against the variance. Hearing no comments, Mr. Martin closed the public discussion and opened the board for discussion.

Mr. LaRusso moved to approve the variance. Mr. Maglich seconds.

All in favor:

Mr. Martin Jr., aye	Mr. Kennedy, aye
Mr. Maglich, aye	Ms. Spada, abs
Mr. LaRusso, aye	Mr. Gugliuzza, abs

4. John Schneider, of 1528 Wisconsin Rd. Derby, NY 14047 is requesting to subdivide a parcel to make a non-conforming lot located at 0 New Jerusalem Rd SBL# 237.00-4-17.11 that can be considered buildable for single-family dwelling in violation of the Town of Evans Zoning Law Section 200.8-1(C)(1)(b) minimum lot width 200 feet wherein applicant is requesting 153.78 feet.

The applicant was present to represent the appeal.

Mr. Martin asked if anyone would like to speak in favor or against the variance. Hearing no comments, Mr. Martin closed the public discussion and opened the board for discussion.

Mr. Kennedy moved to approve the variance to create a non-conforming lot as well as to make the lot buildable for a single-family home. Mr. Maglich seconds.

All in favor:

Mr. Martin Jr., aye	Mr. Kennedy, aye
Mr. Maglich, aye	Ms. Spada, abs
Mr. LaRusso, aye	Mr. Gugliuzza, abs

Respectfully Submitted,

Brandon Gregoire