

Minutes
Village of Orchard Park
Zoning Board of Appeals
June 24, 2026

The Village of Orchard Park Zoning Board of Appeals held a meeting on Wednesday, June 24, 2026 at the Municipal Center, 4295 South Buffalo Street, Orchard Park, New York.

Chairman Steve Snyder called the meeting to order at 7:00 p.m. and stated, "If anyone appearing before the Board is related thru family, financial or business relationship with any member of the Board, it is incumbent upon him to make it known under the New York State Law and the Village Code of Ethics."

Members present:

Chairman Steve Snyder
Scott Hartung
Gary Phillips
William Riter

Others present:

David Even, Trustee
John Gullo, Enforcement Officer
Christine Hanavan, Secretary

The Applicant was given the option to postpone because of less than a full Board but they agreed to proceed.

Chairman Snyder then stated, "All persons making an appeal before this Board will be heard in accordance with the applicable laws of the State of New York and the Village of Orchard Park. Any person aggrieved by any decision of the Board of Appeals may present to a court of record a petition, duly verified, setting forth that such decision is illegal, specifying the grounds of the illegality. Such petition must be presented to the court within 30 days after filing of the decision in the office of the Village Clerk."

Chairman Snyder asked if site inspections for all cases presented were made by all Board members: On the question:

STEVE SNYDER	YES
SCOTT HARTUNG	YES
GARY PHILLIPS	YES
WILLIAM RITER	YES

ZBA Application

Jessica Kruszka
6733 E Quaker St.
Orchard Park, NY 14127
SBL #162.17-6-4

Applicant is requesting a Variance to Municipal Code Section 225.11(C)(1)(A) Lot, Height, Yard and maximum coverage requirements.

Applicant is requesting a Variance to erect a 6 ft. high fence in the side and exterior side yards. Code allows 4 ft. in the side yard and 0 ft. in exterior side yard.

APPEARANCE: Jay Herlan, Jessica Kruszka

The Applicant clarified that they were requesting a variance per their application, i.e. a 6 foot solid white vinyl fence.

DISCUSSION: The Applicant stressed the importance of privacy for her family and used their circular driveway as an example of the consistency of strangers using it as a drive through. They purchased their house in 2018 and have made a significant upgrade to aesthetics. Mr. Herlan is in real estate and understands the importance of aesthetics. They love the character of their “old charm” house. The Applicant later clarified that the 6 foot white vinyl fence would be 5 feet of solid white vinyl with a 1foot white lattice topper.

After the petitioners presented their case the Board members questioned the petitioner. Scott Hartung asked about other alternatives. The Board members had several questions about the desire for such a tall fence. After much discussion, the applicant was given the option of tabling the request until the next meeting so that they could present the Board with different fence options. The Applicant decided not to table the request but to proceed.

The Chairman asked three times if there was anyone in the audience who would like to speak in favor of granting the variance. See attached list.

The Chairman asked three times if there was anyone in the audience who would like to speak against granting the Variance. There were none.

The Chairman then asked if the Secretary had received any communications either for, or against granting the Variance. The Planning Board gave a conditional approval of a positive referral to a modified application. I have received letters of support from the following:

John Canna
Brian Mabry 33 Chauncey
Daniel Brooks 21 Chauncey
Mieko Parwulski 14 Chauncey
Chris King 22 Chauncey

Each Board member has been given a copy of the support letters.

It was stated that if the application was denied, the Applicant would not be able to request another variance for the same project for a year unless they made significant changes to their application and they would have to submit a new application. Significant changes being height, color and design of the fence. They understood but wanted to move forward with their current application.

William Riter made a motion, seconded by Gary Phillips to approve the request for a Variance to erect a 6 ft. high fence in a side yard and exterior side yard as identified in their application.

On the question:

THE VOTE ON THE MOTION BEING:

STEVE SNYDER DENY
SCOTT HARTUNG DENY
GARY PHILLIPS DENY
WILLIAM RITER DENY

THE MOTION IS DENIED

Moved by Scott Hartung, seconded by Steve Snyder to adjourn at 7:45 p.m.

On the question of adjournment:

THE VOTE ON THE MOTION BEING:

STEVE SNYDER APPROVED
SCOTT HARTUNG APPROVED
GARY PHILLIPS APPROVED
WILLIAM RITER APPROVED

THE MOTION IS APPROVED.

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Respectfully submitted,

Christine M. Hanavan
Secretary

Chairman's Approval:

Date: _____

John Canna
105 Franklyn

Verified what they have spent to improve the aesthetics of their home.

Julia Bittner
94 Jolls

She agrees with the applicant that an extra foot is necessary in the placement of the fence.

James Serwinowski
6689 E Quaker

He is in support of their request for a 6 ft. fence due to safety reasons.