Minutes Approved: May 14th, 2026
Distributed: May 15th, 2026

April 9th, 2026

TOWN OF EVANS

REGULAR MEETING
OF THE
ZONING BOARD OF APPEALS

RECEIVED
MAY 15 2026
Lynn M. Krajacic
Town Clerk
Town of Evans

Members Present: D. Maglich, J. Kennedy, Vincent Gugliuzza

Members Absent: T. Spada, C. LaRusso, H. Martin Jr.

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

Mr. Maglich 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. Maglich 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. Maglich moves to table the minutes from the March 12th meeting. Mr. Kennedy seconds.

All in favor:

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

1. Joseph Colern, of Elma, NY 14059, is requesting to construct a new single-family home on 617 Kennedy Ave, Angola, NY 14006 in violation of the Town of Evans Zoning Law Section 200-12(C)(1)(f)[4] minimum rear yard setback of 30 ft wherein applicant is requesting +/- 20 ft.

The applicant was present to represent the appeal.

Mr. Maglich asks the board if there are any questions.

Mr. Maglich asks if anyone would like to speak in favor or against the variance.

Mr. Maglich closed the public discussion and opened the board for discussion.

Mr. Gugliuzza moves to approve the variance. Mr. Kennedy seconds.

All in favor:

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

2. Joseph Colern, of Elma, NY 14059 is requesting to construct a new single-family home on 395 Eisenhower Ave, Angola, NY 14006 in violation of the Town of Evans Zoning Law Section 200-12(C)(1)(f)[4] minimum rear yard setback of 30 ft wherein applicant is requesting +/- 20 ft.

The applicant was present to represent the appeal.

Mr. Maglich asks if anyone would like to speak in favor or against the variance.

Mr. Maglich closed the public discussion and opened the board for discussion.

Mr. Gugliuzza moves to approve the variance. Mr. Kennedy seconds.

All in favor:

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

3. Thomas Felt, of 933 Bennett Rd, Angola, NY 14006, is requesting to construct a fence, in violation of the Town of Evans Zoning Law Section 200-34(A) no fence in a residential district shall exceed 6 ft in height except where it abuts a nonresidential district, wherein applicant is proposing to construct an 8 ft fence abutting a residential property.

The applicant was present for the appeal.

Mr. Maglich asks if anyone would like to speak in favor or against the variance.

Dennis Nichols, of 8352 Erie Rd, spoke in favor of the variance.

Mr. Maglich closed the public discussion and opened the board for discussion.

Mr. Maglich moves to approve the variance. Mr. Gugliuzza seconds.

All in favor:

Mr. Martin Jr., abs	Mr. Maglich, aye

Ms. Spada, abs — Mr. Kennedy, aye
Mr. LaRusso, abs — Mr. Gugliuzza, aye

4. Mary and Stephan Blidy, of 9915 Versailles Rd, Angola, NY 14006 is requesting to construct an Auxiliary Housing, in violation of the Town of Evans Zoning Law Section 200-34(A) a special use permit shall be required by the Board of Appeals for the auxiliary housing unit and 200-34(C) the auxiliary housing unit shall not exceed 500 square feet of the space withing the principal dwelling unit, wherein applicant is proposing to construct an auxiliary housing unit of 1056 square feet.

The applicant's son, Brandon, was present to represent the appeal.

Mr. Maglich asks if anyone would like to speak in favor or against the variance.

Daniel Mecca, of 9837 Versailles Rd, spoke in favor of the variance.

Mr. Maglich read a letter in favor of the variance.

Mr. Maglich closed the public discussion and opened the board for discussion.

Mr. Maglich moves to approve the variance. Mr. Gugliuzza seconds.

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

5. Stephanie Newman, of 7962 Lake Shore Rd, Angola, NY 14006 is requesting to construct a pole barn located at 7985 Lake Shore Rd, Angola, NY 14006 in violation of the Town of Evans Zoning Law Section 200-9(C)(3)(b)[3] maximum 1200 square feet of accessory structure, wherein applicant is requesting a 1500 square feet accessory structure.

The applicant was present to represent the appeal.

Mr. Maglich asks if anyone would like to speak in favor or against the variance.

Mr. Maglich closed the public discussion and opened the board for discussion.

Mr. Gugliuzza moves to approve the variance. Mr. Kennedy seconds.

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

6. Robert MCGinty of 643 Hickory Rd, Angola, NY 14006 is requesting to construct an auxiliary housing unit in violation of the Town of Evans Zoning Law Section 200-34(A) a special use permit shall be required by the Board of Appeals for the auxiliary housing unit.

The applicant was not present to represent the appeal.

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

All in favor:

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

7. Edwin Marchant, of 4889 Killarney Mnr, Hamburg, NY 14075, having applied for a variance allowing him to construct a new single-family home at 631 Hickory Rd, Angola, NY 14006 where the existing home is being demolished in violation of the Town of Evans Zoning Law Section 200-12(C)(1)[d], whereby Hickory Rd is undedicated, and said variance having been granted on October 9, 2025. The applicant now seeks an extension of time to comply with and perfect the variance.

The applicant's neighbor, Chris Tucker, of 8818 Lake Shore Rd, was present to represent the appeal.

Mr. Maglich asks if anyone would like to speak in favor or against the variance.

Mary Buckreis, of 8783 Lake Shore Rd, spoke in favor of the variance.

Mr. Maglich closed the public discussion and opened the board for discussion.

Mr. Maglich moves to approve the variance. Mr. Gugliuzza seconds.

All in favor:

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

Respectfully Submitted,

Brandon Gregoire