

ZONING BOARD OF APPEALS OF THE TOWN OF ORCHARD PARK, Erie County, New York, minutes of the Orchard Park March 17, 2026, meeting held in the Town of Orchard Park Community Activity Center, 4520 California Road.

MEMBERS PRESENT: Robert Metz, Chairman
Kim Bowers
Dwight Mateer
Lauren Kaczor Rodo
Michael Williams
Matthew Szalkowski, Alternate

OTHERS PRESENT: Maura Seibold, Deputy Town Attorney
Natalie Nawrocki, Code Enforcement Officer
Kristin B. Mahoney, Recording Secretary

The Chair called the meeting to order at 7:01 P.M. and stated that per Section 144-63 (E) (1) all public notices have been filed.

The Chair led the attendees in reciting the Pledge of Allegiance. The Chair introduced the members of the Board and representatives of the Town of Orchard Park.

The Chair stated that if anyone appearing before the Board was related through family, financial or a business relationship with any member of the Board, it is incumbent upon him to make it known under State Law and the Town Code of Ethics.

The Chair stated the procedure for students attending tonight's meeting.

APPROVAL OF MINUTES:

Each member of the Board has previously received and read a copy of the minutes for the February 17, 2026 meeting.

A **MOTION** was duly made by Ms. Bowers and seconded by Mr. Williams, to **DISPENSE WITH THE READING OF** and **APPROVE THE MINUTES** of the February 17, 2026 ZBA meeting.

THE VOTE ON THE MOTION BEING:

METZ	AYE
BOWERS	AYE
MATEER	AYE
RODO	AYE
WILLIAMS	AYE

The Minutes were **UNANIMOUSLY** approved.

The Chair stated that all persons making an appeal before this Board would be heard in accordance with Article 16, Chapter 62 of the Consolidated Laws of the State of New York, § 267, § 267-a and § 267-b, and the Town of Orchard Park Zoning Ordinance.

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 Town Clerk.

The Chairman noted that the first item on the Agenda had been removed at the request of the Applicant, and that Item 1 under New Business contained a typographical error- the correct ZBA File # is 03-26.

The Recording Secretary read the Affidavit of Publication and Posting of the Legal Notice for this meeting.

The Chair stated that Site Inspections of all cases presented tonight were made by:

METZ, AYE / BOWERS, AYE / MATEER, AYE / RODO, AYE/ WILLIAMS, AYE / SZALKOWSKI, NAY

The Chair presented the procedures to be followed at tonight's meeting.

NEW BUSINESS

1. ZBA File# 03-26, Matthew Lee and Kristin Snyder, 7669 Milestrip Road, Zoned R-2, SBL # 162.08-2-1 (Part of Farm Lot 40, Township 10, Range 7). Requests an Area Variance to construct a 60 foot x 60 foot pole barn which will create a dominating accessory area. *Accessory Area shall not dominate Principal Use Area, §144-5B, Terms Defined.*

APPEARANCE: *Matthew Lee, Applicant*

The Applicant stated he is trying to get various items and equipment now housed outside into the new structure.

Mr. Williams referenced the Applicant's letter and inquired if the Applicant owns a property maintenance company, how far behind the house the structure would be, and how one would gain access to it.

The Applicant stated that the proposed structure would be cold storage for his personal property only, the structure would be approximately 80 feet back, and a driveway would be used for access.

Mr. Mateer established that the Applicant had spoken to his neighbors, except for the person behind him on Graystone Lane. The others were ok with the project. The structure would be barely visible to the Graystone neighbor, especially with the foliage.

Ms. Rodo inquired about the side setbacks and the Applicant confirmed 10 feet were required and the new structure would have 20 feet and confirmed driveway placement. The Applicant noted that he was denied a second point of entry (Recording Secretary note: Second driveway was denied by ECDPW).

Ms. Bowers stated that she felt that 60 feet by 60 feet was very large and inquired if the Applicant would be able to reduce the size. She also discussed driveway design and placement, and number of doors on the structure.

The Applicant stated that the smallest he could do would be 50 feet by 50 feet to house the items he needed.

There was discussion between the Chair and the Applicant that the Applicant would not be taking down any trees, some of the items he was storing were quite large, he was a contractor, and he would be storing some items used in his business.

Ms. Rodo asked if he was running a business out of his house.

The Applicant stated that he was not running a business out of his home; his place of business was behind the Target plaza, but that he would put power and water into the new structure.

The Chair then asked if there was anyone in the audience who would wish to speak in favor of the granting of the Variance.

(Twice) NO RESPONSE

The Chair then asked if there was anyone in the audience who would wish to speak against the granting of the setback Variance.

(Twice) NO RESPONSE

The Chair closed the Public Hearing.

The Chair then asked if the Secretary had received any additional communication either for, or against, granting the Variance. The Secretary stated no additional communications had been received.

There was discussion among the Board Members as to what size would be appropriate for the structure.

Mr. Williams stated he was not in favor of the project.

Ms. Rodo made a **MOTION**, seconded by Mr. Mateer, to **APPROVE the AREA VARIANCE for a 50 foot x 50 foot main building with an attached 50 foot x 12 foot porch/lean to**, based on the following:

1. Per Section 144-63 (E) (1) All public notices have been filed.
2. There will not be an undesirable change in the character of the neighborhood, or a detriment to nearby properties created.
3. The benefit sought cannot be achieved in another way, other than the granting of the Variance.

4. The request is not substantial.
5. There will not be an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.
6. The difficulty is self-created, however that does not preclude the granting of the Variance.

THE VOTE ON THE MOTION BEING:

METZ	AYE
BOWERS	AYE
MATEER	AYE
RODO	AYE
WILLIAMS	NAY

The **VOTE BEING FOUR (4) IN FAVOR, ONE (1) OPPOSED**, The **MOTION** was **APPROVED**.

2. ZBA File# 46-24, Robert K. Bodden, 47 Ferndale Drive, Zoned R-2 (Sublot 14, Map Cover 2935, SBL # 162.05-4-14.1). Requests an Area Variance to construct a storage building which will increase the accessory use area to 2,435 square feet, dominating the principle use area of 1,907 square feet. *Accessory use area shall not dominate principal use area, §144-9B, Terms Defined.*

APPEARANCE: No one was present for this case.

Ms. Rodo made a **MOTION**, seconded by Ms. Bowers, to **ADJOURN the review**.

THE VOTE ON THE MOTION BEING:

METZ	AYE
BOWERS	AYE
MATEER	AYE
RODO	AYE
WILLIAMS	AYE

The **MOTION** was **UNANIMOUSLY** approved.

There being no further business to be presented to the Board at this time, the meeting was adjourned at 7:24 P.M.

DATED: 04/13/2026
APPROVED: 04/21/2026

Respectfully submitted,
Kristin B. Mahoney, Recording Secretary

Mr. Robert Metz, Chairman
Zoning Board of Appeals