

Town of Hamburg
Board of Zoning Appeals
October 6, 2026
Unapproved Minutes

The Town of Hamburg Board of Zoning Appeals met for a Regular Meeting on Tuesday, October 6, 2026 at 7:00 P.M. in Room 7B of Hamburg Town Hall, 6100 South Park Avenue. Those attending included Chairman Ric Dimpfl, Vice Chairman Nicole Falkiewicz, Commissioner Catherine Mika, Commissioner Laura Hahn, Commissioner Jack Kuebler, Commissioner Dennis Chapman and Commissioner Jeff Adrian. Also in attendance were Code Enforcement Officer Jeff Skrzypek and Board of Zoning Appeals Attorney Joseph Gogan.

Board members recited the Pledge of Allegiance.

Chairman Dimpfl asked for a moment of silence in honor of our active military and those who have made the ultimate sacrifice.

Chairman Dimpfl pointed out the location of the two (2) fire exits in the room.

Commissioner Hahn read the Notice of Public Hearing.

Application # 6170 Christine Butcher – Requesting one (1) area variance for a proposed accessory structure at 6150 Heltz Rd. (Zoned RA)

No one appeared to speak on this variance.

Findings:

Mr. Dimpfl stated that application # 6170 will be tabled. **TABLED**

Application # 6171 Annette Puleff – Requesting two (2) area variances for a proposed shed and deck at 5245 Orchard Ave. (Zoned R2)

Annette Puleff, homeowner, spoke on this variance. She would like to put an Amish shed off the side of her garage. She knows there should be 5 ft. between, but there is a drainage problem on that corner. She had pictures to show the Board. The drainage problem is so bad that the basement walls collapsed. She had to put steel beams all around, a sump pump, and drainage tile. The garage has drainage tile around it. She is concerned if she leaves 5 ft. between the shed and garage, the snow will fall between and melt, causing more drainage problems. Her garage and house are very small and she needs space to put bikes, etc. She would like to build a 12 by 12 deck so she has more living space in the nice weather. She measured from her fence, which is placed properly on her property line, to show where the deck should be. She showed the Board pictures of this as well.

The Board had no further questions.

Findings:

Ms. Falkiewicz made a motion, seconded by Mrs. Hahn, to approve Application # 6171.

Ms. Falkiewicz reviewed the area variance criteria as follows:

- Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties – No
- Whether the benefit sought by the applicant can be achieved by some feasible method other than a variance – No, this is a very irregular lot
- Whether the request is substantial – It is not
- Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district – No
- Whether the alleged difficulty was self-created – Yes, but the balancing test favors granting the area variances.

All members voted in favor of the motion. **GRANTED**

Application # 6172 Richard Tripp – Requesting two (2) area variance for a proposed attached garage at 1258 West Arnold Dr. (Zoned R1)

Greg Tripp, son of the homeowner, spoke on this variance. He is looking to add an attached garage to his parents' home. Last year his father fell in the driveway taking out this garbage. He is in his 80's. With an attached garage, he would not have to go outside to take out his garbage. They also want to fit a car in there as well. It will not negatively impact anyone's view of the lake; it will be behind the house.

The Board had no further questions.

Findings:

Mr. Adrian made a motion, seconded by Mr. Kuebler, to approve Application # 6172.

Mr. Adrian reviewed the area variance criteria as follows:

- Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties – No there will not, it's the last property adjacent to the lake
- Whether the benefit sought by the applicant can be achieved by some feasible method other than a variance – No it can not
- Whether the request is substantial – No it is not

- Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district – No it will not
- Whether the alleged difficulty was self-created – No

All members voted in favor of the motion. **GRANTED**

Application # 6173 Hamburg Holdings DE LLC – Requesting three (3) area variances for proposed wall signs at 4408 Milestrip Rd. (Zoned C2)

James Murphy with Flexlume Sign Company spoke on this variance. The variance says three area variances, but the customer reduced the size of the two front and rear signs. They don't need variances for square footage anymore. He had new design plans that he handed out to the Board.

Chairman Dimpfl asked if they would be reducing the square footage on the front and back signs. Murphy said yes.

Murphy stated now the only variance they are requesting is for the rear elevation. It would face the NYS thruway. He knows he would need DOT approval. In that plaza there are several stores that have multiples signs. Chick-fil-a has signs on all four sides of the building. If people are coming up the 90, or they are new to the area, they will be able to see the store.

The Board had no further questions.

Findings:

Chairman Dimpfl clarified that they are no longer asking for three variances. They will be voting only on the one area variance for the rear sign.

Mr. Kuebler made a motion, seconded by Ms. Hahn, to approve Application # 6173.

Mr. Kuebler reviewed the area variance criteria as follows:

- Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties – No
- Whether the benefit sought by the applicant can be achieved by some feasible method other than a variance – No
- Whether the request is substantial – It is not
- Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district – It will not

- Whether the alleged difficulty was self-created – Yes, but the balancing test favors granting the variance

All members voted in favor of the motion. **GRANTED**

Application # 6174 Mark Omilian – Requesting one (1) area variance for a proposed carport at 5730 Walden Dr. (Zoned R1)

Mark Omilian, homeowner, spoke on this variance. He has a garage set 10 ft. back from the house, which is a small ranch. In the winter time they get a drift along the side of the house, up to the garage, and then across the whole front of the garage. Even with light snow they still get the drift. His wife needs to be to work by 5:45am. He also has to be to work early, sometimes by 5am. During heavy snow he has to get up by 3am to snow blow, and this also disturbs his neighbors. The carport they are requesting would be 20ft out from the garage. It would be attached to the garage, not the house. To account for the snow and ice, there will be a gutter system. They will follow all NYS codes pertaining to the carport. This is to aid them getting out of their house and driveway safely in the winter time.

Chairman Dimpfl asked Code Enforcement Officer Jeff Skrzypek if the blue prints for this carport would need to be approved by building inspection. Skrzypek said yes.

Commissioner Adrian asked if he had the detached garage constructed. Omilian said it was there when they purchased the home. Commissioner Adrian asked if there was a foundation under it. Omilian did not know. Commissioner Adrian stated that for the garage to support the carport there would need to have a foundation under it. Omilian knows that the previous owner used to work out of the garage so there is drywall, insulation, and electric. Commissioner Adrian said he would need to determine if there is a foundation to get approval from the Building Department by digging down 2-3 ft. to see if there is concrete.

The Board had no further questions.

Findings:

Chairman Dimpfl asked Code Enforcement Officer Skrzypek if this should be tabled until they figure out if there is a foundation under the garage. Skrzypek stated no they do not have to table this. There will be a way for him to build a safe carport if there is a foundation or if there is not.

Mrs. Hahn made a motion, seconded by Mr. Adrian, to approve Application # 6174.

Mrs. Hahn reviewed the area variance criteria as follows:

- Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties – No

- Whether the benefit sought by the applicant can be achieved by some feasible method other than a variance – No
- Whether the request is substantial – It is not
- Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district – No
- Whether the alleged difficulty was self-created – Yes, but the balancing test favors the applicant

All members voted in favor of the motion. **GRANTED**

Application # 6175 Jason Converse – Requesting one (1) area variance for a proposed covered patio at 3659 Delilah Ln (Zoned R2)

Jason Converse, homeowner, spoke on this variance. He is proposing a covered patio in his backyard. The variance is required because one of the posts come within 10ft of an above ground pool. It would be about 5ft away from the pool. He talked to all of his surrounding neighbors and has written proof that none of them object to the project. There are no environmental hazards or any power lines that this project would affect. This would be a 21ft by 16ft structure so they can have shade in the yard to entertain.

The Board had no further questions.

Findings:

Mr. Kuebler made a motion, seconded by Ms. Mika, to approve Application # 6175.

Mr. Kuebler reviewed the area variance criteria as follows:

- Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties – No
- Whether the benefit sought by the applicant can be achieved by some feasible method other than a variance – No
- Whether the request is substantial – It is not
- Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district – No
- Whether the alleged difficulty was self-created – Yes, but the balancing test favors granting the variance

All members voted in favor of the motion. **GRANTED**

Application # 6176 Scott Seifert – Requesting three (3) area variances for a proposed attached garage at 245 South Shore Dr. (Zoned R2)

Scott Seifert, homeowner, spoke on this variance. He is proposing a new attached garage cutting into his existing garage. This would be 26ft by 26ft. He talked to all of his neighbors and they were totally okay with it. The lots in the Hoover Beach neighborhood are very small and prone to flooding started around the end of October. He would like to get this garage in so he can get his cars up on blocks. His existing garage is too small to fit one car. He is looking for protection for his vehicles and storage.

Chairman Dimpfl asked Seifert to pass around pictures of the three car garage next door to him. Chairman Dimpfl said that his only concern is the house on the other side, not the house with the three car garage, for visibility. Seifert said he talked to these neighbors and they actually did a “trial back up” that day. He said that they will actually have more visibility because the road bushes to the north by the telephone pole, and those are all going to come out for the concrete driveway. Chairman Dimpfl stated that there is no parking on his street. Seifert confirmed this.

Commissioner Adrian asked if there was partition between the two buildings. Seifert said yes he and his neighbors get along well and they share a walkway and door to the back yard.

The Board had no further questions.

Findings:

Ms. Falkiewicz made a motion, seconded by Mr. Adrian, to approve Application # 6176.

Ms. Falkiewicz reviewed the area variance criteria as follows:

- Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties – No
- Whether the benefit sought by the applicant can be achieved by some feasible method other than a variance – No, this is an irregular neighborhood
- Whether the request is substantial – No
- Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district – No
- Whether the alleged difficulty was self-created – Yes, but the balancing test favors granting the variance

All members voted in favor of the motion. **GRANTED**

Mrs. Hahn made a motion, seconded by Ms. Falkiewicz, to approve the minutes of September 2026. All members voted in favor of the motion.

Ms. Falkiewicz made a motion, seconded by Ms. Mika, to adjourn the meeting. All members voted in favor of the motion.

The meeting was adjourned at 7:35 PM.

Respectfully submitted,
Laura Hahn, Secretary
Board of Zoning Appeals
Date: October 19, 2026