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Lynn M. Krajacic
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Town of Evans

TOWN OF EVANS

REGULAR MEETING
OF THE
ZONING BOARD OF APPEALS

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

Members Absent: D. Maglich, V. Gugliuzza

Also Present: Endell Osuna, Esq., Jared 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. Kennedy moved to approve the minutes from the July 9th meeting. Mr. LaRusso seconds.

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

1. Eric and Melissa Gottoroff, 92 Middle Ln, Angola, NY 14006 are requesting to obtain a variance for a fence in violation of the Town of Evans Zoning Law Section 200-34(A) - Height of Fences, such that no fence or wall in a residential district shall exceed six feet in height except where it abuts a nonresidential district, in which event it shall not exceed eight feet in height; provided, however, that a wire fence not exceeding 12 feet in

height enclosing a tennis court shall be permitted. Applicant is proposing to erect an 8 foot fence on west side of property.

The applicants were present to represent the appeal.

Mr. Martin asked if anyone would like to speak in favor or against the variance. Mr. Martin reads a letter from Frederick Garrasi, of 88 Middle Ln, Angola, NY 14006, speaking in favor of the variance as long as the existing chain link fence is removed.

Hearing no other comments, Mr. Martin closed the public discussion and opened the board for discussion.

Mr. LaRusso moved to deny the variance. Mr. Martin seconds.

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

2. John Stock, 727 Bennett Rd, Angola, NY 14006 is requesting to obtain a variance for an existing site located at 0 Erie Rd Angola, NY 14006 SBL# 220.00-3-24 in violation of the Town of Evans Zoning Law Section 200-24(C)(5) – Outdoor Storage, such that is not permitted in any front yard. Outdoor storage may be permitted in a side or rear yard abutting a residential district or other yard abutting a front yard of an adjacent parcel. Permitted outdoor storage areas shall be screened from adjacent parcels and shall not exceed 16 feet in height or be closer than 50 feet to any property line. Applicant is proposing storage to be +/- 30 feet from the property line.

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. Martin moved to table the variance until next month's meeting. Mr. Kennedy seconds.

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

3. Erie Road Acquisitions, 26 Mississippi Rd, Buffalo, NY 14223 is requesting to subdivide 0 Erie Rd SBL# 206.00-3-21.14 to make a nonconforming lot in violation of the Town of Evans Zoning Law Section 200-14(C)(1)(2), which states that a minimum lot width for each group development or separate structure not a part of a group development must be 150 feet, wherein applicant is proposing 0 feet of width.

Richard Rogers, Esq., counsel for the applicant, with offices at 1786 Main St, Buffalo, NY 14208, was present virtually to represent the appeal.

Mr. Martin asked if anyone would like to speak in favor or against the variance. Richard and Peggy Graf, of 6874 Chaffee Ct, Derby, NY 14047, spoke against the variance. Barbara Reuman, of 6880 Chaffee Ct, Derby, NY 14047, spoke against the variance. Tom Inanvic, of 4685 Hickory Ln, Lewiston, NY 14092, spoke in favor of the variance.

Hearing no other comments, Mr. Martin closed the public discussion and opened the board for discussion.

Mr. Kennedy moved to deny the variance. Mr. LaRusso seconds.

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

Mr. LaRusso moved to adjourn the meeting. Mr. Kennedy seconds.

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

Respectfully Submitted,

Brandon Gregoire

ZBA Minutes 8/13/2026