

# **BOARD OF APPEALS**

## **Regular Session**

**North Tonawanda, New York 14120**

**Monday, September 21, 2026**

**6:00 P.M.**

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**THE REGULAR SESSION OF THE BOARD OF APPEALS WAS CALLED TO ORDER  
BY CHAIRMAN SMOLINSKI**

### **ROLL CALL**

**Present: Chairman Smolinski  
Commissioner Kuebler, Wistner, Brown**

**Absent: Commissioner Haacker**

**Also Present: Asst. City Attorney Mario Gregori  
Building Inspector Robert C. DePaolo**

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### **APPROVAL OF THE MINUTES OF THE REGULAR SESSION AUGUST 10, 2026**

**MOVED by Commissioner Wistner      SECONDED by Commissioner Brown**  
**That the minutes of the regular session held August 10, 2026, be approved as circulated**  
**and filed in the office of the City Clerk-Treasurer.**

**Ayes: Commissioner Kuebler, Wistner, Brown, Smolinski (4)**

**Nays: None (0)**

**CARRIED.**

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### **PROOF OF PUBLICATION PUBLISHED AUGUST 1, 2026**

**MOVED by Commissioner Kuebler      SECONDED by Commissioner Brown**  
**That the proof of publication presented by the Clerk of the Board of Appeals of the notice**  
**of a public hearing of the various appeals filed with and to be presented at the regular**  
**session of the Board of Appeals, which was published August 1, 2026, be received and filed.**

**Ayes: Commissioner Kuebler, Wistner, Brown, Smolinski (4)**

**Nays: None (0)**

**CARRIED.**

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### **OLD BUSINSS**

**#1.**

**AREA VARIANCE TO ERECT APPROXIMATELY 24 LINEAR FEET OF 10' TALL**  
**PRIVACY FENCE ALONG REAR PROPERTY LINE. [§103-15B(4)(a) SEVEN FEET**  
**(TALL) WHERE LOCATED IN THE BACK OF THE REAR WALL OF THE**  
**PRINCIPAL BUILDING AND SIX FEET WHERE LOCATED ON THE SIDE OF THE**  
**PRINCIPAL BUILDING AND HAVING A MINIMUM OF FIVE FEET OF SIDE**  
**YARD].**

**Amy Chrzonowski & Tim Walner**  
**1363 Sweeney Street**  
**North Tonawanda, NY 14120**

**Re: Area Variance to erect approximately 24' of**  
**10' tall privacy fence along rear property**  
**line, located at 1363 Sweeney Street**

**At this time the Chairman asked if anyone wanted to speak for or against the requested**  
**variance.**

**There were no speakers for or against the requested area variance.**

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**MOVED by Commissioner Wistner**

**SECONDED by Commissioner**

**That the Zoning Board of Appeals Commissioner Wistner motioned to approve with no second motion, Commissioner Kuebler motioned to deny with no second motion and Chairman Smolinski did not call for a roll call. The Area Variance to erect approximately 24' x 10' tall privacy fence along rear property line, located at 1363 Sweeney Street is denied by default.**

**Ayes: Commissioner Wistner**

**(1)**

**Nays: Commissioner Kuebler**

**(1)**

**Abstained: Commissioner Brown, Smolinski**

**(2)**

**CARRIED.**

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### **ADJOURNMENT**

**MOVED by Commissioner Kuebler**

**SECONDED by Commissioner Wistner**

**That the meeting of the Zoning Board of Appeals be adjourned.**

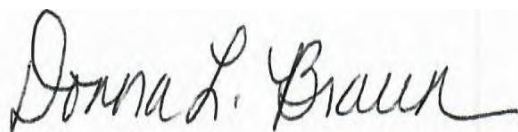
**CARRIED.**

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**Time Adjourned: 6:13 P.M.**

**Next Regular Meeting: October 19, 2026, at 6:00 P.M.**

**Respectfully submitted,**



**Donna L. Braun  
City Clerk-Treasurer**