

Minutes
Village of Orchard Park
Zoning Board of Appeals
May 28, 2025

The Village of Orchard Park Zoning Board of Appeals held a meeting on Wednesday, May 28, 2025 at the Municipal Center, 4295 South Buffalo Street, Orchard Park, New York.

Chairman Steve Snyder called the meeting to order at 7:00 p.m. and stated, "If anyone appearing before the Board is related thru family, financial or business relationship with any member of the Board, it is incumbent upon him to make it known under the New York State Law and the Village Code of Ethics."

Members present:

Chairman Steve Snyder
Peter Fryer
Gary Phillips
William Riter
Scott Shular, Alternate

Others present:

David Even, Trustee

John Gullo, Code Enforcement Officer
Christine Hanavan, Secretary

The Chairman asked for the approval of the minutes of the previous meeting held on April 23, 2025. Gary Phillips made the motion to approve the minutes of the meeting held on April 23, 2025 seconded by Peter Fryer. On the question:

PETER FRYER	Yes
GARY PHILLIPS	Yes
WILLIAM RITER	Yes
SCOTT SHULAR	Yes
STEVE SNYDER	Yes

Chairman Snyder then stated, "All persons making an appeal before this Board will be heard in accordance with the applicable laws of the State of New York and the Village of Orchard Park. 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 Village Clerk."

Chairman Snyder asked if site inspections for all cases presented were made by all Board members: On the question:

PETER FRYER	Yes
GARY PHILLIPS	Yes
WILLIAM RITER	Yes
SCOTT SHULAR	Yes

STEVE SNYDER Yes

ZBA Application

David and Deborah Burger
6784 E Quaker St.
Orchard Park, NY 14127
SBL #162.17-5-10

Applicant is requesting a variance to Municipal Code Section 225.11(C)(1)(A)

Applicant is requesting a Variance to erect a fence in a front yard setback extending to the front lot line 34 ft. long and 4 ft. high at 6784 E Quaker St. The code stipulates a fence is not allowed in a front yard setback.

APPEARANCE: David Burger

DISCUSSION: The applicant explained that he really wasn't going to erect a 34 ft. fence but rather 27 ft. The Board was concerned with this discrepancy. Mr. Burger also explained how the deer, the mailman, service providers were walking through and breaking down his current landscaping. He wants to redirect the deer by changing the path and replanting greenery and shrubbery. His house is not registered as historic.

The Chairman asked three times if there was anyone in the audience who would like to speak in favor of granting the variance. Cathleen Burr 6798 E Quaker would like to see something done regarding the deer. Charlotte Takh 6766 E Quaker is in favor of granting the variance.

The Chairman asked three times if there was anyone in the audience who would like to speak against granting the variance. There were none.

The Chairman then asked if the Secretary had received any communications either for, or against granting the variance. The Planning Board had no recommendation to grant the variance. The Secretary received an anonymous email speaking against the granting of the variance (see attached).

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Gary Phillips made a motion, seconded by William Riter to table the request for a variance to erect a fence in a front yard setback extending to the front lot line 34 ft. long and 4 ft high at 6784 E Quaker St. SBL #162.17-5-10. Further information is needed to visualize 45 ft. off center.

On the question:

THE VOTE ON THE MOTION BEING:

PETER FRYER	APPROVED
GARY PHILLIPS	APPROVED
WILLIAM RITER	APPROVED
SCOTT SHULAR	APPROVED
STEVE SNYDER	APPROVED

THE MOTION WAS TABLED .

ZBA Application

Glen Shaikun
44 Thorn Avenue
Orchard Park, NY 14127
SBL #173.05-1-36

Applicant is requesting a variance to Municipal Code Section 225 Schedule II

Applicant is requesting a Variance to erect a frame addition closer to the side lot line. 6 ft. side yard requested. The code stipulates an 8 ft. side yard is required.

APPEARANCE: John Lydon

DISCUSSION: The Board had no questions

The Chairman asked three times if there was anyone in the audience who would like to speak in favor of granting the variance.

The Chairman asked three times if there was anyone in the audience who would like to speak against granting the variance. There were none.

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The Chairman then asked if the Secretary had received any communications either for, or against granting the variance. The Planning Board gave a positive referral to grant the variance. I have also received an email from the Stillman's who live at 79 Thorn expressing favor in granting the variance. (see attached)

William Riter made a motion, seconded by Gary Phillips to approve the request for a Variance to erect a frame addition closer to the side lot line. 6 ft. side yard requested at 44 Thorn Avenue SBL #173.05-1-36

On the question:

THE VOTE ON THE MOTION BEING:

PETER FRYER	APPROVED
GARY PHILLIPS	APPROVED
WILLIAM RITER	APPROVED
SCOTT SHULAR	APPROVED
STEVE SNYDER	APPROVED

THE MOTION WAS APPROVED

ZBA Application

Orchard Park Country Club
4905 S Buffalo St.
Orchard Park, NY 14127
SBL #172.16-4-23
SBL #173.13-1-15-21
SBL #173.13-1-15.1

Applicant is requesting a variance to Municipal Code Section 225.11(C)(1)(A)

Applicant is requesting a Variance to erect a split rail wooden fence in a front yard setback extending along Jewett-Holmwood Rd. The code stipulates a fence is not allowed in a front yard setback.

APPEARANCE: Geoff Schweithard, Scott Zulker, Stephen Fuez

DISCUSSION: Split rail fence would be constructed for safety purposes. There will be signage directing people to the crosswalk at Jewett-Holmwood and S

Buffalo. The gate will be used for maintenance vehicles only and will be locked at all times. Future plans are still underway for the recently purchased property. There was discussion regarding the construction of the path going up to the crosswalk using millings and not asphalt. Overhead lights have not been researched for this area. The Board indicated that future plantings are encouraged and very amenable to reducing the length of the fence.

The Chairman asked three times if there was anyone in the audience who would like to speak in favor of granting the variance.

The Chairman asked three times if there was anyone in the audience who would like to speak against granting the variance. There were none.

The Chairman then asked if the Secretary had received any communications either for, or against granting the variance. The Planning Board gave a positive referral to grant the variance.

William Riter made a motion, seconded by Peter Fryer to approve the request for a Variance to erect a split-rail wooden fence (painted white) in a front yard setback extending along Jewett-Holmwood Rd. (see stipulations below) at 4905 S Buffalo St. SBL #172.16-4-23, SBL #173.13-1-15.21, SBL #173.13-1-15.1

Stipulations to the permit request:

Directional/Informational signs required

Proper lighting for sidewalk

Connecting sidewalk (pavers or concrete) to crosswalk

Fence length from utility poles going east 236 ft.

Planting barrier from the end of the fence to guard rail approved by Code Enforcement Officer before installing within one year

Parking on the hill will be discouraged by Village on any grass or unpaved areas. Hill on S Buffalo St.

Gate only to be opened for maintenance crews

On the question:

THE VOTE ON THE MOTION BEING:

PETER FRYER	APPROVED
GARY PHILLIPS	APPROVED
WILLIAM RITER	APPROVED
SCOTT SHULAR	APPROVED
STEVE SNYDER	APPROVED

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THE MOTION WAS APPROVED.

Moved by Gary Phillips seconded by Scott Hartung to adjourn at 8:15 p.m.

On the question:

THE VOTE ON THE MOTION BEING:

PETER FRYER	Yes
GARY PHILLIPS	Yes
WILLIAM RITER	Yes
SCOTT SHULAR	Yes
STEVE SNYDER	Yes

THE MOTION WAS PASSED.

Respectfully submitted,

Chairman's Approval:

Christine M. Hanavan
Secretary

Date: _____