

Town of Hamburg  
Board of Zoning Appeals Meeting  
January 5, 2021  
Minutes

The Town of Hamburg Board of Zoning Appeals met for a Regular Meeting on Tuesday, January 5, 2020 at 7:00 P.M. in Room 7B of Hamburg Town Hall, 6100 South Park Avenue and via Webex. Those attending included Chairman Brad Rybczynski, Commissioner Louis M. Chiacchia, Commissioner Nicole Falkiewicz, Commissioner Ric Dimpfl and Commissioner Mark Yoder. Those attending via Webex included Commissioner Laura Hahn, Commissioner Jeff Adrian, Attorney Michelle Parker and Planning Consultant Sarah desJardins.

Chairman Rybczynski asked for a moment of silence to honor our fallen men and women in the military, as well as those fighting Covid.

Chairman Rybczynski made a motion, seconded by Mr. Yodar, to reappoint Mr. Dimpfl as Vice-Chairman and Mr. Chiacchia as Secretary. All members voted in favor of the motion.

Commissioner Chiacchia read the Notice of Public Hearing.

**Application # 5845 Amanda Gaicchino – Requesting an area variance for a carport at 5890 Dover Road**

Amanda Gaicchino, applicant, stated that she constructed a carport without getting a Building Permit and for that she is sorry. She noted that in April 2020 when she decided to build it, she attempted to contact the Building Department but was not able to due to the pandemic. She stated that in hindsight she realizes that she should have waited to begin construction until she could get in touch with the Building Department.

In response to a question from Chairman Rybczynski, Ms. Gaicchino stated that her fiancé built the carport. She noted that the car port does need to be inspected by the Building Department if the variance is granted.

Photos were submitted of the carport and a letter of support was submitted from the adjacent property owner, Ann Kuebler, 5900 Dover Road.

**Findings:**

Mr. Dimpfl made a MOTION, seconded by Mr. Chiacchia, to approve Application # 5845.

On the question:

Mr. Dimpfl reviewed the area variance criteria as follows:

1. Whether the benefit sought can be achieved by other means feasible to the applicant – No, the structure is already up.
2. Whether there would be an undesirable change in neighborhood character or to nearby properties – No, and the most affected neighbor has no objections.
3. Whether the request is substantial – No.
4. Whether the request will have adverse physical or environmental effects – No.
5. Whether the alleged difficulty is self-created – This could be argued either way, but on balance it tilts to approval.

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

**Application # 5847 Hamburg McKinley Parkway LLC – Requesting a use variance and an area variance for proposed wall signage at 3464 McKinley Parkway**

Paddy Rowell from Flexlume Signs, representing the applicant, stated that Sketchers would like to install signage on the east side of the building (facing McKinley Parkway) next to the existing building signage for Raymour & Flanigan. He stated that the Sketchers storefront is recessed approximately ten feet behind the Raymour & Flanigan entrance and is not very visible to motorists traveling south on McKinley Parkway.

In response to a question from Ms. Falkiewicz, Mr. Rowell stated that he did not have any information showing that a financial hardship will occur if the signage is not approved. He noted that Sketchers has only been open for approximately three (3) months.

**Findings:**

Chairman Rybczynski noted that the application was a bit thin on financial information.

Mr. Yodar made a MOTION, seconded by Ms. Falkiewicz, to table Application # 5847 for additional financial information. All members voted in favor of the motion. **TABLED.**

Ms. Falkiewicz made a MOTION, seconded by Mr. Dimpfl, to approve the minutes of December 15, 2020. All members voted in favor of the motion.

Mr. Dimpfl made a MOTION, seconded by Mr. Chiacchia, to adjourn the meeting. All members voted in favor of the motion.

The meeting was adjourned at 7:25 P.M.

Respectfully submitted,  
L. Michael Chiacchia, Secretary  
Board of Zoning Appeals

DATE: January 22, 2021