

**MINUTES**  
**MUNICIPAL BUILDING**  
**ZONING BOARD OF APPEALS**

September 23, 2025

5:00 P.M.

PRESENT: Kevin Foltz, Chairman, Meghan Lutz, Sheila Tracy, Nancy Babis, Sam Marotta, Anthony Serianni, Deputy Corporation Counsel, Dan Wojewoda, Building Inspector

EXCUSED: Kevin McDonough, Andrew Rosenberg

The Chairman explained to those present the procedure followed in these Hearings, First the explanation by the Appellant as to what he/she is appealing for, second, any questions those present wishes to ask to clarify the appeal, and third, the Board will hear any opinions for or against the granting of this variance. The chairman stressed the point that anyone wishing to speak must first state their name and address.

Roll call was taken by Chairman Kevin Foltz and all the members present stated that they have seen the properties.

The first case to be called was Case No. 2359. Appeal of Todd & Leanne McNall to install 16' x 32' in ground pool and a concrete walkway located at 231 Continental Drive, Lockport, New York situated in a Low Density Residential Zone.

Mr. McNall requested that his application is tabled until March of 2026.

The next case to be called was Case No. 2357. Appeal of Jared Kostrewa to erect a 7'x 14' extension to the existing wooden deck on the rear of the house located at 85 Regent Street, Lockport, New York situated in a Low Density Residential Zone.

Mr. Kostrewa stated that he would like to add an extension on the existing deck on the property. He said that it will be 7' x 14'. He said that he would like the extension for more space for furniture so that he can enjoy his backyard.

Mr. Foltz asked if the extension is going to be the same material as the existing deck.

Mr. Kostrewa said that the top will be composite and the railings will be the same.

Ms. Babis asked if the deck is going to be in line with the existing. She asked if it was extending farther than the existing.

Mr. Kostrewa said that it will be 1' out farther.

Mr. Foltz asked if any additional lighting is going to be installed on the deck.

Mr. Kostrewa said no.

Mr. Foltz said that if he does, he needs to make sure that the light does not shine on the neighbor's property.

The meeting was open to the public.

The meeting was closed to the public.

There being nothing further Meghan Lutz made a motion to approve the variance request to erect a 7' x 14' extension to the existing wooden fence as follows:

AND IT APPEARING, the request is not substantial as the extension will be in line with the existing deck, and

WHEREAS, there will be no adverse physical or environmental effect, and

Seconded by Sam Marotta.

Kevin Foltz-yes  
Meghan Lutz-yes  
Sam Marotta-yes  
Sheila Tracy-yes  
Nancy Babis-yes

#### **AREA VARIANCE GRANTED**

The next case to be called was Case No. 2358. Appeal of Amy Taylor to remove the existing 6' high wooden fence and replace with a 6' fence on the north, south and east property lines and erect an 8' x 8' storage shed located at 605 High Street, Lockport, New York situated in a Low Density Residential Zone.

Mr. Joe Taylor, 6369 O'Connor Drive, Lockport, New York was present to explain the case.

Mr. Taylor said that he is Amy's father.

Mr. Taylor said that Amy and Derrick currently have a 6' fence on the west, south and east sides of the property. He said that they would like to replace the fence the same height, 6' but put it in a different location.

Mr. Taylor said that they would like to install a shed on the north side of the property.

Mr. Taylor said that 605 High Street is at the point at High and Akron Streets. He said that prior the home was a two-family. He said that there was a fatal arson at the home and

it was rehabbed. He said that after that, the house was in disrepair before his daughter and Derrick bought the house. He said that since they purchased the home they have demolished the deteriorated garage and rebuilt a new one, removed the dead trees, updated the floors, walls and bathrooms which were in disrepair and did a full roof replacement.

Mr. Taylor said that Amy and Derrick own two properties in the City and they take care of things. He said that this property is unique, there is a City owned lot to the west, Akron Street to the south, High Street to the north and a neighbor to the east.

Mr. Taylor said that their hardship is that their yard is sandwiched between two streets. He said that retaining privacy is difficult. He said that without a fence their patio would be exposed from the north and south.

Mr. Taylor said that there is an existing 6' wooden fence on the property that needs to be replaced. He said that they would like to extend the fence to the south because there is currently a lot of unused space outside the fence. He said that they would like to keep the fence 6' in height for privacy and the safety of their children.

Mr. Taylor said that they would also like to keep the 8' x 8' storage shed where the demolished garage was. He said that it will be several feet from the north property line. He said that there was a detached garage there prior. He said that it will be 32' from the road and will not be a visual objection.

Mr. Marotta said that he can appreciate the uniqueness of the lot.

Mr. Marotta asked how close to the sidewalk they would install the fence.

Mr. Taylor said pretty close.

Mr. Marotta said that he would suggest staying at least a foot off the line.

Mr. Taylor said that they can do that.

Ms. Lutz asked if the fence is going to be the same material as it is now.

Mr. Taylor said that they don't know yet what they are going to install, maybe vinyl.

Ms. Babis said that they intent to install a solid fence that cannot be seen through.

Mr. Taylor said that the current fence is solid.

The meeting was opened to the public.

Mr. Terry Nolan, 535 High Street, said that they have done a wonderful job with the home. He said that it is nice to see the house being taken care of. He said that he wishes them good luck.

Dr. Tyler Rinker, 51 Akron Street, said that he has never introduced himself to Amy and Derrick and he lives across the street. He said that they have done amazing work with the property and they should be given the variance.

The meeting was closed to the public.

Mr. Foltz read aloud the criteria for an area variance.

Mr. Foltz said that the request will not change the character of the neighborhood. He said that the request is not substantial, they are asking to replace what they already have.

Mr. Foltz said that this will not have any adverse effects on the neighborhood, he doesn't see any issues with moving the fence.

Mr. Foltz said that this situation is not self-created.

There being nothing further Sam Marotta made a motion to approve the request to erect a 6' fence as follows:

AND IT APPEARING, benefit cannot be achieved by other means feasible to the applicant, and

WHEREAS, there will be no change to the character of the neighborhood, and

WHEREAS, request is not substantial, and

WHEREAS, there will be no adverse physical or environmental effect, and

WHEREAS, alleged difficulty is not self-created, and

WHEREAS, premises shall be kept in a neat, clean, and orderly condition

Seconded by Sheila Tracy.

Kevin Foltz-yes  
Meghan Lutz-yes  
Sam Marotta-yes  
Sheila Tracy-yes  
Nancy Babis-yes

**AREA VARIANCE GRANTED**

Nancy Babis made a motion to approve the request to erect an 8' x8' storage shed as follows:

AND IT APPEARING, benefit cannot be achieved by other means feasible to the applicant, and

WHEREAS, there will be no change to the character of the neighborhood, and

WHEREAS, request is not substantial, and

WHEREAS, there will be no adverse physical or environmental effect, and

WHEREAS, alleged difficulty is not self-created, and

WHEREAS, premises shall be kept in a neat, clean, and orderly condition

Seconded by Sheila Tracy.

Kevin Foltz-yes  
Meghan Lutz-yes  
Sam Marotta-yes  
Sheila Tracy-yes  
Nancy Babis-yes

#### **AREA VARIANCE GRANTED**

Sam Marotta made a motion to approve the minutes from the August 26, 2025 meeting.  
Seconded by Meghan Lutz. Ayes-5 Noes-0

Sam Marotta made a motion to adjourn; Motion seconded by Nancy Babis. Ayes-5 Noes-0

#### **MEETING ADJOURNED**

**The next regularly scheduled meeting will be Tuesday, October 28, 2025 at 5:00 p.m.**