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ZONING BOARD OF APPEALS

ALDEN TOWN HALL 3311 Wende Road Alden, New York 14004

Town of Alden Zoning Board of Appeals

ZBA NOTO VARIANCE HEARING 22-01 MINUTES

Date of Zoning Board of Appeals Meeting and Hearing: February 2, 2022 Meeting called to order at 6:02 pm by Chairwoman Galbraith.

In attendance: Susanne Galbraith, Chairwoman

Sarah Hinsken, Board Member Jeff Kurek, Board Member

Mandy Szymanski, Board Member Vacant Position, Board Member Susan Schumacher, Secretary Mike Notto, Applicant Susan Pahr, Neighbor

Board Member Sarah Hinsken moved and Board Member Szymanski seconded the motion to open the hearing.

Applicant: Michael Notto

Address: 642 County Line Road

Type of Variance Requested: Area Variance

Town Code: 365-10F(2)(a)

Description: Applicant is requesting to construct an accessory building over 20' high

Property Tax Map: 120.00-2-17.12

Street Location: 642 County Line Road Name of Property Owners: Michael Notto

Mr. Notto explained that the building of the pole building is to provide an inside space for the storage and maintenance of his recreational vehicle, boat and classic cars; and to allow for a 6/12. The extra two feet of height he is requesting over code is to allow access to the top of the recreational vehicle for maintenance and cleaning and the 6/12 pitch for reducing snow build up. He also advised that the building will not be able to be seen from the road due to placement on his property. Mr. Notto also advised that he showed pictures of the pole building he wants to build to his neighbors and they all liked the design. Susan Pahr, neighbor in attendance advised that she likes the design. The SEQR determination by CEO Snyder is that the proposed action in this request will not result in any significant adverse environmental impacts.

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Board Member Szymanski moved and Board Member Kurek seconded the motion to adjourn the hearing at 6:08 p.m.

Chairwoman Galbraith reviewed the area variance criteria with full committee member agreement on the following:

- 1. An undesirable change will not be produced in the character of the neighborhood or a detriment to nearby properties will not be created by the granting of the requested variance. The pole building will not be visible from the street and the closest neighbor approves the design.
- 2. The benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue other than an area variance. The building could be constructed 2 feet lower.
- 3. The request is not substantial. The height of the building will only be 2 feet higher than the code allows.
- 4. Approval will not have adverse effect or impact on the physical or environmental condition in the neighborhood or district. No, the height and 6/12 pitch will help alleviate snow build up on the roof.
- 5. The difficulty is alleged self-created which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance. The building could be built within code standards.
- 6. The approval of this variance will not create a hazard to health, safety or general welfare. The construction of this pole building will have no environmental impact.

After due review of the area variance request by the above named property owner, and in consideration of applicable codes and the criteria relative to the granting of area variances, the following resolution was offered by Board Member Hinsken and seconded by Board Member Szymanski to wit:

So moved that the variance be approved.

The resolution was put to a roll call vote of the quorum of the Town of Alden Zoning Board of Appeals with the following result:

Chairwoman Galbraith – Approve Member Kurek – Approve Member Szymanski – Approve

The resolution did carry and the area variance is approved.

Board Member Kurek moved and Board Member Hinsken seconded the motion to adjourn the meeting at 6:12 p.m.

cc: A. Barrett, Town Clerk

ZBA Board Members & Secretary Applicant

C. Snyder, Code Enforcement Officer

B.Sitzman, Supervisor

C. Pautler, Councilwoman

G. Waiss, Councilman