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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 VARIANCE HEARING MINUTES 23-02

Date of Zoning Board of Appeals Meeting and Hearing: June 20, 2023
Meeting called to order at 6:37 pm by Chairwoman Galbraith.

In attendance: Susanne Galbraith, Chairwoman
Jeff Kurek, Board Member
Mandy Szymanski, Board Member
Sarah Hinsken, Board Member
Bill Kissell, Board Member
Mr. & Mrs. Duval, Applicant

Absent: Susan Schumacher, Secretary

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

Applicant: Robert Duval,
Address: 1183 Greenfield Dr., Alden, NY, 14004
Type of Variance Requested: Area Variance
Town Code: 365-20B – no accessory building or structure shall be located in any front yard, regardless of whether or not such yard is a required front yard.
Description: Applicant is requesting ability to build a pole barn in the front yard. The parcel is a corner lot and has frontage on 2 streets.
Property Tax Map: 117.08-4-16
Street Location: 1183 Greenfield Dr., Alden, NY, 14004
Name of Property Owners: Robert Duval

Mr. & Mrs. Duval would like to construct a pole barn, to be used as a garage. It would be located adjacent to their pre-existing garage and would have access thru the pre-existing driveway. The parcel is located on a corner lot, which signifies that the parcel has frontage on both streets. Chairwoman Galbraith reiterated the fact that although a corner lot, the address is Greenfields and the house faces Greenfields Dr. The driveway however does exit on La Ray Dr. If approved the new addition of the pole barn will be in compliant with set back and would not cause any site line obstructions.

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Board Member Kurek moved and Board Member Hinsken seconded the motion to adjourn the hearing at 6:48 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 addition is designed to match the house's exterior.
2. The benefit sought by the applicant can be achieved by some other method, feasible for the applicant to pursue other than an area variance. It could be achieved by adding an attached garage, or extending the driveway to the east, but the applicants could not afford either of these options.
3. The request is not substantial, the code defines a corner lot as having 2 frontage designations. This houses address is Greenfield Dr/ and faces Greenfield Dr.
4. Approval will not have adverse effect or impact on the physical or environmental condition in the neighborhood or district. It will not cause sight line problems, or have an adverse physical conditions, as there is trees to the north and east of the proposed site.
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. They could choose to build an attached garage or extend the driveway to locate the garage to the east.
6. The approval of this variance will not create a hazard to health, safety or general welfare.

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 Kissell and seconded by Board Member Kurek 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
Member Kissell – Approve Member Hinsken-Approve
The resolution did carry and the area variance is approved.

Board Member Szymanski moved and Board Member Kurek seconded the motion to adjourn the meeting at 7:03 p.m.

cc: A. Barrett, Town Clerk

C. Snyder, Code Enforcement Ofcr

B. Sitzman, Supervisor
C. Pautler, Councilwoman
ZBA Board Members & Secretary

G. Waiss, Councilman