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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 23-03

Date of Zoning Board of Appeals Meeting and Hearing: July 13, 2023
Meeting called to order at 6:30 pm by Chairwoman Galbraith.

In attendance: Susanne Galbraith, Chairwoman
Sarah Hinsken, Board Member
Jeff Kurek, Board Member
Mandy Szymanski, Board Member
Bill Kissell, Board Member
Susan Schumacher, Secretary
Lawrence G. Strasser, Jr., Applicant

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

Applicant: Lawrence G. Strasser, Jr.
Address: 11098 Westwood Road
Type of Variance Requested: Area Variance
Town Code: 365-10F5
Description: Applicant requests to install a new driveway closer than 5 feet to the lot line
Property Tax Map: 107.00-1-8
Street Location: 11098 Westwood Road
Name of Property Owner: Lawrence G. Strasser, Jr.

Mr. Strasser explained that he and his neighbor to the west were in agreement regarding a drainage concern both properties experienced so drain tile and gravel were put in place on the west side of his property that proved to assist in drainage for both properties. Mr. Strasser is interesting in building an accessory building in his back yard and would like to also have driveway access to that building via a stone drive within five feet of the west property line. If the driveway was installed to meet the required offset, a narrow strip of grass would remain between the driveway and the existing stoned strip for the drain tile. The neighbor to the west has no concerns with Mr. Strasser's plan. Mr. Strasser's septic system is on the east side of his property preventing him from installing a driveway on that side.

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Board Member Kurek moved and Board Member Hinsken seconded the motion to adjourn the hearing at 6:35 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. It will help with drainage on the property bordering to the west.
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. He could decide to not build a building in the back yard.
3. The request is not substantial. The lot line requirement is only 5 feet, so it is only 5 feet.
4. Approval will not have adverse effect or impact on the physical or environmental condition in the neighborhood or district. Will help with drainage to the adjacent neighbor.
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. As stated above, he could choose to not build in the back.
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 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 – approved Member Kurek – approved Member Hinsken - approved
Member Whittingham – approved Member Szymanski – approved
The resolution did carry with all in favor and the area variance is approved.

Board Member Szymanski moved and Board Member Kurek seconded the motion to adjourn the meeting at 6:43 p.m.

cc: A. Barrett, Town Clerk
 C. Snyder, Code Enforcement Officer
 B. Sitzman, Supervisor
 C. Pautler, Councilwoman
 G. Waiss, Councilman
 ZBA Board Members & Secretary