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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**

VARIANCE DECISION – ZBA HEARING 2024-05

Date of Zoning Board of Appeals Meeting and Hearing: October 17, 2024
Meeting called to order at 6:45 pm by Chairwoman Galbraith.

In attendance: Susanne Galbraith, Chairwoman
Sarah Hinsken, Board Member
Jeff Kurek, Board Member
Bill Kissel, Board Member
Ryan Moran, Applicant

Absent: Mandy Szymanski, Board Member, Jamie Rapini, Secretary

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

Applicant: Erin Moran

Address: 11649 Broadway, Alden, NY 14004

Type of Variance Requested: Area Variance The proposed building does not meet the required setback requirements (Alden Town Code Section 365-21(A)(2)(a)(1).Property Tax Map: 118.10-4-4

Street Location: 20211649 Broadway, Alden, NY 14004

Name of Property Owners: Erin Moran

Applicant would like to construct a new storage building connecting to his pre-existing shop. The steel structure would have concrete floor and no utilities, as it is for storage only. They would black top the driving lot and add new lighting

No neighbors chose to attend the hearing and no written concerns from them were received by the board.

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Board Member Kissel moved and Board Member Kurek, seconded the motion to adjourn the hearing at 6:45 p.m.

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

1. The benefit sought by the applicant can be achieved by some other method, feasible for the applicant to pursue other than an area variance, as they could build a smaller structure and have it off the back of the pre-existing building.
2. The request is not substantial, as the proposed building is behind the current building. Having a set back farther from the road.
3. Approval will not have adverse effect or impact on the physical or environmental condition in the neighborhood or district, as it is on his property and does not infringe on the neighbor's lot.
4. 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 continue to rent storage space.
5. The approval of this variance will not create a hazard to health, safety or general welfare. No hazard as the proposed building is set back farther and does not impede sightline to traffic.

After due review of the area variance request by the above named property owner, and in consideration of applicable codes and the five criteria relative to the granting of area variances, the following resolution was offered by Board Member Kissel 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 Hinsken – Approve Member Szymanski – absent
Member Kissel– Approve Member Kurek - approve

The resolution did carry and the area/use variance is approved.

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