

Zoning Board of Appeals Meeting

Stephen Esler, 1031 Exchange St. SBL #119.11-3-2.11

November 20, 2024

The Zoning Board meeting was called to order by Chairman Mike DeWitt at 6:30 pm.

Present: Michael DeWitt, Michael Manicki, Charlie Gaffney, Tom Kirszenstein, , Chris Trapp, Joe Czechowski, Chris Twaragowski, Bruce LeRoy, Fred Mitchell, Dennis Radder, Stephen Esler, Debbie Armstrong, Paul Marzec and Max Marzec.

Absent: Brian Schumacher

The purpose of this public hearing: There two area variances being addressed at this meeting.

#1) Section 210-26D(1)(a) of the code of the Village of Alden, as it pertains to the requirement for location of a detached accessory structure more specifically, a request to erect a detached storage structure 301.125 feet from the front property line, where the primary dwelling is 347.64 from the front property line, in contraction of the code requirement that a detached accessory structure cannot be located in the front yard. This proposal would locate the structure 46.515 feet into the required front yard.

#2) section 210-26C(2)(b) of the code of the Village of Alden, as it pertains to the requirements for vehicular entrance headroom. More specifically, a request to erect a detached storage structure with a vehicular entrance headroom of 14 feet where a maximum vehicular entrance headroom is 10 feet. This proposal would provide a vehicular entrance headroom that is 4 feet more than allowed.

At this point Chairman DeWitt opened the Public Hearing to the audience.

Stephen Esler explained. It is a large parcel, over 80 acres with lots of trees and two ponds. He has lived there for 3 years and it is a lot to maintain. The building will be on the site of a previous car garage that was unsafe and demolished. He would like to build a pole barn where the 2 car garage was to store equipment. Esler also explained that he is seeking a grant from NYS for environmental improvements to improve the property for wildlife/birds.

Two neighbors did reply. 963 Exchange, Mary and Leonard Beagle were not in support of the variance request. 1097 exchange, Dennis Radder was in attendance and was in favor of granting the variance.

MOTION by Tom Kirszenstein and seconded by Charlie Gaffney, to close the Public Hearing. Carried.

At this time Chairman DeWitt proceeded to review the six criteria for the requested area Variance for the required set back.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the requested area variance? **No, it is going where a pre-existing garage was and the headroom is only 4 feet higher.**
2. Whether the benefit sought by the applicant can be achieved by some other method, feasible for the applicant to pursue other than an area variance? **No, the house sits back 347.64 feet from the front property line, so cannot go behind. The equipment needs 14 feet headroom to fit in garage.**
3. Whether the requested area variance is substantial? **No. the headroom is only 4 feet. The structure is substantial as it is 46.515 feet.**
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental condition in the neighborhood or district? **No. the house and proposed pole barn sits far back from the road, cannot be seen from the street.**
5. Whether the alleged difficulty was 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? **Yes, can store equipment someplace else.**
6. Whether it will create a hazard to health, safety, or general welfare? **No. neither variance request creates a hazard.**

MOTION by Charlie Gaffney and seconded by Michael Manicki, to grant the two requested variances. Unanimous, Carried.

Respectfully submitted,

Sue Galbraith, ZBA Secretary