

Zoning Board of Appeals Meeting

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

August 19, 2025

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

Present: Michael DeWitt, Michael Manicki, Tom Kirszenstein, Joe Czechowski, Chris Twaragowski, Stephen Esler, Dennis Radder, Rita Radder.

Absent: Brian Schumacher, Charles Gaffney

The purpose of this public hearing: An area variance request as follows:

The sketches provided with the letter of request to modify the current construction plans include a loft consisting of 296.25 square feet, creating a second story. Section 210-17E(1)(b) of the Code of the Village of Alden limits accessory structures to one story, not to exceed fifteen (15) feet. As provided for in Chapter 210, Zoning, of the Code of the Village of Alden, a story is defined as, "The portion of a building between the surface of a floor and the next floor above or the ceilings next above under a roof, with an area greater than one hundred fifty (150) square feet".

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

Stephen Esler explained, when he had the plans drawn up for the pole barn (previous variance granted for building height and garage door height), there was a miscommunication between his architect and his builder. He was under the impression that they had included the proposed loft in the plans, but they had not. During an inspection of the pole barn construction, the Village of Alden Building Department noticed the loft footings and brought it to Mr. Esler's attention. Mr. Esler intended to have a small loft area to provide additional elevated dry space to store landscaping materials. The enclosed loft area would be 8' off of the garage floor, and 10' wide by 30' long (300SF).

Two neighbors did reply. 963 Exchange, Mary and Leonard Beagle sent a note in that were not in support of the variance request. 1097 Exchange, Dennis & Rita Radder were in attendance and were in favor of granting the variance.

MOTION by Tom Kirszenstein and seconded by Michael Manicki, 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 inside the existing pole barn and consistent with other similar buildings.**
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 proposed loft is located inside their existing pole barn.**
3. Whether the requested area variance is substantial? **No. The area is only 25% of the total area of the pole barn.**
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental condition in the neighborhood or district? **No, it is inside the existing pole barn and consistent with other similar buildings.**
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 materials someplace else.**
6. Whether it will create a hazard to health, safety, or general welfare? **No, it is inside the existing pole barn and consistent with other similar buildings.**

MOTION by Michael Manicki and seconded by Tom Kirszenstein, to grant the variance as requested. Unanimous, Carried.

Respectfully submitted,

Joseph Czechowski