

**TOWN OF AURORA ZONING BOARD OF APPEALS
MINUTES**

**CASE #1533 – 132 OLD GLENWOOD RD, WEST FALLS, NY
AMY DOWDALL**

The hearing was called to order by Chair Paul Ernst with the following Board members present:

Nancy Burkhardt
Mandy Carl
Rod Simeone
Stephanie Morgan, Alternate

Others Present: Elizabeth Cassidy, Code Enforcement Officer (CEO)
Joseph McCann, Town Councilmember
Brad Felton, Zoning Board of Appeals Alternate
David Murray, future Zoning Board of Appeals member

The notice of Public Hearing was read by the CEO. The following Exhibits have been entered as part of the record:

- Exhibit 1 – Affidavit of Publication
- Exhibit 2 – Affidavit of Posting
- Exhibit 3 – Affidavit of Mailing
- Exhibit 4 – Zoning Board of Appeals Application and Petitioner's letter of intent
- Exhibit 5 – CEO denial letter
- Exhibit 9 – Survey
- Exhibit 10 – Deed
- Exhibit 11 – Short Environmental Assessment Form

The Chair opened the hearing at 7:15pm and stated the purpose and procedures of the hearing and the ZBA deliberation following the hearing to render a decision on the request for 5 additional chickens and 1 additional goat to be kept at 132 Old Glenwood Rd, West Falls. This is a Type II Action for purposes of SEQRA.

Dowdall Amy Dowdall, 132 Old Glenwood Rd, West Falls. It is just a covered area over front stoop to keep weather off the house and the door.

Ernst We saw the existing concrete stoop that is there and the construction started and you realized you needed to get a variance for that.

Dowdall Correct.

Simeone The existing structure is currently non-conforming and are the stoop and steps included as forward or just the stoop?

CEO Cassidy We consider the from the wall of the house. We don't count the stoop itself, we're just looking at this framed structure over the stoop.

Simeone So variance is to the house or the stoop?

CEO Cassidy It's to the face of the structure, but basically the stoop.

Simeone Do you count the steps also?

CEO Cassidy No. Those are allowed to be in that space.

Simeone It probably was conforming when it was built.

CEO Cassidy It probably wasn't but there were likely no regulations when it was built.

Ernst We see this throughout the town, older homes that are non-conforming structures.

Simeone In actuality the cover you are proposing is no or maybe slightly a few inches farther out than the stoop. So as far as new variances, it would be very minimal.

Morgan I know construction has stopped but your intent is to complete it and there is some vinyl to be done.

Dowdall Not enclosing it, but siding for the front triangle of it and trim work.

Morgan Are you going to wrap the posts?

Dowdall I think I am going to stain them.

Morgan Is there any electrical going to it?

Dowdall No.

Ernst No lighting under there?

Dowdall No.

Morgan Are there asphalt shingles on it?

Dowdall Metal roof.

Burkhardt If the applicant decides to extend the structure horizontally for a longer stoop or wrap around porch, would that be fine with this variance as long as she doesn't push it closer to the road?

CEO Cassidy If you want to limit that potential, then you would reference this structure and its dimensions. If you were to just grant the front yard setback, then she could possibly extend it in the future. If you limit it to what is there, any future expansions in the future would require additional variances.

Simeone Recalled a similar application where the extension of porch required a variance.

Dowdall Thinking about it, it would be so narrow.

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Ernst Really it's meant to protect the entranceway, you're not trying to set furniture on there.
It's not really a porch and would be difficult to do anything

Ernst: Opened the hearing to the public, if anyone would like to comment on the Case?

Hearing no one, Chair Ernst closed the public hearing.

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Discussion:

Ernst I don't have an issue with this.

Carl When you weigh the five factors, I don't think it presents any problem with neighborhood character. I don't think she has any other alternatives. While it is substantial, I don't think there are any environmental concerns. It is self-created, but I do think it meets the minimum requirements as presented.

Simeone Agreed.

Ernst The substantial part of it, from my standpoint, is because it is existing non-conforming.

Carl It is a substantial deviation from the code.

Decision:

After due deliberation by the member of the Zoning Board of appeals of the Town of Aurora, the following motion was made for Case 1533 by Rod Simeone and seconded by Mandy Carl to approve the construction of the roof limited to the dimensions as presented resulting in a front yard setback variance of 30.51' the petitioner at 132 Old Glenwood Rd, West Falls NY.

This is a Type II Action for purposes of SEQRA.

Upon a vote being taken:

Ernst	Aye
Burkhardt	Aye
Carl	Aye
Simeone	Aye
Morgan	Aye

Ayes - 5

Nays - 0

Motion carried.

**ZONING BOARD OF APPEALS
TOWN OF AURORA
DECISION**

RE: APPEAL NO. 1533

A public hearing on the Application of Amy Dowdall (the "Petitioner"), for a front yard setback variance for a covered entrance at 132 Old Glenwood Road, West Falls, New York (the "Premises") having been called before the Zoning Board of Appeals in the Aurora Municipal Center, 575 Oakwood Avenue, on Thursday, the 19th day of February, 2026 at 7:15 p.m., after due notice published in the East Aurora Advertiser as prescribed in Section 267-a, Subdivision 7 of the Town Law and Section 116-9 (F) of the Code of the Town of Aurora.

Present were:

Paul Ernst – Chairman
Rodney Simeone
Mandy Carl
Nancy Burkhardt
Stephanie Morgan - Alternate

Also Present : Elizabeth Cassidy – Code Enforcement Officer / Acting Secretary

The Secretary read the Notice of Public Hearing and the Affidavit of Publication which were duly marked as exhibits herein (Exhibits 1 and 2).

The Petitioner seeks a 30.51' front yard setback variance for an existing newly built covered entrance at 132 Old Glenwood Road, West Falls, New York (the Premises).

The Petitioner appeared. Ms. Dowdall indicated she had a contractor build a small roof supported by (2) wood post sitting on the existing concrete stoop, and didn't realize a permit was required. Work was stopped and a permit was filed requiring a front yard setback variance to an existing non-conforming structure. Trim work and finishing the ceiling are remaining to complete the job.

The Chairman told the Board the Town had received no letters of support or concerns regarding the variance request.

The Chairman opened the hearing to the public. No one appeared.

At a duly convened public meeting held on the 19th day of February, 2026, after said public meeting, the Zoning Board of Appeals made the following motion :

Findings

1. This is a Type II Action pursuant to Article 8 of New York State Environmental Conservation Law and the regulations promulgated thereunder, Part 617 of the NYS Code of Rules and Regulations (SEQR).

2. After further discussion, the Board feels the variances requested will not create an undesirable change in character of the rural neighborhood. The benefit sought by the Petitioner cannot be achieved by some other method other than variance. Some Board members feel that the variance is substantial, but recognize the existing non-conforming property. The Board feels the request will have no adverse effect or impact on the physical or environmental condition of the surrounding rural neighborhood. The Board feels it is self-created.

Rodney Simeone made a motion to grant a 30.51' front yard setback variance for an existing newly built covered entrance at 132 Old Glenwood Road, West Falls, New York (the Premises).

Mandy Carl seconded the motion.

On a roll call, the vote was:

Paul Ernst	Aye
Rodney Simeone	Aye
Mandy Carl	Aye
Nancy Burkhardt	Aye
Stephanie Morgan	Aye

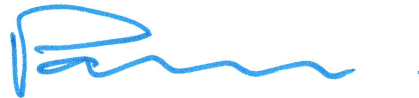
The motion was carried.

Ayes : 5

Noes : 0

RESOLVED, that variances applied for by the Petitioners in Application No.1533 be and hereby is granted subject to any conditions set forth herein.

Dated: East Aurora, New York
February 19, 2026



Chairman