

Town of Westerlo
Zoning Board
Westerlo, New York
Zoning Board Meeting
&
Public Hearing

Minutes of Date: March 27, 2017

Location: Westerlo Town Hall, Westerlo, New York

Board Members: Chairperson Virginia Mangold, Wilfred VanDerstine, Robert Beck, John Sefcik, Guy Weidman

Town Attorney: Aline D. Galgay, Esq

Zoning Administrator: Edwin Lawson

Present: Virginia Mangold, John Sefcik, Wilfred VanDerstine, Robert Beck, Guy Weidman & Zoning Administrator, Edwin Lawson and approximately eight residents.

Chairperson Virginia Mangold called the meeting to order at 7:00 PM and led the Pledge of Allegiance.

The Board reviewed the minutes of the February 27, 2017 meeting. Wilfred VanDerstine made a motion to accept the minutes as written, Robert Beck seconded, motion unanimously carried.

Old Business: Eastern Mutual would like to put up an array located on Creamery Road and is looking for a variance of 50'. The application from Eastern Mutual 6504 SR 32, Greenville, NY 12083, Tax Map # 163.-2-14 requests a 50' variance to install a 70 kw solar panel system to provide power for EM Ins. Company only.

The Board must rule by the current law since the new law has not yet been approved by Albany County Planning Board. Per Edwin Lawson, once the new law is reviewed by Albany County it will then go to the Department of State for their approval before it can take effect. He stated that Eastern Mutual should apply for the variance to be safe. He explained that the intent of the new law is to make the setback requirements for everything 50' except the large scale solar systems such as commercial arrays which will remain at 100'. In the hamlet there is a 30' setback. Originally, there was a 100' setback for Community Based Systems, but after the public hearing and the feedback received; it was reduced to 50'. There are additional setbacks which will be the same as Albany County for septic systems to take in account for ponds/streams, unless DEC made it more restrictive. Discussion followed and Edwin Lawson made it clear that the new law could not be used yet, however, he felt that the Zoning Board should grant the 50' variance, that way they have any interpretation of the new law covered.

Chairperson Mangold opened the public hearing for Eastern Mutual's request for a variance at 6504 State Route 32, Greenville, NY – Tax Map # 163.-2-14. Chairperson Mangold explained that Board members Sefcik, Weidman and Mangold made a site visit, Saturday morning on March 25th. The applicant was there to explain details to Board members.

A resident of Creamery Road and neighbor of the proposed Solar System Array had some questions/concerns. Edwin Lawson addressed her concerns. It was determined that this particular structure would follow the grade of the land and would consist of 4 rows of panels about 2' tall at the base and span to 8-9' tall at the top. They would not rotate or have glare.

Since there were no other public questions or comments, Chairperson Mangold asked for a motion to close the Public Hearing. Wilfred VanInderstine made a motion to close the Public Hearing, seconded by Guy Weidman.

AYE: Virginia Mangold, John Sefcik, Wilfred VanInderstine, Robert Beck, Guy Weidman

NAYE: None

Wilfred VanInderstine made a motion to accept the variance as written, seconded by Robert Beck. Application was accepted and gave Application Appeal Number 17-001.

AYE: Virginia Mangold, John Sefcik, Wilfred VanInderstine, Robert Beck, Guy Weidman

NAYE: None

With there being no new business to discuss, Robert Beck made a motion to adjourn the meeting; Guy Weidman seconded the motion, motion carried by those present, meeting adjourned at 7:25PM. The next ZBA meeting is scheduled for Monday, April 24th at 7 PM.

Respectfully submitted,

Karla Weaver
Deputy Town Clerk II