

Town of Westerlo  
Zoning Board of Appeals  
Westerlo, NY  
ZBA Meeting

Minutes

Date: Monday August 22, 2022

Location: Westerlo Town Hall

ZBA Members: Chairman Richard VanIlderstine, Guy Weidman, George Spahmer, James Gallogly, Sean Leary

Town Attorney: George McHugh- not present

Town Supervisor: Matthew Kryzak- not present

Code Enforcement Office: Jeffry Pine- present

Non-members present: Paul Marcello, Britta Biggs Planning and ZBA Clerk and two other interested residents.

**MINUTES**

Zoning Board of Appeals Member Leary made a motion to approve the July 25, 2022 Minutes. ZBA Member Gallogly seconded. Motion carried by those present.

**OLD BUSINESS**

**PUBLIC HEARING FOR MARCELLO VARIANCE (V-22-2)**

ZBA Member Spahmer made a motion to open the Public Hearing at 7:02 PM. ZBA Member Weidman seconded; all were in favor.

Mrs. Albers who currently owns property located at 450 Maple Ave Ext and her granddaughter came to express their concerns about Mr. Marcello putting up a garage. They are concerned that the garage is going to be a nuisance to their property. It was implied that their property is woods and over grown. The Albers explained that if one of their family members wanted to build on the property in the future that having the garage so close to their property line would be an eye sore. Mr. Marcello indicated that the garage which would be 24' x 36' x 9' would not be seen from their property. Ms. Albers stressed to the Board that she hopes that they think about their decision with legalities in mind. Mrs. Albers asked the Board if they would like to come out and look at the site but from her property. ZBA Chairman VanIlderstine asked the Board if they would like to do that. Most members said yes. They would all go out at different times when all had a chance. Mr. Gallogly wanted to go on the record that he really doesn't like group site visits with the homeowners. Chairman VanIlderstine did explain that there are other ways for Mr. Marcello to be able to build on his property. ZBA Member Spahmer asked how much of a difference it would be to change the layout of the garage. The Board did discuss that there are other building options over on the other side of the property. ZBA Member Spahmer asked Mrs. Albers to take

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a walk with him and some of the other board members so she can point out to them what she sees. The Board would not make a motion of the application until the next meeting. Code Enforcement Officer Pine indicated that the Board had 61 days after the Public Hearing to make a decision.

#### **CLOSURE OF PUBLIC HEARING**

ZBA Member Leary made a motion to close the Public Hearing at 7:34 PM. ZBA Member Spahmer seconded; all were in favor.

#### **NEW BUSINESS**

No new business.

#### **OTHER COMMENTS**

The Board discussed upcoming applications. There is a possibility of four applications that could be coming before the Board in September. They include variances, lot line adjustments and a solar array.

#### **PUBLIC COMMENT**

No Public comment.

#### **CLOSURE OF MEETING**

ZBA Member Weidman made a motion to close the meeting at 7:52 PM. ZBA Member Leary seconded. Motion carried by those present.

Respectfully submitted,

Britta Biggs  
ZBA Clerk