

# DRAFT

**TOWN OF WESTERLO  
PLANNING BOARD  
WESTERLO, NY 12193  
PLANNING BOARD MEETING**

Minutes

Date: January 10, 2023

Location: Richard Rapp Municipal Building (Town Hall)

Attending: Chairman Beau Loendorf, William Hall, Richard Kurylo, Gerry Boone, Angela Carkner

Town Attorney: George McHugh- Present

Code Enforcement/Zoning Administrator: Jeff Pine- Present

Town Supervisor: Matthew Kryzak- Not Present

Non-Members present: Town Board Member Lorraine Pecylak, Kim, Maureen and Bradley Winnie, Joe Boone, Town Board Member Josh Beers, John and Kristin Hunter, Jonathan and Alexandra Tarbox, Frank Sharkey, Toni Gallagher, Henry Wimple, Betty and Rich Filkins and Claire Marshall Clerk to Planning Board

The meeting was called to order at 7:00PM with the Pledge of Allegiance.

## **OPEN MEETING**

Planning Board Chairman Loendorf opened the Planning Board Meeting and informed all members were present.

## **MINUTES**

Planning Board Member Boone made a motion to approve the December 13, 2022 minutes: Planning Board Member Hall seconded; Planning Board Member Carkner abstained, motion carried all in favor.

## **OLD BUSINESS**

### **PUBLIC HEARING: WINNIE MINOR SD-22-2**

Planning Board Chairman Loendorf made a motion to open the Public Hearing at 7:03PM. Planning Board Member Kurylo seconded; motion carried all in favor.

### **WINNIE MINOR SD 22-2**

Planning Chairman Loendorf informed the Board and Public that Ms. Carkner and him went on a site visit and had no concerns. Board Member Boone questioned applicant because he noticed a 60 ft right away through the East side of the Apartments. The applicant informed the Board this was due to the recent snow and water disbursement. With no other comment / questions from the Board, Planning Chairman Loendorf made a motion to adjourn the Public

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Hearing for the Winnie Minor SD-22-2 at 7:10 PM. Planning Board Member Kurylo seconded; motion carried all in favor. Planning Board Chairman Loendorf read the Short Environmental Assessment Form and the Board Members answered each question with a negative. Chairman Loendorf made a motion to accept that the Short Environmental Assessment Form for the Winnie Minor SD 22-2 did not result in any significant adverse environmental impact and had a negative declaration on the environment. Planning Board Member Hall seconded; motion carried all in favor.

Planning Board Chairman Loendorf made a motion to accept the approval of the Winnie Minor SD 22-2; Planning Board Member Kurylo seconded; motion carried all in favor.

### **SHARKEY 2 LOT MINOR SD 22-3**

Planning Board Chairman Loendorf made a motion to open the Public Hearing at 7:12 PM. Planning Board Member Kurylo seconded; motion carried all in favor. Chairman Loendorf informed the applicant that the Albany Planning Board will be reviewing this application at their January 19, 2023 meeting. With no other comments / questions from the Board or Public, Planning Board Chairman Loendorf made a motion to close the Public Hearing at 7:14 PM. Planning Board Member Hall seconded; motion carried all in favor. Planning Board Chairman read the Short Environmental Assessment Form and the Board Members answered each question with a negative. Chairman Loendorf made a motion to accept that the Short Environmental Assessment Form for the Sharkey 2 lot Minor SD 22-3 did not result in any significant adverse environmental impact and had a negative declaration on the environment. Planning Board Member Kurylo seconded; motion carried all in favor. Planning Board Chairman Loendorf wanted to move the approval of the Sharkey Minor SD 22-3 until the next meeting pending Albany County Planning Board Approval. Chairman Loendorf made a motion to move the Sharkey Minor SD 22-3 to the Planning Board Meeting on February 14, 2023 at 7PM. Planning Board Member Kurylo seconded; motion carried all in favor.

### **HUNTER/TARBOX 2 LOT MINOR SD 22-4**

Planning Board Chairman Loendorf made a motion to open the Public Hearing at 7:21 PM. Planning Board Member Carkner seconded; motion carried all in favor. CEO Pine informed the Board this was sent to Albany County Planning Board and will not be reviewed until January, 19, 2023. With no comments / questions from the Board, Planning Board Chairman Loendorf made a motion to close the Public Hearing at 7:23 PM. Planning Board Member Kurylo seconded; motion carried all in favor. Planning Board Chairman Loendorf read the Short Environmental Assessment Form and the Board Members answered each question with a negative. Chairman Loendorf made a motion to accept that the Short Environmental Assessment Form for the Hunter/Tarbox Minor SD 22-4 did not result in any significant adverse environmental impact and had a negative declaration on the environment. Planning Board Member Hall seconded; motion carried all in favor. Planning Board Member Boone excused himself on voting since he was one of the abutters. Planning Board Chairman Loendorf made a motion to move the approval of the Hunter/Tarbox Minor SD 22-4 application to the Planning Board Meeting on

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February 14, 2023 pending Albany County Planning Board Approval. Planning Board Member Kurylo seconded; motion carried all in favor.

### **GALLAGHER/ BETANZOS RV GIFFORD RD SUP 22-4**

Planning Board Chairman Loendorf made a motion to open the Public Hearing at 7:27PM. Planning Board Member Carkner seconded; motion carried all in favor. CEO Jeff Pine commented on the Board wanting to know about water and sewer for the trailer. The applicant has a large tank on the RV that will be used for sewage which will be pumped out periodically with a contractor. It will be a self-contained unit. Planning Board Member Crakner asked the applicant where the entrance of the property would be. She had tried to make a site visit but could not find where to go in. The applicant replied they are making a driveway but for right now there is an old road. Planning Board Member Hall stated there is a road that goes to a hayfield and that is where the trailer would be. With no comments/ questions from the Board, Planning Board Chairman Loendorf made a motion to close the Public Hearing for Gallagher/Betanzos RV SUP 22-4 at 7:30 PM. Planning Board Member Kurylo seconded; motion carried all in favor. Planning Board Chairman Loendorf read the Short Environmental Assessment Form and the Board Members answered each question with a negative. Chairman Loendorf made a motion to accept that the Short Environmental Assessment Form Gallagher/Betanzos RV SUP 22-4 did not result in any significant adverse environmental impact and had a negative declaration on the environment. Planning Board Member Carkner seconded; motion carried all in favor. With no other comments/questions Planning Board, Chairman Loendorf made a motion to accept and approve the Gallagher/Betanzos RV Gifford Rd SUP 22-4. Planning Board Member Kurylo seconded; motion carried all in favor.

### **NEW BUSINESS**

Planning Board Member Hall made a motion to open new business of the Clickman Road Minor SD 22-5. Planning Board Member Kurylo seconded; motion carried all in favor. Applicant is seeking to divide 50 acres into 3 parcels to be sold as vacant land of 8 acres, 20 acres and 21 acres. No construction is expected to be done by the applicant. Henry Whimple, owns the property, wants to use the stone walls as the boundary lines. CEO Pine informed the Board he sent this to Albany Planning Board. Attorney McHugh informed the Board they can set a Public Hearing. Planning Board Chairman Loendorf made a motion to accept application and Planning Board Member Hall seconded; motion carried all in favor. Chairman Loendorf made a motion to set up a Public Hearing for February 14, 2023 at 7PM. Planning Board Member Kurylo seconded; motion carried all in favor. Audience member Betty Filkins informed the Board there is a cemetery on the property. She wanted to know if it should be on property. Whimple will tell surveyor. Planning Board Chairman Loendorf stated he will look into what should be done.

Planning Board Chairman Loendorf read the Planning Board Meeting Rules. Planning Board Member Hall mentioned the 14-day rule and under 7 days. He was concerned people would expect to be put on agenda and if you do it for one you need to do it always. Part of procedure and why have a procedure if you are not going to follow it. Chairman Loendorf wanted to be able to determine if the application can be done earlier. Process takes time. CEO Pine stated the Town Board made a resolution it must be 14 days. Has to be complete. He also stated he is part time and it may take a week before he sees it and can review it. The Albany Planning

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Board is also on a different schedule and that takes time. Pick a time frame and stick it to it. Small things in sooner but it will come back to the Board. Just because it is on the agenda you don't have to approve it. Chairman Loendorf moved to accept the Planning Board Meeting Rules and Planning Board Member Boone seconded; motion carried all in favor.

### **PUBLIC COMMENT**

Lorraine Pecylak wanted to know if the carriage trail on 405. Is an abandoned road. Attorney McHugh suggested to ask the Highway supervisor if it is on the abandoned road list.

### **CLOSURE OF MEETING**

Planning Board Carkner made a motion to close the meeting at 7:57PM. Planning Board Member Kurylo seconded; motion carried all in favor.

Respectfully submitted,

Claire Marshall  
Clerk to the Planning Board

### **Town of Westerlo Planning Board Meeting Rules**

January 10, 2023

Chair: Beau Loendorf

Board Members: Gerry Boone, Richard Kurlyo, William Hall, & Angela Carkner

1. Completed applications will be received by the Zoning Administrator, 14 days before the next scheduled Planning Board meeting.
2. Any application that is presented to the chair of the Planning Board within 7 days of the next Planning Board meeting, that application will automatically go onto following months meeting, unless the chair decides to bring forth the application.
3. Meeting agendas will be provided to the public for every meeting.
4. The chair will follow Roberts Rules of Order to the best of their ability in conducting all Planning Board business. All comments and statements should be made only to the chair of the board.

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5. Each applicant will be given 5 minutes to present their application to the board. If the applicant or board member would like more time, we can take a vote to extend the allotted time.
6. Comments from the public can be made by being called upon the chair of the board or during the public comment time. It will be the chairs discretion to call on guests comments outside of the public comment allotment.
7. During a public hearing, every person who would like to speak will be given 5 minutes to speak. Once everyone has spoken in favor or against, the chair can allow a second round of comments that are no longer than 3 minutes.
8. We are here to support, protect, and make decisions that are best for our residents and town. We ask that everyone is respectful and that all comments are directed towards the chair of the board, and not to the applicants or other board members.