

**TOWN OF WESTERLO**  
**WESTERLO, NY 12193**  
**ZONING BOARD MINUTES**

**DATE:** March 25, 2024

**LOCATION:** Richard Rapp Municipal Building

**BOARD MEMBERS:** Chairman George Spahmer, Rich VanInderstine, Sean Leary, Guy Weidman.

**Town Attorney:** George McHugh- present

**Code Enforcer:** Jeff Pine- present

**Non-Member Present:** Matthew Swedick Esq for Archambeault Family Trust, Mike Moore, Mark Contreras, Bill Hall (Planning Board Member) and Claire Marshall Clerk to Zoning Board.

**Open Meeting:** The meeting was called to order at 7:05 with the Pledge of Allegiance and a moment of silence for James Gallogly.

**Minutes:** Chairman Spahmer made a motion to approve the November 27, 2023 minutes. Member VanInderstine seconded; motion carried all in favor.

**Old Business:** none

**New Business:** Chairman Spahmer informed the Board that he will not be able to make the next meeting and would like to change it to April 29, 2024. This would give the Board enough members to make a Quorum. Member VanInderstine made a motion to change the next Zoning Board Meeting to April 29, 2024 and to publish in the paper. Chairman Spahmer seconded; motion carried all in favor.

Chairman Spahmer informed the three new applicants the process of how the Variance application works. There are steps that need to be taken. The first step is to fill out an application and submit it to the Zoning Board where they decide to accept the application. When that happens, a letter is sent out to all the abutters of the property and a Public Hearing is scheduled so the Public can ask questions or comments on the property. A site visit is done by the ZBA Members. The Public Hearing is done. After the Public Hearing the ZBA Members will discuss to either grant or deny the Variance request. If there are questions or stipulations this decision can be made for up to 62 days after the hearing.

V-24-1 Contreras. Applicant is seeking relief of 38 feet of the required set back of 50 feet as per zoning section 8.40(4)a from the rear property line and North side property line to construct a residential garage. The Board asked questions regarding the property. Chairman Spahmer made a motion to accept the application of Contreras V-24-1. Member Weidman seconded; motion carried all in favor. Chairman Spahmer made motion to have a Public Hearing on April 29, 2024 at 7pm. Member VanInderstine seconded; motion carried all in favor.

V-24-2 Moore. Applicant seeks relief of 35 feet of the 50 feet side yard setback as per zoning section 8.40(a) minimum lot standards to construct a detached garage. 30x40 garage. Three car garage. Chairman Spahmer made a motion to accept the application, set the Public Hearing for April 29, 2024 at 7pm and place a notice in the paper. Member VanInderstine seconded; motion carried all in favor.

V-24-3 Sherman Lane (Archambeault trust). Attorney Swedick the owner is trying to sell the property. Narrow gravel road. Property is landlock and has an easement to the property behind it. The garage is over the property line. The building permit information was incorrectly filled out. The garage is over 6 feet over line. It is a metal building. No set back. The garage needs to be moved back on property and then a Variance can be given for the setback. Code Enforcer Pine stated if there is not 5 feet between end of property and garage there would need to be a fire wall on the garage. This would create more problems and money. Attorney McHugh suggested to reconsidered because of the fire wall and moving building or dismantling building. Chairman Spahmer made a motion to accept application, set the Public Hearing for April 29, 2024 at 7pm and place a notice in the paper. Member Leary seconded; motion carried all in favor.

**PUBLIC COMMENT:** none

**CLOSURE OF THE MEETING:** Since there was no other business or comments Planning Board Spahmer made a motion to close the meeting at 7:42pm. Member VanInderstine seconded; motion carried all in favor.

Respectfully Submitted,

Claire Marshall

Clerk to Zoning Board