

TOWN OF WESTERLO
PLANNING/ZONING BOARD MINUTES
WESTERLO, NY 12193

DATE: November 25, 2024

LOCATION: Richard Rapp Municipal Building

BOARD MEMBERS: Chairman Bill Hall, Sean Leary, Guy Weidman, Karl Schwebke, and Absent: Barbara Maughan.

TOWN CODE ENFORCER : Jeff Pine- absent

NON-MEMBERS PRESENT: Alternate Vincent Dawdy-Narvaez, Arvidson, Pelow and Son, and Claire Marshall Clerk to PB/ZBA Board.

OPEN MEETING: The meeting was called to order at 7pm with the Pledge of Allegiance. Chairman Hall made a motion to open. Member Leary seconded; motion carried all in favor.

APPROVAL OF THE MINUTES: Chairman Hall had some corrections on the October 28, 2024 minutes. The alternate Vincent Dawdy- Narvaez should be Nathaniel, and under the local law it states ember instead of member. Corrections were made. Member Leary made a motion to approve the October 28th meeting minutes. Member Schwebke seconded; motion carried all in favor.

PUBLIC HEARINGS:

The Public Hearing for Arvidson V-24-7. Applicant is seeking relief of 35 ft from the required 50-foot side yard setback in the RD/A zone as per Zoning Section 8.40a. This request is needed to construct 30x60 accessory storage building. Member Schwebke made a motion to open the Public Hearing at 7:01pm. Member Leary seconded; motion carried all in favor. No Public was present. Chairman Hall made a motion to close the Public Hearing at 7:02. Member Weidman seconded; motion carried all in favor.

Chairman Hall informs the Board that the SEQR has some questions that need fixing. Q-12 should be no, Q13A should be yes for wet lands (across the road) Q13B no. Chairman Hall made a motion to declare this board the lead agency and this is an unlisted action using a Short Environmental Form. Member Schwebke seconded; motion carried all in favor.

Chairman Hall reads the Short environmental assessment form and makes a motion that it is a negative declaration. Member Weidman seconded; motion carried all in favor.

Chairman Hall asked the applicant why he wants the building on that part of the parcel. Applicant states because of the driveway, looks better, some other areas are wet and it is the highest part of the property. Anywhere else would be more expensive and more work.

Chairman Hall reads the Balancing Test for the Board to discuss. 1. Character of the neighborhood- reason for setbacks are to try not getting too close to neighbors. 2. Benefit can be made some other way. Bill states looking at site lots of room between driveway and where building will be. Lots of other options. Member Weidman looking at orient long ways instead of wide way. Applicant purchased building already. Board members looked at how the barn could have less relief needed. Members asked

about the 8 acres other places to put barn where no variance was needed. Applicant said some areas were wet, soggy. If brought forward there was a dug well and a hard rock in areas. Q3 in balancing test was how substantial was this request. Chairman Hall said it was 70% 35ft from 50ft is substantial. Q4 effect on environment board felt none. Q5 self-created board felt all variances are but there are options for this applicant to other sites for move forward.

Chairman Hall informed the applicant that the Zoning board law requires using a minimal variance to achieve this setback. Member Weidman looked up when the barn was put on 2007 and the addition was in 2014 both before the applicant brought the property. Chairman Hall wanted to be able to measure the footage from the rock and the well. Board members wanted to relook at the property to see the dimensions and see if they could decrease the 35ft relief to less. Since a member was absent and the Board was divided in their thoughts Chairman Hall made a motion that the Applicant wait for the December meeting to have the Board take a vote. Member Leary seconded; motion carried all in favor.

Public Hearing for Pelow SD-2. Applicant is seeking two lots. Parcel is on 25.92 acres. Applicant home lot would be 20.35acres and Sons lot would be 5.60acres. Chairman Hall made a motion to open the Public Hearing at 7:47pm. Member Weidman seconded; motion carried all in favor. There was no public present. Chairman Hall made a motion to close the Public Hearing at 7:48pm. Member Leary seconded; motion carried all in favor.

Chairman Hall went over the SEQR. Q-13 yes to wetlands not close and Q-15 yes Long Northern Eared Bat. Chairman Hall stated this Board would be the lead agency it was an unlisted action requiring Short Environmental Assessment Form which he read. Chairman Hall made a motion the Short Environmental Assessment Form was a negative declaration. Member Weidman seconded; motion carried all in favor.

A brief discussion ensued. The board members asked where the new house was going to be placed. Applicant stated at the end of the stone driveway in the middle of the lot more than 50ft. Board suggested to make sure there is enough in case a garage is wanted later.

Chairman Hall motioned to take a vote to approve the SD-24-2. Member Leary seconded; motion carried all board members were in favor. Application was approved.

NEW BUSINESS: None

COMMENTS: Member Schwebke asked about the Town Boards communication on the Alternates. Chairman Hall said there was no reply from the Supervisor. Town Board Members Beers and Pecylak did reply. Chairman Hall informed the Board he will try again.

CLOSE THE MEETING: With no other questions or comments Chairman Hall made a motion to close the meeting at 7:58pm. Member Leary seconded; motion carried all in favor.

Respectfully Submitted by,

Claire Marshall Clerk to PB/ZBA