

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

**DATE:** March 24, 2025

**Location:** Richard Rapp Municipal Building

**Board Members:** Chairman Bill Hall, Sean Leary, Guy Weidman, Karl Schwebke, and Barbara Maughan

**Town Code Enforcer:** Jeff Pine

**Non-Members Present:** Vincent Dawdy-Narvaez Alternate, Claire Marshall Clerk to PB/ZBA, Joann Crum surveyor for Kiernan property, Keith & Kim Pecora, Dan Smith, Amy Austin, James Young, Pam Schreiber (Eight Mile Creek Farm) one resident

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

**Approval of Minutes:** Chairman Hall made a motion to approve the February 24, 2025 minutes. Member Maughan seconded; motion carried all in favor.

**Old Business: Public Hearings**

**V-24-8 Keirnan Property**

Chairman Hall made a motion to open the Public Hearing for V-24-8 Keirnan at 7:02pm. Applicant is requesting relief of 11 feet from the required 50-foot set back to the side property line as per Zoning code section 8.40(a). This variance is needed for a proposed minor subdivision to be zoning compliant. There was no public comment so Chairman Hall made a motion to close the Public Hearing at 7:04pm. Member Schwebke seconded; motion carried all in favor.

Chairman Hall read the SEQR and discussed, Chairman Hall made a motion to declare the SEQR was a negative declaration. Member Leary seconded; motion carried all in favor. CEO Pine stated County was exempt. Chairman Hall made a motion to declare board the leading agency and read the area balancing test. The board had no other questions or comments.

Chairman Hall made a motion to grant V\_24-8 Keirnan. Member Schwebke seconded; motion carried all in favor.

### **SD-24-3 Keirnan Property**

The applicant has decided to change to a three-lot subdivision, so the board will need new maps and cover sheet. Clum explained and handed the board a map with new lots penciled in. Lots would be 53 Acres for the tenant house (with 3 acres across the road and 50 on the other side.) 5 Acres for the big two-family house and 94 Acres lot 3. Board agreed to let surveyor set pins for a new map. Chairman made a motion to delay the Public Hearing for the subdivision for April 28<sup>th</sup> at 7pm. Member Weidman seconded; motion carried all in favor.

### **SUP-25-1 Pecora**

The applicant is seeking a Special Use Permit to place a recreational vehicle on vacant lot. As per Local Law 3 of 2022.

Chairman Hall made a motion to open the Public Hearing on SUP-25-1 Pecora at 7:20pm. Member Maughan seconded; motion carried all in favor. A resident asked what was the intended use of the RV on the lot. The board explained it will be used as a camp, no electric, no sewer and you are not allowed to live year-round. Resident wanted to know about out buildings. Owner wants to put livestock on property. Farm use. The owner is working with Central Hudson for electric. He will have a 500 holding tank to be pumped out. Uses rain water. Resident asked if they plan to build house owner said no use as a camp.

Chairman Hall closed the Public Hearing at 7:25pm. Member Leary seconded; motion carried all in favor.

The board discussed the driveway not being heavy enough for a truck to pump out sewer. Chairman Hall read the SEQR and discussed. Chairman Hall made a motion to declare SEQR a negative declaration. CEO Pine said no County. Chairman Hall made a motion to declare the board as the lead agency, unlisted and read the impact questions. The Board made a condition the applicant will utilize holding tank with a level alarm and it will be inspected by Code Enforcer. Chairman Hall made a motion to approve SUP-25-1 Pecora with the condition. Member Leary seconded; motion carried all in favor.

### **New Business**

**Smith V-25-1.** Applicant is seeking relief of 25 feet from the required 30-foot side yard setback as per zoning section 8.50(b) to relocate an above ground pool. The pool was put up a couple of years ago. Owner states lot 2 parcels merged and is 66ft wide. The pool is behind house and 5ft from the boundary with enough to go around to get to back lot. With no more questions Chairman Hall made a motion to accept V-25-1 Smith application and Schedule a Public Hearing for April 28<sup>th</sup> at 7pm. Member Schwebke seconded; motion carried all in favor.

**Young V-25-2.** Applicant is asking for 2 Variances. 1. To allow an accessory structure 916x16 pavilion) to be built on a vacant parcel without a principal structure. Zoning article 6 definitions (a detached building of secondary importance to the principal building) Section 8.40 (4) accessory building not listed. 2. Applicant is seeking relief of 26 feet from the North side lot line and 31 feet from the East side lot line (lake) from the required 50-foot side line as per Zoning Section 8.40(a) to construct a 16x16 pavilion. The pavilion is already built. CEO Pine stated cannot build on this land. 0.3-acre lot. Chairman Hall made a motion to accept V-25-2 and schedule a Public Hearing for April 28<sup>th</sup> at 7pm. Member Schwebke seconded; motion carried all in favor.

### **Schreiber V-25-3 (Eight Mile Creek Farm)**

Applicant is seeking multiple area variance. These variances are to ready the property for a proposed minor sub-division. The applicant is seeking relief at 25' for building A, 30' for building B, 17' for building C and 8' for building D from the required 50-foot side yard set as per Zoning Section 8.40(4) A. The farm purchased the property near them to expand their fields. Owner would like to sell the house and garage for income (A & C a small barn and garage) and (B & D barns would be used for the farm) The applicant wants to create an 18-acre lot for sale includes house & garage etc. The well and water is near house and the driveway would go with house. The farm owner has access through Johnnycake Hill Rd and a tree line North side.

Chairman Hall made a motion to accept V-25-3 Schreiber and schedule a Public Hearing for April 28<sup>th</sup> at 7pm.

### **Public Comment**

Chairman Hall made a motion to open public comment. Member Leary seconded; motion carried all in favor. There were no comments. Chairman Hall made a motion to close public comment. Member Schwebke seconded; motion carried all in favor.

Member Weidman asked CEO Jeff about accessory structures. Jeff stated this would be an area variance since use of an accessory structure is ok but with no principle needs to be area. Zoning law needs to be changed. With no other questions or comments Chairman Hall made a motion to close the meeting at 8:04pm. Member Leary seconded; motion carried all in favor.

Respectably Submitted,

Claire Marshall

Clerk to PB/ZBA