

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

**DATE:** April 28, 2025

**Location:** Richard Rapp Municipal Building

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

**Town Code Enforcer :** Jeff Pine – Absent

**Non-Members Present:** Vincent Dawdy-Narvaez Alternate, Claire Marshall Clerk to PB/ZBA, Joann Crum surveyor for Kiernan property, Pam Schreiber (Eight Mile Farm), Dan Smith, James Young, John Dolce, Vivian and Chris Murray, and Frank Palmeri.

**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 made a motion to approve the March 24, 2025 minutes. Member Weidman seconded; motion carried all in favor.

Chairman Hall informed the Board that the May 26 meeting would be on Memorial Day so he made a motion to change the day to May 27<sup>th</sup> at 7pm. Member Leary seconded; motion was carried all in favor.

**Old Business:**

**Public Hearings:**

**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. Chairman Hall made a motion to open the Public Hearing at 7:02pm. Member Schwebke seconded; motion carried all in favor. No public comments. Chairman Hall made a motion to close the public hearing at 7:03pm. Member Weidman seconded; motion carried all in favor.

Chairman Hall read Area Variance Criteria and the Short Environmental Impact. Chairman Hall made a motion to declare the Board lead agency. Member Schwebke seconded; motion carried all in favor. After reading and discussion Chairman Hall made a motion for a negative declaration and unlisted. Member Maughan seconded; motion carried all in favor. Chairman Hall made a motion to approve Smith V-25-1. Member Leary seconded; motion carried all in favor.

**Young V-25-3** Two Variances. First is to allow accessory structure (16x16 pavilion) to be built on a vacant parcel without a principal structure. Zoning Article 6 definition (a detached building of secondary importance to the principal building). Second is applicant is seeking relief of 26 feet from the North side lot line and 31 feet from East side lot line (lake) from the required 50ft as per Zoning section 8.40(a). Chairman Hall made a motion to open the Public Hearing at 7:11pm. Member Weidman seconded; motion carried all in favor. No public comments. Chairman Hall made a motion to close the public hearing at 7:13pm. Member Schwebke seconded; motion carried all in favor.

Board discussion followed. Chairman Hall read variance criteria for area and use. He then read the SEQR Short form together for both variances. Chairman Hall made a motion to declare the Board lead agency and a negative declaration. Member Schwebke seconded; motion carried all in favor. Chairman Hall made a motion to approve the area variance. Member Schwebke seconded; motion carried all approved. Chairman made a motion to approve the use variance. Member Leary seconded; motion carried all approved. Young V-25-3 has been approved.

Chairman Hall made a motion to close Young V-25-3. Member Leary seconded; motion carried all in favor.

**Schreiber (Eight Mile Farm) V-25-3** Applicant is seeking multiple Area Variances. These Variances are too ready the property for a proposed minor sub-division. Chairman Hall made a motion to open the Public Hearing at 7:30pm. No Public Comment. The applicant gave the board a survey of the buildings and lands to be subdivided. Board figured out the new setbacks. Chairman Hall made a motion to close the public hearing at 7:39pm. The house and garage/barn will be subdivided and the rest of the buildings will be with the farm. According to the Board do not need subdivision under Local Law # 1 of 1994.

The Board discussed the setbacks from the map. Building A is 25 feet, Building B is 33 ft, Building C 20 feet, Building D 13 feet. Board suggested fence between house and buildings used for farming. Chairman Hall read area criteria. Chairman Hall made a motion to declare Board lead agency. Member Maughan seconded; motion carried all in favor. Read SEQR and Short Environmental form. Chairman Hall made a motion to make this unlisted with a negative declaration. Member Maughan seconded; motion carried all in favor. Chairman Hall made a motion to approve Eight Mile Creek Farm V-25-3. Member Schwebke seconded; motion carried all in favor. Chairman Hall closed old business and Public Hearings. Member Maughan seconded; all agreed.

## **New Business**

**John Dolce/ Town Line Motor Sports V25-4** 2 Variances Applicant is seeking relief of an additional 4 feet in size to place a 36 sqft sign on his commercial property. The applicant is also

requesting to allow for internal lighting of the sign. Use variance for lightning internal and Area variance for 4 feet difference with zoning law. Kawasaki request a sign for being a sponsor. Sign will be put where another sign is now. 12feet from ground. Two poles in middle and no height requirement. No other questions or comments from board. Chairman Hall made amotion to accept the application. Member Schwebke seconded; motion carried all in favor. Chairman Hall made a motion for a Public Hearing for May 27<sup>th</sup> at 7pm. Member Maughan seconded; motion carried all in favor.

**Kiernan SD24-3** 3 Lot subdivision. Applicant changed the acres on lots because he needed more on a two-family home (5 acres). Albany Planning Board was sent updated information. Lot 1 is 53 acres with 3 acres being on other side of road. Lot 2 is 5 acres (Two family house) and Lot 3 is 94 acres. Chairman Hall made a motion to accept application Kiernan SD 24-3. Member Schwebke seconded; motion carried all in favor. Chairman Hall made a motion to schedule a Public Hearing for May 27<sup>th</sup> at 7pm. Member Leary seconded; motion carried all in favor.

#### **Public Comments**

Frank Palmeri said he has a subdivision. There was no paperwork and Jeff was absent so the Board told him to call Jeff.

**Closing With** no other questions or comments Chairman Hall made a motion to close the meeting at 8:02pm. Member Leary seconded; motion carried all in favor.

Respectably Submitted,

Claire Marshall Clerk to PB/ZBA Board