

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

DATE: July 28, 2025

LOCATION: Richard Rapp Municipal Building

BOARD MEMBERS: Chairman Bill Hall, Barbara Maughan, Karl Schwebke, Sean Leary and Vincent Dawdy-Narvaez.

TOWN CODE ENFORCER: Jeff Pine

NON-MEMBERS PRESENT: Claire Marshall Clerk to PB/ZBA, John Dolce, Carl Lopresti, John Pecora, Thomas Bungay, Rich Amedure, Sarah Amedure, Erin Napoleon (Choice PT), Gaye McCafferty (Library), and Tony Sherman.

OPEN MEETING: The meeting was called to order at 7:01pm with the Pledge of Allegiance. Member Maughan made a motion to open. Member Schwebke seconded; motion carried all in favor.

APPROVAL OF MINUTES: Chairman Hall made a motion to approve the June 23, 2025 minutes. Member Schwebke seconded; motion carried all in favor.

OLD BUSINESS:

Lopresti V-25-6- applicant is seeking relief of both side lot lines to replace a mobile home with a modular. CEO Pine informed the board that the applicant had a surveyor look at property and give a professional drawing. Set back will be 32ft instead of 23 ft. Albany County Planning Board (ACPB) recommended to refer to local regulations with no county impact. Board stated new information does not change the SEQR, ACPB recommendation, or Short Environmental form. It will be 32ft for both side lot lines from the required 50 ft. Chairman Hall re-read the area variance test with no change. Chairman Hall made a motion to accept Lopresti V-25-6. Member Schwebke seconded; motion carried all in favor.

PUBLIC HEARING:

Dolce Motor Sport V-25-4 Use Variance. Chairman Hall re-opened public hearing at 7:10pm. Member Schwebke seconded; motion carried all in favor. No Public comments. Chairman Hall closed the public meeting at 7:15pm. Member Schwebke seconded; motion carried all in favor. Dolce stated the signs should not bother anyone, no neighbors, business good for town. The board stated the ACPB stated that for both the Area and Use variance recommendation to refer to local regulations, no county impact. Chairman Hall stated it is a use variance for the lighting.

A use variance is hard because the local law does not allow for lighted signs internal. The contract for both Kawasaki and C F Motors will not reject contract if local law does not allow for signs. Does not create financial hardship. The board discussed how the local law needs to be changed by the Town Board. Takes time to change a law. Chairman Hall made a motion to vote on V-25-4 use variance. Member Leary seconded. Vote: Ayes-0 Nays-5. The use variance was denied. Chairman Hall made a motion to close V-25-4. Member Schwebke seconded; motion carried all in favor.

Pecora SUP -25-2. Applicant is seeking to place a RV and pavilion on property. Chairman Hall opened public hearing at 7:27pm. Member Narvaez seconded; motion carried all in favor. No public comment. Chairman Hall closed the public hearing at 7:28pm. Member Leary seconded; motion carried all in favor. CEO Pine stated this does not go to ACPB. Chairman Hall read SEQR, Chairman Hall declare board the lead agency and read the short environmental form. Member Maughan seconded; motion carried all in favor. Chairman Hall declare unlisted action with negative declaration. Member Narvaez seconded; motion carried all in favor.

Board discussion on Local law 3 2022 on RV and camp use it goes with the parcel. CEO Pine stated if special use permit is approved the applicant will need a building permit for the roof over RV. Board should add condition and make permit holder responsible for septic waste removal. Chairman Hall made a motion to approve SUP-25-2 with the following conditions. Obtain a building permit for the roof structure over the trailer and permit holder is responsible for septic waste removal. Member Leary seconded; motion carried all in favor.

NEW BUSINESS:

Westerlo Public Library V-25-7. Applicant is seeking relief of 23 feet of the required 30-foot side set back as per zoning section 8.50(4) b. This variance is requested by the library to allow them to place a non-residential 8' x 10' storage shed 7 feet from the east property side line. Gaye McCafferty told the board the library would like the shed to store bikes, fishing poles, and pickleball sets that residents could check out. There is no problem with the driveway and the shed will be placed on grass. Chairman Hall made a motion to accept the library V-25-7 application. Member Schwebke seconded; motion carried all in favor. Chairman Hall made a motion for a Public Hearing on August 25, 2025 at 7pm. Member Narvaez seconded; motion carried all in favor.

Bungay V-25-8 Applicant is seeking relief of 33 feet of the required 50- foot side set back as per zoning section 8.50 (4) a. This variance is requested by the applicant to allow a 40'x40' garage to be placed 17 feet from the north property side line. Mr. Bungay explained to the board there used to be a house on the site that burned down. It's woods all around and a circular driveway. He would like to place a lift in garage to work on cars. There are no neighbors close by.

Chairman Hall made a motion to accept Bungay V-25-8 and have a public hearing on August 25, 2025 at 7pm. Member Narvaez seconded; motion carried all in favor.

Dolce Shepard Farm LLC SUP 25-3. Applicant is applying for a special use permit for a medical office use as per zoning code section 8.40 (3) I. A special use permit was granted in June 2024 for this site and building for a commercial use (powder Coating work shop and sale office). This use is no longer active. Erin Napoleon from Choice PT in Rensselaer County is looking to open up a Physical Therapy office. Sarah Amedure a local will be running it. There will be about 3 workers and maybe 3 clients. Parking is ample with a handicap spot. Staff can park behind. CEO Pine stated a building permit will be needed to change occupancy. Sign will be designed for zoning law requirements. Board discussed parking and traffic patterns. Chairman Hall made a motion to accept SUP 25-3 and have a public hearing on August 25, 2025 at 7pm. Member Schwebke seconded; motion carried all in favor.

PUBLIC COMMENTS: none Board discussion on internal lightning and signs and changing zoning laws and suggestions for Town Board.

CLOSURE OF MEETING: Chairman Hall made a motion to close the meeting at 8:45pm. Member Narvaez seconded; motion carried all in favor.

Respectable Submitted,

Claire Marshall Clerk to PB/ZBA