

**Town of Westerlo
Planning Board
Westerlo, New York
Planning Board Meeting**

Minutes

Date: February 26, 2019

Location: Westerlo Town Hall, Westerlo, New York

Board Members: Chairperson Dorothy Verch, Gerry Boone, Richard Kurylo, Edwin Stevens, and Doyle Shaver Jr.

Interim Town Attorney: Javid Afzali (not present)

Code Enforcement Officer: Jeff Pine (present)

Board Members Present: Chairperson Dorothy Verch, Gerry Boone, Edwin Stevens, Doyle Shaver Jr.

The Planning Board meeting was called to order by Chairperson Dorothy Verch at 7:00 pm. Chairperson Dorothy Verch led the pledge to the flag.

The board will review January's minutes at February meeting.

Jeff Pine, new code enforcement officer present.

Old Business:

Dorothy Verch opened public hearing for application #17-005, Costanza Solar Farm, tax map # 162.-2-4. David Weightman present on behalf of Cypress Creek. Cypress Creek Renewables withdrew their application to add an energy storage system (ESS) to the Costanza Solar project. David Weightman introduced the new representative for Cypress Creek, Peter Lawn. At this meeting, Tom Locklear and the residents of strawberry lane drafted a letter that they will send to the PB and the TB after the meeting outlining their concerns. Frank Sharkey and the residents of Strawberry Lane requested a clarification of what site plan will be used since a number of ones had been presented. Peter Lawn, Mr. Weightman's replacement, stated that he would have the new and official site plan available for the next planning board meeting in March.

Dorothy Verch opened public hearing for application #18-003, for J & J Construction, Inc., Jacob Irwin, 1046 SR 32, Westerlo, NY 12193, tax map #152-1-12.1. Jacob is requesting a special use permit for a commercial garage to store equipment. Dotty received a letter from Margaret Tallman and MaryLou Nutbrown, abutting neighbors, and they have no problems with this application. John Dolce, an interested party, expressed concerns for neighbors. Christine Lochner & Keith Lochner, abutters, wrote the attached letter:

February 20, 2019

Town of Westerlo Zoning Board
933 CR 401
Westerlo, NY 12193

Zoning Board (tax map #152-1-12.1)

This letter is in reference to a recent "Application Announcement" we received from Jacob Irwin requesting a "special use permit to conduct day to day functions related to J & J Construction and Excavation Inc. and Irwin Farms, LLC".

As a homeowner and taxpayer of Beckman Road for the past 32+ years, we have endured a neighbor who has been nothing but pain because of his so-called farm that loops our home. His animals (goats, chickens, horses) constantly are loose and defecate on our lawn. Police have been called several times, we have called the town clerk and we have been told there is nothing we can do because it is a "Right to Farm" area. We go to work and mind our own business. We have come to the conclusion we cannot afford to move because our home has no value due to the mess next door. We now have to deal with a trucking company every second of every day coming and going down this dead end road. We moved from Arbor Hill to what we thought would be a quiet-country atmosphere to raise our children.

We have many concerns about this permit being passed:

1. The most important that our home's value will decrease even less than what it is already;
2. The constant comings and goings of large trucks up and down Beckman Road;
3. The dirt and mess of trucks destroying the road and filth that it will leave on our home;
4. The environmental dangers of the exhaust from the trucks;
5. The size of the trucks with their weight limit exceeding what is on the sign on our road (6 ton weight limit);
6. If Rt. 32 is said to be access and current area is where so-called garage is to happen, what will keep that from being expanded to Beckman Road where we live. Will large trucks and equipment now be using this for entry and departure, making for a noise nuisance?

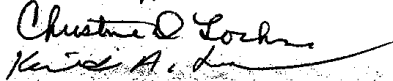
7. Instead of looking out our window to look at the open land to see deer, will the view in front of our house now be broken-down trucks and equipment. Will we be looking out our front window at a truck lot, like what is at the old fire house up the road the now (Town allows with permit). What will guarantee this will not happen--nothing?

If this permit is passed what will stop anyone from putting other types of businesses in this so-called rural community. If this permit is passed we may as well use our home as a truck stop, because our home will have even less value than it does right now. We will have a very hard time selling our home and getting fair market value like the rest of your Westerlo residents can. In that case maybe the town should buy our home for fair market value, since the town bylaws (can have a "feed lot" on your lawn 100 feet from a neighbor's house) is what is actually bringing down the value of our house. We feel we do not enjoy the peaceful, rural life most of you and most of the residents of Westerlo do now because of current situation (and have not for more than 30 years) and if this permit goes forward our situation will get even worse.

Also, if this letter is an "Announcement Application" why was the well already put in last year and excavation has already occurred.

As taxpayers, please do not consider this application going forward. This is not in the best interest of our home our livelihood.

Yours truly,



Christine & Keith Lochner

Jacob provided official site plan. After reviewing the site plan, the front and rear setback for a commercial project is 100', the setbacks on the submitted site plan was only 50'. Discussion regarding possibly moving the building North or South of the intended site, is not an option because of the infringement on the neighbors on Beckman Rd. Moving the building more toward Rt 32 would present a hardship to Mr. Irwin and hamper his ability to negotiate his equipment into the garage. The Planning Board recommended that Mr. Irwin go before the ZBA for a possible variance. The public hearing adjourned until variance received.

The public hearings for Medusa Solar Farm, tax map #162.-1-2.20, application #17-009 & Westerlo Solar Farm, tax map #176.00-1-46.1, application #17-010, adjourned until March 26th meeting.

New Business:

Shepherd Solar East & West, represented by Borrego Solar, Emily Flannagan will be submitting application. It is tabled until March 26th meeting.

Doyle Shaver made motion to adjourn the meeting at 8:30pm and Gerry Boone seconded the motion. All members present in favor.

Respectfully submitted,
Jennifer Bungay
Planning Board Clerk