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Town Of Westerlo Planning Board Westerlo, NY 12193 Planning Board Meeting

Minutes

Date: June 8, 2021

Location: Westerlo Town Hall, via Zoom

Board Members: Chairperson: Dorothy Verch, Gerry Boone, Richard Kurylo, Edwin Stevens, Beau Loendorf

Town Attorney: Javid Afzali- Not present

Code Enforcement/ Zoning Administrator: Jeff Pine- Not present

Town Supervisor: William Bichteman: Not Present

Board Members Present: Dorothy Verch, Gerry Boone, Richard Kurylo, Edwin Stevens, Beau Loendorf

Non-members present: John Sefcik, Guy Weidman, Kevin Palmer, Donny Brittan, Tara and John Grant, Angela Cranker

Meeting opened at 7:00 PM with the Pledge of Allegiance.

MINUTES

Minutes for May were approved by Planning Board Member Kurylo. Mr. Stevens mentioned abutters within 1000' from the Grants need to be notified because of noise. Mr. Loendorf seconded the motion; all approved.

OLD BUSINESS

GRANT APPLICATION

The Public Hearing on the Grant application will be scheduled for July 13th. Planning Board Member Edwin Stevens and Chairperson Verch did a site visit at the Grants house and discussed with the rest of the Planning Board what they saw during their visit.

Mr. Palmer mentioned that the Grants own property on both sides of Hilltop Rd with a vacant piece neighboring them. He expressed concern for if the Grants build on the vacant land next to his property in the future. He indicated the barking has ruined the quality of their life outside of their home over the last two years and to add more dogs will just amp it up. Mrs. Verch asked them to hold their comments until the Public Hearing next month.

PRINCE APPLICATION

Mrs. Verch opened the Public Hearing for the Prince Special Use Permit (SU 21-1). The application has been sent on to Town of Rensselaerville per Albany Co. Planning Boards recommendation. Mrs. Verch indicated that because Mr. Prince cut off his property, garage and

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building, everything beyond that is now commercial so he had to go to the ZBA for a variance which was approved. The four return receipts for abutters are filed.

The site visit was attended by Mr. Boone, Mr. Loendorf, Mrs. Verch and Mr. Brittan. Mr. Brittan explained the construction of the 40' x 110' building will take place in August and will be climate controlled.

Parts 2&3 of the short form SEQRA were completed; all answers were no on the application. Part 3 showed no significant adverse impact on the environment. Mr. Kurylo made a motion to accept part 2 & 3 of the SEQRA. Seconded by Mr. Stevens; all were in favor.

Mr. Kurylo made a motion to close the Prince Public Hearing and open the Hesel Public Hearing. Planning Board Member Stevens wanted clarification as to why the property is being labeled as commercial; Chairperson Verch responded it is not connected to the residence.

Resident John Sefcik explained where to find if a property is considered commercial; it falls under other in section 8.40. ZBA Member Guy Weidman explained that this property isn't being used as a business so it shouldn't need a Special Use Permit. Discussion continued between Mrs. Verch and Mr. Weidman regarding what the property should be listed as which raised the question of whether or not the other three buildings on the property should be listed as commercial. Mr. Weidman pointed out that no business would be conducted out of these buildings and that they are just being used as storage. Donny Brittan indicated that Code Enforcement Officer (CEO) Jeff Pine labeled it as commercial. Mrs. Verch advised discussion should continue at the next meeting as clarification is needed from the Town Attorney. Mr. Sefcik indicated this needs to be clarified in the Zoning Law.

With no decision being made, Planning Board Member Beau Loendorf made a motion to adjourn until the next meeting on July 13, 2021. Mr. Stevens seconded; all were in favor.

Mr. Kurylo expressed concern for labeling Prince's property as commercial not knowing what the impact will be on his taxes and would like to see proof in the law.

HESEL APPLICATION

Planning Board member Stevens made a motion to open the Public Hearing regarding the Hesel Subdivision Application (SD 21-1). Mr. Kurylo seconded; all were in favor. The applicant is subdividing her property into three sections for the purpose of estate planning for her children. The new lot sizes will be 4.27 acres, 26.93 acres and 15.20 acres. Mrs. Verch advised that because this is over 25 acres, this is a Type II SEQRA. Part 1 was completed at the initial application. Part 2 of the SEQRA showed no construction and no significant impact on the environment, it is declared to have a negative impact. Chairperson Verch will file the SEQRA with DEC. Planning Board Member Kurylo motioned to accept Parts 2&3 of the SEQRA. Mr. Stevens seconded; all were in favor.

No letters from abutters have been received. Kevin Rounds was not present for the Public Hearing.

Planning Board Member Kurylo motioned to adjourn until the next meeting to make sure all abutters information has been received. Mr. Loendorf seconded; all were in favor.

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NEW BUSINESS

MASLOWSKY APPLICATION

Carol Maslowsky came before the Planning Board regarding a Minor Subdivision (Sub Div 21-3) at 85 Woodstock Rd. She wants to subdivide her property of 88.8 acres into three parcels. The proposed parcels would consist of a 15.828-acre parcel which would include the original farmhouse, a 10.652-acre parcel on the east side of the road to be sold and a 62.3-acre parcel to be retained. It was submitted to Albany County Planning Board and CEO Mr. Pine provided the abutter list. Ms. Biggs will need to send the list to Ms. Maslowsky and Mr. Demiss, the surveyor so they can send out the notifications to the abutters. This will be a Type 2 SEQRA because it exceeds the 25-acre size. Part 1 was completed. There are also concerns about wetlands and Long-eared Bats which will be sent on to DEC. Planning Board Member Kurylo motioned to accept the application. Mr. Stevens seconded; all were in favor.

Public Hearing for this will be held at the next meeting on July 13, 2021. Mrs. Verch will notify the surveyor that the application was accepted and that the Public Hearing will be next month and to be present for questions.

It was mentioned that the four Public Hearings will need to be advertised. Mrs. Verch has resigned and mentioned it has been a pleasure working with the Planning Board. One of the Planning Board members will need to Chair the next meeting.

ADJOURNMENT OF MEETING

Planning Board Member Kurylo motioned to close the meeting at 8:02pm. Mr. Boone seconded; all were in favor.

Respectfully submitted,

**Britta Biggs
Planning Board Clerk**