



**TOWN OF GALWAY**  
**PLANNING BOARD**  
**SARATOGA COUNTY, NY**  
**ESTABLISHED 1792**

5910 Sacandaga Rd.  
Galway, NY 12074  
(518) 882-6070

**RECEIVED**

APR 16 2019

TOWN OF GALWAY

**PLANNING BOARD MEETING AGENDA**

Meeting Date/Time: **April 23, 2019 - 7:30 p.m.**

Location: Town Hall – 5910 Sacandaga Road, Galway, NY

1. Convene Meeting
2. Roll Call
3. Review of minutes of November 27, 2018 meeting
4. Clerk's Report
5. Chair's Report
6. Public Hearing:
7. Public Meeting:
  - Application #PB19-001** - Application of Erik and Kara Larson for a Minor/Major Subdivision of property located at 2759 State Route 29 (tax parcel no.: 161.-1-8) in the A/R District of the Town of Galway.
  - Application #PB19-002** - Application of David Semo for a Lot Line Adjustment on properties located at 4296 Hermance Road (tax parcel no.: 185.10-1-43) and vacant land owned by Ann Richards (tax parcel no.: 185.10-1-44) the A/R District of the Town of Galway.
8. Privilege of the floor
9. Other business
10. Adjournment



**TOWN OF GALWAY**  
**PLANNING BOARD**  
**SARATOGA COUNTY, NY**  
**ESTABLISHED 1792**

5910 Sacandaga Rd.  
Galway, NY 12074  
(518) 882-6070

**RECEIVED**

MAY 29 2019

TOWN OF GALWAY

**MINUTES OF PLANNING BOARD MEETING**

**Date/Time of Meeting:** April 23, 2019, 7:30 p.m.

**MEETING CALLED TO ORDER** at 7:30 p.m. by Chair, Ruthann Daino.

**MEMBERS PRESENT:** MaryLynn Kopper, Mikel Shakarjian and Win McIntyre

**MEMBERS ABSENT:** Rebecca Mitchell

**ALSO PRESENT:** Donna Noble, Clerk, Ryan Flinton, Liason, James P. Trainor, Esq., and four (4) people in the audience.

**REVIEW AND APPROVAL OF MINUTES:** All board members previously reviewed the minutes of the November 27, 2018. **Motion by MaryLynn** to approve the minutes. **Second by Win.** Voice vote: all ayes. Motion carried.

**CLERK'S REPORT:** Four maps filed: Minor Subdivision of lands of Dawn Finch and Kim Simobli; Survey Maps of lands of Ralph English and Sally Olsen; Minor Subdivision of lands of Mary Ann Denison, Doris Hersey and Diane Tetlak; and Lot Line Adjustment of lands of Albert Prysmon and Albert and Christine Prysmon.

**CHAIR'S REPORT:** None.

**PUBLIC HEARING:** None.

**PUBLIC MEETING:** **Application #PB19-001** - Application of Erik and Kara Larson for a Minor/Major Subdivision of property located at 2759 State Route 29 (tax parcel no.: 161.-1-8) in the A/R District of the Town of Galway. Mr. Larson explains that they are proposing to subdivide a one acre parcel from 40 acres. Property is partially in the A/R district and partially in the Hamlet district. The part being subdivided is in the Hamlet district where a one acre lot is allowed (at least .5 acre is required). There are no questions or concerns from the board however, the map will need a site location map added to it and the title block

"subdivision of the lands of..." will also need to be added. There are wetlands shown on the parcel but the remaining land will not be developed. There is access to the back of the property as there is an existing driveway. There are no concerns with the setbacks of the existing shed and barn as they meet the required side setbacks. Ruthann asks Mr. Larson, in addition of the other two items to be added to the map, to indicate the two different zoning classifications for the property.

**Motion by Win** to classify as a 2-lot minor subdivision and schedule for a public hearing. **Second by Mikel.** Voice vote: all ayes. Motion carried.

**Application #PB19-002** - Application of David Semo for a Lot Line Adjustment on properties located at 4296 Hermance Road (tax parcel no.: 185.10-1-43) and vacant land owned by Ann Richards (tax parcel no.: 185.10-1-44) the A/R District of the Town of Galway. Mr. Semo explains that he is under contract to purchase the vacant lot across the street from his home and would like to build a garage on the property. The purchase of the vacant lot is contingent upon being approved for a lot line adjustment and variances (which application will be heard by the ZBA in May). They are also working on the deed as it is a confusing written deed. Part of the deed says it is 150 feet another part says it is 90 feet. They have an attorney working on getting the deed figured out and are doing a "quiet title search". The lot is directly across the street from his home and is not large enough to build a structure that would need a septic or a well. By looking at the map, Ruthann explains that it would be impossible to build a house. This application came about because historically in Galway nobody knows why it isn't allowed to build a garage on a piece of property. Currently most of the houses on the lake side of Hermance Road park on the roadside and by joining these properties with a lot line adjustment - one side would have the house and the other side would have the garage. Mr. Trainor asks what type of road and if it is a dedicated road, your rights as a property owner stop at the edge of the driveway on both sides. He has never heard of adjoining two lots with a road between them. Ruthann states that there are some properties in town with ownership on either side of the road. Mr. Trainor asks, in one deed? Ruthann says, in one deed. Mr. Semo is not looking for approval tonight but is looking for the board to say that this is something that can be approved in the future. There are variance(s) issues that will need to be discussed with the ZBA. Mr. Trainor will call Mr. Tollison, Mr. Semo's attorney, to discuss confirmation from Saratoga County Real property that the two properties can be consolidated. Mr. Semo is unsure how long the quiet title search will take as it has been filed with the Court. Mr. Trainor explains that it could take quite a while. In general - the board feels positive about granting a lot line adjustment as long as all of the other issues in purchasing the property are resolved. This application will be put on hold until the other issues have been resolved. Mr. Semo will keep Ruthann updated on his progress.

**PRIVILEGE OF THE FLOOR:** None.

**OTHER BUSINESS:** Chet has sent a letter to Primax Properties, the company that developed the Dollar General, regarding the site work. The letter is dated April 16, and Ruthann has not heard from Chet that he has heard a response. Ruthann indicated to Chet that the way the trees have been put in is - they will never live. The retaining wall behind the store has a hole in it and debris and run off are spilling out of it. There is also construction waste all over the site. "As a condition of the temporary certificate of occupancy issued for this property on January 31, 2019, final grading and landscaping was to be completed as soon as weather conditions permitted. It is believed weather should not be prohibited to satisfy this condition and therefore it should be started immediately". Ruthann will let the board know when Chet hears back from Primax Properties.

**Motion by MaryLynn** to adjourn. **Second by Win.** Voice vote: All ayes. Motion carried. Meeting adjourned at 8:02 p.m.

Respectfully submitted,

*Donna Noble*

Donna Noble, Clerk