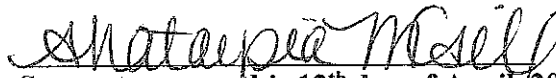


State of New York, ss.:
City and County of Schenectady

Sha' Taysia McGill of the City of Schenectady, being duly sworn, says that he/she is Principal Clerk in the office of the Daily Gazette Co., published in the City of Schenectady and that the notice/advertisement, of which the annexed is a printed copy, has been regularly published in the Daily Gazette and/or Sunday Gazette as follows:

**TOWN OF GALWAY
Planning Board
NOTICE OF
PUBLIC HEARING**
NOTICE IS HEREBY GIVEN that the Town of Galway Planning Board will conduct a public hearing on Tuesday, April 24, 2018 at 7:30 p.m. in the Town Hall, 5910 Sacandaga Road, Galway, NY, to consider the following applications:
Application #PB18-001
- Application of Charles Fetter for a Site Plan Review/Special Use Permit on property located at 2478 Galway Road (tax parcel no.: 200.-1-92) in the A/R District of the Town of Galway.
Application #PB18-002
- Application of Paul Wieland for a Site Plan Review/Special Use Permit on property located at 1904 Mechanic Street (tax parcel no.: 173.-1-3.2) in the A/R District of the Town of Galway.
Dorina M. Noble
Clerk
4/12 2336429

1 insertion on April 12, 2018


Sworn to me on this 12th day of April, 2018

NOTARY PUBLIC

ALISON COOKE
COMMISSIONER OF DEEDS
MY COMMISSION EXPIRES

7/12/19





TOWN OF GALWAY
PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

RECEIVED

APR 10 2018

TOWN OF GALWAY

PLANNING BOARD MEETING AGENDA

Meeting Date/Time: **April 24, 2018 - 7:30 p.m.**

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

1. Convene Meeting
2. Roll Call
3. Review of minutes of March 27, 2018 meeting
4. Clerk's Report
5. Chair's Report
6. Public Hearing:
 - Application #PB18-001** - Application of Charles Fetter for a Site Plan Review/Special Use Permit on property located at 2478 Galway Road (tax parcel no.: 200.-1-92) in the A/R District of the Town of Galway.
 - Application #PB18-002** - Application of Paul Wieland for a Site Plan Review/Special Use Permit on property located at 1904 Mechanic Street (tax parcel no.: 173.-1-3.2) in the A/R District of the Town of Galway.
7. Public Meeting:
 - Application #PB18-001** - Application of Charles Fetter for a Site Plan Review/Special Use Permit on property located at 2478 Galway Road (tax parcel no.: 200.-1-92) in the A/R District of the Town of Galway.
 - Application #PB18-002** - Application of Paul Wieland for a Site Plan Review/Special Use Permit on property located at 1904 Mechanic Street (tax parcel no.: 173.-1-3.2) in the A/R District of the Town of Galway.
 - Application #PB18-003** - Application of Primax Properties, LLC for a minor/major subdivision of property located on the SW Corner of NYS Route 29 & NYS Route 147 (tax parcel no.: 172.00-2-15.1) in the Commercial, C-1 District of the Town of Galway.
 - Application #PB-004** - Application of Primax Properties, LLC for a Site Plan Review/Special Use Permit on property located on the SW Corner of NYS Route 29 & NYS Route 147 (tax parcel no.: 172.00-2-15.1) in the Commercial, C-1 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

~~DRAFT~~ *Approved*

RECEIVED

JUN 06 2018

TOWN OF GALWAY

MINUTES OF PLANNING BOARD MEETING

Date/Time of Meeting: April 24, 2018, 7:30 p.m.

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

MEMBERS PRESENT: Win McIntyre, MaryLynn Kopper, Mikel Shakarjian and Rebecca Mitchell.

MEMBERS ABSENT: None.

ALSO PRESENT: Donna Noble, Clerk, and 5 people in the audience.

REVIEW AND APPROVAL OF MINUTES:

All board members previously reviewed the minutes of the March 27, 2018 meeting. **Motion by MaryLynn** to approve the minutes. **Second by Win.** Voice vote: Mikel: not yet present at time of voice vote. Ruthann, Win, Rebecca and MaryLynn: ayes. Motion carried.

CLERK'S REPORT: Application for a 4-Lot subdivision of lands of Roland J. Oakes, Jr. on property located in the Town of Providence. Town of Providence notifying the Town of Galway that they public hearing will take place on Thursday, May 3, 2018.

CHAIR'S REPORT: Ruthann had a conversation with the Town of Galway Fire Chief regarding Mr. Wieland's driveway. He does not think that the driveway would be a problem but he would take a look at it. Ruthann hadn't heard anything else and doesn't think there is any concern.

PUBLIC HEARING:

Application #PB18-001 - Application of Charles Fetter for site plan review/special use permit on property located at 2478 Galway Road (tax parcel no.: 200.-1-92) in the A/R District of the Town of Galway: Tom O'Brien, neighbor at 2437 Galway Road. He thinks the blueberry farm is a great idea. The only question he has is what will the permit be used for? Only for agriculture? Yes, the permit will be for a pick your own blueberry operation. Seasonal use, whenever the blueberries are ripe. No other comments or questions from the audience.

Application #PB18-002 - Application of Paul Wieland for site plan review/special use permit on property located at 1904 Mechanic Street (tax parcel no.: 173.-1-3.2) in the A/R District of the Town of Galway: Ms. Doris Hersey and other neighbors are in attendance and they would like to know what the application is for. Ruthann explains that the application is for a permit to put a log house, a second structure, in the back of the property. The house will be restricted in size and that is why he needs a special use permit. Ms. Hersey asks "just one house". Ruthann explains that yes, it will only be one house. The special use permit is to allow for two residential structures on one property. If there was going to be more structures, he would have to subdivide. There are no other comments or questions from the audience.

Motion by Win to close the public hearing. **Second by MaryLynn.** Voice vote: all ayes. Motion carried.

PUBLIC MEETING:

Application #PB18-001 - Application of Charles Fetter for site plan review/special use permit on property located at 2478 Galway Road (tax parcel no.: 200.-1-92) in the A/R District of the Town of Galway: The Board has no further comments or concerns regarding this application. This will be a seasonal operation. Hours will not need to be limited as you cannot pick in the dark and it will only be able to be done when the blueberries are ripe. There will also possibly be cut your own flowers as well. This will basically be a pick your own operation.

Motion by Rebecca to approve application #PB18-001 for a special use permit to allow a pick your own blueberry operation on property located at 2478 Galway Road . **Second by Win.** All ayes. Motion carried.

Application #PB18-002 - Application of Paul Wieland for site plan review/special use permit on property located at 1904 Mechanic Street (tax parcel no.: 173.-1-3.2) in the A/R District of the Town of Galway: Fire Chief felt that because it was a logging road and could sustain logging trucks it could also sustain a fire truck. As long as there is a place to turn around and get back out again it will be fine. He said he would look at it and send somebody to the meeting if they have concerns. There are no changes in the size of the structure. The conditions of the special use permit will state the Town ordinance of an accessory building.

Motion by Win to approve application #PB18-002 for a special use permit to construct a second structure, with size restrictions, on property located at 1904 Mechanic Street. **Second by Rebecca.** All ayes. Motion carried.

Application #PB18-003 - Application of Primax Properties, LLC for a minor/major subdivision of property located on the SW Corner of NYS Route 29 & NYS Route 147 (tax parcel no.: 172.00-2-15.1) in the Commercial, C-1 District of the Town of Galway; concurrent with:

Application #PB-004 - Application of Primax Properties, LLC for a Site Plan Review/Special Use Permit on property located on the SW Corner of NYS Route 29 & NYS Route 147 (tax parcel no.: 172.00-2-15.1) in the Commercial, C-1 District of the Town of Galway. Caryn Mlodzianowski is in attendance speaking on behalf of Primax Properties, LLC. They are proposing to subdivide a 3.3 acre parcel from a 26.7 acre parcel (a minor subdivision) to build a retail store (Dollar General), approximately 9,300 sq. ft. Because the subdivision of land will only take place upon approval of the retail store, the applications will be heard together. A lot of thought was put into the layout of the store. There is shallow rock on the proposed site so extensive geotechnical testing was done to find exactly where the rock is to create a layout that will work with the conditions of the lot. Proposed access will be on NY State Route 29. They looked at access from NY State Route 147 but the grade on 147 is very steep. DOT has approved access at NY State Route 29. Also because of the rock, the driveway was brought "down" so that it is not at a steep grade which makes the driveway long and sets the building back. Parking will be on the NY State Route 29 side. There will be thirty (30) parking spaces to accompany the store which meets code. The front yard appears to have a 100 foot requirement which applies to both sides of the property as they both have road frontage. The NY State Route 29 side meets requirement but the NY State 147 side does not. They anticipate they will need a variance. Trash enclosure will be a wooden stockade fence enclose that will be behind the building with no visibility from the street. The property will have an onsite well and septic system. Building elevation proposals were submitted. Discussion of the building elevation design. The design proposed is specific to the Town of Galway due to the Town's code. A gable roof and step roof were created on the front of the building along with different natural colors, shutters and awnings. Primax is interested in hearing the feedback on the building design. SEQR form has been submitted. They understand the application will have to go to the County and to the Zoning Board for variances. The board has questions and concerns: MaryLynn has concerns about the placement of the propane tanks in proximity to the loading dock and the ability of the trucks to turn around and back into the loading dock. She feels it looks to be a tight area. Ms. Mlodzianowski explains that they show this area as a place holder for now and they do place bollards to protect it from trucks but they can

certainly look at other options for the propane tanks if needed. Rebecca asks about parking. Are there site restraints to make it so parking cannot be in the back as the code is specific about parking is supposed to be behind the building. A variance will be sought for this issue. Ms. Mlodzianowski explains that the 100 foot setback is substantial for a building and contradicts the parking being behind the building because then the building would be pulled up into a setback variance. They weren't sure which variance to ask for. They noticed that Stewart's across the street has a same layout with parking in the front. Also, another factor, was the grade and the rock. Ruthann brings several points from the town ordinance. One variance that will be required is that there is no parking allowed in the front yard. The maximum 5,000 sq. ft. building will be another variance needed. In the same section it indicates that " facades longer than 80 feet must be articulated to appear as multiple buildings". Also, a new building should be designed consistent with architectural features traditionally and according to our rural nature; a lighting package will need to be added; new buildings must have a peaked roof...; trademark architecture that identifies a specific company by design features is prohibited; Ruthann suggests that the subdivision map should show the remaining parcel, it doesn't have to be subdivided but it should show how this parcel relates to the rest of it. This can be done on the site location map. The title will have to say subdivision of lands. Ruthann would also be curious about further development of the remaining commercial property and how it might be tied into this property so that there aren't multiple driveways going out onto Route 29. Ms. Mlodzianowski states at this time Primax will only purchase this small piece and the remaining parcel will stay with the current owner. There is discussion of the look of the building along the side (Route 147) and the back. Also, there is a discussion of a landscaping package (yes, there will be one). There is a discussion of the sign. There will be a sign above/by the entrance of the building. The sign handled by the Dollar General's own sign vendor and they will come back for review/approval of the sign. An interpretation of the sign code will be asked of the Zoning Board of Appeals. Typical hours are from 8:00 a.m. to 10:00 p.m., 7 days a week. Ruthann says at this point, the application will have to go to the Zoning Board of Appeals for variances because the Planning Board cannot take any action until the Zoning Board takes their action. The application will go to the Zoning Board for: No parking in the front of the building; 5,000 sq. ft. maximum building footprint; and the front yard setback. Ruthann is not sure how the trademark architecture that is prohibited so the Zoning Board may want to see more changes to the building. **Motion by Rebecca** to refer this application to the Zoning Board of Appeals. **Second by Win.** All ayes. Motion carried. Ms. Mlodzianowski asks "if the application goes to the Zoning Board and they are successful with getting their variances, is this board generally okay with the layout of the plan. She doesn't want to come back and be told that they need to change the layout, she would like to make sure that conceptually, this layout is okay. Ruthann says that back in the beginning discussions they would have preferred the access be on the Route 147 because of the congestion on Route 29 but DOT is okay with access from Route 29 and because of the limitations from Route 147, it is okay and she cannot think of anything else. They would however like to see a more developed landscaping plan and the engineering details. The Town Engineer will need to review the plan.

PRIVILEGE OF THE FLOOR: None.

OTHER BUSINESS: Review application of Roland J. Oaks, 4 lot subdivision in the Town of Providence. Everything looks to be in order. No concerns from the board. Will send letter to the Town of Providence stating so.

Motion by Rebecca to adjourn. **Second by Mikel.** Voice vote: All ayes. Motion carried.
Meeting adjourned at 8:27 p.m.

Respectfully submitted,

Donna Noble
Donna Noble, Clerk