



TOWN OF GALWAY

PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

P.O. Box 219
Galway, NY 12074
(518) 882-6070

PLANNING BOARD MEETING AGENDA

Meeting Date/Time: ***Wednesday, April 25, 2012 – 7:30 p.m.**
Location: Town Hall – 5910 Sacandaga Road, Galway, NY

*Special meeting night

1. Convene Meeting
2. Roll Call
3. Review of minutes of March 27, 2012 meeting
4. Clerk's Report
5. Chair's Report
6. Public Hearing – None scheduled
7. Public Meeting

Preliminary review/SEQR review:

- Application #12/005 – Request of Sheila Snyder for site plan review/special use permit for a small daycare business in a suite in an existing commercial business mall located at 5831 Sacandaga Road in the A/R District (tax parcel # 186.-1-15.211)

Preliminary review/SEQR review/Classification:

- Application #12/006 – Request of Brian Mohr for site plan review/special use permit for a home occupation consisting of small engine repair shop from an existing detached garage on his property located at 4759 Jockey St in the A/R District (tax parcel #213.-1-65)
8. Privilege of the Floor
 9. Other Business
 10. Adjournment

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

TOWN OF GALWAY
Planning Board
PLEASE TAKE NOTICE:
The monthly meeting of
the town of Galway Plan-
ning Board has been
changed from Tuesday,
April 24, 2012 to Wednes-
day, April 25, 2012 due to
primary elections taking
place at the town hall on
4/24/12. This will be the
only meeting of the town
Planning Board for the
month of April.
Carol L. DeLorme
Clerk
4-18 7220

Amy Hills of the City of Schenectady, being duly sworn says that 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:

1 insertion April 18, 2012

Amy Hills

Sworn to me on this 18th day of April 2012

LISA J. BALDWIN

COMMISSION OF DEEDS NOTARY PUBLIC

MY COMMISSION EXPIRES

Lisa Baldwin 8-18-2012

MINUTES OF PLANNING BOARD MEETING

Date/Time of Meeting: April 25, 2012* – 7:30 p.m.

*Denotes special meeting night due to primary elections on 4/24/12

MEETING CALLED TO ORDER at 7:33 p.m. by Chair, Ruthann Daino.

MEMBERS PRESENT: Ruthann Daino, Mary Lynn Kopper, Rebecca Mitchell, Win McIntyre, Mikel Shakarjian, and Carol DeLorme, Clerk

MEMBERS ABSENT: None

ALSO PRESENT: Present in the audience: Mike Tillson (town board liaison) and approximately 4 people

REVIEW AND APPROVAL OF MINUTES

All board members previously reviewed the minutes of the March 27, 2012 meeting. **Motion by Mary Lynn Kopper** to approve the minutes as presented. **Second by Rebecca Mitchell.** Voice vote: All ayes. Motion carried. Minutes approved without correction.

CLERK'S REPORT

- Transmittal from Washington Co Local Development Corp re: PB Certification Training Class to be held May 23, 2012
- Transmittal from Saratoga County Clerk's Office: 2 maps filed during month of March 2012 - Estate of Grace H. Gavin showing LLA (filed 3/21/12), and Subdivision of Lands of Fred S. Sanders (filed 3/27/12)
- Bulletin entitled "Rural Futures" received from NYS Legislative Committee on Rural Resources (Winter 2012 Issue)

CHAIR'S REPORT – None

PUBLIC HEARING – None scheduled

PUBLIC MEETING

Application #12/005 – Request of Sheila Snyder for site plan review/special use permit for a small daycare business in a suite in an existing commercial business mall located at 5831 Sacandaga Road in the A/R District (tax parcel # 186.-1-15.211) - All members had an opportunity to review the site plan submitted by the applicant. Chair acknowledged that the owner of the property is not present at tonight's proceedings but his name is included on the application. Applicants Sheila Snyder was present, as was Dale Snyder. The Snyders reported that there are actually two owners, Jim Cunningham and Don Hurley. Chair asked for clarification from attorney Martin Pozefsky as to whether or not the owner should be involved in

the proceedings since as tenants, the Snyder's could not make changes [to the property or building] that the PB may require as a part of site plan review. Mr. Pozefsky stated [Galway] code has a provision that all site plan applications have to be signed by the owner of the property. Chair – Only the name has been supplied, not an actual signature of the owner. Application will need to be amended to include this. Chair posed questions regarding the septic system. It appears the commercial building and the adjacent house may share the same system. This would need to be clarified. Mr. Pozefsky also confirmed that a day care center is a permissible use in the A/R District. Town's regulations are very broad and allow the PB to review traffic patterns, parking space, they can pose reasonable stipulations, etc. Mr. Pozefsky suggested the board outline things they want to see included on the site plan and then forward the application to the town engineer for review/recommendations. Board reviewed and discussed traffic patterns, parking area and septic system in depth. Board then reviewed the site plan check list and shared information needed with the applicants, and they were provided with a copy. Chair confirmed with applicants that proposed hours of operation are Monday – Friday, 6 AM to 6 PM with occasional 10 PM closing time on Fridays. No objections voiced by board members. Board also reviewed/discussed lighting needs with applicants. Existing lighting is on the building (none in parking lot). Some board members questioned whether this would provide adequate illumination of the parking lot, particularly in the winter months. Chair suggested applicants discuss this with their engineer. Chet C (building/code enforcement officer) provided the Building Dept file which shows the septic system was replaced in 5/09. It appears it was designed for the house and is connected to the business.

In summary, information needed from the Snyders at this time:

- Signature of property owner(s)
- Proof of ownership (e.g. deed) to show if one or the other owner or both owners need to sign the application
- Re-establishment of one way in and out (would need to be addressed by the owner)
- Clarification of septic system location and capacity, and whether or not it is a shared system
- Clarification on location of well

Application and site plan will be forwarded to both the County PB and Jim Mitchell (town engineer) for review/comment. Chair asked the Snyders to contact her regarding any information they find out and she can in turn pass that information on to the town engineer. Application will be carried forward to the May meeting if new information is provided.

Application #12/006 – Request of Brian Mohr for site plan review/special use permit for a home occupation consisting of small engine repair shop from an existing detached garage on his property located at 4759 Jockey St in the A/R District (tax parcel #213.-1-65)

Mr. Mohr was present to explain his proposal. He would like to operate a small engine repair shop out of an existing garage located to the side of his residence. Win McIntyre asked what kind of floor is in the garage. Mr. Mohr answered that it was a 4" concrete floor; no floor drain. Regarding disposal of used motor oils, etc., Mr. Mohr explained that his father has a repair shop in Saratoga. It is Mr. Mohr's plan to drain any motor oil/fluids into an enclosed container and then transport it to that shop for proper disposal. He does not anticipate a great deal of it as he

would be dealing with small engines. He further responded that he would be doing this on a regular basis so he would not excessive containers lying around the garage. Chair confirmed with Chet C. that any signage would require review/permit from the Building Department. Therefore PB does not need to address the issue of the sign. Board had questions regarding previous use of the garage. Mr. Mohr reported that the previous owner had a well drilling business and he believes the garage was used for storage of well drilling equipment. Chair reviewed the various classifications for home occupations. Because the applicant does want a sign and will be drawing customers to the property, it appears this home occupation would fall under the Minor category. Chair reviewed the conditions of a Minor Home Occupation as described in town regulations. Board discussed parking for the business with Mr. Mohr. He feels he has adequate parking area and plans to upgrade the driveway (e.g. level it off, widen it a bit near the entrance to the shop). Does not anticipate that he would have any deliveries to the property; for the most part just people dropping equipment off for repair. This would not impede traffic at all as the shop is set back quite a bit from the road. Board reviewed site plan provided by Mr. Mohr. Board was satisfied that it contained all pertinent information. Board then conducted SEQR review. **Motion by Win McIntyre** to grant application #12/006, application of Brian Mohr for site plan review/special use permit for a small engine repair home occupation a negative SEQR declaration. **Second by Mary Lynn Kopper**. Roll call vote: Ruthann Daino, yes; Win McIntyre, yes; Mary Lynn Kopper, yes; Mikel Shakarjian, yes; Rebecca Mitchell, yes. Motion carried. Chair next entertained a motion regarding classification. **Motion by Mary Lynn Kopper** to classify application #12/006 a Minor Home Occupation and set for public hearing. Win posed questions regarding what would happen if the business grew to a point where he hired additional employees, expanded the business, etc, what triggers a reclassification? Mr. Pozefsky responded that as a board you can set parameters regarding number of employees, amount of traffic, hours of business, etc. If the business goes beyond that, it then becomes more of an enforcement issue, but the applicant could be brought back in for reclassification. No further questions/comments. **Motion seconded by Mikel Shakarjian**. Roll call vote: Ruthann Daino, yes; Win McIntyre, yes; Mary Lynn Kopper, yes; Mikel Shakarjian, yes; Rebecca Mitchell, yes. Motion carried. Public hearing will be scheduled for May 22, 2012.

PRIVILEGE OF THE FLOOR – None requested

OTHER BUSINESS

Clerk asked board members if they would like the application for site plan review/special use permit amended to include a signature line for the property owner (if different from the applicant). All members agreed it would be helpful.

ADJOURNMENT - Motion to adjourn by Mary Lynn Kopper. **Second by Win McIntyre**. Voice Vote: All ayes. Motion carried. Meeting adjourned at 8:55 p.m.

Respectfully submitted,

Carol L. DeLorme

Carol L. DeLorme, Clerk