



TOWN OF GALWAY
ZONING BOARD OF APPEALS
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

RECEIVED

JUL 25 2017

TOWN OF GALWAY

ZBA MEETING AGENDA

Meeting Date/Time: **Tuesday August 1, 2017 @ 7:30 pm**

- 1) Convene Meeting
- 2) Roll Call
- 3) Explanation of Procedure and Purpose of the Zoning Board of Appeals
- 4) Review/approval of minutes of June 6, 2017 meeting
- 5) **Public Hearing**
 - Application #ZB17-006 – Application of Jason and Sarah Leszczynski, for a variance(s) to construct a storage shed on property located at 5274 Jockey Street, (tax parcel #200.-1-14.2) in the A/R District of the Town of Galway.
 - Application #ZB17-007 - Application of Michael Ceraldi, for a variance(s) to construct a garage/storage area on property located at 4025 Pine Ave (Ruback Grove, tax parcel #20198.7-1-33) in the Lake District of the Town of Galway.
 - Application #ZB17-008 - Application of Michele and Sophie Lajeunesse for an interpretation of the Zoning Regulations as it pertains to property located at 2501 Northline Road, (tax parcel #212.-1-24) in the A/R District of the Town of Galway.
- 6) **Public Meeting**
 - Application #ZB17-006 – Application of Jason and Sarah Leszczynski, for a variance(s) to construct a storage shed on property located at 5274 Jockey Street, (tax parcel #200.-1-14.2) in the A/R District of the Town of Galway.
 - Application #ZB17-007 - Application of Michael Ceraldi, for a variance(s) to construct a garage/storage area on property located at 4025 Pine Ave (Ruback Grove, tax parcel #20198.7-1-33) in the Lake District of the Town of Galway.
 - Application #ZB17-008 - Application of Michele and Sophie Lajeunesse for an interpretation of the Zoning Regulations as it pertains to property located at 2501 Northline Road, (tax parcel #212.-1-24) in the A/R District of the Town of Galway.
- 7) Other Business
- 8) Adjournment

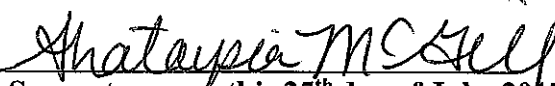
State of New York,
City and County of Schenectady

ss.:

NOTICE OF PUBLIC HEARING
Town of Galway
ZONING BOARD OF APPEALS
NOTICE IS HEREBY GIVEN that a public hearing will be held by the town of Galway Zoning Board of Appeals on **Tuesday, August 1, 2017** beginning at 7:30 p.m. in the Town Hall, 5910 Sacandaga Road, Galway, New York to consider the following application:
Application #ZB17-005
Application of Jason and Sarah Leszczynski, for a variance(s) to construct a storage shed on property located at 5274 Jockey Street, (tax parcel #200-1-142) in the A/R District of the Town of Galway.
Application #ZB17-007
Application of Michael Ceraldi, for a variance(s) to construct a garage/storage area on property located at 4025 Pine Ave (Ruback Grove, tax parcel #20198-7-1-33) in the Lake District of the Town of Galway.
Application #ZB17-008
Application of Michele and Sophie Lajeunesse for an interpretation of the zoning regulations as it pertains to property located at 2501 Northline Road, (tax parcel #212-1-24) in the A/R District of the Town of Galway.
Donna M. Noble
Clerk
7/24 2309429

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:

1 insertion on July 24, 2017


Sworn to me on this 25th day of July, 2017

NOTARY PUBLIC

ALISON COOKE
COMMISSIONER OF DEEDS
MY COMMISSION EXPIRES

7/12/19





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AUG - 8 2017

TOWN OF GALWAY

MINUTES OF ZBA MEETING

Meeting Date: Tuesday, August 1, 2017

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

Meeting called to order at 7:30 pm by Acting Chair, Teresa Brett. Clerk called the roll:

MEMBERS PRESENT: Teresa Brett, Herb Kopper, and Christine McCormack.

MEMBERS ABSENT: Mark Kindinger and Ryan Flinton.

ALSO PRESENT: Donna Noble, Clerk; Chet Ciembroniewicz and eleven (11) people in the audience.

PROCEDURE AND PURPOSE OF THE ZBA – Acting Chair explained the procedure and purpose of the Zoning Board of Appeals.

REVIEW AND APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

Members had previously reviewed the minutes of the: July 5, 2017 meeting. 2 corrections needed. Motion by **C. McCormack** to approve the minutes with corrections. **Second by H. Kopper**. Voice vote: all ayes. Motion carried.

PUBLIC HEARING – opened at 7:31 pm.

Application #ZB17-006 – Application of Jason and Sarah Leszczynski, for a variance(s) to construct a storage shed on property located at 5274 Jockey Street, (tax parcel #200.-1-14.2) in the A/R District of the Town of Galway. Mr. Leszczynski explains what he would like to do. He is looking to build a storage shed. Teresa asks if there is an edge/overhang to the shed. Yes, there will be. A 24 foot variance will be needed on the north. No questions or comments from the board or the audience.

Application #ZB17-007 - Application of Michael Ceraldi, for a variance(s) to construct a garage/storage area on property located at 4025 Pine Ave (Ruback Grove, tax parcel #20198.7-1-33) in the Lake District of the Town of Galway. Mr. Ceraldi explains that he is looking to replace an existing carport with a garage and upstairs storage and that he will need a variance. Mr. Ceraldi is told that the height of the garage cannot exceed 28 ft. He explains that the Grove only allows a height of 16 feet. This garage will also have a drip edge. A 13.5 foot variance is needed on the east and a 19 foot variance is needed on the north. No questions or comments from the board or the audience.

Application #ZB17-008 - Application of Michele and Sophie Lajeunesse for an interpretation of the Zoning Regulations as it pertains to property located at 2501 Northline Road, (tax parcel #212.-1-24) in the A/R District of the Town of Galway. Ms.

Lajeunesse explains that she would like an interpretation of the zoning code regarding, among other things, the screen house porches on trailers that are not permanent structures. Mr. Baxter, Sr. and Jr. are in attendance. Mr. Baxter, Jr. feels that the structures are within ten (10) feet of his property line and he would like them moved fifty feet or beyond. If they are not permanent structures, he feels that there should be no problem moving them back. He believes that they are built illegally as he has never seen a building permit. He also has issue with the discharge of sewage. He says in the fall, when the trailers are "abandoned" he is looking at tarps and garbage and he doesn't want to see it. He cannot build a shed within his fifty feet and he doesn't feel that they should have the right to either. A neighbor that lives across the street states that he lived in the campground for four years prior to buying his property. The Baxter's moved there in 1989. He knew what he was buying when he bought his property and so did the Baxters. There has been many problems between the campground and the Baxters. This neighbor has no problems with the campground. Other neighbors in attendance are in agreement. Nobody has any problems or issues with the campground. Mr. Baxter Sr. explains that what has occurred in the past or what will occur in the future is not why they are here this evening. They are here to speak of the variance(s). There is discussion of the State's requirements and what they have agreed to or approved. He feels that there has been no prior approval on any of the multiple structures in the campground. He also feels that if they are temporary, they should be moved. He cites the State §7-3-.1, it states that they must have a building permit. He feels that if one or two of these buildings have missed the proper inspection, he contends that these structures do not meet the code. Also, they have to have the permits and inspections of the Code Enforcement Officer and Building Inspectors. These buildings have electrical. He feels that these people are doing the electrical themselves. It is creating a safety hazard within the campground. If they are not being inspected, they are not being held to the same standard as home owners. Mr. Baxter also questions a fence that he believes to be on his son's property and that this fence is attached to the trees. He asks why are they allowed to do that? Teresa explains that she has researched, by looking up the code that Mr. Baxter talked about. She also explained that she called the Department of Health and asked them if they have a permit on file for the campground. Yes, in fact they do and with that permit there has to be an inspection. Everything that has to be done is laid out in the code (Subpart 7-3, Campgrounds). She continues to explain that she went on the Uniform Code of the State of New York (the building code) website. It states: A camping structure is a temporary structure. In the Code, because it is temporary, there is not a building permit required. That is for any temporary structure (one without a foundation, or is not attached) whether it be at your home or a campground. Because there is no permits, there are no variances. What the Board would like to see is that if somebody has something attached to a tree that is not on the campground's property, it should be moved and to not use the rock wall to store things on. The campground has their permit and have been inspected. They have a holding tank, they cannot discharge, that they pay to have pumped. Same with trash removal, they pay to have it removed. Electric comes with the site. Yes, it might be wired in the camp but the service is part of the site and these things are what they are inspected for by the State when they get their permit.

Motion by C. McCormack to close the public hearing. **Second by H. Kopper.** Voice vote: All ayes. Motion carried.

Public Meeting

Application #ZB17-006 – Application of Jason and Sarah Leszczynski, for a variance(s) to construct a storage shed on property located at 5274 Jockey Street, (tax parcel #200.-1-14.2) in the A/R District of the Town of Galway.

Motion by C. McCormack to grant a 24 foot variance on the north to the drip edge.
Second by H. Kopper. Voice vote: All ayes. Motion carried.

Application #ZB17-007 - Application of Michael Ceraldi, for a variance(s) to construct a garage/storage area on property located at 4025 Pine Ave (Ruback Grove, tax parcel #20198.7-1-33) in the Lake District of the Town of Galway.

Motion by C. McCormack to grant a 13.5 foot variance on the east to the drip edge and a 19 foot variance on the north to the drip edge. **Second by H. Kopper.** Voice vote: All ayes. Motion carried.

Application #ZB17-008 - Application of Michele and Sophie Lajeunesse for an interpretation of the Zoning Regulations as it pertains to property located at 2501 Northline Road, (tax parcel #212.-1-24) in the A/R District of the Town of Galway.

The Board has determined that the structures in the campground are not permanent structures, they do not need a building permit or a variance to be constructed and the structures do not have to be moved. The campground is inspected by the State and meets all of the State requirements. The Board would like to see however, that campers do not attach anything to the trees on Mr. Baxter's tree line or use the rock wall to store things on.

PRIVILEGE OF THE FLOOR: None.

OTHER BUSINESS: None.

Motion to adjourn by **H. Kopper.** **Second by C. McCormack.** Voice vote: All ayes.
Motion carried. Meeting adjourned at 8:17 p.m.

Respectfully submitted,

Donna Noble

Donna Noble, Clerk