



TOWN OF GALWAY
PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

RECEIVED

AUG 15 2017

TOWN OF GALWAY

PLANNING BOARD MEETING AGENDA

Meeting Date/Time: **August 22, 2017 - 7:30 p.m.**

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

1. Convene Meeting
2. Roll Call
3. Review of minutes of July 25, 2017 meeting
4. Clerk's Report
5. Chair's Report
6. **Public Hearing:** None
7. **Public Meeting:**
 - Application #PB17-005** - Application of Arthur Pagano for a lot line adjustment of properties located at 2395 Hermance Road (tax parcel no.: 186.00-2-7) and vacant land owned by Joan Selleck on Hermance Road (tax parcel no.: 186.00-2-6.1) in the A/R District of the Town of Galway.
 - Application #PB17-006** - Application of Edward and Edna Baker for a lot line adjustment of properties located at 2610 May Road Loop (tax parcel no.: 198.6-4-4) and 2620 May Road Loop (tax parcel no.: 198.6-4-6) in the Lake District of the Town of Galway.
 - Application #PB17-007** - Application of John Foti for a minor subdivision property 4923 Jersey Hill Road (tax parcel no.: 211.1-52) in the A/R District of the Town of Galway.
 - Application #PB17-008** - Application of Germaine Curtin for a lot line adjustment of properties located at 5001 Hardwoods Road (tax parcel no.: 185.19-5-2) and property owned by David Allen, Hardwoods Road (tax parcel no.: 185.-3-4.111) in the Lake District of the Town of Galway.
 - Application - #PB17-002** - Continuation of application of the Galway Co-Op.Com, LLC for site plan review/special use permit on property located at 6049 Fish House Road, (tax parcel no.: 172.-7-57) in the Commercial District in the Town of Galway.
8. Privilege of the floor
9. Other business
10. Adjournment



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SEP 27 2017

TOWN OF GALWAY

MINUTES OF PLANNING BOARD MEETING

Date/Time of Meeting: August 22, 2017, 7:30 p.m.

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

MEMBERS PRESENT: Win McIntyre, MaryLynn Kopper, and Rebecca Mitchell and Donna Noble, Clerk

MEMBERS ABSENT: Mikel Shakarjian

ALSO PRESENT: Chet Ciembroniewicz, Martin Pozefsky, Esq., Mike McNamara, and 9 people in the audience.

REVIEW AND APPROVAL OF MINUTES:

All board members previously reviewed the minutes of the July 25, 2017, meeting. Corrections noted. **Motion by MaryLynn** to approve the minutes with corrections. **Second by Rebecca.** Voice vote: All ayes. Motion carried.

CLERK'S REPORT: 1 map filed: Robert and Janet Glen.

CHAIR'S REPORT: Ruthann signed Mr. Germain's map that shows the location of the wetlands.

PUBLIC HEARING: None.

PUBLIC MEETING:

Application - #PB16-005: Application of Arthur Pagano for a lot line adjustment of properties located at 2395 Hermance Road (tax parcel no.: 186.00-2-7) and vacant land owned by Joan Selleck on Hermance Road (tax parcel no.: 186.00-2-6.1) in the A/R District of the Town of Galway. Mr. Pagano explains that he has acquired a strip of land 50'x260'. There are no structures on this strip of land. He is just looking to move the lot line. There are no questions or concerns from the board.

Motion by Win to approve the lot line adjustment and waive SEQR review and the public hearing. **Second by MaryLyn.** Voice vote: All ayes. Motion carried.

Application - #PB16-006: A Application of Edward and Edna Baker for a lot line adjustment of properties located at 2610 May Road Loop (tax parcel no.: 198.6-4-4) and

2620 May Road Loop (tax parcel no.: 198.6-4-6) in the Lake District of the Town of Galway. A spokesman from Northeast Land Survey & Land Development Consultants, P.C. explains that Mr. and Mrs. Baker are looking to adjust the lot lines between two properties that they own to address septic system issue as discussed at a previous meeting. Each lot is almost equal in size. They have not made any adjustments to the water frontage. The lot line adjustment, with recorded easements, will solve the issue that was initially presented to the board at a previous meeting (privilege of the floor). There are no further questions or comments from the board.

Motion by MaryLynn to approve the lot line adjustment and waive SEQR review and the public hearing. **Second by Win.** Voice vote: All ayes. Motion carried.

Application - #PB17-007: Application of John Foti for a minor subdivision of property located at 4923 Jersey Hill Road (tax parcel no.: 211.1-52) in the A/R District of the Town of Galway. Tim and Aaron Bogden explain that they will have one lot. Ruthann asks, as they have cleared a spot for the driveway, if they have a permit from the County for access to the road. Yes, they have a permit. Win states that there are wetlands on this property but not on the new lot being created. There are no other questions or comments from the board. SEQR review. Based on the information and analysis, and any supporting documentation, this proposed action will not result in any significant adverse environmental impacts. **Motion by Rebecca** to classify as a minor subdivision and set for a public hearing. **Second by Win.** Voice vote: All ayes. Motion carried.

Application - #17-008: Application of Germaine Curtin for a lot line adjustment of properties located at 5001 Hardwoods Road (tax parcel no.: 185.19-5-2) and property owned by Allen Ray David, Hardwoods Road (tax parcel no.: 185.-3-4.111) in the Lake District of the Town of Galway. Ms. Curtin explains that Mr. David is transferring a 12 foot strip of land so that she can build a car port. The car port will be used mainly for vehicles in the winter. This will not be a permanent structure (only anchors to hold it down) and will not need any setback variances. There are no comments or concerns from the board.

Motion by MaryLyn to approve the lot line adjustment and waive SEQR review and the public hearing. **Second by Rebecca.** Voice vote: All ayes. Motion carried.

Application - #PB17-002: Continuation of application of the Galway Co-Op.Com, LLC for a site plan review/special use permit on property located at 6049 Fish House Road, (tax parcel no.: 172.-7-57) in the Commercial District in the Town of Galway. Ruthann states that the board does have an updated plan and asks Mr. Sutton if he would like to explain the changes that have been made to the plan. Mr. Sutton explains that they have been doing quite a few things within the last thirty days. They have submitted an application to the Zoning Board for an interpretation of variance. The application that has been submitted to the Zoning Board does not address the issue of parking in the front yard that was brought up with this board. Mr. Sutton is under the notion that the planning board could waive the regulation with regard to parking. Ruthann asks Mr. Pozefsky if that is correct. Mr. Pozefsky confirms, yes. Ruthann explains that the lot size is a separate issue. Mr. Sutton further explains that the new plan has two principal changes from the previous plan. 1: The backup material that was omitted in the first plan regarding the septic system - the perk test and the engineer's rationality for the capacity of the system being appropriate. 2: Started to address the ADA issues. They are not

complete finished but they have started to address it. On the new plan there is elevation showing that there is level ground both in the front and back entrances for wheelchair access. What Mr. Sutton is trying to accomplish by attending this meeting tonight is to keep the line of communication open as it is important for all to keep this matter moving forward and that they are committed to doing that. In reviewing Mike McNamara's engineering issues, septic and spot grades: Septic: Mr. McNamara states that the septic issues, with the information submitted, is justified (the system and its use) and this matter is checked off his list. The spot grades: Mr. McNamara went to the site before tonight's meeting. They have put down a very fine, hard packed gravel surface. The drainage is all in one direction towards the road. Some of the reasons why he was looking for spot grades are now irrelevant. He states that he doesn't know if it is a judgment call he should be making but he does feel that the spot grade issues have been addressed. No other issues from Mr. McNamara. Ruthann asks Mr. Pozefsky if the Town would be liable (because it has approved it) if somebody should fall on that surface. Mr. Pozefsky explains that some Town codes actually have a provision that says that if the Town approves it, it doesn't mean we are accepting liability for this. He does not believe that the Town of Galway code has that provision. Certainly the property owner, if wise, will have insurance to cover those types of situations. He is not concerned that the Town would be liable. Ruthann asks if the DOT curb cut permit has been applied for yet. This issue is still being worked on. No other comments or concerns before addressing the issue of the front yard parking. The Board has the ability to waive the requirement with regard to the front yard parking.

Motion by Win to waive the C1 commercial district requirement that prohibits parking in the front yard. **Second by Rebecca.** All ayes. Motion carried.

There are no other issues outstanding other than what is before the ZBA. This application will be tabled until the October 24, 2017 meeting.

PRIVILEGE OF THE FLOOR: Brian Gonyea, owner of property on Route 29, formerly Dave's Tavern, seeks guidance on whether it is possible to operate a food vending truck on his property. The property is no longer zoned commercial. He is not familiar with the codes and was directed to the Planning Board for guidance. This would be a seasonal business, May - October. Ruthann suggest that Mr. Gonyea direct his questions to the Zoning Board at the September meeting as they will be addressing the same issue with another applicant.

OTHER BUSINESS: None.

Motion by MaryLyn to adjourn. **Second by Win.** Voice vote: All ayes. Motion carried. Meeting adjourned at 8:34 p.m.

Respectfully submitted,

Donna Noble

Donna Noble, Clerk