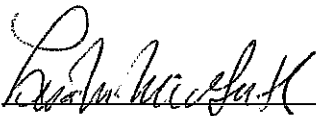


State of New York, ss.:
City and County of Schenectady

Lisa M. McGrath of the Town of Rotterdam, 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: November 23, 2020

 (signature)

Lisa M. McGrath (printed name)

Sworn to me on this 24th day of November 2020



NOTARY PUBLIC

PAULA A. OPEL
COMMISSIONER OF DEEDS
MY COMMISSION EXPIRES 07/22/2021

LEGAL NOTICE

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,
December 1, 2020 begin-
ning at 7:30 p.m. in the
Town Hall, 5910 Sacan-
daga Road, Galway, New
York, to consider the fol-
lowing application:

ZB20-012 - Application of
Jeff Swart for a variance
to construct a pre-fabri-
cated garage on proper-
ty located at 1034 Camp
Ave. (tax parcel #185.17-
1-49) in the Lake District
of the Town of Galway.

Donna M. Noble

Clerk

11/23

2423004



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

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

RECEIVED

NOV 24 2020

TOWN OF GALWAY

ZBA MEETING AGENDA

Meeting Date/Time: **Tuesday, December 1, 2020 @ 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 the October 6, 2020 meeting
- 5) **Public Hearing:**
ZBA 20-012 - Application of Jeff Swart for a variance to construct a pre-fabricated garage on property located at 1034 Camp Ave. (tax parcel #185.17-1-49) in the Lake District of the Town of Galway.
- 6) **Public Meeting:**
ZBA 20-012 - Application of Jeff Swart for a variance to construct a pre-fabricated garage on property located at 1034 Camp Ave. (tax parcel #185.17-1-49) in the Lake District of the Town of Galway.
- 7) Other Business
- 8) Adjournment

****Applicants - please wear a mask when attending this meeting. Also, please wait in the parking lot until your matter is called before the Zoning Board.**

THANK YOU in advance for your cooperation.



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

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TOWN OF GALWAY

MINUTES OF ZBA MEETING

Meeting Date: Tuesday, December 1, 2020

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

Meeting called to order at 7:35 pm by Chair, Andy Decker. Clerk called the roll:

MEMBERS PRESENT: Christine McCormack and Kiley Gregory.

MEMBERS ABSENT: Mark Concilla and Herman Niedhammer.

ALSO PRESENT: Donna Noble, Clerk; James P. Trainor, Esq., Treavor Gilday, Building Inspector/Code Enforcement Officer and applicant, Jeff Swart.

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

REVIEW AND APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

Members have reviewed the minutes of the October 6, 2020 meeting. **Motion by Christine** to approve the minutes. **Second by Kiley.** Voice vote: all ayes. **Motion carried.**

PUBLIC HEARING – opened at 7:37 pm

ZBA 20-012 - Application of Jeff Swart for a variance to construct a pre-fabricated garage on property located at 1034 Camp Ave. (tax parcel #185.17-1-49) in the Lake District of the Town of Galway. Mr. Swart is in attendance. He is looking for a variance to build a pre-fab garage. He explains that there was an existing shed. The shed was three feet on the right-of-way and he moved and poured a slab (21'x25') 3 feet onto his property and off of the right-of-way. Andy explains that there are things missing from Mr. Swart's application that the board would like to see. A Map, a layout of where the house is, where the well and septic are, other building on the property, the property lines, how

far from the property line the structure will be built... These things give the board an idea of what exactly the applicant would like to do. This application does not provide these things. Andy asks Mr. Swart how big is the garage and is this a garage or a shed. It is a pre-fabricated garage, 20'x24'. The well is behind the slab. The septic is in the middle of the yard. The lot is small and Mr. Swart states that he has no place else to put this garage. Andy explains that generally speaking the board does not grant a variance less than 5 feet because if a property gets re-surveyed and the line moves, the structure is now on somebody else's property. Mr. Swart explains that his mother owns the right-of-way and is signing it over to him. He does not have the extra footage to be 5 feet off of the right-of-way. Mr. Trainor asks how wide is the right-of-way. Mr. Swart was told that it is 40 feet wide. Mr. Swart states that he is the only one that uses the right-of-way and he uses it as a driveway. Andy asks if the garage can be made smaller. No, it is built and ready to be delivered. Mr. Swart states that the shed was existing for 15 years and it never bothered anybody. Now, he is trying to make an improvement and is having alot of heart aches in doing so and does not understand what the problem is. Andy explains that the setbacks are there to protect the people around him. Andy also explains to Mr. Swart that he would like to see a better plot plan - a drawing of what is existing, where the well and septic are, etc. Mr. Swart gets upset, stating he is never home and has a hard time getting time off to get here. He tells the board that he will submit a drawing and get somebody to attend next month's hearing/meeting if he cannot be here. He thanks the board for their time and leaves the hearing.

Motion by Christine to table this application until the January meeting. **Second by Kiley.** Voice vote: All ayes. Motion carried.

PRIVILEGE OF THE FLOOR: None.

OTHER BUSINESS: None.

Motion to adjourn by Christine. **Second by Kiley.** Voice vote: All ayes. Motion carried. Meeting adjourned at 7:58 p.m.

Respectfully submitted,

Donna Noble

Donna Noble, Clerk