



## **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: **February 28, 2012 – 7:30 p.m.**

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

1. Convene Meeting
2. Roll Call
3. Review of minutes of January 24, 2012 meeting
4. Clerk's Report
5. Chair's Report
6. Public Hearing
  - Application #12/002 – Request of Dorothy Zweighaft and John Bruce Sanders o/b/o the Estate of Fred Sanders (said property being located at 4613 Sacandaga Rd in the A/R District of the town of Galway - tax parcel #212.-1-29.11) for the creation of 2 new building lots from a portion of the Lands of Fred Sanders located on the east side of Sacandaga Road, and subsequent annexation of the remaining lands lying east of Sacandaga Rd (approximately 5 acres) to an existing 1.96-acre parcel (Lands of Zweighaft – tax parcel #212.-1-29.2).
7. Public Meeting
  - Application #12/002 - Request of Dorothy Zweighaft and John Bruce Sanders o/b/o the Estate of Fred Sanders ...
  - Application #12/003 – Request of Travis Mitchell and Michael Mitchell for consolidation of 3 parcels (tax map #s 187.-1-10 (Lands of Michael T. and Rebecca Mitchell), 187.-1-12 (Lands of Travis J. and Erin W. Mitchell) and 187.-1-11 (owned jointly between the parties) into 2 parcels.
8. Privilege of the Floor
9. Other Business
10. Adjournment



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### **MINUTES OF PLANNING BOARD MEETING**

Date/Time of Meeting: February 28, 2012 – 7:30 p.m.

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

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

**MEMBERS ABSENT:** None

**ALSO PRESENT:** Carol DeLorme, Clerk. Present in the audience: Mike Tillson (town board liaison) and approximately 6 people (including applicants).

### **REVIEW AND APPROVAL OF MINUTES**

All board members previously reviewed the minutes of the January 24, 2012 meeting. **Motion by Mary Lynn Kopper** to approve the minutes as presented. **Second by Mikel Shakarjian**. Voice vote: All ayes. Motion carried. Minutes approved without correction.

**CLERK'S REPORT** - None

**CHAIR'S REPORT** – None

### **PUBLIC HEARING**

Clerk noted that the Legal notice appeared in the *Daily Gazette* one time, February 16, 2012

**Application #12/002 – Request of Dorothy Zweighaft and John Bruce Sanders o/b/o the Estate of Fred Sanders (said property being located at 4613 Sacandaga Rd in the A/R District of the town of Galway - tax parcel #212.-1-29.11) for the creation of 2 new building lots from a portion of the Lands of Fred Sanders located on the east side of Sacandaga Road and subsequent annexation of the remaining lands lying east of Sacandaga Rd (approximately 5 acres) to an existing 1.96-acre parcel (Lands of Zweighaft – tax parcel #212.-1-29.2)**

Mr. Sanders was present as was his surveyor, Art Carpenter. Mr. Carpenter posted the survey/subdivision map for review by members of the audience. There were no questions/comments from anyone in the audience. **Motion by Win McIntyre** to close the public hearing. **Second by Mikel Shakarjian**. Voice vote: All ayes. Motion carried. Public hearing closed at 7:34 p.m.

## **PUBLIC MEETING**

### **Application #12/002 - Request of Dorothy Zweighaft and John Bruce Sanders o/b/o the Estate of Fred Sanders ... tax parcel #212.-1-29.11 and tax parcel #212.-1-29.2**

Board reviewed the revised survey/subdivision map. Following brief discussion between board members and Mr. Carpenter, members reached consensus that they would like to see further revision of map to include the 100' wetland buffer on the south side. No other comments/questions. **Motion by Mary Lynn Kopper** to grant final approval to Application #12/002, request of Dorothy Zweighaft and John Bruce Sanders o/b/o the Estate of Fred Sanders for creation of two new building lots (resulting in a 4-lot minor subdivision) from tax parcel #212.-1-29.11 and a lot line adjustment between tax parcel #212.-1-29.11 (Lands of Fred Sanders) and tax parcel #212.-1-29.2 (Lands of Dorothy Zweighaft), and approve for filing, contingent upon revision of the survey/subdivision map to include the 100' wetland buffer on the south side. **Second by Win McIntyre**. Roll call vote: Ruthann Daino, yes; Win McIntyre, yes; Mary Lynn Kopper, yes; Mike Shakarjian, yes; Rebecca Mitchell, yes. Motion carried. **GRANTED A 4-LOT MINOR SUBDIVISION AND LOT LINE ADJUSTMENT**. Chair informed the applicant that the \$50 application fee is due, as well as an additional \$100 for the two new lots being created (\$150 total). (NOTE: Mr. Sanders submitted a check for \$150 at the close of the meeting.) Mr. Carpenter was instructed to submit the revised map (1 Mylar, 2 paper copies) for stamping/signing by the Chair. The Mylar and 1 paper copy must subsequently be filed with the Saratoga County Clerk's Office within 62 days of signature.

### **Application #12/003 – Request of Travis Mitchell and Michael Mitchell for consolidation of 3 parcels (tax parcel #s 187.-1-10 (Lands of Michael T. and Rebecca Mitchell), 187.-1-12 (Lands of Travis J. and Erin W. Mitchell) and 187.-1-11 (parcel owned jointly between the parties) into 2 parcels**

Board member Rebecca Mitchell recused herself as she is one of the applicants in this matter.

Travis Mitchell was present on behalf of all applicants. Parcels 187.-1-10 and 187.-1-12 each contain a house. Parcel 187.-1-11 is vacant and jointly owned by the parties. Their desire is to divide 187.-1-11 in two and then annex a portion to each of the other two parcels resulting in 2 lots. Both lots comply with current zoning regulations with the exception of one rear setback. The existing house is currently 3' off that property line. The new lot line adjustment will increase the setback to 33' but will still remain less than the required 50'. Chair noted that she had email communications with both board attorney, Martin Pozefsky, and ZBA Chair, Mark Kindinger. Mr. Pozefsky advised that he could not find where our town regulations address setback requirements for lot line adjustments. Further, it is improving an existing situation. Mr. Kindinger indicated he agreed that because the proposed property line improves an existing non-compliant

situation it would not need to be reviewed by the Zoning Board of Appeals. There were no other comments/questions from the board. No comments/questions from the audience. **Motion by Win McIntyre** to classify application #12/003, application of Travis Mitchell and Michael Mitchell, a lot line adjustment, to waive all further subdivision fees and regulations including SEQR review and public hearing, and grant final approval and approve for filing. **Second by Mary Lynn Kopper**. Roll call vote: Ruthann Daino, yes; Win McIntyre, yes; Mary Lynn Kopper, yes; Mikel Shakarjian, yes. Motion carried. **GRANTED FINAL APPROVAL FOR A LOT LINE ADJUSTMENT/ANNEXATION.** Application fee has been paid. Mr. Mitchell was instructed to submit 1 Mylar and 2 paper copies of the approval survey/subdivision map for stamping/signing by the Chair. He will subsequently need to file the Mylar and 1 paper copy with the Saratoga County Clerk's Office within 62 days of signing.

**PRIVILEGE OF THE FLOOR** – None requested

**OTHER BUSINESS** - None

**ADJOURNMENT - Motion to adjourn** by Mikel Shakarjian. **Second by Mary Lynn Kopper**. Voice Vote: All ayes. Motion carried. Meeting adjourned at 8:00 p.m.

Respectfully submitted,

*Carol L. DeLorme*

Carol L. DeLorme, Clerk