

## PLANNING BOARD MEETING AGENDA

Meeting Date/Time: **July 26, 2011 – 7:30 p.m.**

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

1. Convene Meeting
2. Roll Call
3. Clerk's Report
4. Chair's Report
5. Public Hearing
  - Application #11/002: Request of Dirk J. Weaver for subdivision of an approximate 22-acre lot from an approximate 50-acre parcel located at 2005 NYS Route 29 in the A/R district of the town of Galway, tax parcel #173.-1-60.1, a 2-lot minor subdivision
6. Public Meeting
  - Application #11/002 ... Dirk J. Weaver request for subdivision ... tax parcel #173.-1-60.1
7. Privilege of the Floor
8. Other Business
9. Adjournment



## **TOWN OF GALWAY**

PLANNING BOARD  
SARATOGA COUNTY, NY  
ESTABLISHED 1792

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

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

Date/Time of Meeting: July 26, 2011 – 7:30 p.m.

**MEETING CALLED TO ORDER** at 7:35 p.m. by Chair, Ruthann Daino.

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

**MEMBERS ABSENT:** None

**ALSO PRESENT:** Carol DeLorme, Clerk. Present in the audience: Approximately 6 people, including the applicants

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

All board members previously reviewed the minutes of the special meeting held July 12, 2011.

**Motion by Mary Lynn Kopper** to approve the minutes as presented. **Seconded by Rebecca Mitchell.** Voice vote: All yeas. Motion carried.

### **CLERK'S REPORT**

- Transmittal received from SC Clerk's Office advising that 1 map was filed in that office during the month of June 2011: LLA/Annexation between Donna M. Peterson and Roy Hoag filed 6/13/11
- Flyer received from NYS Legislative Commission on Rural Resources announcing upcoming events.

### **CHAIR'S REPORT**

- Had phone conversations with a someone regarding property located in the Commercial Zone on Rte 29
- Received a phone call regarding the Weaver subdivision which will be discussed further during review of that application
- Phone call received from a previous applicant who reported she did not file the approved subdivision map with the County Clerk's Office within the required 62 days because her taxes were not paid. Informed her that she will need to reapply.

**PUBLIC HEARING** – Opened at 7:39 pm. Clerk read the Legal Notice as it appeared in the *Daily Gazette* on 7/20/11.

**Application #11/002: Request of Dirk J. Weaver for subdivision of an approximate 22-acre lot from an approximate 50-acre parcel located at 2005 NYS Route 29 in the A/R district of the town of Galway, tax parcel #173.-1-60.1, a 2-lot minor subdivision** - Mr. and Mrs. Weaver, their daughter, and son-in-law were present. Chair reported that she received a phone call from a neighbor, Aileen Donnan, who stated she had no

objection to the proposed subdivision. There were no questions or concerns voiced by members of the audience.

**Motion by Win McIntyre** to close the public hearing. **Second by Marylynn Kopper.** Voice vote taken. All yeas. Motion carried. Public hearing closed @ 7:41 pm.

### **PUBLIC MEETING**

#### **Application #11/002 ... Dirk J. Weaver 2-lot subdivision of tax parcel #173.-1-60.1**

Clerk reported she submitted the application to SCPB for review. Clerk received a phone call from Mike Valentine who reported their only concern would be the driveway, but as long as PB has asked for advice/comment from our town engineer and fire department, they would not have any negative comments regarding the project. Chair reported that application was forwarded to the Fire Dept as well as the town engineer for review/comment. Fire Chief, Russell DeRidder, was present and provided comment. Main concern voiced by Mr. DeRidder was the steepness of the driveway and sharp turns. Mr. Weaver informed board that the driveway will not be as steep and turns will not be as sharp as they appear on the map. Surveyor more or less mapped out the location and configuration based on topography and natural lay of the land. Also reported there is plenty of room for turn-around at the end of the driveway. Board discussed how to handle the design of the driveway. It was the town engineer's recommendation that applicants have their engineer draw up plans (i.e. actual turning radii, grade, etc) and show more accurately where it will be located. Building inspector will then have something to go by when considering issuance of a CO. Board also discussed how to handle the driveway requirement [map] note (town engineer suggested wording somewhat different from current note). Board members agreed that if town engineer recommends statement of maximum 15% slope then it should be included. Should also include suggested 15' minimum vertical clearance, turn-around within 100' of structure, and sentence regarding written statement from developer's engineer to the town building inspector that the driveway has been installed to comply with the approved plats and regulations prior to issuance of a CO. Applicants were asked to have their driveway note amended to comply with these changes. Board decided they would like to see the map with this revision prior to approving the subdivision request. When asked by the applicants why the design of the driveway is becoming a condition of subdivision approval, Chair explained that when an applicant is creating a new lot through subdivision, the board is charged with making certain it is a buildable lot. Adequate access can become a factor in considering it a buildable lot. Chair recapped for the applicants that they need to modify their map to: 1) show the location of the proposed driveway a little more accurately; 2) show a modification of the [driveway] curves with the radii specified; and, 3) modify the driveway note wording to contain additional statement of maximum 15% slope, 15' minimum vertical clearance, facilities for turn-around within 100' of structures, and provision of a written statement from developer's engineer to the town building inspector that the driveway has been installed to comply with the approved plats and regulations prior to issuance of a CO. No further discussion/comments. No formal action taken. Public hearing has been closed but public meeting on this application will be continued at August 23<sup>rd</sup> meeting.

### **PRIVILEGE OF THE FLOOR**

Joseph Lapi – Inquired about a 2.25 acre lot on Rte 29 (in the Commercial Zone). Mr. Lapi is interested in purchasing the property from current owner, Bill Hansen (who was also present) with the idea of building storage units on the property. Mr. Lapi asked what steps would need to be taken. Mr. Lapi was informed that he would need to file an application for site plan review/special use permit. Mr. Hansen stated the property currently has a special use permit

(reportedly dating back to 1975) for heavy equipment repair. He questioned why a site plan review was necessary if the property is zoned commercial and already has a SUP? Chair explained that while the proposal is also a commercial venture, the proposed use would constitute a change in use, thereby triggering the need for site plan review. During the course of discussion question arose as to whether or not the property is still located within the boundaries of the commercial zone (map in appendix indicates it is not). Following discussion, Mr. Hansen stated he would research this through the town clerk and/or town board if necessary. Mr. Lapi was informed that a storage unit building is listed as a permitted use if the property is located in the commercial zone but reiterated it would still require SPR. He was given an application and guideline for SPR/SUP and instructed to submit it to the board clerk if he wishes to move forward.

**ADJOURNMENT - Motion for adjournment** by Rebecca Mitchell. **Second** by Mikel Shakarjian. Voice Vote: All yeas. Motion carried. Meeting adjourned at 9:05 p.m.

Respectfully submitted,

*Carol L. DeLorme*

Carol L. DeLorme, Clerk