

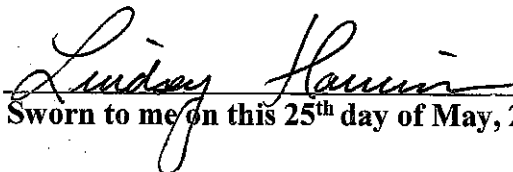
State of New York,
City and County of Schenectady

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, June
7, 2016 beginning at 7:30
p.m. in the Town Hall, 5910
Sacandaga Road, Galway,
New York, to consider the
following application:
Application #ZB16-001
Application of Thom-
as Maloney for area
variance(s) on property
located at 3038 Ridgewood
Drive (tax parcel #196.11-
1-100.3) in the Lake District
of the town of Galway.
Application #ZB-16-002
Application of Andrew
McPherson to request an
amendment to the area
variance (s) previously
granted on property at
1022 Camp Ave, South side
of the road (tax parcel
#185.17.1-42) in the Lake
District of the Town of Gal-
way.
Donna Noble
Clerk
5/25 2264228

Lindsey Harrison 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 May 25, 2016


Sworn to me on this 25th day of May, 2016

NOTARY PUBLIC

ALISON COOKE
COMMISSIONER OF DEEDS
MY COMMISSION EXPIRES

4/2/2017





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

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

ZBA MEETING AGENDA

Meeting Date/Time: **Tuesday, June 7, 2016 @ 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 May 3, 2016 meeting
- 5) **Public Hearing**
 - Application #ZB16-001 – Application of Thomas Maloney, for area variance(s) on property located at 3083 Ridgewood Drive, (tax parcel #198.11-1-100.3) in the Lake District of the Town of Galway.
 - Application #ZB-16-002 - Application of Andrew McPherson, to request an amendment to the area variance(s) previously granted on property located at 1022 Camp Ave., South side of the road (tax parcel #185.17-1-42) in the Lake District of the Town of Galway.
- 6) **Public Meeting**
 - Application #ZB16-001 – Application of Thomas Maloney, for area variance(s) on property located at 3083 Ridgewood Drive, (tax parcel #198.11-1-100.3) in the Lake District of the Town of Galway.
 - Application #ZB-16-002 - Application of Andrew McPherson, to request an amendment to the area variance(s) previously granted on property located at 1022 Camp Ave., South side of the road (tax parcel #185.17-1-42) in the Lake District of the Town of Galway.
- 7) Other Business
- 8) Adjournment



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

P.O. Box 219
Galway, NY 12074
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RECEIVED

JUN - 9 2016

TOWN OF GALWAY

MINUTES OF ZBA MEETING

Meeting Date: June 7, 2016

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

Meeting called to order at 7:33 pm by Chair, Mark Kindinger. Clerk called the roll:

MEMBERS PRESENT: Mark Kindinger, Herb Kopper, Teresa Brett, Christine McCormack and Ryan Flinton

MEMBERS ABSENT: none

ALSO PRESENT: Donna Noble, Clerk; Chet Ciembroniewicz, Building Inspector/Code Enforcement Officer; and 8 people in the audience.

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 had previously reviewed the minutes of the May 3, 2016 meeting. Motion by **H. Kopper** to approve the minutes as presented. **Second by R. Flinton**. Voice vote: all ayes. Motion carried.

PUBLIC HEARING – opened at 7:35 pm

Application #ZB16-001 – Application of Thomas Maloney, for area variance(s) on property located at 3083 Ridgewood Drive, (tax parcel #198.11-1-100.3) in the Lake District of the Town of Galway.

Application was tabled from previous meetings. Mark asks for an update as to where we are with the application. Mr. Metzger explains that since the last meeting he sent in a new application with the required signatures and sent letters testamentary showing that Thomas J. Maloney is the duly appointed Executor of the Estate of Jean E. Maloney. The other issue is where he stood with the septic issue. It is explained that Mr. Metzger's understanding is that the variances would be discussed, approved or not approved before the septic was resolved. Where the septic would go and what type of system would be used. It has not been formalized with Chet. Mark explains that once the board grants the variance they will be stuck with that location. Ryan asks, to be clear, the request for variances is only around the setbacks of the structure. Correct. Mark asks anybody in attendance has any questions or comments. Mr. Eidens, neighbor, speaks. He reads written remarks (each board member is given one). Mr.

Eidens points out that he has not seen anything in the file that is related to the contents of Ms. Maloney's will. He then passes out a paper to each board member that refers to "ancillary probate". Each state has this procedure. Bottom line is that each state has the right to govern how property in that state is disposed of. That there has been no ancillary probate commenced in New York State. Mr. Eidens also points out that an appeal to the ZBA must be filed within 60 days of the code enforcement officer's decision. Sixty days has passed months ago and therefore the application is time barred. Mark explains to Mr. Metzger that he will need to go through Surrogate's Court first to resolve the probate issue then re-apply with Chet for a building permit.

Application #ZB-16-002 - Application of Andrew McPherson, to request an amendment to the area variance(s) previously granted on property located at 1022 Camp Ave., South side of the road (tax parcel #185.17-1-42) in the Lake District of the Town of Galway. Mr. McPhearson explains that after he was granted his variance he re-measured and found that the variances granted were incorrect. He shows the board a new map and drawing. The variance previously granted was 18.8 feet but needs to be increased to 20.59 feet on the East side of the property. There is no proposed change to the design of the garage.

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

PUBLIC MEETING:

Application #ZB16-001 – Application of Thomas Maloney, for area variance(s) on property located at 3083 Ridgewood Drive, (tax parcel #198.11-1-100.3) in the Lake District of the Town of Galway. Decided that this application is not an application and is not heard during the public meeting.

Application #ZB-16-002 - Application of Andrew McPherson, to request an amendment to the area variance(s) previously granted on property located at 1022 Camp Ave., South side of the road (tax parcel #185.17-1-42) in the Lake District of the Town of Galway. The variance will need to be adjusted to 20.59 feet on the East side of the property. Motion to grant variance of 20.59 feet on the East side of the property by **R. Flinton**. Second by **H. Kopper**. Voice vote: All ayes. Motion carried.

Motion to close the meeting by **R. Flinton**. Second by **C. McCormack**. Voice vote: All ayes. Motion carried.

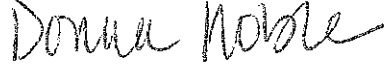
PRIVILEGE OF THE FLOOR: Clarence and Mary Bassett explain and discuss what they are looking to do on property located at 4002 Wilson Road, Rubacks Grove, Galway. They have been granted two permits, one for the septic system and one is to begin partial work on the rehab of their camp. Partial because they can begin the work but cannot complete it because they are looking to build an addition on the back. The Galway Lake Camper's Association has a 10 foot setback requirement and the Town in the Lake District has a 25 foot setback requirement. They are hoping and making every effort to comply and continue the work and that the Town can resolve the issue between the 10 foot setback and the 25 foot Town setback. Chet states that it is Ruback's Grove association, not Galway Lake Camper's Association. Mark explains that there are certain rules in the association and that the Town law doesn't have any provisions to honor pre-existing rules and that if what is being proposed requires a variance according

to the 25 foot setback then they need to apply (which they have) for the July meeting and it will be heard. The site will be visited and will address the issue at the July meeting.

OTHER BUSINESS: None

Motion to adjourn by C. McCormack. Second by H. Kopper. Voice vote: All ayes.
Motion carried. Meeting adjourned at 8:14 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Donna Noble".

Donna Noble, Clerk