

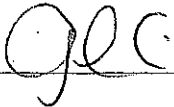
AFFIDAVIT OF
PUBLICATION

STATE OF NEW YORK)
CITY AND COUNTY OF SCHENECTADY)^{ss}

Gloria Cabrera of the City of Schenectady, being duly sworn, says that 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:

02/19/16

Sworn to or affirmed before me on 02/19/2016.



Notary Public

LISA J. BALDWIN

COMMISSION OF DEEDS

MY COMMISSION EXPIRES

Lisa Baldwin 12-22-17

NOTICE OF PUBLIC
HEARING

Town of Galway
ZONING BOARD OF AP-
PEALS

NOTICE IS HEREBY GIVEN that a public hearing will be held by the town of Galway Zoning Board of Appeals on Tuesday, March 1, 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
 - Un-table Application of Thomas Maloney, for a reversal of abandonment; area variance(s); and right to re-build at property located at 3083 Ridgewood Drive, (tax parcel #198.11-1-100.3) in the Lake District of the Town of Galway.
- Donna Noble, Clerk
2/19 2253505



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

5910 Sacandaga Rd
Galway, New York 12074
518-882-6070

ZBA MEETING AGENDA

Meeting Date/Time: **Tuesday, March 1, 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 November 4, 2015 meeting
- 5) **Public Hearing**
 - Application #ZB16-001 – Un-table application of Thomas Maloney, for a reversal of abandonment; area variance(s); and right to re-build at property located at 3083 Ridgewood Drive, (tax parcel #198.11-1-100.3) in the Lake District of the Town of Galway.
- 6) **Public Meeting**
 - Application #ZB16-001 – Application of Thomas Maloney, for a reversal of abandonment; area variance(s); and right to re-build at property located at 3083 Ridgewood Drive, (tax parcel #198.11-1-100.3) 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
(518) 882-6070

ZONING

MAR 29 2016

TOWN OF GALWAY

MINUTES OF ZBA MEETING

Meeting Date: March 1, 2016

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

Meeting called to order at 7:53 pm by Chair, Mark Kindinger. Clerk called the roll:

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

MEMBERS ABSENT: Christine McCormack

ALSO PRESENT: Donna Noble, Clerk; Chet Ciembroniewicz, Building Inspector/Code Enforcement Officer; Michael Smith, Town Board Liason; and 2 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 February 2, 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 7:55 pm

Application #ZB16-001 – Un-tabling the application of Thomas Maloney, for a reversal of abandonment; area variance(s); and right to re-build at property located at 3083 Ridgewood Drive, (tax parcel #198.11-1-100.3) in the Lake District of the Town of Galway: Frederick Metzger representing Thomas Maloney explains what the applicants would like to do with the property. They are looking to get the abandonment reversed so they can remove what is left of the camp and get approval to rebuild a new structure as laid out in the plans. Due to the small size and a lot of rock on the property, they are proposing to put in a concrete holding tank for the septic system. Will only be at the property 2 or 3 months during the summer months. Ryan asks, what are the dimensions of the holding tank from the property line and the well, is there a proposal? There is nothing right now. Mark asks Chet, in order to get a building permit, does the septic have to pre-certified by our engineer? Chet answers yes. Mark explains that in reference to the abandonment issue, the Town lost a previous lawsuit so "abandonment" as currently described by the Zoning Law cannot be interpreted as it has been in the past. Until the definition is changed in the code, we cannot consider this property abandoned and can only rule on the setbacks. Also, the full septic requirements have to be met. A holding tank is being considered at this property (a conventional septic system will not work because of the close proximity of the neighbors) and the plan will be submitted to our engineer. Before being willing to rule on the

setbacks, the septic situation needs to be addressed. Mr. Metzger will work with Chet and the Town Engineer to make sure it meets the requirements. The Board will hold their decision until the septic situation is addressed and then they will work on the variances.

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

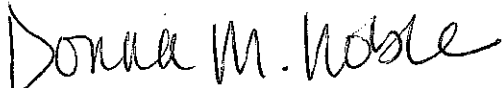
PUBLIC MEETING: Will table the application of Thomas Maloney for another month (April 5, 2016 meeting) so that a septic plan can be submitted. Motion to table application **R. Flinton**. Second by **T. Brett**. Voice vote: All ayes. Motion carried.

PRIVILEGE OF THE FLOOR: Andrew McPherson would like to discuss his application to replace a metal shed with a carport on his property located at 1022 Camp Ave., south side of the road. Carport will be in the existing footprint of the metal shed but moved forward to fit in line with his garage. Mark says that they cannot officially rule on his proposal but it looks like a workable plan. Application will be submitted and will be on the agenda for the April meeting.

OTHER BUSINESS: Discussion of the court case regarding abandonment issue. Cannot now use "abandonment" as in the past. The word "use" will have to be defined in the code and the language will need to be changed.

Motion to adjourn by H. Kopper. Second by T. Brett. Voice vote: All ayes. Motion carried. Meeting adjourned at 8:38 pm.

Respectfully submitted,



Donna Noble, Clerk