



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: March 22, 2011 – 7:30 p.m.

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

1. Convene Meeting
2. Roll Call
3. Review and approve minutes of February 22, 2011 meeting
4. Clerk's Report
5. Chair's Report
6. Public Hearing – None Scheduled
7. Public Meeting
 - Application #11/002 – Request of Dirk J. Weaver for subdivision of tax parcel #173.-1-60.1, an approximate 50-acre parcel located at 2005 NYS Route 29 in the A/R district of the town of Galway
8. Privilege of the Floor
9. Other Business
10. Adjournment



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MINUTES OF PLANNING BOARD MEETING

Date/Time of Meeting: March 22, 2011 – 7:30 p.m.

~~DRAFT~~

Approved
5/11/11

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

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

MEMBERS ABSENT: Michelle Morgan

ALSO PRESENT: Carol DeLorme, Clerk, and the applicants. Also present in the audience was Mike Tillson, town board liaison.

REVIEW AND APPROVAL OF MINUTES

All board members previously reviewed the minutes of the February 22, 2011. Motion by Mary Lynn Kopper to approve minutes as distributed. Seconded by Win McIntyre. Voice vote: All ayes. Motion carried.

CLERK'S REPORT – None

CHAIR'S REPORT

Have been corresponding with Jon Halgren (Chair of ZBA) and board attorney, Martin Pozefsky about flag lots in general and the Gomula application. Also discussed the Watson project with the flag lots and shared driveway with Marty. Marty did not feel there would be an issue with the shared driveway concept.

PUBLIC HEARING – None scheduled

PUBLIC MEETING

Application #11/002 – Request of Dirk J. Weaver for subdivision of tax parcel #173.-1-60.1, an approximate 50-acre parcel located at 2005 NYS Route 29 in the A/R district, t/o Galway

Applicants have submitted only a sketch plan; no formal survey has been completed yet. Driveway to proposed house would probably be about 600' in length. Chair asked Mr. Weaver if he has talked with NYS DOT regarding the driveway cut yet, to which Mr. Weaver replied he has not. Chair encouraged him to do so. Chair explained that while the driveway permit is not a requirement for subdivision approval it would be in his best interest, just in the off chance that DOT would not grant approval for a driveway cut. Applicant was provided with the construction specifications for driveways in excess of 500' in length. Mr. Weaver was instructed to present it to his surveyor and to familiarize himself with it as well. Statement should be included on survey/plat plan. Board members had no further questions, however, did not feel there was enough information to conduct SEQR review. As classification follows SEQR review/classification, no formal action can be taken tonight. Board reviewed information that needs to be included on survey maps with the applicant. When asked if he thought he could be ready for the April meeting, Mr. Weaver responded that he did not think so. Application will be continued in May unless applicant contacts the Clerk and asks to be placed on the April 26th agenda. 10 copies of survey/subdivision maps should be submitted for review by board members. Normally maps must be submitted no later than 14 days prior to the meeting date. However, due to the Clerk's absence the week of April 11th, if applicant calls no later than April 18 or 19 he can still be placed on the April 26th agenda.

PRIVILEGE OF THE FLOOR – None requested

OTHER BUSINESS

Mary Lynn Kopper expressed her displeasure with subdivisions that have apparently taken place and accepted for filing by Saratoga County Clerk's Office without ever having come before the PB. With regard to the two recent cases, one individual has had numerous prior applications before the PB so should be well aware of the procedure, while the other individual reportedly asked and was informed that the transaction would require PB review/approval as well as possible ZBA review/approval as the lot being created would be a substandard size lot. It appears the person went ahead and did it anyway. Also noted was that the attorney in that particular case is a local attorney who is well versed in the Zoning and PB procedures/regulations. Mary Lynn views this as unfair to residents who follow the rules and come before the PB with subdivision requests and also circumvents the rules/regulations that exist in the town and undermines the purpose of the boards. While it would seem nothing can be done as the filings have already taken place, she proposed at least asking these people to appear before the PB and explain what they did and why they didn't come before the board. Other board members raised the question of why the County is accepting and filing these papers if they do not have verification of PB approval. Discussion ensued regarding how to explore this further with the County, suggesting that a letter be sent Saratoga County Clerk and/or Real Property expressing our concern and asking what the filing procedure is and how these subdivisions are being accepted and filed without town approval. Members thought it might carry more weight if letter came from the town supervisor. Board will draft a letter and discuss it with George Hargrave to see if he would be agreeable to sending it out under his name. **Motion by Mary Lynn Kopper to draft such a letter. Seconded by Win McIntyre. Voice vote: All ayes. Motion carried.** Mary Lynn Kopper reiterated her desire to send letters to the two individuals responsible for the most recent filings. Mary Lynn volunteered to draft the letters for Chair's signature.

Brief discussion regarding meeting with ZBA, Marty Pozefsky, PB, and possibly town board to discuss various issues regarding wording and/or possible changes to the current Zoning regulations (i.e., flag lots, accessory buildings vs. garages, whether a property dissected by a road is still considered one parcel and therefore would require subdivision, etc.) Also discussed meeting with ZBA and Marty regarding the Gomula application. PB members felt joint meeting on the Gomula application is #1 priority; workshop can probably wait (will propose June or July for the workshop).

- Clerk will check with Marty regarding the legalities of conducting the joint ZBA/PB meeting
- Clerk will poll members of both boards to reach a mutually agreeable date/time; possibly May 11
- Clerk will notify the Gomulas as they must be present and send out appropriate notifications

Regarding the workshop:

- Members will be asked to submit discussion topics to the clerk so that an agenda can be drawn up

Regarding May 24th meeting – Chair and Mary Lynn Kopper will both be out of town that week. This led to discussion regarding appointing a member to serve as Chair in Ruthann's absence. **Motion by Mary Lynn Kopper to appoint Rebecca Mitchell as chair pro tem. Seconded by Win McIntyre. Voice vote: All ayes. Motion carried.** Due to the uncertainty of Michelle Morgan's availability, decision was made to change meeting night for May to the 31st (one week later). Motion to appoint Becky as chair pro tem will remain as it can be used whenever Ruthann is absent.

ADJOURNMENT - Motion for adjournment by Win McIntyre. Seconded by Rebecca Mitchell. Voice Vote: All ayes. Motion carried. Meeting adjourned at 8:55 p.m.

Respectfully submitted,

Carol L. DeLorme

Carol L. DeLorme, Clerk