

State of New York,
City and County of Schenectady

ss.:

LEGAL NOTICE
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,
May 7, 2019, beginning
at 7:30 p.m. in the Town
Hall, 5910 Sacandaga
Road, Galway, New York,
to consider the following
application:
ZB# 19-003 Application
of David Semo for area
variance(s) to construct
a garage on property
located on Hermance
Road (vacant land tax
parcel # 185-10-1-44) in
the Lake District of the
Town of Galway.
Donna M. Noble
Clerk
4/26 2374128

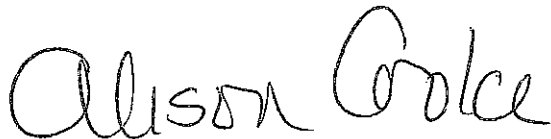
Diana Scheuer of the City of Schenectady,
being duly sworn, says that he/she is Principal
Clerk in the office of the Daily Gazette Co.,
published in the City of Schenectady and that
the notice/advertisement, of which the annexed
is a printed copy, has been regularly published
in the Daily Gazette and/or Sunday Gazette
as follows:

1 insertion on April 26, 2019



Sworn to me on this 26th day of April, 2019

NOTARY PUBLIC



ALISON COOKE
COMMISSIONER OF DEEDS
MY COMMISSION EXPIRES

07/21/2019



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

5910 Sacandaga Rd.
Galway, NY 12074
(518) 882-6070

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TOWN OF GALWAY

ZBA MEETING AGENDA

Meeting Date/Time: **Tuesday, May 7, 2019 @ 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 April 10, 2019 meeting
- 5) **Public Hearing:**
ZB#19-003 - Application of David Semo for area variance(s) to construct a garage on property located on Hermance Road (vacant land, tax parcel #185.10-1-44) in the Lake District of the Town of Galway.
- 6) **Public Meeting:**
ZVB#19-003 - Application of David Semo for area variance(s) to construct a garage on property located on Hermance Road (vacant land, tax parcel #185.10-1-44) in the Lake District of the Town of Galway.
- 7) Other Business
- 8) Adjournment



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TOWN OF GALWAY

MINUTES OF ZBA MEETING

Meeting Date: Tuesday, May 7, 2019

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

Meeting called to order at 7:30 pm by Chair, Mark Kindinger. Clerk called the roll:

MEMBERS PRESENT: Mark Kindinger, Christine McCormack, Herman Niedhammer, Mark Concilla, and Andy Decker.

MEMBERS ABSENT: None.

ALSO PRESENT: Donna Noble, Clerk; and three (3) 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 April 10, 2019 meeting. **Motion by C. McCormack** to approve the minutes. **Second by H. Niedhammer.** Voice vote: all ayes. Motion carried.

PUBLIC HEARING – opened at 7:32 pm.

ZB#19-003 - Application of David Semo for area variance(s) to construct a garage on property located on Hermance Road (vacant land, tax parcel #185.10-1-44) in the Lake District of the Town of Galway. Mr. Semo does not own the property but is under contract to purchase it, contingent on a couple of issues. Mr. Semo explains that the property is across the street. They are trying to acquire the property to build a garage on it. They have been to the Planning Board to try to do a lot line adjustment. The garage would be approximately 9 feet off the road and about 25 feet from the center of the road. Mark explains what the permitted uses in the Lake District are. The only permitted use for a piece of property in the Lake District is a residence. Also permitted are customary accessory uses which a garage would be an accessory use but that is to a primary residence on the property and that is why the two properties should be joined. Mr. Semo understands that process and is working on joining the two properties. There is a road between the two properties. Mark explains that there are a number of

properties in Galway that are divided by a road and in NY State the property owner actually own the property under the road and tells Mr. Semo that he already owns half way into the road on his side and if he acquires the other property he will own that half of the road and the road is a right of way. There is differences for some State roads. Mr. Semo explains that the issue is that there is an issue with the boundaries of the property and he is working with an attorney to straighten them out. There are no questions or concerns from the board. The variance being sought is: a 41 foot variance in the front (south side) and a 7 foot variance on the side.

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

PUBLIC MEETING

ZB#19-003 - Application of David Semo for area variance(s) to construct a garage on property located on Hermance Road (vacant land, tax parcel #185.10-1-44) in the Lake District of the Town of Galway. Mark asks the board if they have any issues with where the placement of the garage is proposed or with what is being proposed in this application. There are no issues and the proposed garage does seem to be a better use and would solve the parking problems, an improvement to the neighborhood. Mark asks if it will be a one-story garage. Yes and there will be some storage on top. The dimensions are: 36'x24'

Motion by C. McCormack to approve an area variance to allow construction of a 36'x24' garage which requires are 41 foot variance on the south side of the property 36 feet long and a 7 foot variance on the east side of the property 24 feet long. **Second by M. Concilla.** Voice vote: All ayes. Motion carried. **This variance approval is contingent upon final approval of the proposed lot-line adjustment from the Planning Board.**

PRIVILEGE OF THE FLOOR: None

OTHER BUSINESS: None.

Motion to adjourn by **C. McCormack.** **Second by C. H. Niedhammer.** Voice vote: All ayes. Motion carried. Meeting adjourned at 7:54 p.m.

Respectfully submitted,

Donna Noble
Donna Noble, Clerk