



TOWN OF GALWAY

PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

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Town of Galway Planning Board Minutes May 27, 2014

Roll Call: Chair Daino, Members Kopper, Mitchell, McIntyre, Shakarjian and also Planning Attorney Pozefsky and Clerk Talmadge.

Chair Report: At&t have withdrawn their application as no public hearing is required and they will be obtaining a building permit for their upgrades.

No. PB14008 – Boundary Line Adjustment for Estate of Sickler – 5715 and 5699 Crooked Street – Tax ID 185.-1-18 and 185.13-1-27

The project was represented by Mr. Ferguson.

After a brief discussion, McIntyre made a motion to approve the boundary line adjustment as presented and to waive subdivision requirements, public hearing and SEQR. Kopper made a second to the motion. All members voted in favor of the motion.

On a separate matter, Mr. Ferguson advised that the Berrigan subdivision on Hudson Lane has been finalized with addition of the driveway wording the board requested, thus keeping within the timeframe for subdivision filing.

No. PB14002 – Special Use Permit and Site Plan for McKenzie – 2467 Galway Rd. – Tax ID 199.-1-29.2

David McKenzie and Lisa LeTourneau represented the proposal.

Chair Daino updated the board indicating the project had come before the board and the applicant was referred to the ZBA as a home occupation in an accessory structure allows up to 800 sq ft and he needed a 400 sq ft variance to utilize the existing 1200 sq ft garage. The ZBA approved an area variance with conditions that 800 sq ft of the garage is allowed for a home occupation and that Special Use Permit and Site Plan is granted from the planning board.

Daino stated the board will be look at the use and how the home occupation will fit into that use.

Major and minor home occupation was explained as per zoning code and discussed.

Kopper indicated she believes this use may fit into the major home occupation category.

Parking of cars was discussed.

Pozefsky advised that parking cars for repair might fall into the parking requirements.

Daino indicated that parking will be determined by the board.

Daino advised under code it can not look like a business.

After discussion, McKenzie indicated the following:

No junk cars – all of the vehicles would be legally registered.
Cars would park on the left side of the garage and will not be visible from the street.
Hours would be Saturday and ½ day on Sunday and during the week no later than 8 PM.
One sign on the garage would be for NYS Inspection, if approved by the state and a road sign that would be removable.
Used oil would be recycled either through a furnace or would be removed.
No dumpster is required – residential receptacle only.
The home will not look any different, no exterior changes.
He will have no objections to limiting the number of cars as there would be approximately 3-5 cars at any given time during the week and never more than 5.
He would not want any approval to not extend to a future owner of the property.
He would need at least 1 employee as needed for some jobs.
There would be no “raised cars” and noise would not be an issue.
No cars parked in front of the garage or in the household driveway.

Daino reviewed the conditions the board is considering if approval is granted:

1. Number of cars limited.
2. Space utilized within the building limited to less than 800 sq ft.
3. Parking on left of garage only.
4. Periodic inspection by Code Enforcement.
5. No exterior display.
6. Hours of operation would be limited.
7. No additional exterior lighting other than residential type.
8. Limit number of employees.
9. NYS rules to be followed for fluids and recycling.
10. OSHA rules to be followed for any employee.

Chair Daino continued with the Board review of the Environmental Assessment Form. Kopper made a negative SEQR motion advising the Chair to sign the form on behalf of the board.

McIntyre made a second to the motion.

All members voted in favor of the motion.

Mitchell made a motion to schedule a public hearing for this proposal on June 24, 2014 beginning at 7:30 PM.

Shakajian made a second to the motion.

All members voted in favor of the motion.

No. PB14009 – Dickie – Subdivision at 5846 Jockey Street Tax ID 187.-1-44

Surveyor Art Carpenter represented the application.

Mr. Carpenter indicated when they began the process, the Dickie’s intended to market the property, however, the adjoining property owner is going to purchase the lot and therefore, they are asking the board to consider this application as a boundary line adjustment.

After some discussion, Chair Daino advised the application shall be considered a boundary line adjustment.

The property line would follow the existing stream but would be adjusted to incorporate an accessory structure that would meet the 50 feet building setback requirement. Kopper made a motion to approve the Boundary Line Adjustment as proposed with the condition the final survey map show the 50 feet building line setback for the existing storage shed and also the board waives the subdivision requirements, public hearing and SEQ. R.

The motion was seconded by Mitchell.
All members voted in favor of the motion.

**No. PB14010 – 1710 Route 29 – Bibens/Whalens – Site Plan and Special Use Permit
Tax ID 172.-2-15.2**

Mr. Bibens represented his application explaining he would have retail operations, a local farm market and local crafts.

Chair Daino explained that he would need to have property owner written permission in order for the board to move forward to a public hearing, however, the board is willing entertain the project as Privilege of the Floor.

Bibens indicated the property has approval currently for a 3 phase building and only 1 phase has been completed.

Pozefsky advised that a new Special Use Permit and Site Plan would be required for any changes to the original approvals.

The site plan provided to the board was discussed at length resulting in the following items that would need to be included in the new application:

1. Spot elevations.
2. Elevations for drainage, proposed and existing.
3. Site contours and grading.
4. Septic information and location.
5. Landscaping materials and specifics.
6. Water usage estimate.

Daino advised the applicant to come back when he has additional information and a letter from property owner or proof of ownership. At that time the board would review the application as a new Special Use Permit and Site Plan.

Mr. Bibens advised he would continue to work the site with the approved plan in order to start his business and will let the board know when he will be back.

Privilege of the Floor: A resident on Alexander Road inquired about subdividing and the requirements for identifying any wetlands.

Daino explained all build-able area shall be outside of the required DEC buffer.

There was no other business.

Everyone had an opportunity to speak.

The meeting was adjourned.

Respectfully submitted,

Susan Talmadge
Clerk