

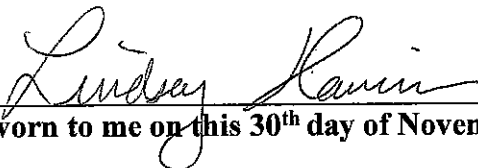
State of New York,
City and County of Schenectady

ss.:

**TOWN OF GALWAY
Planning Board
NOTICE OF
PUBLIC HEARING**
NOTICE IS HEREBY GIVEN
that the Town of Galway
Planning Board will con-
duct a public hearing on
Tuesday, November 22,
2016 at 7:30 p.m. in the
Town Hall, 5910 Sacandaga
Road, Galway, NY, to con-
sider the following appli-
cations:
Application #PB16-001:
Application of Dirk Weaver
for a two lot sub-division
of property located at 2005
Route 29, (tax parcel no.:
173-1-60.11) in the A/R
District in the Town of Gal-
way.
Application #PB16-015:
Application of Bills Road,
LLC for a two lot sub-division
of property located
at 2485 Bills Road, (tax
parcel no.: 174-1-91) in the
A/R District in the Town of
Galway.
Donna M. Noble
Clerk
11/16 2283712

**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:**

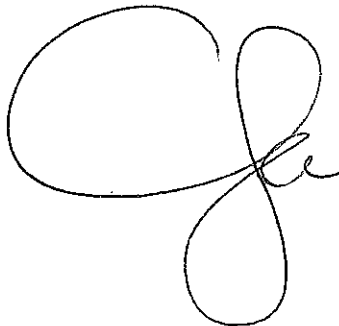
1 insertion on November 16, 2016


Sworn to me on this 30th day of November, 2016

NOTARY PUBLIC

**ALISON COOKE
COMMISSIONER OF DEEDS
MY COMMISSION EXPIRES**

4/2/2017





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: **November 22, 2016 - 7:30 p.m.**

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

1. Convene Meeting
2. Roll Call
3. Review of minutes of the October 25, 2016 meeting
4. Clerk's Report
5. Chair's Report
6. **Public Hearing:**
7. **Application - #PB16-001:** Application of Dirk Weaver for a two lot sub-division of property located at 2005 Route 29, (tax parcel no.: 173.-1-60.11) in the A/R District in the Town of Galway.
Application - #PB16-015: Application of Bills Road, LLC for a two lot sub-division of property located at 2485 Bills Road, (tax parcel no.: 174.-1-91) in the A/R District in the Town of Galway.
8. **Public Meeting:**
Application - #PB16-001: Application of Dirk Weaver for a two lot sub-division of property located at 2005 Route 29, (tax parcel no.: 173.-1-60.11) in the A/R District in the Town of Galway.
Application - #PB16-015: Application of Bills Road, LLC for a two lot sub-division of property located at 2485 Bills Road, (tax parcel no.: 174.-1-91) in the A/R District in the Town of Galway.
Application - #PB16-016: Application of Tom Eletto to build a solar farm on property located on Route 29, (tax parcel no.: 172.-2-41.1) in the A/R District in the Town of Galway.
9. Privilege of the floor
10. Other business
11. Adjournment



TOWN OF GALWAY

PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

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TOWN OF GALWAY

MINUTES OF PLANNING BOARD MEETING

Date/Time of Meeting: November 22, 2016 - 7:30 p.m.

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

MEMBERS PRESENT: Rebecca Mitchell, Mary Lynn Kopper, Win McIntyre, Mikel Shakarjian and Donna Noble, Clerk

MEMBERS ABSENT: None

ALSO PRESENT: Martin Pozefsky, Esq., Chet Ciembroniewicz, applicants (3) and 7 other people.

REVIEW AND APPROVAL OF MINUTES:

All board members previously reviewed the minutes of the October 25, 2016, meeting. One correction made. **Motion by Win** to approve the minutes with one correction.

Second by Rebecca. Voice vote: 4 ayes. 1 abstain (Mikel, not at October meeting).

Motion carried.

CLERK'S REPORT: Three maps filed. Subdivision of lands of Michael A. DeLucia, lot line adjustment between lots 1 and 2 of Colleen M. O'Hara, and a lot line adjustment of lands of Bruce and Monica T. Vanderhoof.

CHAIR'S REPORT: A couple of things to go over in other business.

PUBLIC HEARING:

Application - #PB16-001: Application of Dirk Weaver for a two lot sub-division of property located at 2005 Route 29, (tax parcel no.: 173.-1-60.11) in the A/R District in the Town of Galway. Neighbor Jess Czubernat, who's property borders Mr. Weaver feels that there is a discrepancy in the property line. It is the Boards understanding that the property line has been moved until the property line issue is resolved. The proposed line for the new lot has been kept 110 feet away from the disputed property line so that there is room to adjust it in the future if necessary. Mr. Czubernat does not have an issue with the line being moved. He is more concerned with losing 50 feet of the road frontage and that the property has been incorrectly surveyed, in their opinion. Ruthann explains that if there is a dispute, then they will need to have a survey done themselves.

The board cannot say who is right and who is wrong. The board cannot do anything about the disputed property lines. How it is presented to them now is that the property line is being moved and that what is being disputed is being shown on the map. The Weaver's are not creating their subdivision in the disputed area. Ruthann suggests that they continue their research with another surveyor or an attorney to get to the bottom of how the area came to be disputed. Ms. Hall, another bordering neighbor is also concerned about her property and what is being disputed. Ruthann assures her that the footage on her property is also being shown as disputed. Ms. Hall and the Czubernat's look at the tax maps and Mr. Weaver's map with the Board. The subdivision area is not near the disputed area. The Weavers have accommodated the line with 110 feet of play until the issue is resolved. The Weavers will do a lot line adjustment once the dispute is resolved.

Application - #PB16-015: Application of Bills Road, LLC for a two lot sub-division of property located at 2485 Bills Road, (tax parcel no.: 174.-1-91) in the A/R District in the Town of Galway. No comments or questions from the audience.

Motion by Mary Lynn to close public hearing. **Second by Win.** Voice vote: All ayes. Motion carried.

PUBLIC MEETING:

Application - #PB16-001: Application of Dirk Weaver for a two lot sub-division of property located at 2005 Route 29, (tax parcel no.: 173.-1-60.11) in the A/R District in the Town of Galway. During initial review Mr. Weaver mentioned that he applied for a DOT drive-way permit and was looking to get an "unofficial" answer from them. Mr. Weaver had a phone conversation with Dan from DOT. Dan said he took a ride out and said everything looked good and that the permit was on its way. **Motion by Win** to approve Application PB-16-001 for a 2 lot minor subdivision, contingent on receiving the DOT permit. **Second by Rebecca.** Voice vote: All ayes. Motion carried.

Application - #PB16-015: Application of Bills Road, LLC for a two lot sub-division of property located at 2485 Bills Road, (tax parcel no.: 174.-1-91) in the A/R District in the Town of Galway. The only thing the board was looking for on this application was the drive way note on the map for any future driveways over 500 feet. The board was shown the drive way note on the map. No questions or comments from the board. **Motion by MaryLynn** to approve Application PB-16-015 for a 2 lot minor subdivision. **Second by Rebecca.** Voice vote: All ayes. Motion carried.

Application - #PB16-016: Application of Tom Eletto to build a solar farm on property located on Route 29, (tax parcel no.: 172.-2-41.1) in the A/R District in the Town of Galway. Mr. Eletto explains what he would like build a solar farm on his property in Galway to solar power his house (and others) in Saratoga. Ruthann asks how tall are the panels. 3 feet by 5 feet. They are placed on a pedestal just high enough for a mower to go under them. Who will install the panels - Mr. Eletto, being a general contractor and is familiar with the energy business, will install the panels with help from other professionals in the business and also C.T. Male. Ruthann explains to Mr. Eletto that there is nothing in the zoning ordinance that addresses the installation or where a solar farm would be permitted in the town so she has asked Mr. Pozefsky, the planning board town attorney to be present at the meeting to discuss this further. There are numerous questions and certainly more than a sketch would be needed. Mr. Eletto

agrees and says that this meeting is more to see what the general feeling is and direction on how/what needs to be done. Marty would like to know who will actually use the power and if it will be turned back over to national grid at some point. It will be private use and will not be turned back over to national grid. One question Marty has is if that use is permissible in that zone. That zone permits public utility installation but does not permit public utility buildings. A use variance may be needed to put a building up. Mr. Eletto says there won't be a building just a concrete slab with a transformer on it. For the boards benefit, Marty explains that this is similar to a cell tower - construction, removal eventually, buffering, engineering, those kinds of things. There will questions about security and whether the public service commission has to be involved. National grid will have to be involved and approve. Ruthann asks Mr. Eletto if he has spoken to NYSERDA. Yes, he has. This is the type of program that they are funding and promoting in NY State right now. Nobody is clear on who gets asked first, then who goes next. The next steps that are recommended by the board: See a full map with proposed phases and layouts, Public Service Commission, Have an Engineer put together a plan for the board to look at, Specify on who and what exactly will need to be involved. Mikel mentions that she was looking at National Grid's development zone and Galway is somewhat in the development zone but Mr. Eletto's property is just outside of the zone. She asked if he has contacted National Grid. She further explained that there is a large back log of applications and that they are focusing more on the applications that are in their prime zone. The board feels that until they have more information about this application, they cannot decide on anything.

PRIVILEGE OF THE FLOOR: Chris Buskey, lives at 6024 Hermit Point Road, started doing work on his property, applied for a building permit and did a property line adjustment without planning board approval. There is also a stop work order on the property. He apologizes and says he didn't realize there was a step by step process. He shows the board a map of his property, the parcels that he owns and where he made the lot line adjustment. He explains that he wanted to move the lines so that he can build on one of the parcels for his daughter. The board explains to Mr. Buskey that he will need to fill out an application and have it in by December 1 to be on the agenda for the December meeting. Mr. Buskey will do that and plans to be on the agenda for December.

OTHER BUSINESS: An anonymous letter was sent to the planning board regarding the property at 5849 Greens Corners Road. The person who wrote the letter believes that the family is operating a business, Invisible Fence, without the permission of the town. Chet will look into it.

The board receives their new "books". Ruthann reads the local law and they discuss what the some of the updates are.

Motion by MaryLynn to adjourn. Second by Mikel. Voice vote: All ayes. Motion carried. Meeting adjourned at 8:46 p.m.

Respectfully submitted,

Donna Noble

Donna Noble, Clerk