

**PLEASE TAKE NOTICE:** The monthly meeting for the town of Galway Planning Board will be held on Tuesday, November 26, 2013 beginning at 7:30 pm at the town hall located at 5910 Sacandaga Road, Galway NY 12074

**The agenda is as follows**

1. Roll call.
2. Approval of the October 22, 2013 meeting minutes.
3. Clerk's report.
4. Chair's report.
5. Public hearing No. 13-007 – 3 lot subdivision - Berigan 5355 Hudson Dr. Tax ID 199.-1-67.
6. Public hearing No. 13-009 Special Permit and Site Plan Galway Rock Vineyard & Winery Tax ID 211.-1-45 Mullin Trust 1417 Kania Rd.
7. Review No. 13-001 - 2 lot subdivision lands of Gomula 44604 Jersey Hill.
8. Review No. 13-011 - 2 lot subdivision lands of Milton Tax ID 199.-1-31.1
9. Public meeting Application 13-007 Berigan
10. Public meeting Application 13-009 Mullin
11. Privilege of the Floor.
12. Other business.

**Town of Galway Planning Board meeting minutes for November 26, 2013**

The meeting was called to order by Chair Daino at 7:30pm.

Members present: Ruthann Daino, Chair, Win McIntyre, Rebecca Mitchell, Mary Lynn Kopper, Mikel Shakarjian.

Also present: Attorney Martin Pozefsky, Clerk Susan Talmadge and approximately 7 persons from the public.

The minutes of 10/22/13 were discussed and corrected – pg1 Public Hearing changed to Public Meeting. Pg 2 13-007 changed to 13-005 – format was discussed for change at next meeting agenda. McIntyre made a motion to approve the minutes as written with the mentioned changes. Kopper made a second. All members voted in favor of the motion.

Clerk's report: Applicant Milton – informed EAF to be submitted. Mr. Milton was present and completed the form for the board.

There was no Chair report.

**Public Hearing No. 13-007** – 3 lot subdivision – Berigan 5355 Hudson Drive Tax ID No. 199.-1-67 Mr. Foss, Surveyor, represented the project.

Chair Daino opened the public hearing.

There were no comments from the public.

Everyone had an opportunity to speak.

The public hearing was closed.

**Public Hearing No. 13-009** – Site Plan and Special Use Permit – Galway Rock Vineyard & Winery 1417 Kania Rd Tax ID No. 211.-1-45 Laura Soldani represented the project.

Chair Daino opened the public hearing.

There were no comments from the public.

Everyone had an opportunity to speak.

The public hearing was closed.

**Public Meeting No. 13-007** – Berigan – was opened by Chair Daino.

Mr. Foss confirmed questions from last month – there is more than 50 feet from property line – lot 1 and the house is more than 100 feet.

The barn will be removed due to it coming down in the last storm.

The map will be updated for final signing with the driveway note as per Section 503 & 511 of the NYS Fire Code.

After brief discussion McIntyre made a motion to approve the minor 3 lot subdivision with the condition the driveway note is added to the final survey map.

Kopper made a second to the motion.

All members voted in favor of the motion.

**Public Meeting No. 13-009 – Galway Rock Vineyard & Winery** was opened by Chair Daino.

Attorney Pozefsky advised he had confirmed the Kania Rd address as talked about at the last meeting.

Daino asked for a brief update.

Soldani indicated there would be no night hours, weekends and occasional hours.

No published hours and no employees at this time.

The press is hand operated and makes less noise than a lawn mower – this is occasional when the pressing is done.

Activity would be mostly in the garage.

Pozefsky advised the board could condition anything they want with any approvals.

After a brief discussion Shakarjian made a motion to approve the Site Plan and Special Use Permit with the condition that the appropriate license and renewal license required by state and federal licensing regulations be copied to the town Planning Board.

Board discussion ensued.

Pozefsky advised if they receive approval and move to another location then they would need approvals and if they sell the current location property then they can sell it as it is approved. Approvals stay with the land as long as the conditions of approval are met.

Kopper made a second to the motion made by Shakarjian.

All members voted in favor of the motion.

**Review No. 13-001 Gomula – 4604 Jersey Hill Rd**

Chair Daino indicated she had researched zoning and believes a subdivision is not possible but an accessory apartment is possible as per code section 115-52 Special Use Permit approval is required and there are other restrictions – some are less than 960 sq ft, no more than two bedrooms, the application has to be submitted by the land owner.

Mrs. Kenyon explained she would have to follow-up with the organization involved with supplying the home to her sister, as her sister needs to keep the home for a minimum of 10 years and she would not be the owner of the property.

They will return with additional information.

No action was taken on this project.

**Review No. 13-011 Milton – 2397 Galway Rd**

Chair Daino advised Mr. Milton would have to obtain curb cut permission from the county for Lot No. 2.

Chair Daino indicated the required driveway not must be added to the final map as per section 503 & 511 of the NYS Fire Code.

The Short SEQR EAF was addressed.

Mitchell made a negative SEQR motion advising the Chair to sign the EAF on behalf of the board. Kopper made a second to the motion.

All members voted in favor of the motion.

Kopper made a motion to classify the project as a minor two lot subdivision and to schedule a public hearing on December 17, 2013 at 7:30pm.

McIntyre made a second to the motion.

Mitchell advised she would not be in attendance on that date.

All other members voted in favor of the motion.

Privilege of the Floor: None.

Other business: Board discussion regarding an issue of contamination on Galway Lake – McIntyre explained it is most likely a failed septic system. The Building Inspector has been out to the site and is addressing the situation. There was a subdivision of 4 lots in 2006 and the vacant lot was sold in 2010. Upon re-surveying, they discovered the septic is on the neighbors yard. Research of Singh & Aletto subdivision is in order.

There was no other business.

The meeting was adjourned at 9:00pm.

Respectfully submitted,

Susan Talmadge  
Clerk