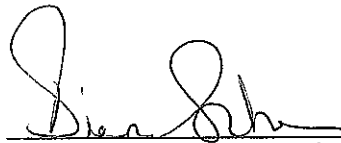


State of New York, ss.:  
City and County of Schenectady

LEGAL NOTICE  
TOWN OF GALWAY  
Planning Board  
NOTICE IS HEREBY GIVEN  
that a public hearing will  
be held by the town of  
Galway Planning Board  
on Tuesday, November  
26, 2019 beginning at  
7:30 p.m. in the Town  
Hall, 5910 Sacandaga  
Road, Galway, New York,  
to consider the following  
application:  
Application #PB19-011  
Application of Cath-  
erine Jones for a Home  
Occupation Permit. Ap-  
plication on property lo-  
cated at 1930 Hermance  
Road (tax parcel no.  
186-1-15-112) in the A/R  
District of the Town of  
Galway.  
Donna M. Noble  
Clerk  
11/22 2393503

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 November 22, 2019



Sworn to me on this 24<sup>th</sup> day of January 2020

NOTARY PUBLIC



PAULA A. OPEL  
COMMISSIONER OF DEEDS  
MY COMMISSION EXPIRES

07/22/2021



**TOWN OF GALWAY**  
**PLANNING BOARD**  
**SARATOGA COUNTY, NY**  
**ESTABLISHED 1792**

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

**RECEIVED**

NOV - 0 2019

**PLANNING BOARD MEETING AGENDA**

**TOWN OF GALWAY**

Meeting Date/Time: **November 26, 2019 - 7:30 p.m.**  
Location: Town Hall – 5910 Sacandaga Road, Galway, NY

1. Convene Meeting
2. Roll Call
3. Review of minutes of October 22, 2019 meeting
4. Clerk's Report
5. Chair's Report
6. Public Hearing:  
**Application #PB19-011** - Application of Catherine Jones for a Home Occupation Permit Application on property located at 1930 Hermance Road (tax parcel no.: 186.-1-15.112) in the A/R District of the Town of Galway.
7. Public Meeting:  
**Application #PB19-011** - Application of Catherine Jones for a Home Occupation Permit Application on property located at 1930 Hermance Road (tax parcel no.: 186.-1-15.112) in the A/R District of the Town of Galway.  
**Application #PB19-005** - Continuation of application of Galway Co-Op for a Site Plan Review/Special Use Permit on property located at 6049 Fish House Road (tax parcel no.: 172.00-1-57) in the Commercial, C-1 District of the Town of Galway.  
**Application #PB19-009** - Application of Roger and Donna Malebranche for a minor/major subdivision on property located at 1381 Point Road (tax parcel no.: 198.-2-1) in the Lake District of the Town of Galway.  
**Application #PB19-010** - Application of Capri Construction 426, LLC for a Site Plan Review/Special Use Permit on property located on NYS Route 29 (tax parcel no.: 172.-1-41) in the Commercial, C-1 District of the Town of Galway.  
**Application #PB19-012** - Application of James Reedy, Jr. for a Minor/Major Subdivision on property located at 5504 Crane Road (tax parcel no.: 186.-2-20) in the A/R District of the Town of Galway.  
**Application #PB-013** - Application of Lakeview Lodge LLC, Linia Kilgallen, for a Minor/Major subdivision on property located on Lake Road (tax parcel no.: 198.-1-33.12) in the Lake District of the Town of Galway.  
**Application #PB19-014** - Application of Stephen and Anita Raeburn for a Lot Line Adjustment on properties located at 4916 Jockey Street (tax parcel no.: 213.00-1-16.2) and 4904 Jockey Street (tax parcel no.: 213.00-1-16.3) in the A/R District of the Town of Galway. (2 options, 2 maps).
8. Privilege of the floor
9. Other business
10. Adjournment



**TOWN OF GALWAY**  
**PLANNING BOARD**  
**SARATOGA COUNTY, NY**  
**ESTABLISHED 1792**

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

RECEIVED

NOV 17 2019

TOWN OF GALWAY

**MINUTES OF PLANNING BOARD MEETING**

**Date/Time of Meeting:** November 26, 2019, 7:30 p.m.

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

**MEMBERS PRESENT:** MaryLynn Kopper and Rebecca Mitchell

**MEMBERS ABSENT:** Win McIntyre and Mikel Shakarjian

**ALSO PRESENT:** Donna Noble, Clerk, Treavor Gilday, Building Inspector/Code Enforcement Office, Ryan Pezzulo, Esq., and approximately sixteen (16) people in the audience.

**REVIEW AND APPROVAL OF MINUTES:** All board members previously reviewed the minutes of the October 22, 2019 meeting. Corrections needed. **Motion by Rebecca** to approve the minutes with corrections. **Second by MaryLynn.** Voice vote: All ayes. Motion carried.

**CLERK'S REPORT:** None

**CHAIR'S REPORT:** None

**PUBLIC HEARING: Application #PB19-011** - Application of Catherine Jones for a Home Occupation Permit Application on property located at 1930 Hermance Road (tax parcel no.: 186.-1-15.112) in the A/R District of the Town of Galway. Owen Germain, neighbor, is not clear on this use (Home Occupation) and would like clarification. Ruthann explains each classification and why this application is considered a "minor" (because of the sign). She explains what Ms. Jones will be doing. Mr. Germain asks the hours of operation and also asks that there not be parking on the road. The hours of operation will be Tuesday-Saturday 10:00 a.m. to 6:00 p.m. There will be no cars parking on the road as Ms. Jones has plenty of parking in her driveway. No other comments or concerns.

**Motion by Marylynn** to close public hearing. **Second by Rebecca.** Voice vote: All ayes. Motion carried. Public hearing closed at 7:42.

**PUBLIC MEETING: Application #PB19-011** - Application of Catherine Jones for a Home Occupation Permit Application on property located at 1930 Hermance Road (tax parcel no.: 186.-1-15.112) in the A/R District of the Town of Galway. There are no concerns from the board. Ruthann explains to Ms. Jones that she will have to fill out the application for a sign. Again, there is discussion of hours of operation (Tuesday - Saturday, 10:00 a.m. to 6:00 p.m).

**Motion by Marylynn to approve the minor home occupation. Second by Rebecca.**  
Voice vote: All ayes. Motion carried.

**Application #PB19-005** - Continuation of application of Galway Co-Op for a Site Plan Review/Special Use Permit on property located at 6049 Fish House Road (tax parcel no.: 172.00-1-57) in the Commercial, C-1 District of the Town of Galway. Mr. Sutton gives additional copies of the site plan that were requested. Board looks them over. When the board last met there was discussion of the engineer's report. At the last meeting there was discussion of the engineer's review of the existing septic system and whether it would service the new residential apartment spaces. It was determined that it could not and Mr. Casadei since changed the size of the apartments to one one bedroom apartment and one two bedroom apartment. Also, two shed variances have been granted. Ruthann asks Mr. McNamara if he is okay with the new septic system. He is as it will support the changes to the apartment sizes. There are no other outstanding engineering issues. The DOT permit has not been issued yet. Ruthann spoke to and received an e-mail from someone at the Department of Transportation. She explained that Mr. Casadei will need to fill out the commercial driveway permit. There are 3 steps total. It could take 1-3 months. The last site plan/special use permit approval was conditional on three items and one of them was the DOT permit. The other two items have been taken care of. Ruthann asks if they are still proposing the display of propane tanks in the front yard. There is one tank there now but there will not be anymore. The tank is empty and is just for display. Ruthann suggest that in the notes that say what variances have been granted to the Co-Op on May 1, 2018, put a note on the plan that by a subsequent variance application, you eliminated the two side by side 20'x20' equipment sheds and replaced them with the 24'x24' and 12'x24' sheds and add what date the variances were approved. The last outstanding item is the DOT permit.

**Motion by Rebecca to schedule this application for a public hearing. Second by MaryLynn.**  
Voice vote: all ayes. Motion carried.

**Application #PB19-009** - Application of Roger and Donna Malebranche for a minor/major subdivision on property located at 1381 Point Road (tax parcel no.: 198.-2-1) in the Lake District of the Town of Galway. Mr. Rabideau speaks on behalf of the Malebranche's. He goes over the layout of the map. He states that there has been a perk test at each location. After last month's meeting there was a question of the actual location of the Malebranche's house. The location of the house may not meet the zoning requirements and as a pre-existing condition, Mr. Rabideau asks if this is a grandfathered situation or will a variance be needed? The Board looks over the map. Ruthann does not think there is a standard setback from just a right-of-way and she would say this is a pre-existing condition but, does have concerns. One concern is that the 10 foot wide easement that is being added to be granted to the Town of Galway - the Town of Galway doesn't currently own that right of way. Mr. Rabideau noticed that wording after final review. It is not clear who owns the right-of-way but he will word it differently on the map. The road should meet the standards for fire truck access. This will not affect the radius that has been established. Ruthann asks Mr. McNamara if the perk test area should be shown on the subdivision map or just on the individual site plan when they come in for their building permits. Mr. McNamara thinks it is a good idea to show them on the site plan map along with the perk test results. Ruthann does not understand how the proposed ingress and egress will function in terms of fire truck access and where they will turn around. Mr. Rabideau shows how this will work on the

map. Ruthann reviewed this with the Fire Chief and the Code Enforcer. It seemed limiting to them for getting the fire truck in and out. Ruthann asks for more detail in showing a turning area that will guaranty that this will work for them (fire chief and code enforcer). Recap of things to add to the map: perk test location on each of the proposed lots with the results of each perk test; change the wording of the 10 foot wide easement - not granting to the Town of Galway; additional information of the turn around and fire truck access; and cross section of the driveway (how it will be constructed).

**Application #PB19-007** - Application of Chris and Amy Kelley for a minor/major subdivision on property located on Dam Road (tax parcel no.: 198-1-87.1) partially in the A/R District and partially in the Lake District of the Town of Galway. Lake Association is continued issue with this application. Property being purchased IS lake front property, (former Amsterdam water works property). The problem would come in upon the future sale of this property. Mr. Sutton (on behalf of the Kelley's) asks that this Board go forward notwithstanding the correspondence from the Lake Association. They are fully aware of the Lake Association's position nonetheless, they wish for the matter to go forward. There is also question with the deed that is being worked out. In Ruthann's correspondence with Mr. Trainor, he did not see a problem in going forward with the subdivision of this property. The Board is aware of a potential future issue but it will not impact their decision. SEQR has previously been reviewed along with the public hearing.

**Motion by Rebecca** to adopt the prior SEQR determination. **Second by MaryLynn.**  
Voice vote: All ayes. Motion carried.

**Motion by Rebecca** to approve the two lot minor subdivision and lot line adjustment.  
**Second by MaryLynn.** Voice vote: All ayes. Motion carried.

**Application #PB19-010** - Application of Capri Construction 426, LLC for a Site Plan Review/Special Use Permit on property located on NYS Route 29 (tax parcel no.: 172.-1-41) in the Commercial, C-1 District of the Town of Galway. Engineer (Mr. Garry Robinson) go over the newly submitted plan. He wants to make sure everybody is clear on what the use is. Storage units. There is no office, water or septic on the site. Based on a typical commercial site plan requirements Ruthann has things that need to be shown on the map: along with the existing grading it will also need to show the proposed grading; storm water flow and how big the potential storm water management areas would have to be at full build out; driveway parking lane dimensions; percentage of impervious coverage; there is a question as to whether the driving and parking areas are considered impervious. Mr. McNamara asks if it will be gravel. Yes. Mr. DiMeo explains that due to the types of trees on the property they have thought about mulching it and using that as the driveway. They would recycle the trees as the driving area and create better filtration. Mr. McNamara asks how would that be plowed? Ruthann explains that that is something that will break down over time. Ruthann asks Mr. McNamara if there is anything else that he would need for his review. There is discussion again of the storm water calculations and location. There have not been any soil tests yet. There is a question of specifications and Ruthann explains that there is a list of requirements on the application. She also explains that they will need spot elevations, and shot topography as it will help with storm water calculations and proposed grading. Mr. McNamara will look at the site and let Ruthann know what the escrow amount should be. She will let Mr. DiMeo know at the December meeting. Mr. DiMeo has some concern over this costly process to go forward with no guaranty that

the project will be approved. Ruthann explains that can't guaranty that this application will be approved but, she doesn't see any issues and this property is in the commercial zone and this is certainly an allowable use. The application is pretty straight forward. They will continue to come to the meetings with updates.

**Application #PB19-012** - Application of James Reedy, Jr. for a Minor/Major Subdivision on property located at 5504 Crane Road (tax parcel no.: 186.-2-20) in the A/R District of the Town of Galway. Ruthann explains to Mr. Reedy that we did not get this into the paper to publish the public hearing notice. She also tells Mr. Reedy that there is just a couple of things needed to the map: proposed lot lines need to be labeled for the new lines that are being created and a change to the proposed driveway note. We will get the public hearing noticed published for a public hearing in December.

**Application #PB-013** - Application of Lakeview Lodge LLC, Linia Kilgallen, for a Minor/Major subdivision on property located on Lake Road (tax parcel no.: 198.-1-33.12) in the Lake District of the Town of Galway. Mr. Kilgallen is here to speak on behalf of Lakeview Lodge. First thing Ruthann asks Mr. Kilgallen if he got authorization from the Beck's (property owners) to act as their agent. Yes, but he does not have it with him. Ruthann explains that the board can review the application but cannot take any action without authorization. Mr. Kilgallen explains the map; the lots and where they would like to subdivide. The map provided is general with not many specifics. Ruthann lets Mr. Kilgallen know that they map will need to be a little more detailed. Also, again, she reminds him that he will need to bring the authorization from the Becks.

**Application #PB19-014** - Application of Stephen and Anita Raeburn for a Lot Line Adjustment on properties located at 4916 Jockey Street (tax parcel no.: 213.00-1-16.2) and 4904 Jockey Street (tax parcel no.: 213.00-1-16.3) in the A/R District of the Town of Galway. (2 options, 2 maps). Mr. Carpenter is representing Mr. and Mrs. Raeburn. There are two options and Ruthann asks what is the difference between the two options and which one are they leaning towards? They are leaning towards option "A". The difference in the two options is the amount of road frontage. The board and Mr. Carpenter review each map. The board is not sure if this application should go before the Zoning Board of Appeals. Mrs. Raeburn comes forward and explains that she spoke to Mark Kindinger, Zoning Board of Appeals Chair and he told her that "it would come to the Planning Commission and whatever the Planning Commission approved then it is more of a formality then what the Zoning Board would approve". Both lots are believed to have been existing before the code. One lot was created in 1990. The outcome would be to make each lot an improved lot. A new lot isn't being created. The Board feels that Option A would make 2 nicer lots.

**Motion by Rebecca** to waive SEQR review and the public hearing and approve the lot line adjustment (Option "A"). **Second by MaryLynn.** Voice vote: all ayes. Motion carried.

**DRAFT**

**PRIVILEGE OF THE FLOOR:** None

**OTHER BUSINESS:** None

**Motion by Rebecca** to adjourn. **Second by MaryLynn.** Voice vote: All ayes. Motion carried.  
Meeting adjourned at 9:42 p.m.

Respectfully submitted,

*Donna Noble*

Donna Noble, Clerk