



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 27, 2012 - 7:30 p.m.**

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

1. Convene Meeting
2. Roll Call
3. Review of minutes of October 23, 2012 meeting
4. Clerk's Report
5. Chair's Report
6. Public Hearing
 - Application #12/011 – Application of Stewart's Shops Corp for site plan approval/special use permit for redevelopment of tax parcel #172.-2-13.121 located at 1841 Route 29 in the Commercial Zone of the town of Galway and construction of a Stewart's Shops convenience store with self-service gas pumps
7. Public Meeting
 - Application #12/011 – Application of Stewart's Shops Corp ... tax parcel #172.-2-13.121
8. Privilege of the floor
9. Other business
10. Adjournment



TOWN OF GALWAY

PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

MINUTES OF PLANNING BOARD MEETING

Date/Time of Meeting: November 27, 2012 – 7:30 p.m.

MEETING CALLED TO ORDER at 7:32 p.m. by Chair, Ruthann Daino.

MEMBERS PRESENT: Ruthann Daino; Chair, Rebecca Mitchell, Mary Lynn Kopper, Win McIntyre, Mikel Shakarjian, Carol DeLorme; Clerk, Martin Pozefsky; board counsel

MEMBERS ABSENT: None

ALSO PRESENT: Mike Tillson (town board liaison), applicant, and one person in the audience

REVIEW AND APPROVAL OF MINUTES

All board members previously reviewed the minutes of the October 23, 2012 meeting.

Motion by Mary Lynn Kopper to approve the minutes as presented. **Second by Win McIntyre.** Voice vote: All yeas. Motion carried.

CLERK'S REPORT - Nothing to report

CHAIR'S REPORT - Nothing to report

PUBLIC HEARING

Clerk read the legal notice as it appeared in the *Daily Gazette* on November 16, 2012

Application #12/011 – Application of Stewart's Shops Corp for site plan approval/special use permit for redevelopment of tax parcel #172.-2-13.121 located at 1841 Route 29 in the Commercial Zone of the town of Galway and construction of a Stewart's Shops convenience store with self-service gas pumps
Tom Lewis was again in attendance representing Stewart's Shops Corp. No comments/questions from members of the audience.

Motion by Win McIntyre to close the public hearing. **Second by Mary Lynn Kopper.** Voice vote: All yeas. Motion carried. PUBLIC HEARING CLOSED 7:35

PUBLIC MEETING

Application #12/011 ... Stewart's Shops Corp for site plan approval/special use permit ... tax parcel #172.-2-13.121

Board reviewed/discussed recommendations from NYS DOT (email forwarded 11/21/12 from Lorinda Tennyson, P.E.) Reviewed and discussed revised planting plan.

Stewart's replacing arborvitaes with Colorado blue spruce trees on sides abutting neighbors' properties in compliance with request at last month's meeting. Reviewed and discussed memo received from town engineer, Jim Mitchell. Again discussed Stewarts' need to comply with all requirements of NYS DEC regarding removal of any contaminated soil and/or removal of any hazardous waste materials on the site. Mr. Lewis indicated agreement. Chair asked Mr. Lewis if he has contacted town highway superintendent, Dave Costanzo, regarding the driveway on Dean Lung Rd (appears to be slightly more north than previous driveway). Mr. Lewis indicated he has not but also indicated his willingness to do so. Board then discussed possible conditions/stipulations that should be included in special use permit. 1) Compliance with all DOT requirements as set forth in email forwarded 11/21/12 from Lorinda Tennyson, P.E.; 2) Contact town of Galway highway superintendent regarding ingress/egress on to Dean Lung Rd; and, 3) Compliance with all DEC requirements regarding hazardous waste/soil contamination cleanup.

Motion by Mary Lynn Kopper to grant final approval to site plan submitted by Stewart's Shops Corp (Application #12/011) for redevelopment of tax parcel #172.-2-13.121 located at 1841 NYS Rte 29 in the C-1 Commercial Retail District of the town of Galway for the purpose of construction of a Stewart's Shops convenience store with self serve gas pump, as per plan submitted with the application (most recent modification received 11/27/12) and thereby authorizing the zoning/code enforcement officer to issue a special use permit with the above stated conditions/stipulations. **Second by Mikel Shakarjian**. Roll call vote: Ruthann Daino, yes; Mary Lynn Kopper, yes; Win McIntyre, yes; Rebecca Mitchell, yes; Mikel Sharkajian, yes. Motion carried. **GRANTED FINAL APPROVAL – SPECIAL USE PERMIT AUTHORIZED**

PRIVILEGE OF THE FLOOR – None requested

OTHER BUSINESS

Board discussed cancelling December meeting in keeping with past policy. (Clerk noted that there are currently no other applications before the board for review.) **Motion by Win McIntyre** to cancel the December Planning Board meeting. **Second by Rebecca**

Mitchell. Roll call vote: All yeas. Motion carried. DECEMBER MEETING TO BE CANCELLED.

Chair reported that Judy Kenyon was able to get her neighbor (who owns the driveway leading to her sister's property) to put [Judy's] name on the deed to the driveway. Therefore will probably want to move forward with her request for subdivision. Again advised her that she will need to submit a new application. Judy stated she is having some difficulty obtaining a FEMA trailer at this point, however, so may not be until January or later before she submits an application.

Motion for adjournment by Rebecca Mitchell. Second by Mary Lynn Kopper.
Voice Vote: All yeas. Motion carried. Meeting adjourned at 8: 05 p.m.

Respectfully submitted,

Carol L. DeLorme

Carol L. DeLorme, Clerk