

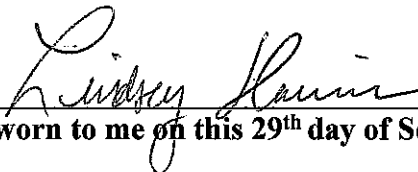
State of New York,
City and County of Schenectady

ss.:

NOTICE OF PUBLIC HEARING
Town of Galway ZONING BOARD OF APPEALS
NOTICE IS HEREBY GIVEN that a public hearing will be held by the town of Galway Zoning Board of Appeals on Tuesday, October 4, 2016 beginning at 7:30 p.m. in the Town Hall, 5910 Sacandaga Road, Galway, New York, to consider the following application:
• Application #ZB16-008 Application of Roger Dowse, Peter and Monica Judd for a building permit to re-build year-round cottage to replace summer camp on property located at 5690 Crooked Street (tax parcel #185.13-1-19) in the Lake District of the Town of Galway.
• Application #ZB16-009 Application of Daniel Lennon for a building permit to build on vacant land at 5317 Faber Road (tax parcel # 185-1-13) in the A/R District of the town of Galway.
• Application #ZB16-010 Application of Norman and Janice Hanson for area variance(s) for a porch addition and a deck on property located at 4039 Pine Avenue (Ruback Grove) in the Lake District of the Town of Galway.
Donna Noble
Clerk
9/29 2278194

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:

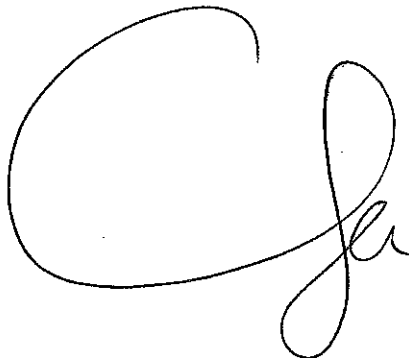
1 insertion on September 29, 2016


Sworn to me on this 29th day of September, 2016

NOTARY PUBLIC

ALISON COOKE
COMMISSIONER OF DEEDS
MY COMMISSION EXPIRES

4/2/2017





TOWN OF GALWAY
ZONING BOARD OF APPEALS
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

RECEIVED

SEP 27 2016

TOWN OF GALWAY

ZBA MEETING AGENDA

Meeting Date/Time: **Tuesday, October 4, 2016 @ 7:30 pm**

- 1) Convene Meeting
- 2) Roll Call
- 3) Explanation of Procedure and Purpose of the Zoning Board of Appeals
- 4) Review/approval of minutes of September 6, 2016 meeting
- 5) **Public Hearing**
 - Application #ZB16-008 - Application of Roger Dowse/Peter and Monica Judd for a building permit to re-build year-round cottage to replace summer camp on property located at 5690 Crooked Street (tax parcel #185.13-1-19) in the Lake District of the Town of Galway.
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 - Application #ZB16-010 - Application of Norman and Janice Hanson for area variance(s) for a porch addition and a deck on property located at 4039 Pine Avenue (Ruback Grove) in the Lake District of the Town of Galway.
- 6) **Public Meeting**
 - Application #ZB16-008 - Application of Roger Dowse/Peter and Monica Judd for a building permit to re-build year-round cottage to replace summer camp on property located at 5690 Crooked Street (tax parcel #185.13-1-19) in the Lake District of the Town of Galway.
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 - Application #ZB16-010 - Application of Norman and Janice Hanson for area variance(s) for a porch addition and a deck on property located at 4039 Pine Avenue (Ruback Grove) in the Lake District of the Town of Galway.
- 7) Other Business
- 8) Adjournment



TOWN OF GALWAY
ZONING BOARD OF APPEALS
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

FILED

OCT 11 2016

TOWN OF GALWAY

MINUTES OF ZBA MEETING

Meeting Date: October 4, 2016

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

Meeting called to order at 7:30 pm by Chair, Mark Kindinger. Clerk called the roll:

MEMBERS PRESENT: Mark Kindinger, Herb Kopper, Teresa Brett, Christine McCormack and Ryan Flinton

MEMBERS ABSENT: None

ALSO PRESENT: Donna Noble, Clerk; and 12 people in the audience.

PROCEDURE AND PURPOSE OF THE ZBA – Chair explained the procedure and purpose of the Zoning Board of Appeals.

REVIEW AND APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

Members had previously reviewed the minutes of the September 6, 2016 meeting.

Motion by **H. Kopper** to approve the minutes as presented. **Second by R. Flinton.**

Voice vote: all ayes. Motion carried.

PUBLIC HEARING – opened at 7:32 pm

Mark starts the public hearing letting the audience know that applicant Daniel Lennon will not be in attendance at tonight's meeting. The application will be tabled to the November meeting. As there are many people here to speak and comment on this application he let them know that at the end of the public hearing he will open the floor for comments about the upcoming application.

Application #ZB16-008 - Application of Roger Dowse/Peter and Monica Judd for a building permit to re-build year-round cottage to replace summer camp on property located at 5690 Crooked Street (tax parcel #185.13-1-19) in the Lake District of the Town of Galway. Roger Dowse, contractor speaks on behalf of Mr. and Mrs. Judd. Mark asks for an explanation of what the plan is. He has visited the property and did see stakes but the board does not have an accurate plot plan. Mr. Dowse presents the board with the plot plan. They are looking for a setback variance all around. There is discussion of the height of the proposed building. The mean height is 27-2 and 1/4. Making it under the 28 foot maximum height requirement. No other questions or comments from the board.

Application #ZB16-010 - Application of Norman and Janice Hanson for area variance(s) for a porch addition and a deck on property located at 4039 Pine Avenue, Ruback Grove, (tax parcel #198.7-1-37) in the Lake District of the Town of Galway. Norman Hanson explains that they have a camp that was build in 1929. Want to add space by building and "L" shaped enclosed porch. No questions or comments from the board.

Application #ZB16-009 - Application of Daniel Lennon for a building permit to build on vacant land at 5317 Faber Road (tax parcel # 185.-1-13) in the A/R District of the Town of Galway. Applicant is not in attendance. Mr. Lennon is not in attendance. Mark opens the floor for comments. Neighbor Bill Graber (next door) at 5830 Faber road is in opposition of building on the lot because it is a very small lot and very close to his property. Neighbor Betty Benham, who owns property on the left side and the triangle piece in front of the lot is also in opposition because of the size of the lot. Neighbors, Terry Moreau, Barbara and Jim Kempf, and James Hall are also in attendance and also in opposition. Mr. Moreau states that it is not a three (3) acre lot. That it will provide no benefit at all because it goes against the idea of the zoning law that you must have a three acre lot to build on. The neighbors do not want houses on top of each other. Mark explains as he said in the beginning of the meeting part of the criteria is what is the hardship or was the hardship self-created. In this case they purchased a piece of property that was not a buildable piece of property when they purchased it. Ms. Benham says that she told them that when they purchased the property. Mr. Moreau explains that as far as a hardship, he understands that a couple of people have offered to buy the piece of property but he priced it outrageously that nobody would buy it. Mr. Graber confirmed, saying that he offered to buy it but he priced it too high. There is also concern over a manufactured house going up and depreciating the value of the existing homes. No other comments from the floor. Mark tells the neighbors that he will bring up the input received from the neighbors and invites them to come back if they can.

Motion by H. Kopper to close the public hearing. **Second by C. McCormack.** Voice vote: All ayes. Motion carried.

Public Meeting

Application #ZB16-008 - Application of Roger Dowse/Peter and Monica Judd for a building permit to re-build year-round cottage to replace summer camp on property located at 5690 Crooked Street (tax parcel #185.13-1-19) in the Lake District of the Town of Galway. Looking for side lot variance on the West side of 21 feet on the SW corner of the property decreasing to 12 feet making it a 13 foot variance on the NW corner. Also, on the SW corner a variance of 10 feet 2 inches, increasing to 15.5 feet on the NE corner. In Mark's opinion, it is a substantial variance but a workable variance.

Motion by H. Kopper to approve variance of 21 feet on the SW corner of the property and a variance of 10 feet 2 inches on the NE corner of the property. **Second by R. Flinton.** All ayes, Motion carried.

Application #ZB16-010 - Application of Norman and Janice Hanson for area variance(s) for a porch addition and a deck on property located at 4039 Pine Avenue, Ruback Grove, (tax parcel #198.7-1-37) in the Lake District of the Town of Galway. Looking for a variance of 15 feet 3 inches on the West side, extending 45 feet along the existing structure. **Motion by H. Kopper** to approve variance of 21 feet on the SW corner of the property and a variance of 10 feet 2 inches on the NE corner of the property. **Second by C. McCormack.** All ayes, Motion carried.

PRIVILEGE OF THE FLOOR: None

OTHER BUSINESS: None

Motion to adjourn by **H. Kopper**. **Second by C. McCormack**. Voice vote: All ayes.
Motion carried. Meeting adjourned at 8:02 p.m.

Respectfully submitted,

Donna Noble

Donna Noble, Clerk