



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

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Galway, NY 12074  
(518) 882-6070

**ZBA MEETING AGENDA**

Meeting Date/Time: **Tuesday, October 7, 2014 @ 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 4, 2012 meeting
- 5) **Public Hearing**
  - Application #ZBA14-008 – Request of Bruce Martindale for area variance(s) to remove 2 existing storage sheds and replace them with a 24' x 20' garage on property located at 1607 Palmer Lane in the Lake District of the town of Galway, tax parcel #198.5-1-7
- 6) **Public Meeting**
  - Application #ZBA14-008 ... Bruce Martindale ... tax parcel #198.5-1-7
    - SEQRA review/classification
    - Determination
- 7) Other Business
- 8) Adjournment

## MINUTES OF ZBA MEETING

Meeting Date: October 7, 2014

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

Meeting called to order at 7:35 pm by Chair, Mark Kindinger. (Acting) Clerk called the roll:

**MEMBERS PRESENT:** Mark Kindinger, Herb Kopper, Christine McCormack, Teresa Brett (Currently one vacancy on Board)

**MEMBERS ABSENT:** None

**ALSO PRESENT:** Carol DeLorme (Acting) Clerk; Donna Noble (Clerk in Training); and approximately 3 people in the audience including applicants.

**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 July 2014 meeting. Motion by C. McCormack to approve the minutes as presented. Second by H. Kopper. Voice vote: all ayes. Motion carried.

**PUBLIC HEARING** – Opened at 7:35 pm

(Acting) Clerk read the legal notice as it appeared in the *Daily Gazette* on September 30, 2014.

**Application #ZBA14-008** – Application of request from Bruce Martindale for area variance(s) to remove two (2) existing storage sheds and replace them with a 24'x20' garage on property located at 1607 Palmer Lane in the Lake District of the Town of Galway, tax parcel #: 198.5-1-7

Discussion of 400 sq. foot being the current total and now needing 480 sq. feet for a two car garage.

Mark Kindinger presented a letter from Lori and Rick Alkinburgh (for Sarges, her parents). They have no problem with the garage but do have an issue with the property line disputing that the new garage would be very close the property line.

Mark Kindinger also presented an e-mail from Margaret Houde (East side) stating that the Deed provides 10' ROW. Discussion between Mr. Martindale and Mark Kindinger; ROW is North of utility pole and Mr. Martindale with maintain the ROW.

Herb Kopper questioned the door to near to guide wire. Mr. Martindale pointed out the door with go on the West side, not the North side.

Mr. Martindale has no problem with resolving the survey but feels that it has no bearing on variance – set backs will actually be increased. Mr. Kindinger explained that it does have a bearing as variance based on distance from property lines. Must know where the line is.

Ms. Alkinburgh agreed to have survey done. Mr. Martindale agreed to return next month.

**Motion by C McCormack** to close the public hearing. **Second by H Kopper.** Voice vote: All ayes. Motion carried. Public hearing closed at 8:12 pm.

### PUBLIC MEETING

**Application ZBA14-008 - Request of Bruce Martindale for area variances**

**Motion by H Kopper** to approve the Chair's ruling that this application would have only minor or no environmental impact. **Second by T Brett.** Voice vote: All ayes. Motion carried.

H Kopper – reservation with granting variance while boundary lines are in dispute. Mr. Martindale and Ms. Alkinburgh discuss that the surveyors are talking at this time

Mark Kindinger recommended tabling until next month so that applicants can resolve the boundary dispute.

Mr. Martindale agreed to table indicating he understands must know where the line is.

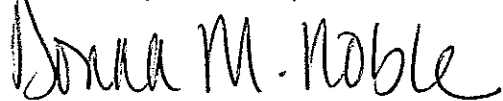
**Motion by H Kopper** to table until November meeting. **Second by C McCormack.** Voice vote: All ayes. Motion carried.

PRIVILEGE OF THE FLOOR – None requested

OTHER BUSINESS – Chair canvassed the board to move the November 4 meeting to November 5 due to election day. The board agreed.

**Motion to adjourn by T Brett.** **Second by C McCormack.** All ayes. Motion carried. Meeting adjourned at 8:20 pm.

Respectfully submitted,



Donna M. Noble, Clerk