



TOWN OF GALWAY

PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

Town of Galway Planning Board Meeting Minutes for October 22, 2013

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

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

Also present: Attorney Martin Pozefsky, Clerk Susan Talmadge and approximately 9 persons from the public.

The minutes of 9/24/13 were reviewed and corrected – pg2 change word town to tow, pg2 4th line from bottom pg change to short EAF addressed upon site and special permit review application.

There was no Chair report.

Clerks report – correspondence from Mr. Sanders regarding neighbor's notification. The new EAF passed out to all members for future reference, correspondence from Hill Top Haven withdrawing application. Clerk indicated although the notices for Sanders appear to have been reversed everyone received both east and west notifications and the newspaper was advertised correctly. Believe the intent was met and ask that it not hold up the public hearing.

Public Hearing Application No. 13-005 West side of NYS 147 lots being created are 14 acres, 10 ½ acres, 61 acres remaining lands.

Part I and Part II of the Long EAF were addressed by the board and applicant.

#6 Historic – none known of the property.

#11 No known endangered species.

#18 Answer should be Yes for pesticides – residential creating of lawns and landscaping.

Kopper made a negative SEQR motion and advised Chair Daino to sign the EAF on behalf of the board. Mitchell made a second to the motion. All members voted in favor.

Public Hearing Application No. 13-004 East side of NY S 147 lots being created are 65 acres and 63 acres.

Agricultural Residential zone, single family use, on-site wells and septic, DEC identified wetlands.

The public hearing was opened.

There were no public comments or concerns.

Everyone had an opportunity to speak.

The public hearing was closed.

Public hearing Application No. 13-005 West side of NYS 147 lots being created are 86 acres, 14 acres, 10 ½ acres. DEC Identified wetlands.

The public hearing was opened.

There were no public comments or concerns.

Everyone had an opportunity to speak.

The public hearing was closed.

Public meeting:

13- 004 East side Tax No. 212.-1-13.21 A motion was made by Mitchell to approve the 2 lot subdivision as presented. McIntyre made a second to the motion. All members voted in favor.

13-007 West side Tax No. 199.-1-67 A motion was made by Kopper to approve the major subdivision of 3 lots as presented. Shakarjian made a second to the motion. All members voted in favor.

Review Application 13-007 - Berrigan 5355 Hudson Lane Tax ID No. 199.-1-67

The application was represented by Mr. Foss, Land surveyor, who would be providing documentation he has permission to represent the project.

Mr. Foss indicated his client would like to subdivide 15 acres into 3 – 5 acre parcels that more than meet the 3 acre requirement.

Each lot has the proper road frontage.

Chair Daino asked for the required driveway notation to be included on the map as per Fire Code of NYS.

The Short EAF was addressed.

McIntyre classified the 3 lot subdivision as minor and made a negative SEQR motion advising the Chair to sign the EAF on behalf of the board.

Kopper made a second.

All members voted in favor.

Public hearing was scheduled for November 26, 2013 at 7:30 pm.

Review Application 13-008 - Lot Line Adjustment 185.-1-18 and 185.13-27.

Mr. Foss represented his client.

Daino asked for a note that the 99.75 feet property line would be eliminated to prevent land locking the parcel.

Daino advised the board may waive the EAF and public hearing for a lot line adjustment.

McIntyre made a motion to waive the public hearing and EAF for this project as submitted with the condition the property line is eliminated as discussed.

Mitchell made a second to the motion.

All members voted in favor.

Review application 13-009 - Special Permit and Site Plan Tax ID 211.-1-45 1417 Kania Rd Mullin Trust.

Mrs. Soldani indicated the trust document gives her the right to do business on the property.

Daino inquired about hours and employees.

Mrs. Soldani indicated there would be no public hours or employees, but they are showing parking for possible future – a tasting room would be off premises and sales would be off premises.

Pozefsky advised any approvals could condition upon their obtaining license and continuing to show proof on renewals.

Pozefsky advised the trust does grant authority to Mrs. Soldani but noted the address discrepancy.

Mrs. Soldani indicated she would provide documents showing Kania Road is in the trust. The Short EAF was addressed.

Shakarjian made a negative SEQR motion advising the Chair to sign the form on behalf of the board.

Kopper made a second to the motion.

All members voted in favor.

Public hearing was scheduled for November 26, 2013 at 7:30pm.

Privilege of the Floor

Barb Roll and Gene Kenyon of Hill Top Haven addressed the board.

Mrs. Roll explained that Bruce Boghosion did not want the lot line adjustment because it was of no use to him for a structure. Another neighbor has expressed interest in purchasing the lot and will accept it as it is.

Daino explained that to create a lot would require a subdivision and the planning board could not do that with less than the required acreage.

Discussion ensued.

Mrs. Roll indicated they would try to sell the entire right of way which is deeded with its own tax map number and thanked the board for their time.

In other business: McIntyre would have a comprehensive law drafted for wind turbines to be presented to the town board for their review and consideration. Target timeframe would be January of 2014.