



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

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

**ZBA MEETING AGENDA**

Meeting Date/Time: **Tuesday, September 4, 2012 @ 7:30 pm**  
Location: Town Hall Complex - 5910 Sacandaga Rd - Galway

- 1) Convene Meeting
- 2) Roll Call
- 3) Explanation of Procedure and Purpose of the Zoning Board of Appeals
- 4) Review/approval of minutes of August 7, 2012 meeting
- 5) SEQRA review/classification
- 6) **Public Hearing**
  - Application #12-005 – Request of Carmen M. and Challiss H. Maio for an area variance to place a 24' x 30' storage shed at a location 30' from the north property line of their property located at 4882 Sacandaga Rd (NYS Rte 147 in the A/R District of the town of Galway (tax parcel #212.-1-14).
- 7) Close Public Hearing
- 8) **Public Meeting**
  - Application #12-005 – Request of Carmen M. and Challiss H. Maio ... tax parcel #212.-1-14
- 9) Other Business
- 10) Adjournment



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**MINUTES OF ZBA MEETING**

Meeting Date: September 4, 2012

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, Tim Bogdan, Christine McCormack, Teresa Brett

**MEMBERS ABSENT:** None

**ALSO PRESENT:** Carol DeLorme; Clerk, and approximately 5 people in the audience including George Weed, town board liaison.

**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 previously reviewed the minutes of the August 7, 2012 meeting. **Motion by Christine McCormack** to approve the minutes as presented. **Second by Tim Bogdan.** Voice vote: All ayes. Motion carried.

**SEQRA REVIEW/CLASSIFICATION**

**Motion by Tim Bogdan** that application #12-005 is an application for area variance, falls under the Type II SEQR list and, therefore, no further action under SEQR is required. **Second by Christine McCormack.** Voice vote: All ayes. Motion carried.

**PUBLIC HEARING** – Opened at 7:33 pm

Clerk read the legal notice as it appeared in the *Daily Gazette* on 8/29/12

**Application #12-005 – Request of Carmen M. and Challiss H. Maio for an area variance to place a 24' x 30' storage shed at a location 30' from the north property line of their property located at 4882 Sacandaga Rd (NYS Rte 147 in the A/R District of the town of Galway (tax parcel #212.-1-14).**

Mr. and Mrs. Maio were both present. Mr. Maio explained that they removed two old sheds that were on the property. Mr. Maio is building a new shed (24' x 30') and would like to place it as far back on the property as possible. There are a lot of trees on the property that make it difficult to place the structure closer to the house, and they put an addition on the rear of the house which also affects the possible location. Tim Bogdan asked how high the walls of the shed are. Mr. Maio responded they are 8'. Mr. Maio explained that they would like to put the shed 35' from the north

boundary line. The north property line is heavily treed so the shed should not be visible to neighbors. Board members explained that all setback measurements are from the drip line of the structure. Therefore, with a 1' overhang the actual setback will be 34'. Chair asked for questions/comments from the audience. Bruce Sanders (neighbor on Sacandaga Rd) asked to see a copy of the sketch plan/map and was provided with same by Mr. Maio. No further questions. **Motion by Christine McCormack** to close the public hearing. **Second by Herb Kopper**. Voice vote: All ayes. Motion carried. Public hearing closed at 7:38 pm

### PUBLIC MEETING

#### **Application #12-005 ... Request of Carmen M. and Challiss H. Maio for an area variance ... tax parcel #212.-1-14**

Chair recapped that a 16' variance is being considered and asked for a motion. **Motion by Herb Kopper** to grant Carmen and Challis Maio (application #12-005) a 16' variance (measurement taken from the drip edge of the structure) on the north property line of their property located at 4884 Sacandaga Rd in the A/R District of the town of Galway (tax parcel #212.-1-14) for a 24' x 30' storage shed as per plot plan submitted with the application. **Second by Teresa Brett**. No further discussion. Roll call vote: Mark Kindinger, yes; Tim Bogdan, yes; Christine McCormack, yes; Herb Kopper, yes; Teresa Brett, yes. Motion carried. GRANTED A 16' SIDE LOT VARIANCE FROM NORTH SIDE PROPERTY LINE. Applicants were advised that they will receive an approval letter from the ZBA. They should then contact the building/code enforcement officer for a building permit prior to placing the structure.

**PRIVILEGE OF THE FLOOR** - None requested

### OTHER BUSINESS

Clerk read memo forwarded from George Hargrave regarding an electronics recycling day – September 8 – at 345 Hermes Rd, Malta, NY. Free to all residents of Saratoga County.

**Motion to adjourn by Tim Bogdan. Seconded by Christine McCormack.** Voice Vote: All ayes. Motion carried. Meeting adjourned at 7:45 p.m.

Respectfully submitted,

*Carol L. DeLorme*

Carol L. DeLorme, Clerk