



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

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

RECEIVED

AUG 15 2017

TOWN OF GALWAY

ZBA MEETING AGENDA

Meeting Date/Time: **Tuesday September 5, 2017 @ 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 August 1, 2017 meeting
- 5) **Public Hearing:**
 - Application #ZB17-009 – Application of Jerome Olsen and Kathleen Costello, for a variance(s) to place a portable 12'x24' building on property located at 9622 Hart's Private Road "A", (tax parcel #185.18-1-2) in the Lake District of the Town of Galway.
 - Application #ZB17-010 - Application of Jeffrey and Teresa Sendzicki, for a variance(s) to construct a garage on property located at 5757 Jockey Street, (tax parcel #187.-1-4.3) in the A/R District of the Town of Galway.
- 6) **Public Meeting:**
 - Application #ZB17-009 – Application of Jerome Olsen and Kathleen Costello, for a variance(s) to place a portable 12'x24' building on property located at 9622 Hart's Private Road "A", (tax parcel #185.18-1-2) in the Lake District of the Town of Galway.
 - Application #ZB17-010 - Application of Jeffrey and Teresa Sendzicki, for a variance(s) to construct a garage on property located at 5757 Jockey Street, (tax parcel #187.-1-4.3) in the A/R District of the Town of Galway.
- 7) Other Business
- 8) Adjournment

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, September 5, 2017, beginning at 7:30 p.m. in the Town Hall, 5910 Sacandaga Road, Galway, New York, to consider the following application:

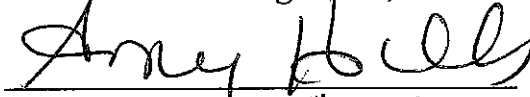
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Donna M. Noble
Clerk
8/16 2311654

Amy Hills 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 August 16, 2017



Sworn to me on this 16th day of August, 2017

NOTARY PUBLIC

ALISON COOKE
COMMISSIONER OF DEEDS
MY COMMISSION EXPIRES

7/12/19





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

P.O. Box 219
Galway, NY 12074
RECEIVED (518) 882-6070
SEP 19 2017
TOWN OF GALWAY

MINUTES OF ZBA MEETING

Meeting Date: Tuesday, September 5, 2017

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, Teresa Brett, Herb Kopper, Ryan Flinton and Christine McCormack.

MEMBERS ABSENT: None

ALSO PRESENT: Donna Noble, Clerk; Chet Ciembroniewicz, Mike Smith and ten (10) people in the audience.

PROCEDURE AND PURPOSE OF THE ZBA – Acting 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: August 1, 2017 meeting. Motion by **H. Kopper** to approve the minutes. **Second by C. McCormack**. Voice vote: all ayes. Motion carried.

PUBLIC HEARING – opened at 7:31 pm.

Application #ZB17-009 – Application of Jerome Olsen and Kathleen Costello, for a variance(s) to place a portable 12'x24' building on property located at 9622 Hart's Private Road "A", (tax parcel #185.18-1-2) in the Lake District of the Town of Galway. Gerome Olsen explains that he would like to construct a building 12'x24'. There is a 10'x10 dilapidated building that will be taken down. The new building will be a garage. The building will be placed on the north side of the property. The building will have an overhang. There are no neighbors in the audience. No questions or comments from the board.

Application #ZB17-010 - Application of Jeffrey and Teresa Sendzicki, for a variance(s) to construct a garage on property located at 5757 Jockey Street, (tax parcel #187.-1-4.3) in the A/R District of the Town of Galway. Mark explains that Mr. and Mrs. Sendzicki are his neighbors and will recuse himself at the time of the public meeting. Mr. Sendzicki would like to build a 2 car garage on the south side of his property towards the road. The garage will be 24'x24' with storage on top. He originally stated that it will be 40 feet from the property line but, because of the overhang, he is asking for 35 feet to make sure he stays within the requirements. Neighbors, Mr. and Mrs. Crandall, ask that this will just be a 2 car garage. Mr. Sendzicki answers yes. Mrs. Crandall asks if Mr.

Sendzicki had a survey done. Yes, on their side of the property he died. When he purchased the house he wanted to make sure the well was on the property. Mark explains that the survey shows that the Crandall's boundary is a 60 foot because there is a 60 foot section that is owned by the Gold Course. No other questions or comments.

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

Public Meeting

Application #ZB17-009 – Application of Jerome Olsen and Kathleen Costello, for a variance(s) to place a portable 12'x24' building on property located at 9622 Hart's Private Road "A", (tax parcel #185.18-1-2) in the Lake District of the Town of Galway. The request is for a variance of 15 feet on the north property line extending 24 feet for a placement of a 12'x24' garage.

Motion by R. Flinton to grant a 15 foot variance on the north property line, extending 24 feet. **Second by H. Kopper.** Voice vote: All ayes. Motion carried.

Application #ZB17-010 - Application of Jeffrey and Teresa Sendzicki, for a variance(s) to construct a garage on property located at 5757 Jockey Street, (tax parcel #187.-1-4.3) in the A/R District of the Town of Galway. Mark recuses himself. Teresa explains that the request is for two variances. 15 feet on the south property line and 15 feet on east property line.

Motion by C. McCormack to grant a 15 foot variance on the south property line and a 15 foot variance on the east property line. **Second by R. Flinton.** Voice vote: All ayes. Motion carried.

Mark returns to the meeting.

PRIVILEGE OF THE FLOOR:

James Jackowski, 1117 Kania Road is looking for guidance as he has a 5.9 acre lot and would like to give his daughter 3 acres. It will leave him with a 2.9 acre lot. What will he need to do because the 2.9 acre lot would be a substandard lot. Mark explains to Mr. Jackowski that this is a question for the Planning Board as he is looking to subdivide his land. He explains that he will also need to have a survey to go along with his application to the Planning Board.

John Sutton, Esq. explains that he is here on behalf of the Galway Co-Op and that they have an application for five (5) interpretations and/or variances at next month's meeting. He wants to provide a brief introduction and also explain that he was only able to provide one plan and would it be okay to provide five additional plans for the board. Mark says yes, that would be excellent. Two of the matters before the Board involve a 1.3 acre size of the commercial parcel and whether the existing nature of it allows them to go forward without a variance or if they need a variance and the lot line distances between the existing structure and the borders of the lot. The third matter is whether a crushed stone surface will be classified as pervious or impervious under the law. Those three things were matters that were agreed upon to be submitted to the Board between the Town and Mr. Casadei. The other two matters are whether the sale of seasonal

vegetables would be allowed in the zone and the last matter is that they are hoping to get an interpretation from the Board with regard to the sign ordinance. Mr. Sutton asks Mark whether he had any thoughts of anything that would like to be communicated to them before the hearing. Mark explains that he does not believe that the Zoning Board is not aware of everything that has happened with the Planning Board and does not necessarily need to know unless it is something that impacts what they are looking at. He explains to Mr. Sutton that he has seen his application and will see him at next month's meeting.

Brian Gonyea, who owns property on 1118 Route 29 (formerly Dave's Tavern) explains that he would like to put a seasonal food truck on the property. It used to be zoned commercial but it was changed to residential. The lot is 1 acre. He would like to know if it is allowed/what he needs to do. A food truck is not a permitted use in the residential district and this would be considered a special use and Mr. Gonyea would need to go before the Plainning Board with an application for a Special Use Permit.

OTHER BUSINESS: None.

Motion to adjourn by **H. Kopper**. **Second by R. Flinton**. Voice vote: All ayes. Motion carried. Meeting adjourned at 8:27 p.m.

Respectfully submitted,

Donna Noble

Donna Noble, Clerk