



TOWN OF GALWAY

PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

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Town of Galway Planning Board Meeting Minutes for Sept. 24, 2013

The meeting was called to order by Chair Daino at 7:30 pm
Members present: Ruthann Daino, Win McIntyre, Rebecca Mitchell, Mary Lynn Kopper
Members absent: Mikel Shakarjian
Also present: Attorney Martin Pozefsky, Clerk Susan Talmadge, Approximately 12 persons from the public.

Upon review of the 8/22/13 meeting minutes a motion was made by Mitchell to approve them as written with one spelling error – Gaily to Daily Gazette.
The motion was seconded by Kopper.
All members present voted in favor of the motion.

Clerk's report – None.
Chair's report – None.

Application No. 13-004
Continuation of review for Subdivision lands of the Estate of Fred Sanders – Tax ID No. 212.-1-13.21 – located 0.45 miles south of Donnan Rd and NYS Route 147 on the east side. Duane Rabideau represented the subdivision.

Mr. Rabideau indicated he had addressed items asked for at the last meeting:

1. Contours have been defined.
2. DEC Wetlands have been Identified and have utilized DEC GPS Locations.
3. The Fire Code driveway notation has been added to the map as per Section 511.

Chair Daino inquired if they had contacted NYS DOT regarding driveways.
Rabideau indicated Mr. Sanders had done that and has said DOT has no problem with it.
McIntyre inquired about driveway location.
Daino indicated the driveway has no setback requirement and can be against the line.
There were no other questions or comments.
Public hearing was scheduled for October 22, 2013 beginning at 7:30pm.

Application No. 13-005
Continuation of review for Subdivision lands of the Estate of Fred Sanders – Tax ID No. 212.-1-29.11 – located 1.2 miles from Donnan Road and NYS Route 147 on the west side. Duane Rabideau represented the project.

Rabideau indicated the following has been addressed:

1. DEC wetlands have been delineated – a map was presented as signed by DEC.
2. The Tax ID No. was corrected on the map to parcel 29.11.
3. The Long Form EAF was submitted for a major subdivision.

There were no other questions or comments.

McIntyre made a motion to Classify this subdivision as a major 5 lot subdivision – 5 lots because the property was subdivided within five years, and declared it as a Type I SEQR action requiring the Long Environmental Assessment Form.

1 new created lot would require major subdivision fees.

Chair Daino indicated the EAF would be addressed by the board at the October meeting prior to the public hearing.

Public hearing was scheduled for October 22, 2013 at 7:30 pm.

Application No. 13-006

Classification and recommendation for a Home Occupation Lands of Lisa Letourneau Tax ID No. 199.-1-29.2 at 2467 Galway Road. Mr. McKenzie, resident of the property represented the application. Lisa Letourneau was also in attendance.

McKenzie indicated he is a mechanic by trade and wants to work on cars and light trucks in an existing garage on the property.

Chair Daino explained he would need to submit a sketch plan of the property showing all of the requirements for site plan – such as parking, lighting and etc.

Chair Daino referred to the schedule of uses in the zoning law and noted it states that a vehicle service and repair is not permitted use in the AR zone.

Attorney Pozefsky indicated the Home Occupation is allowed in all zones and the acreage requirement is only in the commercial district – refer to Schedule of Use Appendix No. 4.

After a brief discussion Chair Daino indicated it sounds like this would be a minor home occupation.

Mitchell indicated there is a square footage limitation for the use – 800 sq ft is the maximum for the home occupation use.

Pozefsky advised any approval could be conditioned upon that limitation and could be policed in the future.

Kopper indicated she recalled a similar type business on Crooked Street that was turned down not too long ago.

McKenzie stated he remembered it and they had tow trucks involved.

Letourneau asked about details for the site plan.

Chair Daino advised it can be hand done – include all items asked for under site plan.

McIntyre asked about disposal of fluids.

McKenzie indicated they would be regulated by state laws that would be adhered to. In addition he would have a waste oil furnace to heat the building.

Chair Daino asked for information regarding how he would deal with waste products.

McKenzie stated he would be the only person working at the home occupation.

Chair Daino indicated a Special Permit application is required and the Short SEQR EAF would be addressed upon site plan review.

Pozefsky indicated no variance is needed for this project.

Mr. McKenzie would submit an application for Special Permit and Site Plan in the near future.

Privilege of the floor:

Barbara Roll and Gene Kenyon, residents at Hill Top Haven Corporation on Jockey Street appeared before the board.

Mrs. Roll explained the land was developed 40 years ago by 4 families.

They share a common driveway and had access to a 60 acre parcel in the rear of their homes.

They are going to dissolve the Corporation and need to sell the assets.

There is a turn around of about $\frac{1}{4}$ of an acre behind Bruce Boghosion's property.

He is willing to purchase that property and join it to his land.

The corporation owns the right of way.

The survey map was displayed and discussed.

Pozefsky indicated he believes a Lot Line Adjustment would modify the original subdivision and the new homeowners association could take over the road.

Mrs. Roll will meet with a surveyor to start the process of a Lot Line Adjustment.

In other business: Win McIntyre indicated he has researched Wind Turbine local laws. After discussion – the board agreed that Win would draft some language for the Town Board to consider adopting for a Local Law that would regulate Wind Turbines in the town.

Pozefsky referred the board to Section 115.79 Amendments.

The meeting was adjourned at 9:45 pm.

Respectfully submitted,

Susan Talmadge
Clerk