



TOWN OF GALWAY

*PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792*

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

PLANNING BOARD MEETING AGENDA

Meeting Date/Time: September 27, 2011 – 7:30 p.m.

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

1. Convene Meeting
2. Roll Call
3. Clerk's Report
4. Chair's Report
5. Public Hearing – None scheduled

6. Public Meeting
Initial review, SEQR review, classification:
 - Application #11/007 – George W. Stanislawski – Request for subdivision of 40 acres from an approximate 165 acres – Tax parcel #172.-2-2 located at 1741 Mechanic St
 - Application #11/008 – Joanne & Ronald Gomula, Jr. – Request for subdivision of 5 acres from an approximate 100 acres – Tax parcel #211.-1-26 located at 4604 Jersey Hill Rd

7. Privilege of the Floor
8. Other Business
9. Adjournment



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MINUTES OF PLANNING BOARD MEETING

Date/Time of Meeting: September 27, 2011 – 7:30 p.m.

MEETING CALLED TO ORDER at 7:31 p.m. by Chair, Ruthann Daino.

MEMBERS PRESENT: Ruthann Daino, Mary Lynn Kopper, Rebecca Mitchell, Win McIntyre, and Mikel Shakarjian

MEMBERS ABSENT: None

ALSO PRESENT: Carol DeLorme, Clerk. Present in the audience: Mike Tillson, town board liaison; applicant, and surveyor, Art Carpenter

REVIEW AND APPROVAL OF MINUTES

All board members previously reviewed the minutes of the August 24, 2011 meeting. **Motion by Rebecca Mitchell** to approve the minutes as presented without change. **Second by Mary Lynn Kopper.** Voice vote: All yeas. Motion carried.

CLERK'S REPORT

Transmittal received from Saratoga County Clerk's Office: 3 maps were filed in the month of August 2011:

- LLA/Annexation between Lands of Van Wart & Lands of Keehan, Williams/Mattingly and Retajczyk (Designated as Map 1) – Filed 8/26/11
- LLA/Annexation between Lands of Van Wart (Designated as Map 2) – Filed 8/26/11
- Subdivision/Annexation of Lands of Cathal Carr – filed 8/31/11 (Copies in respective files)

CHAIR'S REPORT – Nothing to report

PUBLIC HEARING – None scheduled

PUBLIC MEETING

Application #11/007: George W. Stanislawski – Request for subdivision of 40 acres from an approximate 165 acres – Tax parcel #172.-2-2 located at 1741 Mechanic St

Mr. Stanislawski was present with his surveyor, Art Carpenter. Applicant would like to subdivide a 40-acre lot from an approximate 165 acre lot. Lot is located on both sides of Mechanic Street (Mechanic Street physically subdivides the property). It is, however, listed as one parcel (one deed, one tax parcel number). The 40 acre lot he desires to create is on the north side of the road. Board discussed whether this constitutes a 2 or 3 lot subdivision (whether or not the road acts as a subdivision line). Applicant stated he wouldn't be opposed to seeking a 3 lot subdivision as he may wish to sell additional property, he just didn't want to have to survey the entire 165 acres at this time. He was informed by the board that that would not be necessary; he could simply have the 40-acre lot surveyed if that's what he desires to sell at this time, with the remaining having to be surveyed at the time of future sales. Chair advised Mr. Stanislawski that when setting the new boundary line he needs to make certain the minimum 50' setback requirement is met

for an existing structure on the 40-acre parcel. (That structure would need to be setback a minimum of 50' from the new boundary line.) Upon query from Mr. Stanislawski, he was informed that as this is a new line being created, it would not be "grandfathered" in. Applicant and surveyor indicated they desired to use an existing stonewall as the dividing line. Later indicated their understanding of the requirement and will survey to determine the exact setback. Board also confirmed for Mr. Stanislawski that the setback requirement is from all property lines; front, rear and sides. Following discussion between the board and the applicant, Mr. Stanislawski decided that since it may be easier to market the property in smaller parcels, he would like to request a 3 lot subdivision; one 40-acre and one approximate 50 acre lot on the north side of Mechanic Street, with the remaining approximate 75 acres on the south side being the third lot. Board felt there was adequate information available to conduct SEQRA review and classification. Following review, **Motion by Mary Lynn Kopper** to grant application #11/007, request of George Stanislawski for subdivision of an approximate 165-acre parcel located at 1741 Mechanic Street a negative SEQRA declaration. **Second by Win McIntyre**. Roll call vote: Ruthann Daino, yes; Win McIntyre, yes; Mary Lynn Kopper, yes; Mikel Shakarjian, yes; Rebecca Mitchell, yes. Motion carried. GRANTED A NEGATIVE SEQRA DECLARATION. **Motion by Mary Lynn Kopper** to classify application #11/007 as a 3-lot minor subdivision of 165 acres located at 1741 Mechanic Street in the A/R district of the town of Galway, and set for public hearing. **Second by Rebecca Mitchell**. Roll call vote: Ruthann Daino, yes; Win McIntyre, yes; Mary Lynn Kopper, yes; Mikel Shakarjian, yes; Rebecca Mitchell, yes. Motion carried. Chair informed Mr. Carpenter that standard driveway note should be included on the map as there is the potential for a driveway in excess of 500' in length. No further questions or comments.

Application #11/008 – Joanne & Ronald Gomula, Jr. – Request for subdivision of 5 acres from an approximate 100 acres – Tax parcel #211.-1-26 located at 4604 Jersey Hill Rd

Mrs. Kenyon was present. Chair asked her to report on the recent developments regarding her project. Mrs. Kenyon reported that due to the recent flooding throughout the state, the government has currently run out of homes and she will most likely not be able to take possession of a FEMA trailer before spring. Mrs. Kenyon wondered if she should put her request on hold until spring or continue on. Further reported that her sister, Mrs. Gomula, didn't want to transfer the property to her unless she was sure she would get the trailer. Mrs. Kenyon also had concerns about the road co-ownership if the deal fell through. Of concern to the Chair was the time frame from final approval to filing of the maps with the county clerk (62 days). Following discussion it was decided it may be in Mrs. Kenyon's best interest not to stop the proceedings completely but to continue on in slower manner. In that way, should she receive notification that FEMA can deliver a trailer she'll be ready. As no formal action has been taken on the application thus far, board can schedule the application for SEQRA review and classification in November. As the board does not typically meet in December, public hearing can then be scheduled for January. If final approval is granted in January, Mrs. Kenyon would then have 62 days from that date to file (March 2012). Mike Tillson suggested that even if the subdivision is approved and the map is filed, if the deal falls through the property could always be conveyed back to Mrs. Gomula via a lot line adjustment. All board members indicated agreement. Chair summarized: 1) Mrs. Kenyon still needs to submit a copy of the written agreement between them and the Kress's regarding access and maintenance of the driveway for review by the board attorney; 2) New map submitted by the applicant shows the lot to be the required 5 acres. No formal action taken. Application will be rescheduled for review in November 2011.

PRIVILEGE OF THE FLOOR – None requested

OTHER BUSINESS

Board discussed the fact that the 4th Tuesday in November falls during Thanksgiving week. At least 2 members indicated they would not be available that week. As there are 5 Tuesdays in November, consensus was that it would be best to meet on the 5th Tuesday (November 29). **Motion by Win McIntyre** to change the November meeting night to November 29, 2011. **Second by Mary Lynn Kopper.** Voice vote: All yeas. Motion carried. NOVEMBER MEETING NIGHT TO BE 11/29/11. Clerk will confirm hall availability with town clerk.

Art Carpenter – presented final map on Dirk Weaver subdivision. Map was amended to include all the requests of the PB when final approval was granted on 8/27/11. Chair later signed the map.

ADJOURNMENT - Motion for adjournment by Win McIntyre. Second by Mary Lynn Kopper. Voice Vote: All yeas. Motion carried. Meeting adjourned at 9:05 p.m.

Respectfully submitted,

Carol L. DeLorme

Carol L. DeLorme, Clerk