



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

5910 Sacandaga Rd.
Galway, NY 12074
(518) 882-6070

MINUTES OF ZBA MEETING

Meeting Date: Wednesday, November 3, 2021

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

Meeting called to order at 7:30 pm by Chair, Andy Decker. Clerk called the roll:

MEMBERS PRESENT: Christine McCormack, Kiley Gregory, and Katie DesPres, Herman Niedhammer.

MEMBERS ABSENT:

ALSO PRESENT: Robin L. Collyer, Clerk, Ryan Pezzulo, Esq., and approximately five people in the audience.

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 have reviewed the minutes of the September 7, 2021 meeting. **Motion by Christine** to approve the minutes. **Second by Katie**. Voice vote: all ayes. **Motion carried.**

PUBLIC HEARING

ZBA 21-007 - Application of Nolan Engineering (Adrienne Korkosz) for an area variance to remove existing residence and build new residence on property located at 1002 Camp Ave. (tax parcel #185.17-1-22) in the Lake District of the Town of Galway. Representing Adrienne Korkosz, Richard Nolan of Nolan Engineering and Builder, Jack Seydler of Patriot Construction of Upstate NY. Discussions of application reviewed the demolition of the existing camp and build in its place a new residence; rectangle, corners built in, adding a second story and deck onto the second floor. Same foot print but deck would extend more towards the lake and less of the width of 10 feet towards the property line. Confirmation of the height of the structure to be 25-28 feet with a crawl space/frost wall. Area does not lend itself to a basement with wet areas. Potential of open deck, no stairs; only accessible from second story of the house. Board reviews emails of the neighboring properties expressed the concerns of the size of the home, neighboring home to the south side is a second story home and north side is a single story home. Additional concerns expressed of the deck sticking out further than other homes; potentially blocking lake views. Discussed with Mr. Seydler and Mr. Nolan - Left side neighboring home of owner Lasky is of greater concern. Current shrubs are there, however the deck would be 10 feet further than existing shrubs. Suggestion of moving the structure away from the lake. Noted that large tree will be moved from the property allowing the structure to be moved back so as not to block lake view and closing the corner of the home. Suggestion to move the structure back posed concern of the septic

location. Septic is holding tank; confirmed that holding tanks can be for seasonal use home. Additional emails reviewed from homeowner; Shafer. Expressed the concern of when it will be built. Mr. Seydler confirmed that they will demo existing structure this winter and begin project next spring; so as not to disrupt the season. Homeowner has also expressed concern with the view of the lake. Mr. Nolan requests conditional approval to pull back structure/deck 10feet. Confirmation of structure to be moved closer to the road, same dimensions on the sides; sliding back where the edge of the deck lines up with the edge of the home. Question of well location; Mr. Seydler noted they will be drilling a new well. Trevor noted 75A New Construction code does not allow holding tanks for new construction.

ZBA 21-008 - Application of Greg and Carol Torson for an area variance to expand lower level and renovate interior of property located at 7114 Pinewood Trail (tax parcel #185.15-2-83) in the Lake District of the Town of Galway. Mike Champange, builder representing applicants; applicants currently living in North Carolina. In review of application this is the expansion of existing home; north side 6 feet by 32 feet. The existing roof is removed and adding three feet; allowing for more head space. Currently and attic space. Existing septic and well built in the 1970's. Reviewed that there is a bump out in the back of the home that will be squared off; currently the rear of the camp. The roof height will be increased to 23 feet; currently 19 feet. The original structure is built on piers and the new addition will be built on piers as well. The addition will be extending the existing dining room, bathroom and Ms. Torson's bedroom. Currently 12 feet from the property line and will be reduced to 6. They own the property behind them and additional lot; 'dog-leg'. Camp purchased in 1925; sold in 1970. There was a road at one time; now non-use. Questioned who owns the road. This was unclear, but owners pay to have the road maintained and plowed.

Motion by Herman to close the public hearing. **Second by Kiley.** Voice vote: all ayes. Motion carried.

PUBLIC MEETING

ZBA 21-007 - Application of Nolan Engineering (Adrienne Korkosz) for an area variance to remove existing residence and build new residence on property located at 1002 Camp Ave. (tax parcel #185.17-1-22) in the Lake District of the Town of Galway. Concerns expressed of view height. Documentation will be needed for change in location of structure; this will be documented by variance. Structure in comparison to other homes; suggesting moving the structure back ten feet, or different set of plans. The concern of a two story issue surrounded by one story homes, the Shafer home is a two story home but much smaller. Solution would be to move the structure back 20 feet towards the road. Mr. Nolan offered to provide updated site plans. Question of the setback to the road side confirmed at 97 feet plus/minus and will be moved to 77 feet; the rear of the house. 132 feet from the lake side to the rear of the home. Deck not to protrude past neighboring home. Reviewed; 122 feet to deck, 132 feet to home with 50 foot setback and 20 feet to the deck.

Motion by Herman for a 15 foot variance from the North and a 15 foot variance from the South, starting at 132 feet from the rears of the house and extending 50 feet; from 132 feet to 182 feet. **Second by Katie.** Voice vote: all ayes. Motion carried

ZBA 21-008 - Application of Greg and Carol Torsone for an area variance to expand lower level and renovate interior of property located at 7114 Pinewood Trail (tax parcel #185.15-2-83) in the Lake District of the Town of Galway. Concerns expressed for houses above the road; comparison to views of other homes. Confirmed height of the new structure is not of height concern with already existing half story attic; roof increasing to 23 feet. Public spoke/neighbor home, confirmed other structure behind new addition is a sleeping quarter; use only of lower section of camp.

Motion by Kiley for a 19 foot variance starting at the southwest corner of the main structure, to add 6 feet by 32 feet to existing structure. **Second by Christine.** Voice vote: all ayes. Motion carried.

PRIVILEGE OF THE FLOOR: None.

OTHER BUSINESS: None.

Motion to adjourn by Christine. **Second by Katie.** Voice vote: All ayes. Motion carried. Meeting adjourned at 8:25 p.m.

Respectfully submitted,

Robin L. Collyer

Robin Collyer, Clerk