

## **MINUTES OF ZBA MEETING**

Meeting Date: Tuesday, December 7, 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, and Kiley Gregory.

**MEMBERS ABSENT:** Herman Niedhammer and Katie Dannible

**ALSO PRESENT:** Robin L. Collyer, Clerk, Ryan Pezzulo, Esq., Trevor Gilday, Code Enforcement Officer and approximately 2 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 November 3, 2021 meeting. **Motion by Christine** to approve the minutes. **Second by Kiley**. Voice vote: all ayes. Motion carried.

### **PUBLIC HEARING**

**ZBA 21-009** - Application of John M. Foti for an area variance to build new barn and garage next to family property line on property located at 1290 W Galway Road (tax parcel #211.-1-52.12) in the A/R District of the Town of Galway.

Applicant or representation was not in attendance.

Discuss to table application

Open to the floor for discussion; in attendance of the floor is Ralph and Glen Marcusio, neighboring properties of 1284 and 1290 West Galway Road. Discussion regarding location and property line. Mr. Marcusio's property confirmed location is on the East side of the Foti property and would not affect his property line

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

## **PUBLIC MEETING**

**ZBA 21-009** - Application of John M. Foti for an area variance to build new barn and garage next to family property line on property located at 1290 W Galway Road (tax parcel #211.-1-52.12) in the A/R District of the Town of Galway. Structure confirmed to already have been built. It is the understanding that this was an honest mistake as the Shed Company informed the owner that a building permit was not needed; not considered a permanent structure. Structure is over the 144 square foot requirement under Code Enforcement for permit. Town requirement is 50 feet from property line and structure is 30 feet from property line; applicant will need a 20 foot variance. Advisement of attorney Ryan Pezzulo, Esq is to table application until next scheduled meeting.

**Motion by Kiley** to table application until next meeting. **Second by Christine.** Voice vote: all ayes. Motion carried

**PRIVILEGE OF THE FLOOR:** None.

**OTHER BUSINESS:** None.

**Motion to adjourn by Christine.** **Second by Kiley.** Voice vote: All ayes. Motion carried. Meeting adjourned at 8:00 p.m.

Respectfully submitted,

*Robin L. Collyer*

Robin Collyer, Clerk