

MINUTES OF ZBA MEETING

Meeting Date: Tuesday, March 1, 2022

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: Herman Niedhammer, Katie Dannible, and Kiley Gregory.

MEMBERS ABSENT: Christine McCormack

ALSO PRESENT: Donna Noble, Clerk, Ryan Pezzulo, Esq., Trevor Gilday, Code Enforcement Officer and 3 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 December 7, 2021 meeting. **Motion by Kiley** to approve the minutes. **Second by Andy**. Voice vote: two ayes, two abstain (Herman and Katie). Motion carried.

PUBLIC HEARING

ZBA 22-001 - Application of Edward and Linda Givis for an area variance to build a two car garage with a breezeway on property located at 2500 Hermance Road (tax parcel no.: 186.-2-6.22) in the A/R District of the Town of Galway. Mr. and Mrs. Givis are in attendance and explain that they would like to add a breezeway and garage to their existing home. They will also be putting on a new roof and new siding. The septic is on the left of the property and the well is behind the home. The lot is very narrow. They are 4.5 feet short of the 50 foot variance. The variance they are seeking is 5 feet (to the drip line). There are no comments from the public. and the board doesn't have any questions or concerns.

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

PUBLIC MEETING

ZBA 22-001 - Application of Edward and Linda Givis for an area variance to build a two car garage with a breezeway on property located at 2500 Hermance Road (tax parcel no.: 186.-2-6.22) in the A/R District of the Town of Galway. The variance is 5 feet on the SW side, running 26 feet to the drip line. Applicants pays their application fee.

Motion by Kiley for a variance of 5 feet on the SW side of the property, running 26 feet to the drip edge. **Second by Katie.** Voice vote: All ayes. Motion carried.

PUBLIC HEARING

Motion by Herman to un-table this application. **Second by Kiley.** Voice vote: All ayes. Motion carried.

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. Mr. Foti is present and he has explains what has been done at the property. He lives is Arizona. This is a seasonable residence. The people who did the building said he didn't need a permit and that is why it was built before obtaining a permit. He is 150 feet off the road but is too close to the property line. The abutting property is owned by the family. He is looking for a 12 foot variance. In the future he is looking to build a pole barn. He asks if he can get a letter stating that it is okay to build the pole barn (it will be too close to the property line) or should he do a lot line adjustment? The board suggests doing a lot line adjustment.

Motion by Katie to close the public hearing. **Second by Herman.** 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. No other comments from the board. A 12 foot variance is needed. Applicant pays his application fee.

Motion by Kiley for a variance of 12 feet, running 30 feet on the east side of the property. **Second by Herman.** Voice vote: All ayes. Motion carried.

PRIVILEGE OF THE FLOOR: None.

OTHER BUSINESS: None.

Motion to adjourn by Katie. **Second by Herman.** Voice vote: All ayes. Motion carried. Meeting adjourned at 7:56 p.m.

Respectfully submitted,

Donna Noble

Donna Noble, Clerk