**DRAFT**

**MINUTES OF ZBA MEETING**

Meeting Date:  Tuesday, February 7th, 2023

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

Meeting called to order at 7:10 pm by Chair, Andy Decker.

Clerk called the roll:

**MEMBERS PRESENT:** Christine McCormack, Herman Niedhammer, Kiley Gregory, Dave McKenzie.

**MEMBERS ABSENT**: NA

**ALSO PRESENT**:  Amanda Barnes - Clerk, Diane DeSanto, Esq., JD Arnold, Code Enforcement Officer Treavor Gilday, and Tw0 (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 January 3rd, 2023, meeting.  **Motion by** **Christine** to approve the minutes.  **Second by Herman**.  Voice vote:  all ayes.  Motion carried.

**PUBLIC HEARING** - **ZBA 23-003-** Application of Christopher camarata for an area variance build a 2-bedroom 2 story home located at 1308 Hermance Road NY (Tax Parcel no: 185.10-1-41) in the town of Galway. Representative Dominick Arico is present for the purchasing client of Harold Weakley’s Property of a 1.5 Acer lot with lake access easement, Previously was a house located on the property in 2009. Proposed house is 600 ft with a walk out basement and deck. House is plotted 30’ off the pavement with cars being 5-8’ off pavement. Perc test has been completed and Treavor(Code enforcement) is in contact with DOH. Current well has proper set back and includes retaining wall for proper land use.

Andy: What is the Height from Road to peak of Roof – 20 feet to peak, from the road you will only see one story.

Existing Garage/ Shed is to stay on property.

Andy: would the clients be willing to turn the layout of the house to make it more rectangle in the direction from lake to road? In doing so a lake variance would not be needed.

Twisting the house would gain the area you would need on the lake side the span would then be 32’ wide.

Owner Representative would need to go back to Manufactures and homeowner to address if this is possible.

Ne Neighbor Issues at this time

Andy: Concerns with the neighbors behind the new house would hinder the view?

Heigh of house behind is Approximately 30’ higher then the proposed new house and should not hinder any views.

Andy: Front side 31’ Variance requested is confirmed.

Andy: Requested to move or turn the house to minimize the variance distance. With a 2nd options to side the house to the left to gain distance and minimize variance.

Motion by **Herman** to table the public hearing for application ZBA23-003.  **Second by Kiley** Voice vote:  All ayes.  Motion carried.

**PRIVILIEGE OF THE FLOOR:** None.

**OTHER BUSINESS:**  Code Enforcement officer Treavor Gilday – Question and Determination for the board: Dwelling in question is a Skid unit with a residence/ Shipping container, Does this type of dwelling fall with in the mobile home category? Page 115.15 of code 3rd item down describes tiny homes, modulars and mobile homes and their definitions. Paperwork provided states modular. Structure is 42’ long. Board Determination is that presented structure is a Mobile home.

**Motion to adjourn by Kiley.**  **Second by Christine**.  Voice vote:  All ayes.  Motion carried.  Meeting adjourned at 7:54 p.m.

Respectfully submitted,

Amanda Barnes

Amanda Barnes, Clerk