**MINUTES OF ZBA MEETING**

Meeting Date:  Tuesday, January 3rd 2023

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, Herman Niedhammer, Kiley Gregory, Dave McKenzie.

**MEMBERS ABSENT**: NA

**ALSO PRESENT**:  Amanda Barnes - Clerk, Diane, Esq., JD Arnold, Code Enforcement Officer Treavor Gilday, and Twelve (12) 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 6th 2022, meeting.  **Motion by** **Herman** to approve the minutes.  **Second by Christine**.  Voice vote:  all ayes.  Motion carried.

**PUBLIC HEARING** - **ZBA 23-001-** Application of Wades Tree service and landscape company for an area variance build 2000 sqft over the allotted 5000 sqft space for current zoning located at NYS Route 29 Galway NY (Tax Parcel no: 172.-1-71.1) in the town of Galway. Representative Paul from Lansing engineering is present. Lansing engineering presents the proposed variance of 2000 Sqft for a 7000 sqft building with a tree nursery, applicant will provide proper road screening at the front of the property, Proposed building is a pole barn that is under 30 feet in height. Christine asks clarification that the only drive way is located off route 29 and there is only one entrance/ exit. Cathy Arnold is present and is the one selling the property to wades tree service. Herman asks about septic systems: Wades tree service will do test pits in determination of the best system for the property, Storm water will also be determined at the time.

Motion by **Herman** to close the public hearing for application ZBA23-001.  **Second by Christine**.  Voice vote:  All ayes.  Motion carried.

**PUBLIC MEETING – ZBA23-001 -** Application of Wades Tree Service and Landscape company for an area variance to build 2000 sqft over the allotted 5000 sqft space for current zoning located at NYS Route 29 Galway NY (Tax Parcel no: 172.-1-71.1) in the town of Galway. Property is located west of greens corners road and has received positive recommendations from the planning board, Applicant does state they will provide SWPPP for the property during construction.

**Motion by Kiley** for a variance of approval of 2000 square feet to build a 7000 square foot building.   **Second by Herman.** Voice vote:  All ayes.  Motion carried.

 **PUBLIC HEARING** - **ZBA 23-002-** Application of Frank Hoerauf for an area variance increase the rear porch from approx. 3’x5’ to the full length of the rear of the house and 6’ wide, to increase the lake view deck width from 8’ to 12’. located at 5698 Crooked Street Galway NY (Tax Parcel no: 185.13-1-15) in the Lake District of Galway. Representative Joe from Nolan Engineering presents the original variance and states they are keeping both variances on the side the same, however would now like to shift the house back on the property and include a larger front porch and larger covered rear porch which would add 18” to the front deck and 3’ to the rear deck. The rear deck to be a 2”x6” platform with no railings. Andy asks what this does for the elevation: application will step the footings is needed to accommodate the slope. Addition of a Egress window on the side of the house is approximately 36” wide.

Motion by **Herman** to close the public hearing for application ZBA23-002.  **Second by Kiley**.  Voice vote:  All ayes.  Motion carried.

**PUBLIC MEETING – ZBA23-002 --** Application of Frank Hoerauf for an area variance increase the rear porch from approx. 3’x5’ to the full length of the rear of the house and 6’ wide, to increase the lake view deck width from 8’ to 12’. located at 5698 Crooked Street Galway NY (Tax Parcel no: 185.13-1-15) in the Lake District of Galway. Lansing Engineering asked if Homeowner can replace the previously demolished shed that is marked on the site plan, Exact same size and location. Code Enforcement agrees this is acceptable.

**Motion by Christine** for a variance of 13’ to the North extending 61’, a Variance to the south of 15’ extending 61’. In addition, a variance to install One (1) egress window well on the south side of the home. Variance to include 1 set of code compliant steps at the east side front deck (Lake Side).   **Second by Herman.** Voice vote:  All ayes.  Motion carried.

**PRIVILIEGE OF THE FLOOR:** None.

**OTHER BUSINESS:**

* Reminder of Training Sign ups
* Chair proposed future meetings be held at 7PM in lieu of 730 – All Board members are in favor.

**Motion to adjourn by Christine.**  **Second by Kiley**.  Voice vote:  All ayes.  Motion carried.  Meeting adjourned at 7:59 p.m.

Respectfully submitted,

Amanda Barnes

Amanda Barnes, Clerk