**DRAFT**

**MINUTES OF ZBA MEETING**

Meeting Date:  Tuesday, March 7th, 2023

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

Meeting called to order at 7:08 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 Two (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 February 7th , 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.

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

Engineer Present with Home owner Mr. Camarata

* Board had requested the building to be turned this change has been accommodated making the building now 30x28 with this new location on the property it relieves the need for multiple set back variances.

Andy’s Question: Basement is not furnished – Correct basement is just a walk out

Andy: if variance of 31’ is requested is that to the dripline? Actual would be additional of 1’ for overhang of roof on the corners.

Board Noted: the lake district is only aloud 2 levels finished, he loft is considered living space therefore the basement can not be finished.

Motion by **Herman** to close the public hearing for application ZBA23-003.  **Second by Kiley**

Voice vote:  All ayes.  Motion carried.

**Public Meeting: 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.

Motion by **Herman** to Approve Area Variance of 32’ to the north stretching 3-‘ to building of the 30x28 2 story home.  **Second by Dave** Voice vote:  All ayes.  Motion carried.

**PRIVILIEGE OF THE FLOOR:** None.

**OTHER BUSINESS:**

Andy talks about the Definition of Level in the code book

Question to the board of what happens if they finish the basement – Code Enforcement would send them a violation.

**Motion to adjourn by Christine.**  **Second by Kiley**.  Voice vote:  All ayes.  Motion carried.  Meeting adjourned at 7:27 p.m.

Respectfully submitted,

Amanda Barnes

Amanda Barnes, Clerk