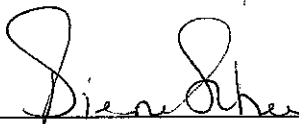


State of New York, ss.:
City and County of Schenectady

**TOWN OF GALWAY
Planning Board
NOTICE OF MEETING
DATE CHANGE
and
PUBLIC HEARING**
NOTICE IS HEREBY GIVEN
that the Town of Galway
Planning Board will con-
duct a public hearing on
Tuesday, December 17,
2019 at 7:30 p.m. in the
Town Hall, 6910 Sacan-
daga Road, Galway, NY
to consider the following
applications:
Application #PB-005
Application of Galway
Co-Op for a Site Plan
Review/Special Use Per-
mit on property located
at 6049 Fish House Road
(tax parcel no. 172.00-1-
57) in the Commercial,
C-1 District of the Town
of Galway.
Application #PB19-012
Application of James
Reedy, Jr. for a Minor/
Major Subdivision on
property located at 5804
Crane Road (tax parcel
no. 186-2-20) in the A/R
District of the Town of
Galway.
Donna M. Noble
Clerk
12/5 2394291

**Diana Scheuer of the City of Schenectady,
being duly sworn, says that he/she is Principal
Clerk in the office of the Daily Gazette Co.,
published in the City of Schenectady and that
the notice/advertisement, of which the annexed
is a printed copy, has been regularly published
in the Daily Gazette and/or Sunday Gazette
as follows:**

1 insertion December 5, 2019



Sworn to me on this 17th day of December, 2019.

NOTARY PUBLIC



PAULA A. OPEL
COMMISSIONER OF DEEDS
MY COMMISSION EXPIRES

07/22/2021



TOWN OF GALWAY
PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792
RECEIVED

5910 Sacandaga Rd.
Galway, NY 12074
(518) 882-6070

DEC 10 2019

TOWN OF GALWAY

PLANNING BOARD MEETING AGENDA

Meeting Date/Time: **December 17, 2019 - 7:30 p.m.**

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

1. Convene Meeting
2. Roll Call
3. Review of minutes of November 26, 2019 meeting
4. Clerk's Report
5. Chair's Report
6. Public Hearing:
 - Application #PB19-005** - Application of Galway Co-Op for a Site Plan Review/Special Use Permit on property located at 6049 Fish House Road (tax parcel no.: 172.00-1-57) in the Commercial, C-1 District of the Town of Galway.
 - Application #PB19-012** - Application of James Reedy, Jr. for a Minor/Major Subdivision on property located at 5504 Crane Road (tax parcel no.: 186.-2-20) in the A/R District of the Town of Galway.
7. Public Meeting:
 - Application #PB19-005** - Application of Galway Co-Op for a Site Plan Review/Special Use Permit on property located at 6049 Fish House Road (tax parcel no.: 172.00-1-57) in the Commercial, C-1 District of the Town of Galway.
 - Application #PB19-012** - Application of James Reedy, Jr. for a Minor/Major Subdivision on property located at 5504 Crane Road (tax parcel no.: 186.-2-20) in the A/R District of the Town of Galway.
 - Application #PB19-009** - Application of Roger and Donna Malebranche for a minor/major subdivision on property located at 1381 Point Road (tax parcel no.: 198.-2-1) in the Lake District of the Town of Galway.
 - Application #PB19-010** - Application of Capri Construction 426, LLC for a Site Plan Review/Special Use Permit on property located on NYS Route 29 (tax parcel no.: 172.-1-41) in the Commercial, C-1 District of the Town of Galway.
 - Application #PB-013** - Application of Lakeview Lodge LLC, Linia Kilgallen, for a Minor/Major subdivision on property located on Lake Road (tax parcel no.: 198.-1-33.12) in the Lake District of the Town of Galway.
8. Privilege of the floor
9. Other business
10. Adjournment



TOWN OF GALWAY
PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

5910 Sacandaga Rd.
Galway, NY 12074
(518) 882-6070

RECEIVED

JAN 29 2020

TOWN OF GALWAY

MINUTES OF PLANNING BOARD MEETING

Date/Time of Meeting: December 17, 2019, 7:30 p.m.

MEETING CALLED TO ORDER at 7:30 p.m. by Chair, Ruthann Daino.

MEMBERS PRESENT: MaryLynn Kopper and Rebecca Mitchell

MEMBERS ABSENT: Win McIntyre and Mikel Shakarjian

ALSO PRESENT: Donna Noble, Clerk, James Trainor, Esq., and approximately six (6) people in the audience.

REVIEW AND APPROVAL OF MINUTES: All board members previously reviewed the minutes of the November 26, 2019 meeting. One correction needed. **Motion by Rebecca** to approve the minutes with the correction. **Second by MaryLynn.** Voice vote: All ayes. Motion carried.

CLERK'S REPORT: One map filed: Lands to be conveyed to Seth Gregory.

CHAIR'S REPORT: None

PUBLIC HEARING:

Application #PB19-005 - Application of Galway Co-Op for a Site Plan Review/Special Use Permit on property located at 6049 Fish House Road (tax parcel no.: 172.00-1-57) in the Commercial, C-1 District of the Town of Galway. There are no comments or concerns from the audience or the board.

Application #PB19-012 - Application of James Reedy, Jr. for a Minor/Major Subdivision on property located at 5504 Crane Road (tax parcel no.: 186.-2-20) in the A/R District of the Town of Galway. There are no comments or concerns from the audience or the board.

Motion by Marylynn to close public hearing. **Second by Rebecca.** Voice vote: All ayes. Motion carried. Public hearing closed at 7:39.

PUBLIC MEETING:

Application #PB19-005 - Application of Galway Co-Op for a Site Plan Review/Special Use Permit on property located at 6049 Fish House Road (tax parcel no.: 172.00-1-57) in the Commercial, C-1 District of the Town of Galway. At the last meeting the board asked for notes to be added to the plan. Mr. Casadei explains that the maps have been updated with the requested changes but Mr. Sutton has them. Mr. Sutton could not be at the meeting because he had an emergency. Ruthann then explains to Mr. Casadei that because this meeting has been moved up a week, the County Planning Board has not met yet this month (12/19) and has not reviewed this application. Any approval that is granted tonight will be conditional on the County's review. Ruthann asks if the DOT permit has been initiated. Mr. Casadei has and says it appears that there will not be a problem. They have given them everything that they requested and are just waiting to hear back from them. Ruthann discusses the liquor license and asks if when it is time to renew the license will the special use permit need to be updated? Should there be a term limit on the use? A liquor license is good for three years. Mr. Trainor states that the board does have the ability to make the special use permit renewable as well. Ruthann asks Rebecca her thoughts on making the SUP renewable. Rebecca is not uncomfortable with the idea but does not know what the reason for doing it would be. The board has not done this in the past. Can a conditional approval be granted? Mr. Trainor asks what are the conditions: DOT Permit, results of the County Planning review and the requested changes to the plan. Mr. Trainor suggests some time limits on the compliance or satisfaction on what the County Planning Board might say. Ruthann said that the only concern, that she knows of, is the two access points on Fish House Road. She believes this wasn't an issue with the initial project because it hadn't come up before but thinks that because of the liquor store and the apartments maybe now they are questioning that. She does not know that to be certain but it is a possibility. Rebecca asks what the difference would be if this was granted tonight or at next month's meeting. Mr. Casadei explains that regarding the liquor license application another thirty days isn't going to make much difference but he would like to see approval regarding the apartments as he cannot be issued a building permit without approval. Mr. Trainor says that the board cannot grant a partial site plan approval. The whole plan will need to be approved at the same time. A building permit can be issued upon conditional approval. Ruthann asks Mr. Trainor asks what the County Planning Board's role is if they don't think there should be two access roads. Mr. Trainor says that the County looks at it for impact on the county. DOT will govern what happens on State Route 29 and says that the board will need to have the results of the County before granting approval. He also believes that they are going to require compliance. Ruthann then asks what is the procedure? Does this board have to comply with what the County says? The County can make suggestions and/or recommendations. The town can then proceed how they see fit. The board does not feel comfortable granting approval without hearing from the Saratoga County Planning Board. The board cannot grant partial approval (regarding the apartments). The Board will wait to hear from the County Planning Board to rule on this application.

Application #PB19-012 - Application of James Reedy, Jr. for a Minor/Major Subdivision on property located at 5504 Crane Road (tax parcel no.: 186.-2-20) in the A/R District of the Town of Galway. The new map with the additional information requested has been received. All information has been added. There were no comments during the public hearing. The board does not have any questions or concerns.

Motion by MaryLynn to approve the 2-lot minor subdivision. **Second by Rebecca.** Voice vote: All ayes. Motion carried.

Application #PB19-009 - Application of Roger and Donna Malebranche for a minor/major subdivision on property located at 1381 Point Road (tax parcel no.: 198.-2-1) in the Lake District of the Town of Galway. Mr. Rabideau speaks on behalf of the Malebranche's. The items requested to be added to the map have been added. Mr. Rabideau explains the changes that were made. Ruthann does not know what the turning radius is and isn't sure that a fire truck can pull in and get turned around. Mr. Rabideau explains that they wouldn't do that anyway. They would pull in and back out (without turning around). The fire department will have time to look at the application and make suggestions if they want to. Mr. Trainor has a question of the easement - does the applicant have an easement over the right-of-way? All of the property owners have access through their deeds. Mr. Trainor says that there was discussion of providing a common driveway maintenance agreement. This is something that has been done before and would like to see it with regard to this application.

SEQR REVIEW

Motion by Rebecca that based on the information and analysis and any supporting documentation, the proposed action will not result in any significant adverse environmental impacts. **Second by MaryLynn.** Voice vote: all ayes. Motion carried.

Motion by MaryLynn to classify as a 4-lot minor subdivision and set for a public hearing. **Second by Rebecca.** Voice vote: all ayes. Motion carried.

Application #PB-013 - Application of Lakeview Lodge LLC, Linia Kilgallen, for a Minor/Major subdivision on property located on Lake Road (tax parcel no.: 198.-1-33.12) in the Lake District of the Town of Galway. Mr. Carpenter brings a better map but does not have signature from Mr. Beck. The board cannot approve the lot line adjustment without a signature. The map looks good, nothing else is needed. This application will be added to next month's agenda.

PRIVILEGE OF THE FLOOR: None

OTHER BUSINESS: Jordon May, a business owner on Route 29, came to the board and got approval for special use permit but was never really in compliance with what was approved. He is now looking to add a motor vehicle inspection service. He will need to be in compliance with the original special use permit before changes can be made. This rule is in the code. §115-75 (sub 5).

Motion by Rebecca to adjourn. **Second by MaryLynn.** Voice vote: All ayes. Motion carried. Meeting adjourned at 8:25 p.m.

Respectfully submitted,

Donna Noble

Donna Noble, Clerk