

State of New York,  
City and County of Schenectady

ss.:

**Patti Schissler of the Town of Rotterdam,  
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:            March 10<sup>th</sup>, 2021**

*Patti Schissler* (signature)

Patti Schissler (printed name)

Sworn to me on this 9 day of April 2021

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NOTARY PUBLIC

*Paula A. Opel*

PAULA A. OPEL  
COMMISSIONER OF DEEDS  
MY COMMISSION EXPIRES

7-22-21

**LEGAL NOTICE  
TOWN OF GALWAY**

Planning Board

NOTICE IS HEREBY GIVEN that a public hearing will be held by the town of Galway Planning Board on Tuesday, March 23, 2021 beginning at 7:30 p.m. in the Town Hall, 5910 Sacandaga Road, Galway, New York, to consider the following application:

Application #PB21-001

- Application of Ryan Christopher for a Site Plan Review/Special Use Permit (auto repair) on property located at 2948 Route 29 (tax parcel no. 174-1-24.1) in the A/R District of the Town of Galway.

Application #PB21-002

- Application of Kim Bellizzi for a Site Plan Review/Special Use Permit (990 sq. ft. dwelling) on property located at 5849 Greens Corner Road (tax parcel no. 185-2-20.22) in the A/R District of the Town of Galway.

Donna M. Noble

Clerk

3/10

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

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

**RECEIVED**

**MAR - 9 2021**

**TOWN OF GALWAY**  
**PLANNING BOARD MEETING AGENDA**

Meeting Date/Time: **March 23, 2021 - 7:30 p.m.**

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

1. Convene Meeting
2. Roll Call
3. Review of minutes of the **February 23, 2021** meeting
4. Clerk's Report
5. Chair's Report
6. Public Hearing:
7. **Application #PB21-001** - Application of Ryan Christopher for a Site Plan Review/Special Use Permit (auto repair) on property located at 2948 Route 29 (tax parcel no.: 174.-1-24.1) in the A/R District of the Town of Galway.  
**Application #PB21-002** - Application of Kim Bellizzi for a Site Plan Review/Special Use Permit (980 sq. ft. dwelling) on property located at 5849 Greens Corner Road (tax parcel no.: 185.-2-20.22) in the A/R District of the Town of Galway.
8. Public Meeting:  
**Application #PB21-001** - Application of Ryan Christopher for a Site Plan Review/Special Use Permit (auto repair) on property located at 2948 Route 29 (tax parcel no.: 174.-1-24.1) in the A/R District of the Town of Galway.  
**Application #PB21-002** - Application of Kim Bellizzi for a Site Plan Review/Special Use Permit (980 sq. ft. dwelling) on property located at 5849 Greens Corner Road (tax parcel no.: 185.-2-20.22) in the A/R District of the Town of Galway.  
**Application #PB20-014** - Application of TJA -NY-1806 Perth Road Galway, LLC for construction and operation of a solar facility on property located at 1806 Perth Road (tax parcel no.: 199.-1-86) in the A/R District of the Town of Galway.  
**Application #PB21-003** - 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.-1-57) in the Commercial C-1 District of the Town of Galway.  
**Application #PB21-004** - Application of Keehan Fuels for a Site Plan Review/Special Use Permit on property located at 1608 NYS Route 29 (tax parcel no.: 185.-2-4) in the Commercial C-1 District of the Town of Galway.
9. Privilege of the floor
10. Other business
11. Adjournment

**\*\*Applicants - please wear a mask when attending this meeting. Also, please wait in the parking lot until your matter is called before the Planning Board.**  
**THANK YOU** in advance for your cooperation.



# TOWN OF GALWAY

PLANNING BOARD  
SARATOGA COUNTY, NY  
ESTABLISHED 1792

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

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MAY - 4 2021

TOWN OF GALWAY

## MINUTES OF PLANNING BOARD MEETING

**Date/Time of Meeting:** March 23, 2021, 7:30 p.m.

**MEETING CALLED TO ORDER** at 7:33 p.m. by Ruthann Daino, Chair.

**MEMBERS PRESENT:** Rebecca Mitchell, Win McIntyre, David Schweizer and Kevin Symonds.

**MEMBERS ABSENT:** None.

**ALSO PRESENT:** James Trainor, Esq. and approximately 15 people in attendance (in person and via zoom).

**REVIEW AND APPROVAL OF MINUTES:** All board members previously reviewed the minutes of the February 23, 2021 meeting. One correction needed. **Motion by David** to approve the minutes with the corrections. **Second by Win.** Voice vote: All ayes. Motion carried.

**CLERK'S REPORT:** 3 maps filed - survey of lands to be conveyed to Gianni Plemenik (filed 2/19/2021); survey of lands to be conveyed to Scott and Carrieanne Hurlburt (formerly of Drew C. Roeters) (filed on 2/2/2021); and subdivision of lands of Leslie M. Burton (filed on 2/1/2021). The first two maps are not recognized and Ruthann will look into the matters.

**CHAIR'S REPORT:** Ruthann has received e-mail correspondence regarding the Solar Farm project and will address them during their public meeting.

**PUBLIC HEARING: Application #PB21-002** - Application of Ryan Christopher for a Site Plan Review/Special Use Permit (auto repair) on property located at 2948 Route 29 (tax parcel no.: 174.-1-24.1) in the A/R District of the Town of Galway. There is no public in attendance.

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

**PUBLIC MEETING: Application #PB21-002** - Application of Ryan Christopher for a Site Plan Review/Special Use Permit (auto repair) on property located at 2948 Route 29 (tax parcel no.: 174.-1-24.1) in the A/R District of the Town of Galway. Ruthann reads the County Planning Board comments - there is no significant or county wide impact or in community impact. Mr. Christopher states that his surveyor has not been to the property yet.

**Motion by David** to approve the Site Plan Review/Special Use Permit with the condition that the edge of the payment is shown on the map and that the site location map is added to the map. **Second by Kevin.** Voice vote: All ayes. Motion carried.

**PUBLIC HEARING: Application #21-002** - Application of Kim Bellizzi for a Site Plan Review/Special Use Permit (980 sq. ft. dwelling) on property located at 5849 Greens Corner Road (185.-2-20.22) in the A/R District of the Town of Galway. There are neighbors in attendance but do not have questions or concerns. They are here for support.

**Motion by Rebecca** to close the public meeting. **Second by David.** Voice vote: All ayes. Motion carried.

**PUBLIC MEETING: Application #21-002** - Application of Kim Bellizzi for a Site Plan Review/Special Use Permit (980 sq. ft. dwelling) on property located at 5849 Greens Corner Road (185.-2-20.22) in the A/R District of the Town of Galway. There are no concerns. There is a questions of a second septic but it is not certain a second septic will be needed. They will work that out with Treavor when applying for the building permit.

**Motion by David** to approve the Site Plan Review/Special Use Permit. **Second by Kevin.** Voice vote: All ayes. Motion carried.

**Application #PB20-014** - Application of TJA -NY-1806 Perth Road Galway, LLC for construction and operation of a solar facility on property located at 1806 Perth Road (tax parcel no.: 199.-1-86) in the A/R District of the Town of Galway. Attendees via zoom: Eric Kenna, Mike Frateschi, Sasha Sabatello, Andrew LaPolt, Mike Kilgallen, and "MAS's iphone". Many of the questions that have been asked of the applicant have been submitted. Mike McNamara has done a preliminary review of the applicant's 248 page letter. Ruthann goes through Mr. McNamara's letter. He addresses things that are still outstanding. Some of the things outstanding have been submitted late today and will be reviewed by the April meeting. There is discussion about the grading and the poles at the entrance of the property. Of all of the lead agency letters that were returned, none of the organizations have concerns with the Town of Galway being the lead agency. The 248 page letter received from TJA will be put in the conference room for the public to review if they want to; the Town of Galway is not interested in a PILOT program; a study has shown that there will be either no impact of positive impact on property values; Ruthann states that she has all of the documents that have been submitted to date and they will be on the conference room table for public review. Mr. Kenna asks Mr. McNamara to look through the plan to make sure it is adequate/acceptable because the next step for them is the US Army Corp. submittal and they do not want to send it if there will be significant changes.

**Application #PB-21-003** - Application of Galway Co-Op for a Site Plan Review/Special Use Permit on property located at 6049 Fish House Road (172.-1-57) in the Commercial C-1 District of the Town of Galway. The applicant is not in attendance. Ruthann has sent e-mails and letters to the other board members. They will allow time for Mr. Casadei to address DOT, DPW, and Saratoga County Planning Board concerns. This application will be tabled until the June meeting.

**Motion by Win** to table this application to the June (June 22) meeting. **Second by David.** Voice vote: All ayes. **Motion carried.**

**Application #PB21-004** - Application of Keehan Fuels for a Site Plan Review/Special Use Permit on property located at 1608 NYS Route 29 (tax parcel no.: 185.-2-4) in the Commercial C-1 District of the Town of Galway. Mr. and Mrs. Keehan are in attendance. They will be buying this property and would like to move their business, that currently operates from their home, to the commercial district. They have six trucks that they will store at the property. Ruthann explains to Mr. Keehan that he will need to do a site plan as some of the requested information is missing. Ruthann shows Mr. Keehan a map "for example". She suggests to start by using the previous map from the current owner, Jordan May. The trucks will not be filled at this spot. Regular business hours are 7-8:00 am - 4:00 pm. The office and trucks will move to this site. There is question as to whether this application will need to go to the Zoning Board. Not necessarily as this is a "pre-existing, non conforming use". Mr. and Mrs. Keehan will contact the surveyor and return to the Planning Board.

**PRIVILEGE OF THE FLOOR:** The public in attendance for the Solar Farm project have a few questions. Mr. Kilgallen has questions about removing trees and reads from the zoning code. He also has questions regarding the zoning code and reads zoning code §115-75b6. He thinks that the Saratoga County Planning Board is interpreting the Code the same way that he is and he feels that there are differences in interpretation and he wants to find someone to mediate and determine what the exact interpret of this law is. Ruthann explains again that the code says "should". It is interpreted as - if you can you should. It is not mandatory. The applicant is leaving a great deal of vegetation around the perimeter as evidenced by photos that have been taken. In a few locations the applicant will probably be asked to add additional vegetation. Ruthann also notes that in the next letter from the Saratoga County Planning Board they note no significant county wide or community impact.

Carol Sabatello states that she has been a residence of Galway since 1986. This solar farm will be 72 feet away from her property line. This is something that the Town tax payers did not vote on and they do not want it.

**OTHER BUSINESS:** Mr. McKenzie has not brought in his maps and they need to be signed. Subdivision map needs to be filed. A phone call will be made to remind Mr. McKenzie that he will need to file his map.

**Motion by David** to adjourn. **Second by Win.** Voice vote: All ayes. Motion carried. Meeting adjourned at 9:04 p.m.

Respectfully submitted,

*Donna Noble*

Donna Noble, Clerk