

State of New York,
City and County of Schenectady

ss.:

**TOWN OF GALWAY
Planning Board
NOTICE OF
PUBLIC HEARING**
NOTICE IS HEREBY GIVEN
that the Town of Galway
Planning Board will con-
duct a public hearing on
Tuesday, September 25,
2018 at 7:30 p.m. in the
Town Hall, 6910 Sacan-
daga Road, Galway, NY,
to consider the following
applications:
Application #PB17-002
Application of Galway
Co-Op.Com., LLC for a
Site Plan Review/Special
Use Permit on property
located at 6049 Fish
House Road (tax par-
cel no.: 172-1-57) in the
Commercial C-1 District
of the Town of Galway.
Donna M. Noble
Clerk
9/13 2351514

**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 on September 13, 2018



Sworn to me on this 13th day of September, 2018

NOTARY PUBLIC

**ALISON COOKE
COMMISSIONER OF DEEDS
MY COMMISSION EXPIRES**

7/12/19





TOWN OF GALWAY
PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

PLANNING BOARD MEETING AGENDA

Meeting Date/Time: **September 25, 2018 - 7:30 p.m.**
Location: Town Hall – 5910 Sacandaga Road, Galway, NY

1. Convene Meeting
2. Roll Call
3. Review of minutes of the August 28, 2018 meeting
4. Clerk's Report
5. Chair's Report
6. Public Hearing:
Application #PB17-002 - Application of Galway Co-Op.Com, LLC 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.
7. Public Meeting:
Application #PB17-002 - Application of Galway Co-Op.Com, LLC 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 #PB18-007 - Application of Edward and Edna Baker for a lot line adjustment on properties located at 2610 May Road (198.6-4-9) and 2600 May Road (198.6-4-8) 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

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(518) 882-6070

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OCT 30 2018

TOWN OF GALWAY

MINUTES OF PLANNING BOARD MEETING

Date/Time of Meeting: September 25, 2018, 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: Mikel Shakarjian and Win McIntyre.

ALSO PRESENT: Donna Noble, Clerk, and eight (8) people in the audience.

REVIEW AND APPROVAL OF MINUTES: All board members previously reviewed the minutes of the August 28, 2018 meeting. **Motion by Rebecca** to approve the minutes. **Second by MaryLynn.** Voice vote: all ayes. Motion carried.

CLERK'S REPORT: Lot line adjustment map between lands of Michael T. Mitchell and Joseph C. and Katie E. Dannible has been filed on August 15, 2018.

CHAIR'S REPORT: None.

PUBLIC HEARING: Application #PB17-002 - Application of Galway Co-Op.Com, LLC 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. There are no comments or concerns from the public.

Motion by MaryLynn to close the public hearing. **Second by Rebecca.** Voice vote: All ayes. Motion Carried.

PUBLIC MEETING: Application #PB-17-002 - Application of Galway Co-Op.Com, LLC for site plan review/special use permit on property located at 6049 Fish House Road, (tax parcel no.: 172.7-57) in the Commercial District of the Town of Galway. There has been a recent submittal of a sign proposal and correspondence from the Town Engineer, Mike Mcnamara addressing the outstanding items regarding this application. Four of the five outstanding items have been addressed. The sign proposed is not compliant with some of the elements in the sections of the Code regarding signs. Ruthann reads comments from Mark Kindinger, Zoning Board Chair. They have not seen a plan or design for signage and that the Planning Board needed to approve the signs. It is Ruthann's understanding that the Planning Board can review the signs as part of the site plan review but the sign permit has to be submitted and approved by the Code Enforcer and it is up to him whether it meets code and whether it needs a variance. Ruthann

asks Mr. Pozefsky if that is correct. He says yes. Ruthann says at this point, the Board will look at this application from a site plan standpoint and let the Code Enforcer handle the signage and if it requires a permit he can decide whether it goes back to the Zoning Board at that time. Rebecca asks if the lands have been acquired from Saratoga County or if it is still pending. The lands have been acquired. The map note still states that the lands will be acquired. The note will need to be changed stating that the portion of land has been acquired from the County and that the site is now 1.314 acres. Mr. Sutton tells Ruthann that NYS DOT has not yet granted the access permit. **The Board is ready to vote on this application with the following conditions: The note on the site plan will need to be changed stating that the portion of land from the County HAS been acquired and that the site is now 1.314 acres; NYS DOT access permit be granted; and the sign application be submitted to the Code Enforcer.**

Motion by Rebecca to approve the Site Plan Review/Special Use Permit with the conditions as outlined above. **Second by MaryLynn.** Voice vote: All ayes. Motion carried.

Application #PB18-007 - Application of Edward and Edna Baker for a lot line adjustment on properties located at 2610 May Road (198.6-4-9) and 2600 May Road (198.6-4-8) in the Lake District of the Town of Galway. Mrs. Baker explains her application and what they would like to do. They had two cabins next door to each other. One of them was sold. There was a shared well. When they sold one cabin, they had to put in a new well for the other cabin. They bought the corner piece of land so that they could make the new well fit. What they would like is to adjust the lines to make one parcel for tax purposes (to only pay one tax bill). Ruthann's concern was that they weren't making a substandard lot and they are not. Ruthann explains that in the town of Galway's code, a lot line adjustment is considered a minor subdivision but the board has the ability to waive the minor subdivision requirements (public hearing, SEQR). This application is pretty straight forward and the board has no questions, comments or concerns.

Motion by Rebecca to waive SEQR review and the public hearing. **Second by MaryLynn.** Voice vote: All ayes. Motion carried.

Motion by MaryLynn to approve the lot line adjustment. **Second by Rebecca.** Voice vote: All ayes. Motion carried.

PRIVILEGE OF THE FLOOR: Joanne Darcy Crumb, attorney and land surveyor, is here on behalf of T.J. Energies. They are interested in pursuing a small scale solar installation in Galway, on Perth Road. She understands that currently there are no provisions for use of solar in the use schedule. Ms. Crumb anticipates going to the town board to discuss either a PDD or possibly changing/adding solar to the use schedule so that T.J. Energies can pursue the project. This is what will be considered a community solar project. There are several different operational ways they deal with community solar. One is through people purchasing a share in the farm and their electric bill will show a credit every month based on the solar farm. There is also a business model where certain areas get the benefit of it without necessarily having to purchase it. This is anticipated to be a 5 mega watt project that needs about 25-30 acres. Ms. Crumb would like to get a feel for what the board is thinking. Would a PDD be most appropriate? Would working with the town board to change the schedule of uses to

address solar be appropriate? Ruthann is not certain if this could be done under a special use permit using the cell tower guidelines or if it should go to the town board first. Mr. Pozefsky explains that there is a public utility use in the code however, it is not very specific and did not anticipate this type of use. He did speak to former Supervisor a couple years ago as there was another applicant regarding solar and he did want the code changed with its own solar component. Mr. Pozefsky is not sure how it will be done and unfortunately , does not think it will be done quickly. The applicant has a couple of choices: see if the town board is interested in adopting a specific solar law to incorporate into the site plan; see if this applicant wants to pursue a PDD for this parcel; or whether they want to amend the zoning schedule. Ruthann says that this is something that they need in the town ordinance but is not sure of the time factor for this applicant as to how long it will take to get a section on solar added. Ms. Crumb says that there is nothing set. With the "push" there is a certain level of treatment they will be afforded at the state level that they don't want to miss out on. Ruthann asks Ms. Crumb if she would like to go back to the applicants and discuss the options that were set forth. Her gut thought is to go to the town board to incorporate the use of solar. Time frame is not critical but it is important. Ms. Crumb will go to the town board under privilege of the floor.

OTHER BUSINESS: None.

Motion by Rebecca to adjourn. **Second by MaryLynn.** Voice vote: All ayes. Motion carried. Meeting adjourned at 8:19 p.m.

Respectfully submitted,

Donna Noble, Clerk