



TOWN OF GALWAY
PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

MINUTES OF PLANNING BOARD MEETING

Date/Time of Meeting: August 24, 2021, 7:30 p.m

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

MEMBERS PRESENT: Kevin Symonds.

MEMBERS ABSENT: Rebecca Mitchell, Win McIntyre and David Schweizer.

ALSO PRESENT: Donna Noble, Clerk, James P. Trainor, Esq. and approximately 12 people in the audience.

REVIEW AND APPROVAL OF MINUTES: All board members previously reviewed the minutes of the July 27, 2021 meeting.

CLERK'S REPORT: Subdivision Map of Lands of Bernard J. Jr. and Randie B. Boerenko to be conveyed to David McKenzie has been filed with the Saratoga County Clerk on July 15, 2021.

CHAIR'S REPORT: None.

PUBLIC HEARING: 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. There are no comments or concerns from the public.

Move to close the public hearing by Ruthann.

PUBLIC MEETING: 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. Kevin Keehan is in attendance. Ruthann explains that because there is only herself and one member, they cannot take a vote on the motion. There are no comments or concerns from the public. Kevin Keehan is in attendance. Ruthann reads the comments from the Saratoga County Planning Board. No significant county wide or inter community impact. Although they find no significant impact they do notice there appears to be an encroachment of landscaping bins into the neighboring parcel to the west and into the NY State Route 29 right-of-way. They suggest that the bins removed out of the neighboring parcel and the NY State Route 29 right-of-way. There is question of the single access in and out of the

property and also questions as to whether or not fuel will be stored in the trucks to be kept at the site. They also let the applicants know who they need to contact if there is work to be done in the NY State right-of-way. Ruthann gives Mr. Keehan a copy of the letter. Ruthann also asks a question about the entrance. Ruthann also told the Saratoga County Planning Board that the bins will be removed. Ruthann asks if the trucks will be holding fuel. Mr. Keehan explains that yes, most of the time they will have fuel in them. There will be 2 fuel delivery trucks. Mr. Trainor cites the section of the code that talks about making provision for the storage of fuel and hazardous materials and feels that this is something that should be addressed on the site plan. Mr. Keehan explains that the trucks are not considered storage units and that he carries insurance to cover any damage that may occur. Ruthann asks that Mr. Keehan add on the map an outline of what their plan is in case of a spill.

This application will go before the board again next month so that it can be voted on.

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. Mr. Casadei and Mr. Arico are in attendance. Mr. Arico talks about his and DOT's discussions about the west entrance on 29. DOT will not issue any permits until the Planning Board approves the application. Ruthann asks if they will document to them they need Planning Board's approval before they will issue a permit. Mr. Arico explains that that is DOT's requirements with every permit. Ruthann would like a note on the map saying that is DOT's standards - that it will be a permitted commercial driveway. Ruthann asks if it is still necessary can the employees park across the road. Mr. Casadei said that if it was necessary yes, they can. He does not feel that it will be necessary as there are no retail businesses at this location. There is discussion of the note on the map that discusses the fuel tanks. Ruthann would like the note changed to say that there is one tank for display only. Ruthann asks if Mr. Trainor has anything to add. He does. He asks if the application fee has been paid. No, it has not yet. Mr. Casadei will submit payment. Mr. Trainor states that the Saratoga County Planning Board still is listed as "disapproved". Has the updated information been sent to the County Planning Board? Ruthann believes that the updated information will need to be sent to the County Planning Board. There is discussion of the DOT permits. Mr. Arico explains that DOT permit applications are in multiple stages and that they are in the last stage. The approval of the application 2-3 years ago and the approval of this new application was and is conditional on the DOT permit approval. Ruthann asks Mr. Arico to forward her the e-mail from DOT that he previously sent but she did not receive. The e-mail may clarify some outstanding questions. This application will be on the agenda for next month's meeting.

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. TJA is not in attendance tonight. The Army Corp. site visit is scheduled for September 2. Mr. Trainor questions the "shock clock" extension. It is extended through the end of September.

Application #PB20-017 - Application of Anthony Savino for a Site Plan Review/Special Use Permit to install a "Farmers Stand Market" on property located at 2620 Route 29 (tax parcel no.: 174.-1-83.11) in the A/R District of the Town of Galway. Matthew Huntington is in attendance on behalf of Mr. Savino. Mr. Huntington goes over the plan and goes through EDP June 23 letter's bullet points. They will need a DOT permit.

They will be re-using the existing ingress and egress. The only thing they may have been seeking is a waiver form for parking. Ruthann asks Mr. Trainor if they would need a variance for parking in the side yard set back. Ruthann explains that they did waive it for a previous application. and that yes, it can be waived by the planning board. Mr. Huntington explains that he did submit building plans but will submit them again. He will submit hard copies for the board and send a digital copy the Mike McNamara. Also, they will need to locate the well on the site plan. Ruthann ask that the well and updated information be added to the plan before sending it to Mr. McNamara. This application will be put on the agenda for next month's meeting.

PRIVILEGE OF THE FLOOR: None.

OTHER BUSINESS: None.

Move to adjourn by Ruthann. Meeting adjourned at 8:17 p.m.

Respectfully submitted,

Donna Noble

Donna Noble, Clerk