



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: November 23, 2021, 7:30 p.m.

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

MEMBERS PRESENT: Kevin Symonds, Rebecca Mitchell, Win McIntyre and new member, Renee Roth-O'Neil

MEMBERS ABSENT: None

ALSO PRESENT: Donna Noble, Clerk, Robin Collyer, Replacement Clerk, James P. Trainor, Esq. and approximately 13 people in the audience.

REVIEW AND APPROVAL OF MINUTES: All board members previously reviewed the minutes of the October 26, 2021 meeting. **Motion by Kevin** to approve the October minutes as all members are present to vote. **Second by Rebecca.** Voice vote: All ayes. Motion carried.

CLERK'S REPORT: Lot Line Adjustment; correcting an omission on M2021171, between the lands of Sandra G. Wheeler-Arey and other lands of Sandra G. Wheeler-Arey has been filed with the Saratoga County Clerk on November 1, 2021. Secondly, Survey Lands of Kwiatkowski has been filed with the Saratoga County Clerk on November 1, 2021. Lastly, Notice of Public Hearing; Town of Providence Planning Board, November 4, 2021 regarding Applicant : Rolling Ridge Mobile Home.

CHAIR'S REPORT: Phone correspondences with Saratoga County which will be addressed during each application

PUBLIC HEARING:

Application #PB21-012 - Application of John P. Haynes and Martel Catalano for Minor/Major Subdivision of property located at 6123 Jockey Street (tax parcel no.: 174.-1-49) in the A/R District of the Town of Galway.

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

Application #PB21-003 - 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.

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

Application #PB21-010 - Application of Earth Development LLC. for Site Plan Review/Special Use Permit on property located on Rte. 29 (tax parcel no.: 172.-1-71.1) in the Commercial C1 District of the Town of Galway

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

PUBLIC MEETING:

Application #PB21-012 - Application of John P. Haynes and Martel Catalano for Minor/Major Subdivision of property located at 6123 Jockey Street (tax parcel no.: 174.-1-49) in the A/R District of the Town of Galway. Applicants present. Items of outstanding were the owner's signature granting permission, updates for the driveway, leach field; septic and well. All presented by applicant for this meeting. Correspondence received with a decision from Saratoga County Planning Board that there is no significant County wide or intra community impact; The County DPW Permit will be required in order to construct the driveway on County Route 52. Comment from the applicant is that there is an existing driveway on the property; applicant advised to contact Saratoga County DPW for assistance.

Motion to grant final approval and approve for filing of a two lot minor sub-division by: **Win. Second by Kevin.** Voice vote: All ayes. Motion carried. Applicant advised for filing with Saratoga County; mylar copy and two paper prints for signature prior to submission will be required.

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. Mr. Arico in attendance and John Sutton, Esq. Review of permit; pending Stage 3. Approval would be conditioned and the issuance of the CO on the closing off the middle curb cut to the satisfaction of Saratoga County DPW and the NYS DOT permit being obtained. Saratoga County DPW can only barricade at this time; closed to their satisfaction. Documentation will be needed from the Saratoga County Engineer determining how the barricade will be completed to their satisfaction to satisfy conditions of approval. CO and special use permit will be conditional.

Motion by Kevin to approve a conditional approval upon Saratoga County DPW satisfactorily closing the curb-cut access and NYS DOT issuing permit. Conditional approval for the special use permit. **Second by Win.** Voice vote: All ayes. Motion carried. Letter for applicant will be issued with conditions of approval for the acceptance of NYS DOT for the issuance of the permit.

Application #PB21-010 - Application of Earth Development LLC for Site Plan Review/Special Use Permit on property located on Rte. 29 (tax parcel no.: 172.-1-71.1) in the Commercial C1 District of the Town of Galway. Applicants present. Summary of status of application of last review: application submission to the Saratoga County Planning Board, species and size of plant material to be noted on plan and decibel standards to be provided. Response received regarding the decision of the Saratoga County Planning Board. The response is for request of additional information needed in order to make a determination for this application.

Correspondence dated 11/19/2021:

By reviewing the Town's Zoning law under Section 115-75-Special Use Permit and Site Plan Review, there are a number of considerations to take place that are listed in the Special Use Performance Standard's subtopic of Section 115-75. These include Noise, Vibration, Smoke, Odors, Other Forms of Air Pollution, Discharge of Water, Traffic Access, Parking, Circulation, Landscaping & Screening, Sewage Treatment & Water, Emergency Services, Nuisances, Size & Scale. The submitted site plan lacks information on how the proposed recycling yard is to operate. Surely, the site plan should take into the considerations listed in the special use performance standards and illustrate these on the site plan to show how the site will operate and achieve and or meet these standards that are listed. The site plan should show the layout of the site that includes: locations of the various equipment that is to be used, the stockpile locations of the pre and post materials, internal truck circulation, employee and equipment parking, any accessory buildings, landscaping and type of plant materials to be used, lighting for the site, bathroom facilities and drainage patterns and mitigation to show no run-off from the site. - 2 - Furthermore, additional information should be required such as the noise level of the equipment that will be used (the crusher and grinder) and how any noise will be mitigated, are there any associated odors, vibration and/or dust and smoke along with any mitigation needed, the type of trucks being used to bring in raw material and removing the finished product along with daily number of trips in and out of the site, and any nuisances with the surrounding uses especially for the non-commercial (residential) uses in the proximity of the site.

It is undetermined whether or not this proposed use is to be certified and/or licensed by NYS Dept. of Conservation. This should be investigated and if determined in fact State licensing is needed, all the State requirements should also be represented on the site plan prior to any local approvals.

Finally, a NYSDOT work and curb cut permit will need to be obtained in order to construct the access to the site off of NYS Rt 29.

A site plan showing the full layout of the proposed site's operation along with supporting information will be needed in order for the Saratoga County Planning Board can make a determination of any possible county-wide impacts.

Items were reviewed with applicant that will not be applicable; bathrooms will be portable, lighting. A suggestion of the board is to include explanation if there are items not applicable. Significant items reviewed with applicant for meeting the request of Saratoga County Planning Board were: mitigation of noise and dust; equipment location on an as needed basis; and stock pile of materials to be included on site plan; truck

routing in and out of area; parking; type of plant materials with specifics of type, size and quantity; grading for potential run-off; noise level-decibel level; odors/vibrations and smoke. Tier 3 compliance of equipment will be needed in response; truck specifications. Applicant noted they have made note that they have not received response from the Department of Environmental Conservation. Attorney Trainor advised the use of their website and utilize their regulations with response for the application. Applicant noted equipment is currently being utilized in the Town of Ballston. Applicant was advised of the next meeting of the Saratoga County Planning Board; third Thursday; new site plan and information and documentation needed for re-submission.

Motion to table application by Kevin. Second by Rebecca. Voice vote: All ayes. Motion carried.

Application #PB21-013 - Application of Charles and Jane Guyon for Lot Line Adjustment of property located at 9200 Leahy Drive (tax parcel no.: 185.17-2-17.1) in the Lake District of the Town of Galway. Applicants present and reviewed property line deletion and reinstating; original property line deleted three years ago following driveway. Authorization obtained by owner; Prismont. Septic tank and leach field confirmed. Road frontage; shared driveway at Leahy Drive. Current lot will be gaining back land that was given away previously. Survey will be completed; map to be presented for signature with approximate location of septic; well is present at this time on maps introduced.

Motion to approve application pending new set of plans with survey; waiving SEQR and Public Hearing by Kevin. Second by Rebecca. 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. Present is Eric Kenna and Mike Frateschi, via Skype and Mike McNamara, town engineer from EDP (Environmental Design Partnership). Outstanding items reviewed were the correspondence of Army Corp of Engineers and Planting plans. Proposed plantings; taller species than original proposal. Plant material will be one of the conditions of the approval. In addition to, item for conditional approval will be the training for the Galway Volunteer Fire Department. Mike asked to review the letter in response to last comments. Item that are outstanding in review of correspondence is the Decommissioning Plan and estimate. 11/17 and 4/28 email and letter, all other items have been addressed. Mike McNamara is aware of the need for the Decommissioning Plan

Resolution regarding SEQR; Mr. Trainor reviews a typo Resolve Section; fourth line; removing of regarding and should read:

RESOLVED, that the Planning Board, acting as Lead Agency in this coordinated review under SEQRA, classifies the proposed action is a Type I action, has reviewed each of the 18 factors contained in Part 2 of the FEAF and hereby determines that the proposed actions by the applicant, TJA Clean Energy for a Special Use Permit and Site Plan Review to construct up to a 5 megawatt ground mounted solar photovoltaic system on 34 acres located at 1806 Perth Road, more fully identified as Tax Map Numbers 199.-

1-86, will not have a significant impact on the environment and directs that a Negative Declaration be filed and distributed in accordance with SEQRA regulations

Motion to read Resolution and read by Kevin. Second by Win. Voice vote: All ayes. Motion carried.

Motion for Resolution of approval with the additional conditions of: 3. TJA shall contact the Galway Volunteer Fire Department and arrange necessary training prior to operations at site and 4. Plantings will provide adequate screening for that purpose. be approved by Rebecca. Second by Win. Voice vote: All ayes. Motion carried.

TOWN OF GALWAY

PLANNING BOARD

2021 RESOLUTION NO. 1

WHEREAS, TJA Clean Energy has submitted an application for a Special Use Permit and Site Plan Review to construct a ground mounted solar farm and associated electrical appurtenances at 1806 Perth Road in the Town of Galway more fully identified as Tax Map Number 199.-1-86. The solar photovoltaic system is proposed for installation on 19 acres within an approximate 34-acre site. The solar array will generate up to 5 megawatts AC of power. Included in the project will be the construction of an access road, electrical pads, security fencing, and electrical interconnection; and

WHEREAS, pursuant to 6 NYCRR 617.4(b)(6) the New York State Environmental Quality Review Act (SEQRA), the proposed action is a Type I action requiring SEQRA review as it involves the physical alteration of at least 15 acres; and

WHEREAS, pursuant to 6 NYCRR §617.6, the Galway Planning Board on October 9, 2020 declared itself to be the lead agency for SEQRA review and commenced a coordinated review with interested and involved agencies; and

WHEREAS, Saratoga County, NYS Agriculture and Markets and NYS DEC responded to the Town's Lead Agency Notification with no objections; and

WHEREAS, the applicant has submitted and the Planning Board has considered a number of SEQRA-related documents including, but not limited to, several fully completed Full Environmental Assessment Forms (“FEAF”) on August 31, 2020, a May 29, 2020 Coordinated Electric System Interconnect Review (CESIR) by National Grid, an October 2020 Wetland Delineation Report, a revised Watershed Map dated October 2020 that considers tree coverage, photos from 18 viewpoints throughout the Town toward the project location, a 7 sheet plan with a revision date of October 27, 2020, a glare analysis report, a site plan revised on October 27, a letter from ACOE indicating no permit is necessary and a “no impact” letter from SHPO; and

WHEREAS, the Planning Board has duly reviewed and considered the detailed comments of Charles Gottlieb, attorney for Michael and Lina Kilgallen, the letter of the Planning Board Chair dated December 28, 2020, comments and questions of adjacent property owners and Town Supervisor at November 18, 2020 public hearing, Saratoga County Planning Board review of proposed special use permit and site plan review, dated October 16, 2020 and November 20, 2020, letter of Environmental Design partnership regarding revised materials for proposed project dated September 22, 2020 and project engineers letter responding to questions regarding concept review dated October 27, 2020, November 12, 2020, and site plan/review/special use permit application dated August 28, 2020; U.S. Department of the Interior Letter regarding a list of endangered species at the proposed project site dated November 19, 2020, a Stormwater Pollution Prevention Plan dated March 2021, a TJA response to a review letter from Environmental Design Partnership, LLP and the Town of Galway Planning Board dated April 25, 2021 and correspondences from Michael Smith and Adam Mancini dated May 25, 2021; and

WHEREAS, the Planning Board has evaluated the project based on the standards of review and design outlined in the Town of Galway Code §115-75 (a)(1) and the Town's Comprehensive Plan to determine whether it conforms to the Town's planning goals, objectives, and to provide for a design that would be in harmony with the appropriate and orderly development of the district in which it is located, and to ensure that the impact of the new development are mitigated by compliance with reasonable conditions; and

WHEREAS, the Planning Board has carefully considered the criteria contained in 6 NYCRR §617.7(c), especially whether the proposed clear-cutting of 19.04 acres of forest, creates a significant adverse impact on the environment pursuant to subdivisions C (i), (ii), (v) and (viii); and

WHEREAS, pursuant to 6 NYCRR 617.7 (a)(2) the Planning Board has determined that an EIS will not be required for this action as the identified environmental impacts will not be significant; and

WHEREAS the Town has duly reviewed and considered the evaluation by Michael McNamara, P.E. of Environmental Design Partnership addressing compliance issues with regard to tree removal, lot coverage, visibility, and screening, and considered that the Town's Solar Legislation permits major collections systems in the Agricultural-Residential zoning district but requires that the removal of trees and other existing vegetation should be minimized, and since the clearing at the project site at 1806 Perth Road does not propose to clear anymore trees than is necessary for the panels and associated infrastructure, the treeing clearing is minimized; and in terms of the visibility and screening of the solar panels, as the project is located on a very steep slope and a great distance from the property lines of adjacent owners, there is little or no visibility from neighboring properties and the applicant's landscaping plan of September 28, 2021 has been reviewed and considered; and

WHEREAS the Town has considered the Saratoga County Planning Board's letter of October 16, 2020, that requested additional information regarding the total size of the site along with the total area to be improved with solar arrays and its subsequent decision dated November 20, 2020 based upon explanations, corrections, and revised plans, and it concluded there was no significant county-wide or intercommunity impact.

Now, therefore, be it

RESOLVED, that the Planning Board, acting as Lead Agency in this coordinated review under SEQRA, classifies the proposed action is a Type I action, has reviewed each of the 18 factors contained in Part 2 of the FEAF and hereby determines that the proposed actions by the applicant, TJA Clean Energy for a Special Use Permit and Site Plan Review to construct up to a 5 megawatt ground mounted solar photovoltaic system on 34 acres located at 1806 Perth Road, more fully identified as Tax Map Numbers 199.-1-86, will not have a significant impact on the environment

and directs that a Negative Declaration be filed and distributed in accordance with SEQRA regulations.

A motion by Member Symonds, seconded by Member McIntyre, to adopt Resolution No. 1 of 2021.

A roll call vote was taken on Resolution No. 1 as follows:

Chairperson Daino YES

Member Symonds YES

Member Mitchell YES

Member McIntyre YES

Member Roth-O'Neill ABSTAIN

Resolution No. 1 of 2021 was adopted at a meeting of the Planning Board of the Town of Galway duly conducted on November 23, 2021.

2021 RESOLUTION NO. 2

WHEREAS, TJA Clean Energy has submitted an application for a Special Use Permit and Site Plan Review to construct a ground mounted solar farm and associated electrical appurtenances at 1806 Perth Road in the Town of Galway more fully identified as Tax Map Number 199.-1-86. The solar photovoltaic system is proposed for installation on 19 acres within an approximate 34-acre site. The solar array will generate up to 5 megawatts AC of power. Included in the project will be the construction of an access road, electrical pads, security fencing, and electrical interconnection; and

WHEREAS, pursuant to the Galway Town Code, public hearings were held on November 18 and November 24, 2020 and many comments were received and considered including, but not limited to, the following:

- Height and type of fencing to be installed and the location of areas to be fenced**
- Impact on wildlife and wetlands**
- Visibility of the solar panels from Perth Road**

- **Visibility of the facility through the trees during the winter months**
- **Construction noise during the construction phase of the project**
- **Potential noise from the transformers on the proposed site**
- **Ability of Emergency Vehicles to respond to a fire at the site**
- **Special training for fire department personnel**
- **Types and sizes of plantings/trees proposed**
- **The deforestation of the site**
- **Negative impact on neighboring houses**
- **Long-term maintenance plan for the proposal**
- **Hazardous materials that would be contained on the site**

WHEREAS, the Planning Board completed a Coordinated SEQRA review as Lead Agency and has issued a Negative Declaration on November 23, 2021 pursuant to Resolution No. 1 of 2021; and

WHEREAS, the applicant has submitted and the Planning Board has considered a number of documents including, but not limited to, several fully completed Full Environmental Assessment Forms (“FEAF”) on August 31, 2020, a May 29, 2020 Coordinated Electric System Interconnect Review (CESIR) by National Grid, an October 2020 Wetland Delineation Report, a revised Watershed Map dated October 2020 that considered tree coverage, photos from 18 viewpoints throughout the Town toward the project location, a 7-sheet-plan with a revision date of October 27, 2020, a glare analysis report, a Stormwater Analysis conducted in March 2021, a site plan revised on October 27, 2020, a letter from ACOE indicating no permit is necessary and a “no impact” letter from SHPO; and

WHEREAS, the Planning Board has duly reviewed and considered the detailed comments of Charles Gottlieb, attorney for Michael and Linea Kilgallen, the letter of the Planning Board Chair dated December 28, 2020, comments and questions of adjacent property owners and Town Supervisor at a November 18, 2020 public hearing, the October 16, 2020 and November 20, 2020 letters from the Saratoga County Planning Board

regarding its review of the proposed special use permit and site plan, a letter from the Environmental Design Partnership regarding revised materials for the proposed project dated September 22, 2020, the project engineer's letters responding to questions regarding a concept review dated October 27, 2020 and November 12, 2020, a site plan/review/special use permit application dated August 28, 2020, a U.S. Department of the Interior Letter regarding a list of endangered species at the proposed project site dated November 19, 2020, a Stormwater Pollution

Prevention Plan dated March 2021; a May 26, 2021 forwarding email from Michael Smith and a May 25, 2021 letter from Adam Mancini regarding tax assessment reductions; and

WHEREAS, the Town Engineer has reviewed the applications and the proposed site plan and confirms that the plan complies with all Town, County and State requirements; and

WHEREAS, the Planning Board has duly considered the application and the elements necessary to consider the granting of a Special Use Permit by taking into consideration the benefit to the applicants if the permit is granted, as weighed against the detriment to the health, safety, and welfare of the neighborhood or community by such grant outlined in § 115-75 A (1) of the Town of Galway Code;

Now, therefore, be it

RESOLVED, that the Planning Board hereby makes the following findings:

- 1. The Use is in harmony with and does promote the general purposes and intent of the Town's Comprehensive Plan and the Solar Local Law, and the use does not have a negative effect on the health, welfare, and safety of the Town and its residents;**
- 2. The overall compatibility of the Use has a positive impact on the neighborhood and community character, including the character of adjoining properties, districts, and uses and the Use has a positive impact on density, including the density of adjoining properties, districts, and uses;**
- 3. The Use does not have a substantially negative impact on vehicular congestion and parking, including the provision of adequate parking and**

**the absence of hazardous traffic conditions, including ingress and egress;
and**

4. The Use has a positive impact on infrastructure and services, including utilities, public facilities, and services, taking into consideration the extent to which the project extends or provides infrastructure and services to the area in need of such infrastructure and services; and

5. The Use has a positive impact on environmental and natural resources, including the environmental and physical suitability site for development, the risk of fire, flood, or erosion taking into consideration the impacts such as emissions of electrical charges, dust, light, vibration, or noise detrimental to the public health, safety, and welfare; and

6. The Use provides a positive effect on the long-term economic stability and community character of the Town and surrounding properties, districts, and uses; and

7. The solar project is a permitted use, subject to a special use permit within Agricultural District #2; and

8. The solar project substantially complies with the special use performance standards contained in Galway Town Code § 115-75 B (6) as follows:

(a) All activities involving the storage of flammable and explosive materials will be provided with adequate safety devices against the hazard of fire and explosion hazards.

(b) No activity will emit dangerous radioactivity or electrical disturbance that would jeopardize the health of employees or adjacent property owners.

(c) The maximum noise level at the property line will not exceed 70 dBA.

(d) No vibration will be detectable.

(e) No reflective glare from lighting or process will interfere with traffic safety or the enjoyment of adjacent property.

(f) No emission will be a shade equal to or darker than Ringelmann Smoke Chart No. 2.

- (g) No emissions or odorous gasses will be detectable other than by an instrument at the property line.**
- (h) No forms of air pollution will be permitted that will jeopardize human health or otherwise deteriorate or detract from adjacent properties.**
- (i) No polluting or objectionable waste will be discharged to any stream or other natural drainage channel.**
- (j) All proposed traffic accessways will be adequate for the existing width, grade and visibility of current street intersections.**
- (k) Adequate off-street parking and loading spaces will be provided to prevent parking on public streets.**
- (l) The interior circulation system provides for adequate safe accessibility to off- street parking.**
- (m) All parking spaces and service areas will be screened from the view of adjacent lot owners and streets by landscaping which shall be in the character prevailing in the neighborhood.**
- (n) The character and appearance of the proposed structures and buildings is in general harmony with the surrounding neighborhood.**
- (o) The proposed use protects historic and natural environmental features on the site and in adjacent areas.**
- (p) The available sewage treatment and water supply adequately supports the proposed use.**
- (q) All buildings, structures and equipment are accessible for fire, police, and emergency service protection.**
- (r) The proposed use will not create any nuisances including noise, fumes, vibration or lighting other than what is required to operate the permitted use.**
- (s) The size and scale of the project will not be hazardous or inconvenient to the residence district or conflict with the normal traffic of the neighborhood.**

(t) The location and height of building, fences, and the extent of landscaping on the

site will not hinder or discourage the appropriate development and use of adjacent land and building or impair their use or value.

(u) Additional safeguards and conditions will be imposed if reasonably necessary

and;

9. The solar project substantially complies with the Site Plan design criteria specified in Galway Town Code § 115-75 C (9) as follows:

(a) The project has a harmonious relationship with the existing and planned development of contiguous lands and adjacent neighborhoods.

(b) The project has no material adverse effect upon the desirability of such neighborhoods for the uses included in this chapter.

(c) The project properly relates to the uses, goals and policies of land development expressed by the Town Comprehensive Plan.

(d) Pedestrian and vehicle access, traffic circulation and the general layout are properly planned with regard to the safety of vehicles using the site as well and those on neighboring streets.

(e) The project will be sited to take advantage of solar access insofar as practical.

(f) The plan reflects an awareness of and sensitivity to the views, terrain, soils, plant life and other unique qualities of the site to preserve its scenic and conservation purpose.

(g) The proposed use and other structures including outdoor storage, site development, landscaping, and off-street parking conform to the required chapters of the Town Subdivision Regulations and all other Town laws.

(h) The possible tax assessment implications for properties located near the solar project have been considered; however, adjustments of the tax assessments of nearby properties is up to the discretion of the tax assessor;

and be it further

RESOLVED, the application of TJA Clean Energy for a Special Use Permit and Site Plan Review to construct a ground mounted solar farm and associated electrical appurtenances at 1806 Perth Road in the Town of Galway more fully identified as Tax Map Number 199.-1-86., is GRANTED on the following conditions:

- 1. That there be no blasting at the site;**
- 2. That a final decommissioning plan and bond or letter of credit be submitted and approved by the engineer and attorney for the Town before the issuance of a building permit;**
- 3. That the applicant contact the Galway Volunteer Fire Company to arrange necessary training before a building permit is issued; and**
- 4. That approved plantings be added to provide appropriate screening.**

And be it further

RESOLVED that, pursuant to Galway Town Code § 115-75, the special use permit and site plan approval will expire if construction is not started within 1 year and completed within 2 years of this approval;

and be it further

RESOLVED, that the Secretary is authorized and directed to transmit a copy of this Resolution to the Applicant, the Town Clerk, and the Building Inspector / Code Enforcement Officer.

A motion by Member Mitchell, seconded by Member McIntyre, to adopt Resolution No. 2 of 2021.

A roll call vote was taken on Resolution No. 2 of 2021 as follows:

Chairperson Daino YES

Member Symonds YES

Member Mitchell YES

Member McIntyre YES

Member Roth-O'Neill ABSTAIN

Resolution No. 2 of 2021 was adopted at a meeting of the Planning Board of the Town of Galway duly conducted on November 23, 2021.

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. No attendance or representation; nor a response to letter of November 1, 2021. Board advised correspondence of Abandonment be mailed to both addresses on file.

Motion to abandon application requiring reapplication by Rebecca and Second by Kevin

PRIVILEGE OF THE FLOOR: Attendance of community, Linea Kilgallen, 1729 Perth Road. Maintenance of website to keep the community informed is not occurring. Minutes and agendas have not been posted on our Town's website since April. In comment we are representing the Board, we should be responsible for posting of this information. We are not keeping the town informed with such projects as the Solar Farm presented this evening. If the website is not going to be utilized, we should remove it. Additional concern raised were the Resolution points of 'Positive Effects' on the infrastructure and environment; access to obtaining the energy from this project; the water run-off issues and habitat were not addressed, cutting of trees. Not 'a single negative' impact of this project was reviewed, only positive impacts. Board reviewed that the project meets the requirement of the Town's Solar Law. Additional question from the floor, is the set back; confirmed there is a 75-100 foot of vegetated buffer in the approval. Concerns raised by the floor; is that the Solar Law proposed 20 feet and the proposed plans could change. It was explained to the floor, the plan that was approved will be submitted to the building inspector when they go for their building permit and if it varies from what was approved, they will not obtain the building permit. The floor questions that the community was not informed enough of this project; petition was signed. Reviewed that there is a Town Solar Law that does permit this project; for the SEQR Review, this met all of the requirements of this town law. The floor states that the Saratoga County Planning Board asked that they recommended taking on SEQR; documents through FOIL. Letter on file is that we are to be lead agency for SEQR. The floor raises concerns of view, habitat; that the area will turn into the Town of Florida. It was advised that those solar projects were of State Mandate. The floor states we had a chance to stop this from happening. Now that we have allowed this one, we have opened up the town to additional Solar Farms. The floor states again, there is not enough information on our website. Floor was advised it is not state law to post the agenda and minutes. The floor feels not posting it appears we are keeping information a secret. It was advised that we notified 2,000 feet around the project of this application; more than what is required. The floor repeats that the agendas and minutes need to be posted in a timely manner every month so they can stay informed. The floor was advised that we will present the concerns of the floor to the town for review of the posting of the minutes and agendas moving forward.

OTHER BUSINESS: None

Move to adjourn by Rebecca; Second by Win. Voice vote: All ayes. Motion carried.
Meeting adjourned at 9:35 p.m.

Respectfully submitted,

Robin L. Collyer

Robin L. Collyer, Clerk