



**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:** October 26, 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

**MEMBERS ABSENT:** None

**ALSO PRESENT:** Donna Noble, Clerk, Robin Collyer, Replacement Clerk, James P. Trainor, Esq. and approximately 10 people in the audience.

**REVIEW AND APPROVAL OF MINUTES:** All board members previously reviewed the minutes of the September 28, 2021 meeting. **Motion by Kevin** to approve the September minutes as all members are present to vote. **Second by Win.** Voice vote: All ayes. Motion carried.

**CLERK'S REPORT:** Lot Line Adjustment 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 October 4, 2021.

**CHAIR'S REPORT:** Email correspondences which will be reviewed during each individual project.

**PUBLIC HEARING:** **Application #PB21-009** - Application of Brian Furnia for a Site Plan Review/Special Use Permit to build a small home in the back of his property located at 3101 Galway Road (tax parcel no.: 200-1-36.22) in the A/R District of the Town of Galway.

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

**PUBLIC MEETING:** **Application #PB21-009** - Application of Brian Furnia for a Site Plan Review/Special Use Permit to build a small home in the back of his property located at 3101 Galway Road (tax parcel no.: 200-1-36.22) in the A/R District of the Town of Galway. Ryan Granito in attendance on behalf of Mr. Furnia; Authorization for Third Party Representation notarized and submitted. House plans were reduced to 1000

square feet. Updated plans with new information were provided. Note on the plans for existing driveway for turnaround; 20 feet wide. Requirement is 16 feet. Notation was verified for existing well and septic and the proposed well and septic.

**Motion by Win** to approve the site plan review/special use permit. **Second by Kevin.** 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. Mr. Arico in attendance. Letter/email received from Saratoga County; recent review decision was to approve. In comment, Saratoga County Planning Board welcome the applicants approval to terminate the existing middle curb-cut that has been the focus of attention since the inception of the proposed improvements of this site. The Saratoga County Planning Board wishes to suggest that any local approval should be conditioned on a NY DOT work and curb-cut permit to be obtained for needed for improvements to the NYS Rte 29 Access and prior to any Certificate of Occupancy issued by the town that the middle curb-cut be terminated and closed off to the satisfaction of Saratoga County DPW and a permit obtained from NYS DOT. Correspondence received by Ken Davis, permitting engineer, NYS DOT. In comment, Applicant has submitted Stage 1 and 2 of the permit application conceptually NYS DOT agrees with the location and layout of the proposed driveway. At this time, NYS DOT's next step is to provide the applicant with detailed final comments on of their Stage 2 application so they can proceed with final permit application. Question if Public Hearing is needed as questions were proposed. Issue conditional approval based on recommendations of Saratoga County that a CO will not be granted until the access road has been closed off. Mr. Arico asked for a temporary CO to be granted, pending closure of secondary access. Temporary CO will not be granted until the work is completed, conditions being met.

**Motion by Rebecca** to approve the site plan application with the conditions that the CO will not be issued until the middle curb cut access to the County road be closed to the satisfaction of the County DPW. DOT curb-cut permit be issued. **Second by Win.** Voice vote: All ayes. Motion carried.

Mr. Arico questioned if SEQR was completed as detail is needed for NYS application. Planning Board reviewed file for SEQR review and Public Hearing completed for this application. It was found that Public Hearing or SEQR were not conducted for this application as it was tabled from previous meeting. Advisement from Attorney James Trainor to amend the motion, conditional of Public Hearing and completion of SEQR application or move to withdraw the motion of approval. Agreement to withdraw the motion, complete SEQR and move to Public Hearing for the next meeting.

**Motion by Rebecca** to withdraw the approval of application

**SEQR REVIEW: Motion by Kevin** that based on the information and analyses, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts. **Second by Win.** Voice vote: All ayes. Motion carried

**Motion to schedule Public hearing for November** by Rebecca and **Second by Win.** 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. Email received that applicants are still awaiting written confirmation from the Army Corp as they only have verbal confirmation at this time. It has been requested for applicant to submit a new landscape proposal for screening.

**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

**Motion to table for November meeting by Kevin and Second by Rebecca**

**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. Presentation of proposal. No existing commercial driveway; field use only. Permit will be needed for NYS DOT. Proposal of 6 feet in height berm with vegetation. Species and size and quantity to be noted on the plan. No paving or parking. Equipment is portable; grinder, crusher for processing wood for reuse on different job locations. Stock piles will not be substantial; 16 feet. Noise; decibel testing has been performed; can have conversation within 50-100' of grinder. All machinery are compliant with modern emissions. Decibel standards to be provided by applicant with specs for the landscape. Applicant states that all is OSHA compliant and is in use at other job sites. Due to State Highway location, application will be sent to Saratoga County Planning Board for review and request for Public Hearing made. In addition, request for Site location map for application.

**SEQR REVIEW: Motion by Kevin** that based on the information and analyses, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts. **Second by Win.** Voice vote: All ayes. Motion carried

Application fee collected at meeting. Review of application requirements: Vegetation height for screening, decibel specs, site location and begin DOT permit for driveway as permit is a three step process. Applicant asks that if processes begin for permit and he is not approved by the Planning Board. Review that it is Conceptual Approval, then details for construction are requested. Mr. Trainor explains that this process is two separate approvals. The question proposed by applicant is - is the town going to think he is moving ahead with site plan without being approved; is the town going to question the start of a driveway when the first step in the site plan is a driveway.

**Motion to schedule Public hearing for November by Win and Second by Kevin.** Voice vote: All ayes. Motion carried

**Application #PB21-011** - Application of Peter Richardson for a Lot Line Adjustment on properties located on Jockey Street. (tax parcel nos.: 213.-1-12.13 and 213.-1-90) in the A/R District of the Town of Galway. Lot line adjustment adding less than one acre to rear of property. Current rubble road exists, plowed by neighbor and gate exists. With location on County road, submission to Saratoga County Planning Board is required. Advisement asked of Mr. Trainor as with lot line adjustments, we waive minor

subdivision regulations of SEQR and Public Hearing. Can we do this and approve upon conditional response of County. Mr. Trainor agrees and adds that this is a Type 2 procedure. Applicant is adding to backyard; providing an additional 250'.

**Motion wave the public hearing classified as a lot-line adjustment** by Win and second by Kevin to approve the site plan review/special use permit. Voice vote: All ayes. Motion carried.

**Motion to approve condition on positive response by Saratoga County Planning Board** by Kevin and **Second by** Rebecca. Voice vote: All ayes. Motion carried.

Explanation to applicant - Application is approved, but maps will not be signed until the approval letter is received from Saratoga Planning Board. Requested of applicant to supply mylar map and two paper prints for submission. AG District 2 form will be needed.

**Application #PB21-012** - Application of John P. Haynes and Martel Catalano for Minor/Major Subdivision of property located at 6123 Jockey Street in the A/R District of the Town of Galway. Mr. Haynes and Ms. Catalano present. Noted that signature is needed of owner. 10 acre subdivision, no wet lands noted. Note is needed that there is a 100' setback from well to septic. Driveway is no more than 500'. Standard note needed that if driveway is over 500' that it meets a certain set of criteria. Existing driveway may need curb-cut permit from Saratoga County Planning Board/Saratoga County DPW and AG District #2 form to be completed.

**SEQR REVIEW:** Motion by Rebecca that based on the information and analyses, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts. **Second by Win.** Voice vote: All ayes. Motion carried

**Motion to classify as a two lot minor and schedule Public hearing for November** by Win and **Second by** Kevin. Voice vote: All ayes. Motion carried

**PRIVILEGE OF THE FLOOR:** None

**OTHER BUSINESS:** None

**Move to adjourn by Kevin; Second by Win.** Voice vote: All ayes. Motion carried.  
Meeting adjourned at 8:44 p.m.

Respectfully submitted,

*Robin L. Collyer*

Robin L. Collyer, Clerk