



**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:** September 28, 2021, 7:30 p.m

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

**MEMBERS PRESENT:** Kevin Symonds (virtual), Rebecca Mitchell, Win McIntyre (virtual).

**MEMBERS ABSENT:** None

**ALSO PRESENT:** Donna Noble, Clerk, Robin Collyer, Replacement Clerk, James P. Trainor, Esq. and approximately 6 people in the audience.

**REVIEW AND APPROVAL OF MINUTES:** All board members previously reviewed the minutes of the August 24, 2021 meeting. **Motion by Kevin** to approve the August minutes as all members are present to vote. **Second by Rebecca.** Voice vote: All ayes. Motion carried.

**CLERK'S REPORT:** Subdivision Map of Lands of David and Wendy Stokna has been filed with the Saratoga County Clerk on August 16, 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.

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

**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. Application present on the agenda with members not present to vote of last meeting. Addition of a spill response to be added to the map in the event of a spill from one of the fuel trucks. This

was not added by applicant; applicant explains that a spill can happen anywhere. No further questions from the board.

**Motion by Win** to approve the site plan review/special use permit application. **Second by Rebecca**. Voice vote: All ayes. Motion carried.

**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. Three items of outstanding concerns. Mr. Arico presented the new maps with the extra notations requested. Discussion regarding the specific details that will be submitted to DOT. Mr. Arico explained that the details are the state details and they will have to follow what the state is requesting; the details are not the Galway Co-Op details. Ruth Ann explains that the new plan will need to go to the Saratoga County Planning Board for their review; as things were being added and changed. Mr. Trainor added that the email from NYS DOT for next step is to submit stage 2 design review; to work out specific design details for the driveway. Mr. Arico disagrees stating that stage 2 is complete and they are awaiting Stage 3 which is the submission of insurance. Ruthann reads email from DOT reviewing the stage requirements; to show the specific design details. Mr. Arico explains that they have the details for the review of Stage 2 submission. They cannot submit without the approval from the Town. Mr. Arico explains that DOT will not provide a permit until the Town approves. Ruthann explains that the town will need to submit to the Saratoga County Planning Board for review and recommendations. Further explanation that the Planning Board has not seen that the applicant is closing the access point. This is a direct requirement from the County with a recommendation from their Public Works. This will be sent back to the Saratoga County Planning Board so they can see we are following through as they did not want that access point. Mr. Cassadei asks that if the Town will grant a conditional approval. Ruthann explains that the Town has granted conditional approval in the past and one of the conditions was the DOT approval. At that time only stage 1 was completed and condition note met. The Town will not approve a conditional approval for this matter. Ruthann asks if the members either agree to await the County and States responses back or approve a conditional approval. Board members agreed to wait for the County and State's responses. The application with new site plan will go to the Saratoga County Planning Board for review.

**Motion by Kevin** to table this application to the October meeting. **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. TJA is not in attendance tonight. Ruthann has forwarded the landscaping plan from Eric to each of the members. TJA has also received verbal approval from the US Army Corp. on and confirmation that no permit will be required. They are waiting for a formal response so that we have something in writing. Due to a material shortage they have to switch to a

different tracker racking system. There will now be panels side by side. It will be the same number of panels with half of the racking. The panels will be higher, 14 feet at full tilt. Still under the maximum allowable 15 feet. The proposed screening is Alberta Spruce. With the panels being taller, they will need to use higher trees for screening. This will be discussed at next month's meeting as the only two outstanding items are the landscaping and the Army Corp. Mr. Trainor extends the shot clock deadline to December 31, 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. Applicant or Matthew Huntington are not in attendance. Updated plans have been submitted. There are still questions concerning the SEQR form. We cannot go forward with SEQR review. Also, the designated parking area goes into the side yard setback and this will need to be addressed. We will wait to send this application to the County for its review and recommendation. This property is in the AG District and the AG District #2 form will need to be filled out and sent with the application when it goes to the County.

**Application #PB-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. Mr. Furnia is in attendance. Ruthann asks how he will get access back to the new house. Mr. Furnia explains that there is already an existing driveway. Ruthann requests that the driveway will need to be added to the drawing as well as provide the site location map to locate the parcel. Scale of driveway reviewed, Trevor established that the existing driveway is at the cusp of 500 feet; 360 feet to the barn. Pull-off may be needed with turn-around; 20ft by 18ft. Two houses are allowed; one is considered an accessory apartment. There are size restrictions/requirements; no more than 2 bedrooms and 40 % square footage of primary home or a total of 1,000 square feet whichever is less. 3800 square feet is the primary home size; 40% for the accessory apartment would be 1520 of living space. This is larger than the maximum of the 1,000 square foot requirement for the accessory apartment. Mr. Furnia asks to be on the next meeting for Planning Board for a variance; ZBA no meeting was already published at this time. Mr. Furnia decides instead to reduce the square footage to the 1,000 square foot requirement. Ruthann advises that a Public Hearing will be needed.

**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 schedule Public hearing for October** by Kevin and **Second by Rebecca.** Voice vote: All ayes. Motion carried

Ruthann requests to add to the map the driveway servicing the house with a note that it will be less than 500 feet. Should the driveway be more than 500 feet Mr. Furnia will need the standard driveway note for driveways more than 500 feet. The map will need notation that the actual well and septic are existing and the other septic and well are the proposed.

**PRIVILEGE OF THE FLOOR:** None.

**OTHER BUSINESS:** Contact Mr. Savino for his attendance for the October meeting.

**Move to adjourn by Kevin; Second by Win. Voice vote: All ayes. Motion carried.**  
Meeting adjourned at 8:48 p.m.

Respectfully submitted,

*Robin L. Collyer*

Robin L. Collyer, Clerk