



**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:** April 26, 2022, 7:30 p.m.

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

**MEMBERS PRESENT:** Rebecca Mitchell, Kevin Symonds and Renee Roth-O'Neill.

**MEMBERS ABSENT:** Win McIntyre.

**ALSO PRESENT:** Donna Noble, Clerk, Ryan Pezzulo, Esq. and approximately seven (7) people in the audience.

**REVIEW AND APPROVAL OF MINUTES:** All board members previously reviewed the minutes of the March 22, 2022 meeting. Corrections needed. **Motion by Rebecca** to approve the corrected minutes. **Second by Kevin.** Voice vote: all ayes. Motion carried.

**CLERK'S REPORT:** None.

**CHAIR'S REPORT:** Earth Development will be added to the agenda to un-table their application. Also, during other business Ruthann will discuss communication she had with TJA Solar.

**PUBLIC HEARING: Application #PB22-002** - Application of Glenn Teal for a Site Plan Review/Special Use Permit to build an accessory dwelling on property located at 5211 Armer Road (tax parcel no.: 200.-1-64.23) in the A/R District of the Town of Galway. There are no comments or questions from the public.

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

**PUBLIC MEETING: Application #PB22-002** - Application of Glenn Teal for a Site Plan Review/Special Use Permit to build an accessory dwelling on property located at 5211 Armer Road (tax parcel no.: 200.-1-64.23) in the A/R District of the Town of Galway. Mr. Teal is in attendance. He has new maps and the board looks them over. All outstanding issues have been met.

**SEQR Review**

**Motion by Kevin** that based on the information and analysis, and any supporting documentation, this action will not result in any significant adverse environmental impacts. **Second by Renee.** Voice vote: All ayes. Motion carried.

**Motion by Rebecca** to approve this site plan review/special use permit application for an accessory dwelling up to 1,000 square feet. **Second by Kevin.** Voice vote: All ayes. Motion carried.

**Application #PB21-010** - Application of Earth Development LLC for a 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 un-table this application. **Second by Rebecca.** Voice vote: All ayes. **Motion carried.**

The board has asked Earth Development for additional information by have not received additional information. This is an incomplete application and a motion will need to be made to deny this application.

**Motion by Renee** that due to the incomplete application of Earth Development LLC, this application is denied. **Second by Rebecca.** Voice vote: All ayes. Motion carried.

#### **PRIVILEGE OF THE FLOOR:**

Mr. Sutton is in attendance representing his client Mark Dzierga. Mr. Dzierga is the owner of the property that is subject to an application by Thomas and Linda Delliveneri (Application #PB22-001). He spoke with Mr. Foss (surveyor) and understands that the first appearance before the board was in January and the SEQR was approved. The public hearing was in February and there were some issues at the public hearing regarding the flood plan, a nesting ground for bald eagles, and the need for a delineation of the wetlands. Mr. Sutton was not sure if this application was on the agenda for the March meeting and apologized if it was. Ruthann explained that it was not on the March agenda as the board was waiting to hear from Mr. Foss regarding the outstanding issues. He did say that he probably would not get this information in time for the March meeting and that it would take some time. Mr. Sutton asked to be on the agenda for the May meeting. They will be added to the May agenda.

Ed Palmer and his wife are in attendance asking questions/seeking guidance for a subdivision on their property located on the corner of Ridge Road and Crooked Street. They have ten acres total and are looking to subdivide the three acres along crooked street and selling it and using that money to make improvements on the rest of the property. Ruthann explains to Mr. Palmer what he will need to do. Treavor gave Mr. Palmer a subdivision application.

**OTHER BUSINESS:** Ruthann had a conversation with Michael Frateschi from TJA regarding the decommissioning plan and bond. Mr. Frateschi explained to Ruthann that they have had a major issue with modules that is creating delays on all of their projects. He is hoping to get the decommission plan and bond within the next two months. More than likely, construction will be pushed until next spring and he will keep Ruthann posted if anything changes. Ruthann told him that the approval is only good for a year if construction hasn't begun before a year. He said that he will keep that in mind and will work as quickly as they can. The site plan can be extended in ninety (90) day

increments but the special use permit does not have that option. Ryan will look into options regarding extending the special use permit.

There has been no contact with the Galway Co-Op. It is unclear to the board what happens if Mr. Casadei sells the property as it is for sale. If it does get purchased a title search will show that there are issues with this property as he does not have approval and he does not have co's for the apartments that he has rented out.

**Motion by Rebecca** to adjourn. **Second by Kevin.** Voice vote: All ayes. Motion carried. Meeting adjourned at 7:59 p.m.

Respectfully submitted,

*Donna M. Noble*

Donna M. Noble, Clerk