



# TOWN OF GALWAY

PLANNING BOARD

SARATOGA COUNTY, NY

ESTABLISHED 1792

5910 Sacandaga Road

Galway, New York 12074

518-882-6070

## MINUTES OF PLANNING BOARD MEETING

**Date/Time of Meeting:** June 28th, 2022, 7:30 p.m.

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

**MEMBERS PRESENT:** Rebecca Mitchell, Kevin Symonds, Renee Roth-O'Neill, Kylee Holland

**MEMBERS ABSENT:** N/A

**ALSO PRESENT:** Donna Noble- Clerk, Amanda Barnes – Clerk, Ryan Pezzulo, Esq. and approximately Thirty -five (35) people in the audience.

**REVIEW AND APPROVAL OF MINUTES:** All board members previously reviewed the minutes of the May 31, 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:** None.

### PUBLIC HEARING:

**Application #PB22-003** - Application of John T. O'Connor, III for a Site Plan Review/Special Use Permit on property located at 1460 Perth Road (tax parcel no.: 198.-1-71.413) in the A/R District of the Town of Galway. No Representative for Mr. O'Connor is present at the time. There are no questions or comments from the public.

**Application #PB22-001** - Application of Thomas Delliveneri for a Minor/Major Subdivision of property located at Crooked Street and Point Road (tax parcel no.: 198.-1-87.11) in the Lake District of the Town of Galway. Mr. Foss – Owner Representative is in attendance. Christopher Brown at 5484 Crooked Street asked if the application was determined to be a major or Minor. Peter Peterson at 1325 Point Road ask the board if there was any expectation of the owner for an expansion beyond the proposed 3 lots currently proposed, and if they planned to expand beyond the 3 lots if they would have to request additional town approvals Letters received from North Country Ecological Services, Inc. regarding the wetland delineation and the bald eagle habitat. Because there is a wet land buffer area in the back corner, a note has been added to the map that states any disturbance within that area will require a permit from DEC. During field review by North Country Ecological Services, Inc, no bald eagles or nests were noted on or near the property. Letter from Barry Dibernardo was read by Ruthann in regard to bald eagles being present around the lake, An Environmental study by DEC has not been requested by the board and will not be required.



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

**PUBLIC MEETING: Application #PB22-001** - Application of Thomas Delliveneri for a Minor/Major Subdivision of property located at Crooked Street and Point Road (tax parcel no.: 198.-1-87.11) in the Lake District of the Town of Galway. Mr. Foss – owner representative is in attendance. All outstanding items have been added to the map. Letters received from North Country Ecological Services, Inc. regarding wetland delineation and the bald eagle habitat. All requested notes have been added to the map that state any disturbance within that 100-foot wet land buffer area will require a permit from DEC. During field review, no bald eagles or nests were noted on or near the property. Ruth-Ann has requested additional analysis by DEC on the eagles to be the owner's responsibility to provide documents that have been reviewed by DEC. Kevin advises there is no evidence of nesting per his knowledge and does not believe it will change any habits of the eagles. Rebecca Agrees with Kevin and once approved if eagles are present, it would be a building permit process.

## 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 Rebecca.** Voice vote: All ayes. Motion carried.

**Motion by Kevin** to approve the Application contingent on report by DEC regarding the eagle's presence. No additional meeting is needed or requested to present this additional Information. **Second Rebecca.** Vice Vote: All ayes. Motion Carried.

**Application #PB22-003** - Application of John T. O'Connor, III for a Site Plan Review/Special Use Permit on property located at 1460 Perth Road (tax parcel no.: 198.-1-71.413) in the A/R District of the Town of Galway. No Representative is present at this time. There are no questions or comments from the Board.

## SEQR Review

**Motion by Kevin** to Approve special use permit on property located at 1460 Perth Road (tax parcel no:198.-1-71.413) **Second by Rebecca.** Voice vote: All ayes. Motion carried.

## PRIVILEGE OF THE FLOOR:

**Kathryn Kellman:** Presented Home Occupancy application for a private in-home Therapy practice, Ruthann requested site plan with detailed parking requirements and square footage of home and space being used. Application was submitted and will be on the July Agenda.



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**Mr. Chris Olsen** and his wife would like to have a Family cemetery on property, Ryan Pezzulo esq. presented email with Code and law for on property cemetery's, no special use permit will be needed or requested at this time, Ruthann stated a survey with all guidelines be presented and filed with the county clerk with all marked out requirements. Ryan Advised Mr. Olsen to have the Deed altered and submitted to the clerk with property description. Ryan Also Advised Mr. Olsen to have a right of access addressed on the deed for future access if necessary.

**OTHER BUSINESS: Ruthann** reports to the Board there has been no response from the DOT in regard to the Co-op.

Kylie Holland has joined the board as a new member.

**Motion by Renee** to adjourn. **Second by Rebecca.** Voice vote: All ayes. Motion carried.  
Meeting adjourned at 8:37 p.m.

Respectfully submitted,

*Amanda Barnes*

Amanda Barnes, Clerk