



# TOWN OF GALWAY

PLANNING BOARD  
SARATOGA COUNTY, NY  
ESTABLISHED 1792

5910 Sacandaga Road  
Galway, New York 12074  
518-882-6070

DRAFT

## MINUTES OF PLANNING BOARD MEETING

**Date/Time of Meeting:** June 26<sup>th</sup> 2024

**MEETING CALLED TO ORDER** at 7:00 p.m. by Ruthann Daino, Chair.

**MEMBERS PRESENT:** Ruthann Daino, Kylie Holland, Rebecca Mitchell, Renee Roth-O'Neil

**MEMBERS ABSENT:** Melissa Rathbun

**ALSO PRESENT:** Amanda DeRidder – Clerk, Ryan Pezzulo Esq., Jimmy Ross -Town Board Liaison and approximately Thirteen (13) people in the audience.

**REVIEW OF MINUTES:** All board members previously reviewed the minutes of the May 28<sup>th</sup> 2024 meeting.

Motion to Table Approval by Rebecca and Seconded by Ruthann Voice vote: All ayes. Motions Carried

**CLERK'S REPORT:** N/A

**CHAIR'S REPORT:** Mr. Deso has advised the chair they will be providing the lot lien adjustment and updated survey.

### Public Hearing:

**Application #PB24-001** Application of Michael & Louise Churchill for Special use permit on property located at 2488 Hermance Road (tax parcel no. 186.-2-6.21).

**Motion by Rebecca** to close the public hearing, **Second by Renee.** Voice vote: All ayes. Motions Carried

### Public Meeting:

**Application #PB24-001** Application of Michael & Louise Churchill for Special use permit on property located at 2488 Hermance Road (tax parcel no. 186.-2-6.21).

Ruthann – Zoning Board has granted the variance use to the Churchill's, Max has reviewed all items requested to make the accessory building a habitable structure, All items to be in writing and conditional approval will include to the life estate for the current owner the use of the special use permit will be void and limited to the months its in use.

**Motion by Rebecca** to Approve Application PB24-001 with all conditions per code enforcement and life estate with termination of resident **Second by Renee.** Voice vote: All ayes. Motions Carried



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## **Public Meeting:**

**Application #PB24-005** Application of Melissa Dropper for Special use permit on property located at 4753 McConchie Road (tax parcel no. 212.-1-20).

Applicant – would like to replace a former single wide that was on the property in 1978 that was replaced with a double wide and since been removed, Looking to replace the double wide, The existing house is 900sqft, proposed new home is 28x76. If we create an accessory out of the existing proposed home as the main structure, 40% is 851ft or less than 1000sqft.

Ruthann are there any suggestions or concerns.

Renee -is there a separate well?

Applicant – yes there is a separate well and it is further away from the main house and has set backs of 50' around the new home and would be compliant.

Renee- is this a shared driveway?

Applicant – yes

Ruthann – A site plan with all setbacks being met, well and septic 100' apart and use tax map or survey map will be needed.

Rebecca – do we need another application? They need a special use permit, should we have it changed.

Kylie – doesn't really say that per say.

Applicant – we didn't know the correct terminology to use.

Ryan – Its an accessory dwelling any eventual approval can be clear with determination.

SEQR Review has been completed – it has been determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

**Motion by Rebecca** to approve SEQR review, **Second by Kylie.** Voice vote: All ayes. Motions Carried

Application to be referred to the Saratoga County planning board as it is in the AG2, these are reviewed every 4<sup>th</sup> Thursday – the Homeowner doesn't need to attend.

**Motion by Kiley** to Set application for Public Hearing, **Second by Rebecca.** Voice vote: All ayes. Motions Carried

## **Public Meeting:**

**Application #PB24-006** Application of Ryan Flinton for Special use permit on property located at 2621 Crane Road (tax parcel no. 213.-1-94).

Ryan Flinton – We have a spot on our farm that is a gravel bank that predates the SK preventions that they are holding trainings, they had approached Ryan as their original location that was used for 18 years in Milton was no longer available. At the time they spoke to the code enforcement officer on non commercial use. Recently there has been some inquiry by the town and asking if it's a private use, it is not open to the public and there is no public use. SK prevention training is a security training and state mandating for security and DCFS is highly involved, the space gives them the ability to do 2 day trainings every other Saturday in an outdoor setting from 8AM to Noon. There was no construction as it is a gravel bank we did build



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it higher with regulations by the NYS commercial offices, for the last 3 years it has been used as a private use.

Ruthann When that was determination in writing?

Ryan F- No it was over the course of several phone calls for their use of a trailer with awning with posts there is no utilities and no septic, there are 15-20 people in the class, In our code a special use permit is for a permitted use, its use is not specifically marked, it argued and outdoor recreation use and appropriate under that it was be a use. We do not want to get into the use of private use and firing of a fire arm on property there is no company that is commercial that's why we are going forward.

Kylie – is there a contract or written agreement.

Ryan F- no there are regulated by DCFS February 2021 its only asked for a letter for permitted not rented. And they operate under their insurance

Renee- Noise?

Ryan F- obviously you hear it I have done some noise checking and took reading in our farm from the peaks, It was approx. 74 decibels at the property line and approx. 60 decibel in the hole with significate berms.

Ruthann – this circle drawn what does it reference the 500' ?

Ryan F- Under NYS law our house is at a part near the west actually well outside the 500' range, NY Conservation the 500' exempts NYS officers from that, the west property line is 380" and south is over 1000'.

Rebecca- if we have to do a special use permit we need a more complete application with check list to include more details.

Ruthanne – further information is needed if it's a use permit or special use permit.

Ryan F- background the SK is regulated by DCFS and where there operated they in the process who's has the authority to regulate a shooting range, SK required property owner ok with use, its in Hine site it's a confusing but originally interpretation , Under code 115 5C3 can waive the check list, we are not asking for anything to be commercial.

Ruthann – Noise abatement and any noise options.

Ryan F- you can hear it we are under the noise ordinance, no practical noise abatement.

Renee- what is the meter app you used? How did you measure it?

Ryan F- from living room and highest is 64 decibel and at the road with in the 65 decibel which code depicts.

Ruthann – we need to do more research and gather more information with NYS and DCFS and provide additional documents.

Ryan F- environmental conservation with target shooting and its not in any restrictions.

Rebecca – Classified business that's how its determined

Ryan – recommended a workshop with board and applicant

Ryan F- SK is more then willing to provide all documents

**Motion by Rebecca** to Table Application24-006, **Second by Renee**. Voice vote: All ayes. Motions Carried



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## PRIVILEGE OF THE FLOOR:

Bill Byer – About that property it sounds like a gun battle its not a license range.

Jim Mcully my home borders the lands, Saturday morning not that its disturbing but deployed to Germany is 2021 then a gun range Mr. Flinton has stated no financial gain or minimal financial gain, significant issues its causing Galway has no regulations. A gun range in a nature preserve that people walk in what happen with ricochet bullets. Local, state and county regulations, I don't know who Treavor is but is a gun range is on 3 years of a commercial business is to run then hose is that a legal operation if money is exchanged, there are a lot of gun ranges they could go to, are there annual compaction tests?

Ryan F- SK would have to address that they follow all NRA regulations and its an approved facility.

Its traditional zoned commercial or industrial the AG to get special use, dogs and pets and combat vets in that area the sound the pooping talk to the right people as to what this does, I have talked to people on Hudson Drive. NYS senate bills 1A and environmental protection on gun ranges and liability if anything were to go wrong.

Ruthann- we will be meeting with attorneys to discuss

Jim- again a bill being proposed to be passed that has to do with municipality shooting on any range, not sure it is approved but looking for approval operations.

Rob Potter 1344 Rt 29 – issue if it were zoned commercial he brought this up.

Brian B – What is a workshop?

Ruthann – it's a discussion with council and chairs and internal meeting.

Brian B- I am an NRA instructor and I know what weapons sound like I asked where it was coming from, on their website they have an indoor training the listed all locations its not private they do other concealed coursed they are paying to use the property. He owns 2593 Crane Road and it's a 16.5 Acre they have a barn and home it's a functioning farm and multiple businesses out of these its listed as a farm and has a DOT, it has a mail box the business the town councilman has operated an illegal shooting range.

Ruthann – we will look into with our attorneys.

Ryan – the 2593 is a 6.93 Acre and purchased after the 2621 crane road that is 175 Acre it was purchased and merged property and the 6.93 is includes in the farm its an active dairy farm and use as a home and the DOT is for the farm and commercial use. They are the same tax parcel.

## OTHER BUSINESS:

**Motion by Rebecca** to adjourn. **Second by Kylie.** Voice vote: All ayes. Motion carried.  
Meeting adjourned at 7:55 p.m.

Respectfully submitted,

*Amanda DeRidder*

Amanda DeRidder, Clerk