



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: July 23rd, 2024

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

MEMBERS PRESENT: Ruthann Daino, Rebecca Mitchell, Renee Roth-O'Neil, Melissa Rathbun

MEMBERS ABSENT: Kylie Holland

ALSO PRESENT: Amanda DeRidder – Clerk, Ryan Pezzulo Esq., Jimmy Ross -Town Board Liaison and approximately eighteen (18) people in the audience.

REVIEW OF MINUTES: All board members previously reviewed the revised minutes of the May 28th, 2024

Motion to Approve by Rebecca and Seconded by Melissa Voice vote: All ayes. Motion Carried

All Board Members previously reviewed the minutes of the June 26th Meeting:

Motion to Table minutes by Rebecca and Seconded by Renee, Voice vote: All ayes. Motion Carried.

CLERK'S REPORT: N/A

CHAIR'S REPORT: N/A

Public Hearing:

Application #PB24-005 Application of Melissa Dropper for Special use permit on property located at 4739 McConchie Road (tax parcel no. 212.1-20).

Public Comment: Ryan Flinton Ownes the property across from the applicant and is fully in support.

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

Public Meeting:

Application #PB24-005 Application of Melissa Dropper for Special use permit on property located at 4739 McConchie Road (tax parcel no. 212.1-20).

Applicant – I will have a survey by the 2nd week in August

Ruthann – can we do a conditional approval pending receipt of the survey and I can check it over when it comes in?

Ryan - yes



TOWN OF GALWAY

PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

Motion by Rebecca to Approve with condition of the receipt of site plans with setbacks and well and septic locations Application PB24-005 with all conditions per code enforcement **Second by Melissa**.
Voice vote: All ayes. Motion 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).

Motion by Rebecca to un-table Application 24-006, **Second by Renee**. Voice vote: All ayes. Motion Carried

Ryan F- no additional information to share but we are happy to go into more detail

Melissa – this is used by just one organization?

Ryan F- a special use permit is requested to clarify and formalize the use that had received verbal approval from the former Code Enforcements Officer. This is very limited use by S&K Prevention to conduct their certification for peace officers and armed security, this is not a public range. The use is mostly every other weekend on Saturdays during the summer. We are just looking to formalize what has been there since 2021. We are not looking for this to be public.

Ruthann- April to October is when classes are held?

Ryan F- without guidelines they were out there around May and wrapping up in October, Start preparing in March.

Ruthann – people at the range are applicants vetted by S&K Prevention and there is classroom training?

Ryan F- Yes, they hold class at the S&K home facility. The representative from S&K can explain better.

Rebecca – Ruthann did you and Ryan F meet with legal and get additional information in a workshop?

Ruthann – Correct (To Ryan F) there is a berm around the area currently?

Ryan F- there is a 20' berm at the actual shooting line. The natural landscape to the rear and left are hills. It's in an area that's well within our property and not accessible by accident.

Ruthann – And the people are peace officers, actual police, armed security, retired police. If someone else from the public went to S&K for certification, can they use this location?

S&K Representative – Under NYS guidelines there is a 16-hr. classroom, and they need to fire 5 rounds, The person would be escorted by S&K to the property.

Audience member – She means, can a civilian take the class?

S& K Rep – Yes, but we haven't had one class yet this year.



TOWN OF GALWAY

PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

Renee – was the noise level reviewed in your workshop? To get an independent party to measure the noise during a class.

Rebecca - I don't think we are at that point yet.

Ruthann – the bullets are “ Syntech” and the lead is encapsulated?

S&K – EPA provides best practices in regard to lead in shooting ranges. It's not a regulated waste product but have there are best practices as a property owner in regard to 10 years for sifting waste, they have talked to other ranges and lead abatement and collection is only done for skeet shooting.

Ryan F- Lead management could use more conversation if needed

Ruthann – on the S&K website it says attendees need to bring a minimum of 50 rounds, how many times can they repeat this?

S&K – They are able to repeat twice. If they do not qualify after that they are rejected and need remedial training.

Ruthann – This is during the day and never at night.

Rebecca – Did you discuss whether operation of the shooting range as a business is allowed under town code?

Ruthann – The SUP gives us some leverage over uses that might not fall into a specific category because you can't list every imaginable use in the code. So, we can set parameters on the use, even if it doesn't fall neatly into a category.

Melissa – this has been going on for 4 years already?

Ryan F- Yes about 4 years ago we talked to Treavor and did some work on the range, and they started shooting there in 2021.

Melissa – Any complaints from neighbors?

Ryan F -There have been no complaints to them directly. Apparently, someone called the town this spring but I'm not sure if it was a complaint or just an inquiry. We have received nothing but support from immediate neighbors on Crane Road.

Renee – This is only on Saturdays?

Ryan F- As far as weekend days, only Saturday -never a class on a Sunday, and occasionally during the week, but not more than a couple a times a summer.

Melissa- Is there land that abuts this that is open to the public?



TOWN OF GALWAY

PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

Ryan F- Yes, the Galway nature preserve to the West.

Melissa – What is the distance to that property line?

(Board and applicants look at aerial photo with 500' radius shown on it. They discuss that the 500' radius is from NYS regulations saying you need to be at least 500' from a residence to fire a gun.

Ruthann- The nature preserve is about 370' to the property line taking the corner of the nature preserve and they are shooting to the north.

Melissa – Any issues or complaints? (related to the nature preserve) Are there any paths in that area?

Ryan F- no issues and no paths that go in that direction.

Melissa – You've been doing this for 3 years. Any accidents or mishaps?

S&K – No. Not one in our company history.

Melissa (to board)- So if we said yes, it would be solely for this one company.

Ruthann- Yes, we could make that part of the SUP, along with days and times of operations.

Melissa (to applicant) – What is an average day?

S&K – On Saturday about twice a month they are in class for about 3 hrs. for paperwork and a test. Shooting starts around 9:30. They have 6 hrs. to complete the class. We clean up and are out around 1:30-2PM.

Renee- Is this in keeping with the zoning in the A/R district?

Ryan F- We are not applying for any expansions of the use, we just want to formalize that we've been doing all along.

Melissa – If this were not an outside company, the property owners could be on their property and shoot on their own time. This is one customer and it's highly regulated, I don't see the issue.

Ryan F- There is no formal lease. There is an informal agreement with S&K that pays to mow the lawn and make the roadway accessible.

Rebecca – So the SUP would say they can have this 1 company come to this property to do exactly this thing at a certain time?

Ryan P – just needs to be reasonably tailored to the approval.

Renee – how is this use consistent with the AR Zoning?

Rebecca – That's up to use as a board – there's nothing that says you can't do it.



TOWN OF GALWAY

PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

Ruthann – is it the boards decision to keep going with this application?

Melissa – yes, Renee – No, Rebecca – the next step is to do SEQR and to set a public hearing.

Motion by Rebecca to Review SEQR for Application24-006, **Second by Melissa**. Voice vote: All ayes.
Motions Carried

Review of SEQR

Discussion of short EAF part 2 questions 3 (“will the proposed action impair the character of quality of the existing community”)

Renee – concerned with setting precedent.

The board determines that noise should be considered a factor in answering this question. The only noise measurements so far have been taken by the applicant with a smartphone. The board would like to have the applicant retain a professional to take noise measurements while S&K is shooting at the range.

Ruthann – When will S&K be there next?

S&K – July 27th and August 26th.

S&K – What caliber (ammunition)are you looking for? 22, 9 Mil up to 40 Cal?

Rebecca – do them all small to large.

Ruthann- whatever you usually shoot in a typical course.

Ryan F- What noise standards are we using, and where would you like the measurements taken?

The board agrees with Ryan P’s recommendation to consider the NYS General Business Law standard of no more then 90dB for 1hour/day and 85 dB for 8 hours/day measured at 100 feet from the property line.

The Board and applicant discuss locations for sound measurements. Agree to 100 feet from the property line at the closest location to the nearest residence, and 100’ into the nature preserve. The property line to the east is about a quarter mile away, so there’s no need to measure in that direction. Agree to measure in the road, too. Even though the applicant owns property on both sides of the road.

Ryan F- will confirm with an email to Ruthann and Max prior to taking measurements.

Motion by Renee to table review of SEQR for Application 24-006, **Second by Rebecca**. Voice vote: All ayes. Motion Carried

Motion by Melissa to Set Public Hearing for Application 24-006, **Second by Renee**. Voice vote: All ayes. Motion Carried

PRIVILEGE OF THE FLOOR:



TOWN OF GALWAY

PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

Brian Burns (Cruthers Road) – I assume the company would provide pistols, 22s, which you won't hear much. The noise we hear on Cruthers road sounds like multiple people rapid firing AR's. We hear rapid fire from a high powdered rifle which is obnoxious if you're in the preserve. You can hear it from McConchie's campground and sitting on your porch. It gets muddy with "private" it's different with police and military. I just sighted in a new scope, and it disturbed the wildlife for days. All jacketed bullets are lead and that's a concern. And there are businesses at this same address with a farm, shooting business and maybe trucking. We just learned tonight there's a classroom.

Brian -Milton reopened their military range in March. They mailed it out to everyone in a 1–2-mile radius letting them know about the noise. You can hear it at the Village Pizzeria, Noise travels.

Brian- If (New York State) went to Ryan's property and wanted to see a contract, what would happen? S&K is certified, but is Ryan's land? This is a business; it's listed on S&K's website as their outdoor range.

Melissa- Milton shoots Tuesday – Friday till 9PM every night. This is very different. Less than once per week

Brian B- At the last meeting Ryan said they shoot every other Saturday for 2-4 hours. Then he said they had been there on Monday, before the meeting, so it's been changing.

S&K – Are we sure that the gun fire is coming from Ryan's property? We have not had a rifle qualification at that location in the four years we've been there. We do site in our own rifles there for scoring and hunting and we do fire a 3-round burst.

Resident on Donnan Road – Can hear rifle fire all day. Can't enjoy peace and quiet. Multiple calibers of bullets exist including 10mm and 45 calibers. And lead jacket bullets or copper – it doesn't matter.

S&K – Yes, there are different calibers, we most commonly use 22, 308, 9mm short which is used by trinity Health as they use a 40 Caliber firearm. They have 11 hospitals, and we certify all of them.

Jim McCauley 5022 Jockey Street – Disappointed, had asked that the board deliver him "do-outs" during this session. He asked the board to contact the adjacent towns and discuss their laws. 2 weekends ago, he was out in his yard. He loves guns, He loves gunfire, but when it's unexpected you have an involuntary reaction, causing anxiety for people and animals. The board has a responsibility to canvass the neighbors to ensure we get the unbiased opinion of the neighbors. Board should look not why S&K left their former Ballston Spa shooting range location.

Ruthann – We are going to hold a public hearing and notice will be sent out to all surrounding properties.

S&K – we were at our former location for 21 years. We were asked to relocate because the property owner wanted to expand and build houses for their kids. In 21 years, we have had no complaints. Also, there are other entities in this area using firearms – are we sure these complaints are about us? We aren't there all day.

Jim McCauley – What is Galway getting out of this? The board works for the residents of Galway, and it should determine what benefits this provides for us. It's that easy folk.



TOWN OF GALWAY

PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

S&K – Where can we take security officers to keep up with this training? This isn't an open range, it's not a gun club, we are performing a service within the community.

Jim McCulley – Supports guns and gun safety, but this (the need for a shooting location) is an S&K's problem and now it has become Galway's problem. These neighbors have not been canvassed. And it's been going on for three years. Here's the sound from my back yard. (he plays video on phone) with sound of birds and distant gunfire. The sound echoes and bounces off out buildings. Trying to be unbiased but we had do-outs that weren't provided at this meeting.

William Adair 1587 Hermance Road – What are NYS rifle range rules – why don't we check with them and see where they would check the noise levels?

S&K- we are not monitored by New York State. We are monitored by the NYS Dept of Criminal Justice and the NY state Police. Our application was approved, we meet all their criteria.

Ruthann- We do know where NYS General Business Law says the noise should be monitored- 100 feet from property line, as stated earlier.

Jim McCulley- this is no different than someone building a building. That needs to be certified, doesn't it?

S&K – The NYS Department of Criminal Justice is providing an approval letter at a cost of \$2,500 per year, If the board requests a copy of it we would be happy to provide it.

Ruthann – please provide us the letter and the application materials that resulted in the letter.

S&K – We are issued a NYS identifier number. The state has the same aerial photos the board has. There is a trailer on the property, not a classroom. There is no electricity and no plumbing. It's so we can sit and discuss. We are not running a school there. Our business is in Laham.

Brian Burns – At the last meeting, Councilman Filinton states that trailer was to store stuff, Noe S&K says they have a trailer for classes with a generator for heat. Who needs heat if it's used in the summer? The town councilman is not telling the truth.

S&K – Each board member can make a site visit at any time.

Ryan F- Both trailers are not permanent and can be moved at any time.

Jim McCauley – I'm a neighbor, went to high school with Ryan, Looked up to him. He's a smart guy. Been put in an uncomfortable position to come here and complain about the noise when I've loved here all my life, left for military deployment but always came back to Galway. I don't like to have to do this. The board needs to figure out the rules and how this benefits Galway as a whole.

Melissa – If this is bothering you have you ever knocked on your neighbor's door to talk about it.



TOWN OF GALWAY

PLANNING BOARD
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

Jim- I was in Germany when it started, I came back, and it was ongoing and its here. So, I come here (to the meeting) How did this happen? Something greasy happened. No neighbors have been canvassed.

Ruthann- We don't go around and canvass neighbors, we hold a public hearing.

S&K – In June, we went there twice. We have yet to be there in August. If there's gunfire being heard... Well in the past 90 days we've been there twice.

Jim – That's pretty weak.

Donnan Road – If they need to practice, why not go to a range like the one by the airport.

Jim – Wait! What about my requests?

Ryan P- This board doesn't have to do that (go ask other municipalities for gun range regulations and report back).

OTHER BUSINESS:

None

Motion by Rebecca to adjourn. **Second by Melissa.** Voice vote: All ayes. Motion carried. Meeting adjourned at 8:30 p.m.

Respectfully submitted,
Amanda DeRidder, Clerk