



**Town of Galway**  
SARATOGA COUNTY, NY  
ESTABLISHED 1792  
PLANNING BOARD

1

5910 Sacandaga Rd  
Galway, NY 12074  
Tele – 518-882-6070

**GUIDE FOR RESIDENTIAL SUBDIVISION APPLICANTS**  
**(Minor and/or Major Subdivisions)**

This guide is intended to provide brief instructions for filing a subdivision application and preparing a case before the Planning Board. It should not be construed as legal advice. No guarantee of success is implied if the guide is followed, nor is denial implied by not following the guide. In all cases, the applicant should consult and review the current Subdivision Regulations for the Town of Galway.

Definition of Subdivision

Under the Subdivision Regulations for the Town of Galway, a subdivision is defined as “the division of any parcel of land into two or more lots, with or without streets or highways”. There are two types of subdivisions: 1) Minor subdivision, and 2) Major subdivision. A *Minor subdivision* is a subdivision containing no more than four (4) lots fronting on an existing street and does not involve any new street or extension of municipal services. A *Major subdivision* is a subdivision of five (5) or more lots or any subdivision requiring any new street or extension of municipal services. Any minor subdivision resubdivided into five (5) or more lots within a five (5) year period becomes a major subdivision.

Application Contents

Each applicant must submit a completed application to the Clerk of the Planning Board by the first working day of the month in which the applicant wishes to have the application presented to the Planning Board. The Planning Board meets the Third (3<sup>rd</sup>) Wednesday of every month. A completed application shall consist of the following:

1. Applicant Form (attached or available at [www.townofgalway.org](http://www.townofgalway.org))
2. Short Environmental Assessment (SEQRA) form (attached or available at [www.dec.ny.gov/permits/6191.html](http://www.dec.ny.gov/permits/6191.html)); and
3. Five (5) copies (minor subdivision) / Five (5) copies (major subdivision) of a sketch plan (tax map or other map) 11x17 and (5) 24x36 showing the location of the property, existing structures, proposed subdivision, physical features of existing or proposed structures of the subdivision (i.e., structures, streams, lot sizes and patterns, road or street frontage, utilities to include but not limited to well & septic)
4. Application fee (please refer to current PB Fee Schedule available at Town Hall)

The applicant is only required to complete Parts I and II of the Application form, and Part I of the Short Environmental Assessment (SEQRA) form. Please make sure both forms are signed and dated.

Application Procedures

An applicant must submit a completed application form to the Clerk of the Planning Board by the 20th working day of the month. If submitted on time, the application will be placed on the agenda for the upcoming Planning Board meeting. The applicant or a duly authorized representative must be present at this meeting of the Planning Board. (A duly authorized representative is an individual that has an affidavit or notarized letter signed by the applicant, allowing that person to act on the applicant's behalf – Please refer to page 2 of Applicant form.)



**Town of Galway**  
SARATOGA COUNTY, NY  
ESTABLISHED 1792  
PLANNING BOARD

2

5910 Sacandaga Rd  
Galway, NY 12074  
Tele – 518-882-6070

At the first meeting, the Board will review the application for completeness, make any recommendations for changes, and, depending on completeness of the application, may conduct a SEQRA review and classify the subdivision as a minor or major subdivision. This classification is the first step in the process and does not represent final approval of a subdivision application. An applicant must comply with the procedures outlined in Article III of the Subdivision Regulations.

**MINOR SUBDIVISION**

If classified as a *minor subdivision*, the applicant must, within six (6) months after the classification of the application, reappear before the Planning Board to seek final approval of the subdivision application. In order to have an application placed on a Planning Board agenda for final approval, the applicant must provide the Clerk of the Planning Board with five (5) copies of the formal survey/subdivision plat a minimum of 14 days prior to the monthly meeting at which the applicant wishes to appear (the Planning Board meets the third Wednesday of each month). The requirements of a subdivision plat/survey are detailed in Article VI, Section 2, of the Subdivision Regulations.

The applicant or duly authorized representative must be present at all Planning Board meetings. Upon final approval of the subdivision, two (2) paper copies and one (1) mylar (survey printed or photographed on polyester film) copy should be ready to be stamped/signed by the Planning Board Chair, and all required fees must be paid. (Please refer to current Planning Board Fee Schedule available at the Town Hall for applicable fees.) The mylar, along with one paper copy of the final approved subdivision/survey map, must be filed by the applicant with the Office of the Saratoga County Clerk within 62 days of signing by the Chair. One paper copy is retained by the Town of Galway for its files.

**MAJOR SUBDIVISION**

The application procedures for a *major subdivision* are more involved and complicated than those for a minor subdivision. An applicant must submit and obtain approval for a Preliminary Plat and then submit and obtain approval for the Subdivision Plat in final form.

Preliminary Plat – is a drawing or drawings clearly marked “Preliminary Plat” showing the salient features of a proposed subdivision, as specified in Article VI, Section 3 of the Subdivision Regulations, submitted to the Planning Board for purposes of consideration prior to the submission of the plat in final form, and of sufficient detail to apprise the Planning Board of the layout of the proposed subdivision.

Subdivision Plat or Final Plat – is a drawing in final form showing a proposed subdivision containing all information or details required by law and by the Subdivision Regulations to be presented to the Planning Board for approval, and which, if approved, shall be filed or recorded by the applicant in the Office of the Saratoga County Clerk.

*An applicant for a major subdivision should obtain a copy of the current Subdivision Regulations for the Town of Galway. The guidelines presented here are not comprehensive and are designed only to provide the applicant with a feel for the process that must be followed. All of the specific legal requirements are detailed in the Subdivision Regulations.*



**Town of Galway**  
SARATOGA COUNTY, NY  
ESTABLISHED 1792  
**PLANNING BOARD**

3

5910 Sacandaga Rd  
Galway, NY 12074  
Tele – 518-882-6070

**Preliminary Plat**

If an application is classified as a *major subdivision*, the applicant must then file with the Planning Board, a Preliminary Plat as described in Article VI, Section 3 of the Subdivision Regulations and have the preliminary plat reviewed by the Planning Board. There is no time requirement on when a preliminary plat must be filed or reviewed after an application has been classified as a major subdivision. However, in order for a preliminary plat to be placed on a Planning Board meeting agenda for consideration, it must be provided to the Clerk of the Planning Board by the 20th working day of the month in which the applicant wishes to have the plat presented to the Planning Board. Ten (10) copies of the preliminary plat must be provided to the Clerk and accompanied by an application fee (please refer to current Planning Board Fee Schedule available at the Town Hall).

When a Preliminary Plat has been filed and placed on a Planning Board agenda for review, the applicant or duly authorized representative must attend all scheduled meetings to discuss the preliminary plat proposal.

At the first scheduled monthly meeting, the Planning Board will study the practicability of the preliminary plat, taking into consideration the requirements of the community and the best use of the land being subdivided. Particular attention shall be given to the arrangement, location and width of streets, their relation to the topography of the land, water supply, sewage disposal, drainage, lot sizes and arrangement, environmental impact, the future development of adjoining lands, and the requirements of the master plan, the official map, and the Zoning Regulations of the Town of Galway.

After this Planning Board meeting, a public hearing shall be held by the Planning Board within forty-five (45) days. Within forty-five (45) days after the public hearing, the Planning Board shall take action to approve, with or without modifications, or disapprove the preliminary plat. The basis for any modification required or disapproval shall be stated in the records of the Planning Board. Prior to approval of the preliminary plat, the Planning Board may require additional changes as a result of further study of the subdivision, or as a result of new information obtained at the public hearing.

Approval of a preliminary plat means that the Planning Board has conceptually approved the design submitted and that this design may act as a guide to the preparation of the Subdivision Plat or Final Plat.

**Subdivision Plat or Final Plat**

An applicant must, within six (6) months after approval of the Preliminary Plat, submit to the Planning Board, a Subdivision Plat in final form. If a subdivision plat is not submitted within six (6) months after approval of the preliminary plat, the application will be considered withdrawn and the Planning Board will require resubmission of the preliminary plat.

In submitting a subdivision plat, it must be provided to the Clerk of the Planning Board by the 20<sup>th</sup> working day of the month for the next months meeting in which the applicant wishes to have the plat presented to the board. Ten (10) copies of the plat plus one (1) in ink on mylar should be submitted to the Clerk, along with applicable additional fees, an agreement to reimburse the town for all professional fees as specified in Article VII, Section 2 of the



**Town of Galway**  
SARATOGA COUNTY, NY  
*ESTABLISHED 1792*  
**PLANNING BOARD**

4

5910 Sacandaga Rd  
Galway, NY 12074  
Tele – 518-882-6070

Subdivision Regulations, and all data required by Article VI, Section 4 of the Subdivision Regulations. The applicant must also submit the original and one true copy of all offers of cession, covenants and agreements, and four prints of all construction drawings.

Once a subdivision plat has been properly submitted and accepted, a public hearing must be held by the Planning Board with forty-five (45) days. The hearing on the subdivision plat may be waived if the Planning Board deems the final plat to be in “substantial agreement” with the approved preliminary plat.

Within forty-five (45) days of the public hearing, the Planning Board must approve, modify and approve, conditionally approve, or disapprove the subdivision plat. If the public hearing is waived, the Planning Board must take action within forty-five (45) days of receipt of the final plat by the Clerk of the Planning Board. Additional requirements and conditions that must be met before final approval and filing of the final plat are stipulated in Article III, Section 5 of the Subdivision Regulations.

The applicant must, within thirty (30) days of receiving “approval to file” by the Planning Board, file a plat with the Office of the Saratoga County Clerk. Within sixty-two (62) days of receiving “approval to file”, the applicant must provide a certified copy of the filed map to the Planning Board. Upon receipt, the plat shall receive final approval.

No changes shall be made to any subdivision plat after “approval for filing” has been granted by the Planning Board.

**ESCROW:** As per section 115-64 A of the Town of Galway code any application may be required to establish an escrow account based on the estimated cost of the Town for professional review of the proposal. Professional review services include but are not limited to Engineers, Attorneys, Architects, Landscape designers, Surveyors, Appraisers, and Planners. For additional information refer to Section 115-64 A-G.

**Driveways’-** All driveways shall be in conformance with the Zoning Section 115-25 of the Galway Town Code. For all driveways over 100feet long a preliminary driveway plan must be submitted to the Town Code Enforcement Officer to ensure adequate fire and emergency vehicle access prior to the issuance of a building permit.