



# TOWN OF GALWAY

ZONING BOARD OF APPEALS  
SARATOGA COUNTY, NY  
ESTABLISHED 1792

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

Draft

## MINUTES OF ZBA MEETING

Meeting Date: Tuesday June 3<sup>rd</sup> 2025

Meeting Location: Town Hall – 5910 Sacandaga Road, Galway, NY

Meeting called to order at 7:00 pm by Chair, Andy Decker.

The clerk called the roll:

**MEMBERS' PRESENT:** Andy Decker, Jim Snyder, Kiley Gregory, David Armitage

**MEMBERS ABSENT:** Herman Niedhammer,

**ALSO PRESENT:** Amanda DeRidder - Clerk, Glen Bruening -ESQ., Dan Clemons – Board Liaison, Code Enforcement Officer -Max Luetters, and Ten (10) people in the audience.

**PROCEDURE AND PURPOSE OF THE ZBA** – Chair explained the procedure and purpose of the Zoning Board of Appeals.

## REVIEW AND APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

Members have reviewed the minutes of the May 2025 meeting. **Motion by Kiley** to approve the minutes. **Second by Jim.** Voice vote: all ayes. Motion carried.

### **PUBLIC HEARING:**

ZBA 25-003 Application of Rick Percoco for an Area Variance at 9020 Harts Road C Galway NY 12074 (Tax Parcel no:185.17-2-2) in the town of Galway.

**Motion to close the Public Hearing by Herman. Second by Jim.** Voice vote: All ayes. Motion carried.

### **PUBLIC MEETING:**

ZBA 25-003 Application of Rick Percoco for an Area Variance at 9020 Harts Road C Galway NY 12074 (Tax Parcel no:185.17-2-2) in the town of Galway.

Discussion on the distance to get the home with the setbacks and where it was actually adjust the angle from the garage.

**Motion** to for a Area Variance of 8' to the Northeast corner of the house heading west 30' to a zero variance for Application 25-003 at 9020 Harts Road C Tax parcel ID 185.17-2-2. **Motion by Kiley. Seconds by Jim** Voice Vote: All eye's Motion Carried

### **PUBLIC HEARING:**

ZBA 25-005 Application of Russell DeRidder for an Area Variance at 1580 Perth Road Hagaman NY 12074 (Tax Parcel no:198.-1-45) in the town of Galway.

Applicant- we are looking for an area variance for the property that is preexisting and non-conforming with the town code we will be tearing down the existing home to build a new home. We have acquired additional property to make it more conforming to the code but it did not make sense to move past the rock wall as it is a natural delineation of property, my



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great grandfather subdivided the property 60 plus years ago and was instructed to give the neighbors 30 feet of road frontage to make them both as compliant as possible.

Andy- falling short of the 3 acres to make the property work correct?

Elizabeth Fulner, neighbor to the left provided a letter she wrote explaining her issues with the application to be that it was intended to be sold to her family and she has issues with the leaves in the ditch. In addition, she feels as the applicant should have to follow all the rules and codes. Letter will be on file for public record

Andy provided Elizabeth with all details on the property and that it was non-conforming pre-existing and they are making it closer to the code than was prior and that the leaf issue is a town highway department issue not a zoning issue.

SEQR – no action needed with a type 2 class action as its an existing single-family home.

**Motion to close the Public Hearing by Jim. Second by David.** Voice vote: All ayes. Motion carried.

## **PUBLIC MEETING:**

ZBA 25-005 Application of Russell DeRidder for an Area Variance at 1580 Perth Road Haganan NY 12074 (Tax Parcel no:198.-1-45) in the town of Galway.

Jim- no constraints with the existing home and new one being built? It's the intention to demo the existing home is my understanding.

Applicant replied In the affirmative.

**Motion** to for a Area Variance for a preexisting non-conforming lot of 30' on the road frontage and .4 acres in lot size for Application 25-005 Russell DeRidder at 1580 Perth Road Haganan NY 12074 Tax parcel ID 198.-1-45. **Motion by Kiley. Seconds by Dave** Voice Vote: All eye's Motion Carried

## **OTHER BUSINESS:**

**Motion to adjourn by Jim. Second by Kiley.** Voice vote: All ayes. Motion carried. Meeting adjourned.

Respectfully submitted,  
Amanda DeRidder - Clerk