

Town of Galway – Zoning Board  
REGULAR MEETING  
January 6, 2026  
GALWAY TOWN HALL

Board Chair **Andy Decker** called the meeting to order at 7:00 PM. The following Board Members were present:

PRESENT: Chair Andy Decker  
Board Member Jim Snyder

Board Member Kiley Wittig  
Board Member David Armitage

Not Present: Board Member Herman Niedhammer

Also Present: Clerk; Marlene Neahr, Building Inspector/Code Enforcement Officer; Max Luetters, Town Attorney; Glen Bruening, Esq.

**Andy** opens the meeting with a reiteration of the Board's mission; to help residents of the Town with projects that may not conform to the Town's code and thereby convene to come up with a potential solution, which would allow these projects to fall within the parameters of the Code, or offer a variance allowing the completion of the proposed project if no solution can be reached.

**Andy** asks if all Board Members have received the November & December Minutes; all Board Members have.

**MOTION:** Approve November Minutes – Motion made by Jim, seconded by Dave  
*All ayes.* MOTION CARRIED

**MOTION:** Approve December Minutes – Motion made by Kiley, Seconded by Jim  
*All ayes.* MOTION CARRIED

**Public Hearing:**

**ZBA #25-019:** Application of **Joe Constantine** for a *Variance* of 6 Feet to the East to construct a front porch on a newly constructed home, located at 1368 Hermance Road, Galway, NY 12074 (Tax Parcel no. 185.10-1-37)

**Mr. Constantine** is present and delivers a summary of his proposed project. A **neighbor** is present & voices no objection to the project. There were no concerns from the Board.

**MOTION** to close the Public Hearing; **Motion** made by **Jim**, seconded by **Kiley**.  
*All ayes.* MOTION CARRIED

**MOTION:** 7-foot variance to the East, extending 9 feet from the house to build an 8 x16 porch on the front of the house.

**MOTION:** Motion made by **Dave**, seconded by **Jim**.

*All ayes.*

MOTION CARRIED

**ZBA #25-016:** Application of **Joe Constantine** for two 10-foot *Side Setback Area Variances*; one to the East and one to the West, to construct a 20x30 foot storage building, located at 1368 Hermance Road, Galway, NY 12074 (Tax Parcel no. 185.10-1-37)

*Application to be remain Tabled to Spring.*

**ZBA #25-018:** Application of **Brian Theriault** for *Side Lot Variances*; to the East and to the West to construct a new home, located on Point Road, Galway, NY 12074 (Tax Parcel no. 198.6-1-27)

**Mr. Theriault** is present and briefs **the Board** on his proposed project. He is both the prospective owner of the parcel and the Contractor who will be executing the build; he states the property is under contract, contingent on approval from **the Board**. There are a series of submissions to the Zoning Board associated with the parcel, spanning from 1991-2006. The most recent Variance has expired - an 18-foot Variance on the East and 8 feet on the West - to construct a 24x86 home, slightly larger in size to **Mr. Theriault**'s proposal. **The Board** had slight concern regarding granting a Variance for a transaction that is not yet final; should a Variance be granted it is binding for one year, however, **Attorney Bruening** confirmed should this fall through and another party acquires the property and the Variance is not applicable/needs to be amended they may approach **the Board** for relief. The **Applicant** used a footprint comparable to this but would like to build his structure more to the character of the Lake District.

**The Board** is in receipt of a letter from a **neighbor, John Scheiber**, who has concerns regarding, but not limited to; damage to a high-priced fence he installed due to falling snow from the structure's roof, elevation of the home & potential privacy infringement, and concern that the size of the new home may dwarf the appearance of his.

**Andy** feels the size of the house should be smaller, relative to the size of the parcel. The tax roll reveals there was a structure on the parcel at one time, a seasonal camp, however no square footage is denoted. **Mr. Theriault** confirms septic fits on the property & has been designed to fit the proposed 4-bedroom home, with a proposed 1900-2000 sq ft of living space. Lengthy discussion commenced regarding the size of the home, accessibility, and positioning on the lot to appease all parties and offset concerns of **the Board** & the community, with notable suggestions being:

- ✓ Moving the structure forward & doing a Variance from the Northern lot line
- ✓ Narrowing the dimensions of the proposed structure; however, due to the style of attic trusses of intended use this would force the Applicant to make the structure taller to accommodate lost space & still have functional bedroom space
- ✓ Condense from a proposed two-bay garage to a single bay – relocate/realign the garage with the home to better suit the shape of the parcel

After workshopping a substantial number of conceptual plans, **the Board and Mr. Theriault** reach an amicable resolution and agree an updated plot plan to reflect the new dimensions of the structure called out/diagrammed at the meeting should be prepared for February's meeting.  
***This application will remain in the Public Hearing.***

**MOTION:** to Table the application for the February meeting: **Motion** made by **Kiley**, seconded by **Dave**.

*All ayes.*

MOTION CARRIED

Other Business: None.

**MOTION** to Adjourn: **Motion** made by **Jim**, seconded by **Dave**.

*All ayes.*

MOTION CARRIED

Respectfully submitted,

Marlene R. Neahr