

Town of Galway – Planning Board
REGULAR MEETING
January 21, 2026
GALWAY TOWN HALL

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

PRESENT: Chair Ruthann Daino
Board Member Melissa Rathbun

Board Member Kylie Holland

NOT PRESENT: Board Member Renee Roth-O’Neill

Others Present: M. Neahr, Clerk; M. Luetters, Building Inspector/Code Enforcement; Board Liaison, J. Ross, G. Bruening, Esq., Town Attorney & many Town residents.

Clerk to amend Minutes to reflect corrections brought forth.

MOTION to approve December Minutes; Motion made by **Kylie**, seconded by **Melissa**.

All Ayes.

MOTION CARRIED

Public Meeting

New Business:

PB Application # 25-016 **Jake Marotta & Adam Brown**, for a *Minor Subdivision*, for a portion of a parcel located on Jersey Hill Road, (Tax Parcel no. 211.-1-27) located in the Town of Galway.

John, a representative of ABD Engineers, is present to brief the **Board** on **Mr. Marotta’s** behalf. The lot was purchased as a family & they are now hoping to subdivide and entrust it to the family.

Ferguson & Foss does not have wetlands delineated – the **Board** cannot approve creation of a non-buildable lot, so the proposed lot “3”, which is majority wetlands, would need to stay attached to one of the others, 2a or 2b or less favorably, could be deed restricted to be non-buildable - however, the **Board** has set precedence they would not create a sub-standard lot.

The **Board** and **Applicants** discussed wetland jurisdiction/ delineation, a previously issued driveway permit and clarification to the subdivision requirements at the time the parcel was purchased; specifically, how did the property subdivide beforehand with wetlands – it was a piece of a subdivision; however, it was part of 70 acres, not carved out as its own parcel. The **ABD Engineers** representative disputed SEQR law; the **Board** stated while the building of homes is *Type 2 SEQR*, subdivisions are *unlisted*. It was determined that the driveway interface permit was granted prior to the January 2025 update to DEC Wetland Delineation Law. **Attorney Bruening** has counseled the **Board** to not make determinations without DEC

delineation due to risks that may arise from doing so down the line; **the Board** abides by this guidance & advises the **Applicants** to contact DEC to have wetlands delineated.

An update to the application was made – Applicant’s name is Adam Woods, not Adam Brown.

Application Tabled for February meeting for wetland delineation.

Old Business:

*PB Application # 25-015 Osie Johnston, for a **Special Use Permit**, for an accessory apartment, located at 5140 Bliss Road, Ballston Spa, NY 12020, (Tax Parcel no. 200.-1-68.1) in the Town of Galway.*

Mr. Johnston is not present. No action can be taken by the Planning Board until after Mr. Johnston’s application comes before the Zoning Board for review at their February meeting.

Ruthann shares feedback from the County regarding Mr. Johnston’s application; no major countywide or intercommunity impact was determined.

MOTION to adjourn – Motion made by **Kylie**, seconded by **Melissa**.

All Ayes.

MOTION CARRIED

Respectfully Submitted,

Marlene R. Neahr