

Town of Galway – Zoning Board
REGULAR MEETING
March 3, 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., Board Liaison; Gabriel Raia & several Town residents.

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 February Minutes; all Board Members have.

MOTION to approve February Minutes: **Motion** made by **Dave**, seconded by **Jim**.

All ayes.

MOTION CARRIED

Public Hearing & Public Meeting:

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)

MOTION to un-table in the Public Hearing: **Motion** made by **Jim**, seconded by **Kiley**.

Mr. Theriault is present. He states drawings of the actual house are still in the works, it is going to be a regular two-story home now with a full second floor. **Mr. Theriault** confirms there will not be additional living space above the garage – height wouldn't allow for it anyhow. It is still unknown who maintains the right-of-way.

Jim mentions the changes to DEC Wetland Law, effective January 2025; it is the landowner's responsibility to be sure a delineation is not required & suggested follow up with **Max** for further guidance if needed.

MOTION to close the Public Hearing: **Motion** made by **Kiley**, seconded by **Jim**.

All ayes.

MOTION CARRIED

Public Meeting

The Board determines an additional Variance will be needed for the stairs on the porch.

Variations: *a Variance of 14 feet to the East extending 52 feet and a Variance of 14 feet to the West running 76 feet, and a Variance of 14 feet to the East stretching 25 feet, for the garage, and a 6-foot Variance to the rear for the Southeast corner of the house. This meets the criteria of a Variance with the garage only being one story, due to if it were two stories the Board believes it would be an adverse impact to the neighborhood -this is specific to the garage. Variance for 21 feet to the East extending 3 feet and 21 feet to the West extending 3 feet for a set of stairs off the North side.*

MOTION to approve: **Motion** made by **Kiley**, seconded by **Jim**.

All ayes.

MOTION CARRIED

Note this is a Type 2 SEQR because there was a building there at one time & it has been an approved building lot.

ZBA #26-001: Application of Daniel Masi, for *construction of a 4 foot by 8-foot sign on a skid-mounted flower box for a mobile welding business*, located at 1990 Route 29, Galway, NY 12074, (Tax parcel no. 173.-1-94) located in the Town of Galway.

Mr. Masi is present, presents a brief overview of his proposal. **The Board** raises several concerns regarding the project including:

- The size of the sign on a property in a non-commercial zone.
- Line of sight issues relative to the current location/positioning of the sign & Route 29
- Perceived mis-leading verbiage on the sign suggests there business is at the end of the driveway/located on the property, not a mobile service.

Mr. Masi has been in touch with DOT; they came out to do a line-of-sight test & confirmed the sign is not in their way. A permanent sign would need a permit from DOT, but not if it is going to be in the same location for less than 90 consecutive days. **Mr. Masi's** neighbor to the East, **Dennis Numbers** is present; he likes the sign and is comfortable with the current location – however he fears if it is moved higher up it may cause issue. **Mr. Masi** is hoping approval from **the Board** would trigger those 90 days to start, granting him sufficient time to secure that permit.

Mr. Masi's property is zoned Ag/Res, not commercial like Stewarts & Dollar General, & **Andy** feels because of this a sign this size would have negative impact on the character of the

community – **Kiley** suggests that his parcel is effectively sandwiched between commercial zones & questions whether some consideration could be given to that. **Jim** suggests trying to relocate the sign to a nearby commercial zone, so it can still be used, given the time and monetary expenditure **Mr. Masi** has invested.

Mr. Masi answers a few more questions, including the thought to add solar lights & a flower bed around the sign and adding the word “Mobile”, however he is highly opposed to something different. He thinks he was shown a clause from the Code stating a sign could be 4 feet by 8 feet & that is why he went with those dimensions. He stated he spoke with **Max** about a permit, pulled up the property line, talked to the State, Max & DEC did the line-of-sight test, & he procured prints & all seemed to be acceptable. He was originally planning to bring the application to the Planning Board but was referred to Zoning instead.

Andy suggested a *Special Use Permit* through the Planning Board to turn this into a home occupation – by taking a different route he would be more in conformance with area businesses with larger signs, such as the Village Pizzeria & Ryan’s Garage, both operating under Special Use Permits.

Application is **Tabled** until correspondence is received from the Planning Board or the Applicant.

MOTION to Table in the Public Hearing: **Motion** made by **Jim**, seconded by **Kiley**.

All ayes.

MOTION CARRIED

Other Business:

The April Meeting will be moved to March 31st, and the May Meeting will be moved to April 29th.

MOTION to adjourn: **Motion** made by **Kiley**, seconded by **Jim**.

All ayes.

MOTION CARRIED

Respectfully submitted,
Marlene R. Neahr