

Town of Galway – Zoning Board
REGULAR MEETING
August 4, 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 Kiley Gregory

Board Member David Armitage
Board Member Jim Snyder

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.

Review/approval of July Meeting Minutes, with correction: MOTION to approve: **Motion** made by Jim, seconded by Kiley.

All ayes.

MOTION CARRIED

Public Meeting

ZB #26-007 Application of Dawn Heritage, for an *Area Variance for a fence in the front yard and an Area Variance for side yard setback for a shed*, for a property located at 4966 Bliss Road, Ballston Spa, NY 12020 (Tax Parcel no. 231.-1-31) located in the Town of Galway.

Ms. Heritage is present; Several members of **the Board** did a site visit and sent photos. The entirety of **the Board** present feels as though the location of the fence needs to change. **The Board** reviews the cited fence section of the Code, 115-51, to be sure it was unanimously interpreted, due to its seemingly convoluted verbiage.

It was determined that, in the front yard, 25 feet to the lot line/ highway right of way, would allow for a 3-foot high, solid-material fence or 5-foot wire fencing, 25 foot+ would be eight feet or less. **Ms. Heritage's** fence is currently 12 feet from the front property line. **The Board** reviews several other measurements they pulled from their site visit; **Andy** suggests pulling the fence back to the driveway, est. to be at the 15-foot mark, which would warrant a 10-foot variance. **Kiley** asks whether it could be lined up flush with the house, however this would place

the fence effectively in the middle of the driveway. **Andy** consults **Attorney Bruening** on the legality of the imposition of a potentially “looser” resolution to accommodate on-going safety needs to both **Ms. Heritage’s** dog and family member, and how that would be handled down the road if the property were ever sold & these safeguards were no longer needed by the new residents; **Attorney Bruening** advises **the Board** could “sunset” their resolution, i.e it would need to be reviewed/renewed every “X” amount of years. **Kiley** voices her opposition to a 6-foot fence in the front yard; **Dave** is opposed to anything above 6-foot off-grade, including the gate.

Concerns from **the Board & Ms. Heritage’s** comments are a large reiteration of those from last month. There was a question as to whether **Ms. Heritage’s** survey is accurate/acceptable to pull measurement from, it’s determined it is. *Several other ideas are workshopped, giving consideration to: height, support/construction methods used, ability to plow the driveway in the winter, safety and financial interest of the Applicant, lowering fence & adding an invisible fence for use as an additional safeguarding element.* **The Board** has a general idea to move the fence back 10 feet, not to exceed 6 feet in height, but after lengthy discussion **the Board** is still unable to reach a concrete resolution on the application & tables it for September. **Andy** also suggests there may be differing interpretations of this section of the Code & wants to be sure this is appropriately addressed; **Max** makes clear his interpretation that in the first 25 feet of a front property line, there should not be an obstruction/solid fence higher than 3 feet, with the exception of chain link.

MOTION to Table the application: **Motion** made by **Jim**, seconded by **Kiley**.

All ayes.

MOTION CARRIED

ZB #26-009 Application of Paul F. Foust, for an *Area Variance to make a pre-existing non-conforming lot smaller*, for a property located at 2595 May Road, Galway NY 12074, (Tax parcel no. 198.10-1-15.2) located in the Town of Galway.

Mr. Foust is present; Gives a brief description of his proposed project. Wants to own his driveway as opposed to it staying as a right of way. The impact would be to three parcels in total, & there is no objection to the proposition from any of the affected property owners. An update needs to be made to the address and tax parcel ID; 2590 May Road & 198.10-1-2, respectively, to reflect Douglas’s information. **Max** notes the deviation goes from .49 to .48 acres, as noted, because of the reduction taken out of the lot, quantifying the existing vs. proposed. The application will go to Public Hearing at next month’s meeting.

There is no further business.

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

All ayes.

MOTION CARRIED

Respectfully submitted,

Marlene R. Neahr