TOWN OF GALWAY

ZONING BOARD OF APPEALS
SARATOGA COUNTY, NY
ESTABLISHED 1792

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

Town of Galway Zoning Board of Appeals
Regular Meeting
Tuesday, October 6, 2026 @ 7 PM

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 Herman Niedhammer
Board Member Kiley Wittig
Board Member David Armitage

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

Andy opens the meeting with a reiteration of the Board's mission; to hear appeals from Applicants seeking interpretation or reversal of determination by the Zoning Enforcement Officer & render determinations where Variances from the Zoning Code are requested.

Andy asks if everyone has received the September meeting Minutes – everyone has.
MOTION to approve September Minutes: **Motion** made by **Kiley**, seconded by **Jim**.
All ayes. MOTION CARRIED

Public Hearing

ZBA #26-010 Application of Tim & Sandy Taylor, for a ***Side Setback Variance***, for a 30x34 accessory structure, for a property located at 5354 Jockey Street, Galway NY 12074, (Tax parcel no. 200.-1-71) located in the Town of Galway.

A **representative** is present on behalf of the **Applicants;** due to their inability to attend, the **Taylors** submitted a letter to **the Board** prior to the meeting reiterating the reasoning for the Variance request. An overview of the letter is given, with points detailing, but not limited to, wetland location, disturbance of existing French drains, hedgerow disruption, topography of the parcel and security. They believe for both functionality and aesthetics, the project would be best suited at the proposed location. The matter was tabled last month for **Board** members to return to the property to take another look - several members did go look again. It's confirmed the proposed structure would be 30 ft x 34 ft, (32 ft x 36 ft with overhang) with the 34-foot side running East & West. **Evan Blumburg,** the neighbor to the North who was present at the previous meeting is present again & re-voices his concerns; he doesn't find the concerns regarding regrading of the property, security, the hedgerow etc… to be compelling and believes

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the location is based on personal preference as opposed to legitimate zoning hardship. **Kiley** doesn't believe there is enough justification for such a substantial Variance request.

Andy asks if a 25-foot, Easterly shift off the property line could be an option; the **representative** states there is a pathway providing access down to the pond & shifting the proposed structure in this manner would impede access to that path leading down to pre-existing trails etc. He also clarifies the recent regrading by the pond did not change the contours of the land whatsoever. **Max** spoke with the property owners & confirms any movement to the East and even to the South is going to encroach on the driveway and pathway.

Kiley requests, if he is able, for the **representative** of the **Applicants** to quantify the previously used phrase "significant amount of fill", that would allegedly have to be brought in to create an alternative level plot for the structure to go. He cannot articulate an exact amount & **Max** states for reference, there is a 3-foot change in elevation that would need to be addressed. **Herman** asks if it could still be seen 50 feet from the property line; **Mr. Blumburg** states yes, but less so.

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

All ayes. MOTION CARRIED

ZBA #26-011: Application of David Armitage, ***for a Variance for a rear setback to replace an existing accessory structure and a Variance for a rear and side setback to put an addition on another existing accessory structure***, for a property located at 2187 Route 29, Galway, NY 12074, (Tax Parcel no. 173.-1-56.1) located in the Town of Galway.

Mr. Armitage is an acting Zoning Board of Appeals member and therefore recuses himself. He joins his brother, **Michael**, in the audience who briefs **the Board** on the proposed projects; he has two pre-existing structures & would like to change one out for something better & put an addition on the other. **Mr. Armitage** was told the original structures were fine but was told by **Max** variances would be needed to alter them in the proposed fashion. **Max** briefs **the Board** on the specific changes including, but not limited to square footage, dimension, location.

Andy opts to break this into two variances**. Nobody is present for the Public Hearing on the matter**. **Kiley** asks about ownership of surrounding parcels; **Mr. Armitage/ the Armitage family** owns several surrounding parcels. She questions about setbacks being needed for your own property; this is a requirement since the parcels are separate.

Nobody is present for the Public Hearing on the second portion of the application.

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

All ayes. MOTION CARRIED

Public Meeting

ZBA #26-010 Application of Tim & Sandy Taylor, for a ***Side Setback Variance***, for a 30x34 accessory structure, for a property located at 5354 Jockey Street, Galway NY 12074, (Tax parcel no. 200.-1-71) located in the Town of Galway.

Andy notes comparable Variances have been granted in recent months; surmises the structure would be seen from the road either way. **Jim** reminds **the Board** of the need to call out the livestock clause in the language of the Variance. Clarification is given regarding the eaves. **Andy** asks what the 'break point' for the **Applicants** would be, i.e. 20 feet vs 25 feet vs. 30 feet etc, off the property line/ how many extra feet they could concede. The **representative** states it is tight in there but believes there is a little wiggle room to make something work.

Variance of 20 feet to the North, stretching for 36 feet, to build a 30-foot x34 foot accessory structure; Variance for utilitarian use only, no livestock permitted, per code section 115-16 D7B2.

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

Ayes: Jim, Dave, Herman & Andy

No: Kiley; believes it is too substantial of a variance request with not enough compelling information provided to make the concession, believes the neighbor has raised legitimate concerns, and it would be a detriment to the surrounding community.

Vote was split 4/1, therefore the Variance was granted.

ZBA #26-011: Application of David Armitage, ***for a Variance for a rear setback to replace an existing accessory structure and a Variance for a rear and side setback to put an addition on another existing accessory structure***, for a property located at 2187 Route 29, Galway, NY 12074, (Tax Parcel no. 173.-1-56.1) located in the Town of Galway.

Mr. Armitage confirms there is no drip edge to consider in the variance.

I: Variance of 6.5 feet to the North, stretching 20 feet to build a 20 ft x 30 ft accessory structure, to replace a preexisting non-conforming agricultural structure.

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

All ayes. MOTION CARRIED

Jim asks for overall dimensions of the final structure East to West, with a lean-to roof on the West side; **Mr. Armitage** estimates about 34 feet.

II: Variance of 41 feet to the North, stretching 34 feet East & West, to add onto a preexisting non-conforming structure, to make it 30 feet x 34 feet.

MOTION: **Motion** made by **Herman,** seconded by **Kiley.**

All ayes. MOTION CARRIED

Other Business

Due to the election, the November meeting will be moved to Monday November 9, 2026 at 7 PM.

Max briefly addressed the Board regarding two new applications.

MOTION to adjourn: **Motion** made by **Herman,** seconded by **Jim.**
All ayes. MOTION CARRIED

Respectfully Submitted,

Marlene R. Neahr

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