

A meeting of the Town of Moreau Planning Board was held on June 15, 2020 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York and via Zoom.

Ron Zimmerman	Planning Board Chair
Jerry Bouchard	Planning Board Member
Alan Vantassel	Planning Board Member
John Arnold	Planning Board Member
Erik Bergman	Planning Board Member
Mike Shaver	Planning Board Member
Peter Jensen	Planning Board Member

Absent: None

Also present: Jim Martin, Zoning Administrator in person; Karla Buettner, Atty. for the Town; Tricia Andrews, Recording Secretary both via Zoom

The meeting was called to order at 7:19pm by Ron Zimmerman, Chair. Chairman Zimmerman stated that this meeting is in agreement with the Governor's March 13, 2020 order that suspends open meetings law as the public has been provided with the ability to join in online or by phone, notices have been posted on the door and bulletin board, website, Facebook page and newspapers. The Zoom meeting number is 82664065580.

The Board reviewed the minutes of the May 18, 2020 meeting. There were no additions or corrections. Motion to approve the minutes was made by Mr. Shaver and seconded by Mr. Vantassel. All in favor, motion carried with no roll call.

Keystone Novelties Distributors, LLC
Route 9
Site Plan Review
Public Hearing

Chris Washburn joined the meeting by phone representing Keystone Novelties Distributors, LLC. This is at 1315 Route 9. Preliminary review and discussion took place at last month's meeting and a public hearing was scheduled. The proper notice for the public hearing did not go out. This application is time-sensitive. The Board's options are to reschedule another meeting, or to waive the public hearing.

The Board had asked for a re-opening plan based on phases the State is using to reopen due to Covid-19, and a sign permit request.

Chairman Zimmerman asked whether a conversation had been had with the Fire Department, but Mr. Washburn didn't know. After they are set up, the State Fire Inspector will look at it, for fire extinguishers, entrances and exits labeled, etc. Mr. Shaver felt that since that was happening, there was no need for local fire to look at it. Mr. Martin stated that they should at least be notified.

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If a new notice were published, it might not go out in the newspaper until Wednesday.

Mr. Shaver asked and there were no concerns or complaints last year. The Board had only asked that the entrance/exit be on Spier Falls Road and not on Route 9. Mr. Martin pointed out that this use is temporary for up to three weeks. There is precedent for not subjecting a Route 9 application to Site Plan review, and he feels it could be done this time.

There is someone on-site 24 hours. Operation begins June 25th and operates until July 5th. There is not enough time to get a public hearing properly noticed in time for that opening date.

Mr. Jensen stated that last year the public hearing was waived.

A letter from the County was received stating no County-wide impact. Atty. Buettner agreed that waiving the public hearing should not be a problem.

Mr. Martin remembered that last year the Board had Matt Dreimiller visit the site. Mr. Martin stated that this is exempt from SEQR review as an unlisted action.

Motion to waive the public hearing for Keystone Novelties was made by Mr. Bergman, given the repeat nature of the business and the lack of public comment, second by Mr. Shaver.

Roll call vote resulted as follows: Mr. Arnold, Yes; Mr. Bergman, Yes; Mr. Bouchard, Yes; Mr. Jensen, Yes; Mr. Shaver, Yes; Mr. Vantassel, Yes; Chairman Zimmerman, Yes.

Mr. Martin stated that the Town representative would be there on June 25th first thing to look at the site.

Motion to approve the Site Plan for Keystone Novelties at Route 9 and Spier Falls Road was made by Mr. Bergman and seconded by Mr. Jensen.

Roll call vote resulted as follows: Mr. Arnold, Yes; Mr. Bergman, Yes; Mr. Bouchard, Yes; Mr. Jensen, Yes; Mr. Shaver, Yes; Mr. Vantassel, Yes; Chairman Zimmerman, Yes.

Motion for the Chair and one other member to sign the site plan when presented was made by Mr.

Bouchard and seconded by Mr. Vantassel. All in favor, no roll call, motion carries. The Board agreed that this was done with the file copy as no changes had been made.

Stewart & Bovee Land Developers LLC Sketch Plan Review

Garry Robinson was present. This is a lot on the west side of Route 9, total size 70 acres, Zone line runs through it is mostly commercial-1 with some residential-1. They applied for a change before and it was not granted. There are 7 wetlands delineated by Army Corp and DEC, 4 are Army Corps and 3 are DEC wetlands. They were flagged 4.5 years ago. They want to subdivide and sell the lots off. He is not looking to develop anything himself. The ones on Old Saratoga Road are planned for residential and remainder commercial. He's had some interest in solar, not sure where. For utilities, the water supply would be on-site wells for the first 4 lots but the last one could get water from Spier Falls Road if someone needed it. Sewage would all be in-site septic. Perc tests in the next few weeks. Last item would be stormwater. Because they don't know what's going to be where, if the first four are residential that would be exempt.

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The solar project Mr. Robinson had been involved in before was also exempted. So they might do an erosion and sediment control plan. Mr. Robinson was wondering if lots B, C & D the area that would be good to put a house is in the commercial zone and whether that is allowed.

Mr. Martin stated that residential wouldn't be allowed in C-1 Zone. Rezoning wasn't denied in the past, it was held. Pushing lots A, B, C & D into residential might be viewed differently.

Lot B shows a septic system? Mr. Robinson said that the surveyor put that there. Residential Use in C-1 Zone is not going to be allowed.

Mr. Arnold stated that could go to the Zoning Board. But he also pointed out that this is not an R-1 Zone, it's an R-2 on the map he's looking at.

Mr. Robinson stated that he had trusted his surveyor with that.

Chairman Zimmerman asked whether the ATV trail that approaches Spier Falls Road indicates intention to provide access to Spier Falls Road and if not, where it would. Mr. Robinson thought that this part of the land could only be used by utility and fire. Mr. Arnold agreed that the 60 ft along the Northway is sloped and not useable except for water to a hydrant.

Mr. Arnold stated that anything other than Solar panels that might need access to that parcel would need more room and the applicant should consider moving the line for Lot D. Mr. Martin stated that it had been looked at for a tree nursery and by a luxury RV sales place.

Mr. Arnold did not want to limit the future development of the site by making a mistake in planning.

Lot D has 275 ft of frontage, but Lot E has a driveway shown on the curve of Old Saratoga Road where it connects with Route 9, and any significant amount of traffic out of there would be unsafe.

Mr. Robinson stated he would look at that in the field when he is on site.

Mr. Martin suggested having a discussion with DOT since this is close to the Interstate and that interchange is being re-designed.

Mr. Martin stated that the neighbors had been opposed last time to pushing the Commercial Zone any further.

Mr. Bouchard was concerned that any changes here are essential moving the zoning lines.

Mr. Arnold suggested 3 residential lots and 2 commercial instead.

Mr. Robinson asked about moving the lot line for D. Mr. Martin recommended following Mr. Arnold's suggestion, which allows commercial development with a buffer for the residents behind it and is more acceptable to the neighbors.

Atty. Buettner asked whether upcoming changes in the Zoning might have impacted the previous plan and raised the possibility that the Town Board might not want to have this Board offering Zoning changes to people.

Mr. Martin stated that they are doing an inventory of the land use for the re-districting.

Stewarts has deposited their escrow money and is moving forward.

Motion was made by Mr. Jensen and seconded by Mr. Shaver to adjourn at 8:20 pm.

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Respectfully Submitted,
Tricia S. Andrews