

TOWN OF MOREAU
NEW YORK

351 REYNOLDS ROAD • MOREAU, NY

Zoning Board of Appeals
Application for Special Use Permit

APPLICATION PROCEDURES

The **intent** of the special use permit is to provide the opportunity for the Zoning Board of Appeals to consider the impact of a proposed building or use to the **public health, safety and general welfare** in a public hearing prior to its allowance. Under § 149-29 of the Town Code, the Zoning Board of Appeals may issue special permits for any of the following:

1. A use listed as requiring a special use permit under the "Schedule of Regulations" for the zoning district in which the proposed building or use is located.
2. A building or use which existed at the time of passage of Chapter 149 Zoning regulations into a contiguous more restrictive district for a distance not exceeding 50 feet, but not for any other use or purpose.

After receiving the application and additional documentation for the special use permit, the Zoning Board of Appeals shall schedule a public hearing after which a decision will be rendered within **60 days** of the hearing. The Zoning Board of Appeals may specify appropriate conditions to protect the intent of the special use permit and may limit any special use permit to **three (3) or more years** to ensure a continuity of such protection. For the permit to be renewed, the applicant will be required to show that no adverse conditions occurred during the period in which the special use permit was active.

The Zoning Board may, at its discretion, refer an application for a special use permit to the Planning Board for an advisory review. The applicant will be required to submit **three (3) copies of a site plan** as detailed in Article VI of Chapter 149 of the Town Code, unless waived by the Planning Board. The Planning Board shall render an advisory opinion with a statement of its reasons and any suggested modifications to the Zoning Board of Appeals within **30 days** of receiving the referral. The Zoning Board of Appeals will consider the opinion in its deliberations.

If a special use permit is granted, the appellant shall be given **90 days** in which to diligently begin to put into effect the use permitted by the granted permit. The Zoning Board of Appeals can increase this period from 90 days **up to one (1) year** at its discretion.

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GUIDE FOR RECEIVING SPECIAL USE PERMITS

This guide is intended to provide brief instruction for preparing and filing a **special use permit** application to the Town of Moreau Zoning Board of Appeals. The authorization, applicability, requirements, and procedure for a special use permit by the Town of Moreau Zoning Board of Appeals are dictated under Article VI, Chapter 149, Zoning of the Town Code.

No guarantee of approval is implied if the guide is followed, nor is the denial implied by not following the guide. In all cases, the applicant should review the regulations listed in Chapter 149, Zoning of the Town Code which is available at the Town Clerk's office or online through a link at the bottom of the Town webpage at townofmoreau.org.

APPLICATION INSTRUCTIONS

Submit **10 paper copies** (original and 9 copies) of this application and any related or supporting information to the Zoning Board of Appeals to the Building Department of the Town of Moreau at:

351 Reynolds Road
Moreau, NY 12828

The Building Department hours of operation are Monday through Friday, 8:30am to 4:00pm.

An **electronic** copy of the application is also required and may be emailed to the Building Department Clerk at biclerk@townofmoreau.org or submitted on a flash drive. NOTE: The application will not be scheduled on the Zoning Board of Appeals agenda until all paper and electronic copies have been received by the Town Building Department.

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APPLICATION FOR SPECIAL USE PERMIT

FOR INTERNAL USE ONLY

APPLICANT:

APPLICATION #: _____
ZONING DISTRICT: _____
DATE SUBMITTED: _____
DATE ACCEPTED: _____
HEARING DATE: _____

APPLICANT INFORMATION:

1. Applicant(s): Meritt and Ciara Potter
Street Address: 223 Burt Rd
City, State, Zip: Moreau, NY 12828
Telephone #: 850-797-2923 Fax #: _____
E-mail Address: jpott2011@gmail.com
2. Agent: _____
Street Address: _____
City, State, Zip: _____
Telephone #: _____ Fax #: _____
E-mail Address: _____
3. Owner: _____
Street Address: _____
City, State, Zip: _____
Telephone #: _____ Fax #: _____
E-mail Address: _____

RELATIONSHIP TO THE PROPERTY:

OWNER: Yes No

LESSEE: Yes No

AGENT: Yes No

If an agent, please attach an Agent Authorization Form.

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QUESTIONNAIRE:

1. What is the specific provision of the Zoning Law involved?

Special Use Permit - Family Cemetery

2. What is the Special Use involved?

Family Cemetery Establishment

3. What is the name and address of the zoned lot effected (if different from "Applicant")?

Same

4. Please provide a brief description and location of said lot.

A small Family Cemetery plot, under 5,000 sqft, on the Back of the property, for future use of immediate Family Only, Private Access

5. What is the present zoning classification of said lot, the improvements thereon, and the present use thereof?

R-5, Residential Home on 6+ Acres. Home is in Front, with Woods behind. The future planned is not currently being used for anything.

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DESCRIPTION:

1. Please provide an accurate description of the improvements, additions or changes intended to be made, indicating the size of such proposed improvements, materials, and general construction thereof.

Small Family Cemetary plot. Under 5,000 sqft, with Private Access, Over 200 ft from any wells or Waterways. Not Visible to any neighbors or Streets. Will be used as a future Family Burial site for Immediate Family Only. Initially, it will only have a small fence around the site to mark it off. When the time Comes to put it into it's intended use, it will Only be used for Immediate Family and never opened For Public use. We may possibly Clear 2-3 pine tree's, but likely not ~~necessary~~ necessary. Will follow all state/local Law's on establishment.

2. Please explain why the proposed use is in the public interest.

Burials would be taken place on private Land, and not the public. Allows the family to stay together, and Free's up room on Future public cemetary plots. Establish's Our Family as a permanent fixture in the community.

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CHECKLIST OF SPECIAL USE PERMIT APPLICATION COMPLETENESS:

As per §149-30 of the Town Code, the applicant shall provide the Zoning Board of Appeals with all of the following documentation attached to each copy of this application:

- 1. A plot plan of said lot, drawn to scale, indicating the location and size of the lot, the location and size of any improvements thereon, and the location and size of any improvements proposed to be erected thereon.

- 2. Additional information requested by the Zoning Board of Appeals (please check all that apply):
 - Topographic and boundary surveys.
 - Soils test and information.
 - Location of watercourses, wetlands and floodplains.
 - Grading and drainage plan.
 - Location, use and height of all buildings.
 - Location, design and construction materials of all parking and truck-loading areas, with access and egress drives thereto.
 - Provisions for pedestrian access.
 - Location of any outdoor storage, if any.
 - Location, design and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls and fences.
 - Description of the method of sewage disposal and location design and construction materials of such facilities.
 - Description of the method of securing water and location, design and construction materials of such facilities.
 - Location of fire and other emergency zones, including the location of fire hydrants.
 - Location, size, design and construction materials of all proposed signage.
 - Location and design of outdoor lighting facilities.
 - Designation of the amount of building area proposed for retail sales or similar commercial activity.
 - General landscaping plan and planting schedule.
 - Other.

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Please return the original application, with all pages intact, along with ten (10) paper copies and an electronic copy, including required information and documentation. The electronic copy may be submitted on a flash drive or emailed to biclerk@townofmoreau.org.

NOTE: The application will not be scheduled on the Zoning Board of Appeals agenda until all paper and electronic copies have been received by the Town Building Department.

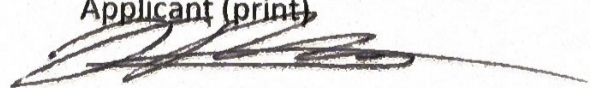
Also note that the information to be provided is not limited to the space on this form. If additional space is needed, please use separate sheets and indicate the enclosure number or page number for the attached sheets in the related space provided on this application.

The undersigned hereby applies for a Special Use Permit for which the Zoning Law of the Town of Moreau entitled, "The Zoning Law of the Town of Moreau," requires the obtaining of such a permit from the Zoning Board of Appeals.

Signature

Meritt J. Potter

Applicant (print)

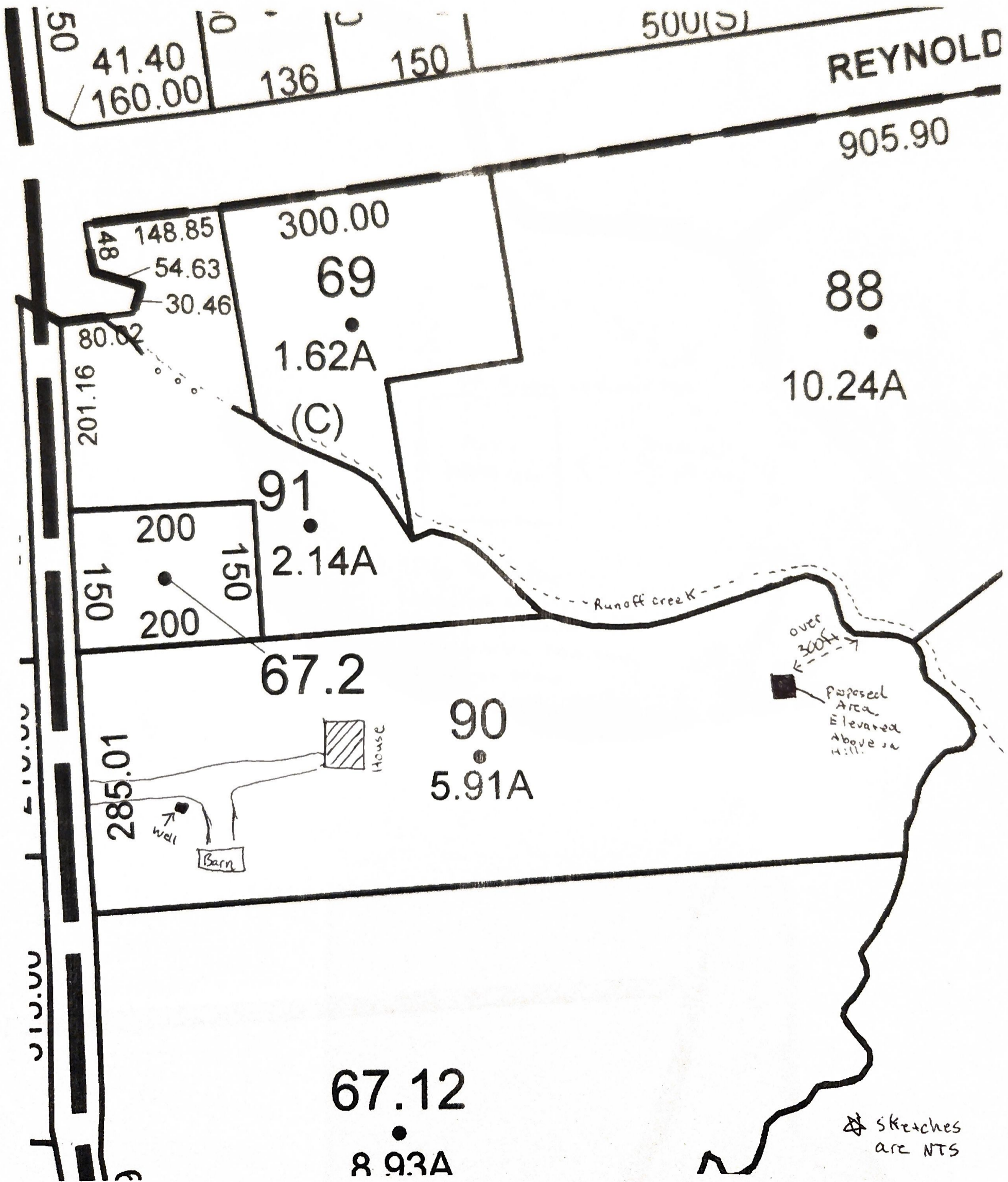


Agent (sign)

5/30/26

Date

Date



50

41.40
160.00

136

150

500(S)

REYNOLD

905.90

48

148.85

54.63

30.46

300.00

69

1.62A

(C)

88

10.24A

201.16

80.02

91

200

2.14A

150

200

150

Runoff creek

over 300ft

Proposed Area Elevated Above Hill

67.2

90

5.91A

285.01

Well

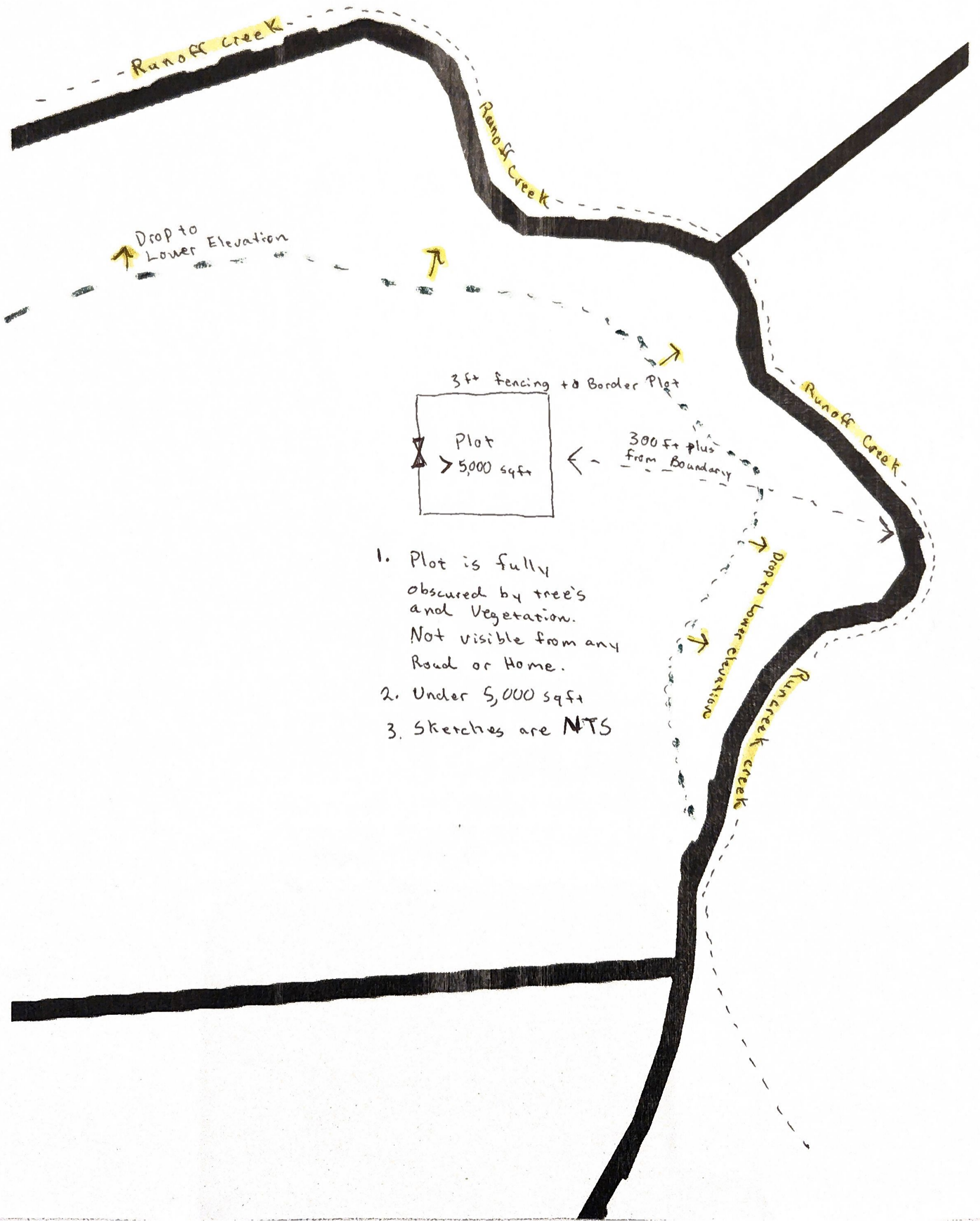
Barn

House

67.12

8.93A

Sketches are NTS



1. Plot is fully obscured by tree's and vegetation. Not visible from any Road or Home.
2. Under 5,000 sqft
3. Sketches are NTS