

A meeting of the Town of Moreau Planning Board was held on April 15, 2019 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Ron Zimmerman	Planning Board Chair
John Arnold	Planning Board Member
Jerry Bouchard	Planning Board Member
Reed Antis	Planning Board Member
Meredithe Mathias	Alternate Planning Board Member
Ann Purdue, Esq.	Alternate Planning Board Member

Also present: Jim Martin, Zoning Administrator; Atty. Karla Buettner, Attorney for the Town; Tricia Andrews, Recording Secretary

Not present: Erik Bergman, Peter Jensen, Mike Shaver, Planning Board Members

Mr. Antis expressed his apologies to the applicants and Board members who didn't appreciate his behavior at the last meeting.

The meeting was called to order at 7:00 pm by Ron Zimmerman, Chair. The Board reviewed the minutes of the March 18, 2019 meeting. No additions or corrections were made. Motion was made by Mr. Bouchard to accept the minutes as written, and was seconded by Mr. Antis. All in favor, motion carried with two abstentions (Ms. Purdue and Mr. Zimmerman).

**North Country Paws for Obedience**  
**Route 9**  
**Expansion of approved Site Plan**

Mr. Martin reviewed the outstanding items on the application from last month. The dog walking notation was added, the parking spaces were added, the Sundays by appointment notation was found and the lighting sheet for two lights on National Grid poles were provided. Lights will face the customer parking lot only. Those are all of Mr. Martin's notes.

Mr. Zimmerman asked whether this was a public hearing that was tabled, but as it wasn't considered a substantive change, a public hearing was not called. This is just a review.

Mr. Martin commented that a couple of the parking spaces were on an area that is grass, and a couple other spaces aren't accessible. Mr. Martin questioned why they needed 30 spaces. Ms. Bachrach said that she never uses more than 20. They don't have room to make 30 spaces accessibly and the applicants agreed. Mr. Arnold asked if the ones by the training area could be reoriented to face the building and they can. Mr. Martin commented that they should label that part as employee parking. Ms. Bachrach said that she liked having staff park on that side. Mr. Arnold noted that they had a space between two areas, and Ms. Bachrach stated that it is bigger than a spot, and they plan to block it off and paint it with diagonal

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lines so that it isn't used because it is in front of access for the lot behind. Mr. Martin asked the Board how many parking spaces they wanted.

Mr. Antis asked whether the lines would be painted. On gravel, it isn't necessary. Mr. Arnold advised them that they should mark 'No Parking' in front of the driveways. They also have handicapped parking in front of the building, and it already has a sign, and it will have blue paint. Mr. Antis asked about snow and Mr. Martin said that they had plenty of room. Ms. Bachrach said that it was piled at the end of the parking lot this year and in the center, and they didn't have any problems. The owner also cleared out the fire hydrant. Applicants do not do their own snow removal.

They can do 24 spaces total without a problem.

Mr. Bouchard saw the notation that the lights are going on a couple poles, the lighting plan was separate. National Grid is doing the lights, the same ones the Town just put in.

Fenced area will be relocated to the back.

Mr. Antis asked whether there is recourse if the lighting isn't good enough. Mr. Martin said that they don't. Now would be the time to ask for something if this doesn't look good. Mr. Bouchard asked and they are street lights on an arm.

Mr. Martin explained that if the conditions are met, the applicants have to provide a mylar with a signature block on it which will be submitted with their fence permit and any other later activity on the site and it becomes the official document. Ms. Bachrach asked whether they need a building permit for what they are doing inside, and Mr. Martin said that was up to Mr. Dreimiller, but they will need a fence permit. When they apply for that, they should submit this plan with it. Mr. Bouchard asked for the fence to be on there with they resubmit their final plan.

Four items are outstanding: rework parking to 24 spaces including a handicap space ( identify handicap space), show the poles that will have the lights on the plan more clearly, move the fenced area, and add an explanation on the use of the fenced area. They are ready to proceed with these things now that snow and weather are cooperating.

Motion to approve the expanded site plan for North Country Paws for Obedience with the four items noted above was made by Mr. Antis and seconded by Mrs. Mathias Roll call vote resulted as follows: Mr. Bouchard, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mrs. Mathias, Yes; Ms. Purdue, Yes; Chairman Zimmerman, Yes. All in favor, motion carried. Motion that the Chair and one other member sign the mylars when they are available was made by Mr. Arnold and Seconded by Mr. Bouchard. Il in favor, motion carries with no roll call.

**Music, Christopher**  
**Tiny Farm "Campground"**  
**342 & 352 Gansevoort Road**  
**Recommendation for Zoning Board**

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Mr. Zimmerman disclosed that he is a neighbor to this project, but does not plan to recuse himself as he has no financial or professional interest.

Mr. Martin explained that this began as enforcement action due to the use of the property for rental of RV accommodations. Mr. Music explained his long term intent, which was an RV Campground so he has to get a Special Use Permit from the ZBA. He has applied for a Special Use Permit. His first application was inadequate and he went away in November with a long list of additional concerns. He has done a lot of work on the plan, and went back to the Zoning Board last month. It is an RV Park with an agricultural theme. He has 5 sites. One is a fixed 700+ sq ft building, and a second unit there now is a park model mobile home/recreational vehicle. He proposes three new campsites that will be tiny houses, moveable on wheels with axles or on skids. Each site will have a septic system, a water supply in the form of a well will be shared. At Zoning, the idea of a DOH Permit as a campground was raised but this meets the Town's definition of a campground while not meeting the DOH definition because one building is fixed. Therefore he doesn't need a DOH Permit, and even if he did this Board has nothing to do with the regulation or enforcement of that. It's not applicable in this case. He did ask DOH, and was told he didn't need one.

With a Special Use Permit, certain conditions have to be met. The proceeding is not one size fits all.

Each case is viewed per its own special circumstances. In that regard, 19 items were under discussion for this site. That is per Mr. Martin's notes, and it's not the ZBA's list. Mr. Martin read them into the record.

1. To clarify the nature of the proposed use: It is determined that the proposed use is a campground with an agricultural theme. As such, the proposed use meets the definition of campground/site\* as per §149-5 of the Zoning Chapter of the Town Code.
2. The lots are to be consolidated into one lot thereby alleviating the potential for building setback issues for the camp buildings indicated on the site plan.
3. The upset number for camp sites/buildings is five (5).
4. The makeup and size limits for the 5 camp buildings is as follows: One (1) existing fixed cabin up to 760 sq. ft. in interior floor space and four (4) additional camp sites/buildings with a limit of 480 sq. ft. of interior floor space for each of the four camp buildings.
5. The four (4) proposed camp buildings are to be movable (e.g. on an axle with wheels or on framed skids) and not permanently affixed to a foundation.
6. The trash receptacle(s) for the camp is to be within a screened enclosure.
7. A detailed landscaping plan is to be provided for each camp site.
8. The sign for the camp is subject to meeting the requirements of the Sign Chapter (117) of the Town Code and obtaining a sign permit.
9. An exterior lighting plan is to be submitted specifying light fixture type, and the area and level of illumination.

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10. Vehicular parking is limited to two (2) vehicles per camp site.
11. No camp vehicles (e.g. camp trailers, motorhomes, etc.) are allowed as part of the camp use. The camp use is limited to the five (5) referenced sites/buildings described in the special use permit application.
12. The camp use may occur year-round.
13. Quiet hours for the camp is from 10:00pm to 8:00am on weekdays and 11:00pm to 8:00am on weekend days (Friday and Saturday). Tax map no. 50.69-1-6 (577 Gansevoort Rdp
14. Patrons of the camp are to exclusively use the northerly drive for all ingress and egress to and from their site.
15. The southerly access drive is limited to occasional use by service vehicles (e.g. trash collection, deliveries).
16. There is to be no more than one tent used per camp site.
17. All-terrain vehicles (ATVs) of patrons to the camp are not allowed. Use of ATV's is limited to the property owner only.
18. Patron length of stay is limited to thirty (30) days – terms of stay in excess of 30 days are not allowed.
19. Retail sales (e.g. gift shop, store) on site are allowed.

\*Note: After further consideration I am revising my determination relating to setback requirements of the R-5 District in relationship to the existing cabin and the proposed four temporary buildings (camps). Although not permanently affixed to a foundation, these camps having a roof supported by columns and/or walls are buildings and therefore, they are subject to the setback requirements of the R-5 District. I wanted to clarify this point as the review of the proposed site plan progresses.

Mr. Antis asked whether the lots were administratively combined. This was recommended to prevent one site being sold off in the future.

Mr. Arnold asked for clarification of what is being asked of the Board tonight, and it is for recommendations to the ZBA as to whether they should approve, approve with conditions, or deny the Special Use Permit, per the issues that would come up at a normal Site Plan Review. This isn't help with a site plan review. Atty. Buettner explained that the Zoning Board does the review in this case, but the referral is made in order to get their help because Zoning doesn't typically look at these issues.

Mr. Arnold asked how it was established that these types of actions don't need Site Plan Review, and Mr. Martin said that R-5 lists which actions are subject to Site Plan and which ones are subject to Special Use Permit, and that this one is a Special Use. Atty. Buettner pointed out that everything typically in the Site Plan review is still listed in the Special Use Permit review criteria. Mr. Martin pointed out that in some Codes, this job does belong to Planning rather than Zoning. Nonetheless the Zoning Board can seek input from whomever it would like.

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Ms. Purdue asked whether a complete application was filed with Zoning and it was. Mr. Martin has all the information available if the Board has any questions. Mr. Bouchard pointed out that advisory review is established in Chapter 149-34.

Mr. Music presented his project and Mr. Arnold mentioned that he attended at Zoning Board and so he has heard it. Mr. Zimmerman and Mr. Antis were there as well.

Mr. Music has used AirBnb for the past year or so and the folks who visit like the farm aspect, so he wants to develop it. He offers horseback riding, farm chores, etc. There will not be RV's coming and going.

The Saratoga County letter dated March 22<sup>nd</sup> stated that the County Planning Board decided there would be no significant County-wide or intercommunity impact, but noted that the location might raise concerns about traffic and safety. The letter further pointed out that there are no specific guidelines for this exact use in Moreau codes, but they might find helpful standards in the codes of neighboring towns. The code from Wilton was included for reference. It further points out that this is in the Saratoga County Agricultural District, and so the change in use has to go through a public hearing at the County.

Mr. Antis asked about tractor trailer traffic with hay deliveries and why he would need such a large delivery. He was not able to find the other road that Mr. Music said they would use. Mr. Music said that in the current conditions the main driveway isn't there, it's only shown on the map. They would use the southern one. They had hay shipped from the north because it was in shortage here, and they got a whole trailer load to get a lower price. They will be making changes to make that entrance safer. All ingress and egress will be on Gansevoort Road and a tractor trailer would use the northern because that's where the sight lines are good.

The 'southern' one that is now available will be for horseback riding, it is a foot path to Sweet Road which is a closed road.

Mr. Arnold wanted to recommend that the use of that driveway/footpath be completely eliminated and they not go to Sweet Road. Mr. Music said that there are State horse trails off of Sweet Road. Mr. Arnold said that there are no State lands there. Mr. Bouchard said there is County forest. Mr. Music doesn't ride horses there himself. Mr. Arnold doesn't want the horses on the road at all, they should be on site.

Mr. Arnold asked if the other planned entrance could be right turn in, right turn out.

Mr. Bouchard wondered how they were getting into the County forest because it is landlocked. It was also noted that Selfridge Road has no shoulders for horses and therefore it is dangerous to ride there.

Mr. Zimmerman asked about the future home and future septic on the plan that were there last time he presented and Mr. Music said that should have been removed, he wasn't planning on building there.

The shared use driveway has a contract with four lots on it. Mr. Arnold asked how that would work. There are empty lots there but the contract still exists, more homes could be built that would use it.

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Mr. Antis asked how those lots could be taken out of the subdivision. Atty. Buettner said she would have to look at the language.

Radiuses on the driveway are good, but they go to the back of the driveway, not just to the road. So there are some that don't need to be on the plan as the only vehicles going to the back of the property would be private cars.

Mr. Arnold asked whether he was going to light the sign and Mr. Music said it would be solar or reflectors, as there is not power there, but he is trying to keep people from disturbing his neighbors. The one on the road will not be lit.

The map is not quite to scale for 200 ft.

Mr. Antis asked and he doesn't have to do anything with Code 58 for his chickens.

Mr. Arnold asked about the bathhouse listed on the site. It is a bathroom for Mr. Music. Mr. Arnold thought that he should change it to bathroom so as not to give the impression it was available to renters. Mr. Zimmerman asked whether people who board horses would also rent a cabin. Mr. Music said it was a possibility. Someone traveling with their horses who needed to stop in the area for a few weeks might use it that way.

Mr. Martin asked about the wetlands. He got a permit today from Army Corps. Mr. Martin expressed surprise.

Mr. Bouchard asked what would take place in the workshop and Mr. Music said equipment storage and maintenance, but he doesn't anticipate the guests would use it, although they might like to see what he is doing.

Mr. Antis asked whether gardens were a part of the plan and Mr. Music said that everything sounds good, but he is growing slowly.

Mrs. Mathias asked about a SWPPP and Mr. Music didn't know. The driveway is engineered with ditches for drainage. Mrs. Mathias said that the wetlands have to be delineated. That was added to the list of recommendations- to tabulate the total area of disturbance and see whether a SWPPP would be needed. There is disturbance as the driveway is 20 ft wide per the Fire Dept and quiet long. The sewage disposal area and all the site pads would be included in the calculations of disturbed area, and if they exceed 1 acre a plan will be needed.

Mr. Bouchard asked whether the driveway goes to lots 2-4 and it does. If that's divided into phases and it's under the threshold for disturbance but phase 2 goes beyond it, does that trigger the SWPPP? Atty. Buettner said he has to do the whole plan at once. Mr. Martin said that Kevin Hastings would do the calculation, and Mr. Music asked what a SWPPP included. Mrs. Mathias explained that it looks at the soils and mechanisms to handle runoff. It would also talk about how to protect the wetlands.

Mr. Antis wanted the pads to be designated to scale on the map.

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Mr. Arnold pointed out that the driveway easement was written for four residences, and he is doubling that, maybe he should pave up to where it splits to mitigate the impact. It would prevent people from driving the wrong way.

Mr. Bouchard asked how many people stay in the cottage, and Mr. Music says he allows 7. The max on the site at a time with tents outside would be? There are six people per site. Mr. Bouchard thought that the max number should be identified. It is rare, but sometimes more than two vehicles are on a site and there is overflow parking in that case.

Mr. Zimmerman asked whether the cabin had its own septic. It is to the east in front of the shed. That needs to be added to the map.

Mr. Antis brought up the subdivision. He is concerned how a subdivision can be created and then two lots can leave it, or a third lot can be added to it. They third lot is not being added in, the front two are going to merge and they were part of the subdivision. Mr. Martin said an adjustment like that is allowed as long as all the setbacks are compliant. Only one lot was part of the subdivision, but that doesn't matter.

Ms. Purdue asked why he was using tiny houses and Mr. Music said he thought he was playing it safe as it could be considered an RV park that way. He thought this would be simpler and avoid confusion. Tiny homes also allow for creative use of space and are versatile. They cost less, and they can be changed out easily if they aren't appealing or working.

Mr. Antis asked where there was a definition in the Codes of a tiny house. Mr. Martin said that 10 x 40ft could be a tiny house if it is permanently affixed and that is the only change in codes that he is aware of and they can't be forbidden. For the Board's information, the Town Law that doesn't allow manufactured homes is now pre-empted by State law, which says manufactures homes can't be zoned out if they are on a permanent foundation.

Per Mr. Antis' question, there is no definition of a tiny home. Mr. Antis recommended to the ZBA that they clearly define terms so that everyone understands each other. A limit on the size of the dwelling was on the list of items that Mr. Martin read. Mr. Arnold recommended that the building be listed as a house and Mr. Martin wanted it to be called Campsite #1, to eliminate the idea that it could be a permanent residence. There is a foundation under it. Mr. Arnold didn't want to eliminate the house, because then someone could come along and build a house, saying there wasn't one on the lot already.

Mr. Antis read the definition of a recreational vehicle.

Mr. Martin said these are mobile tiny homes that are hooked to their septic and water.

Mr. Arnold expressed concern about another operator wanting to build a house there and Mr. Martin said they would have to get rid of all the tiny houses to use the dwelling.

The existing fixed cabin is an exception.

Mr. Arnold wanted to understand why a building on a slab has to be considered a campsite. Mr. Martin said it was just to differentiate it so it couldn't be rented year round as a dwelling. It has to be transient use.

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Bill Rourke, who is a neighbor, asked about 4 campsites as per NYS guidelines. There will be 5 total. Mr. Music said he had no plans for more at this time. Mr. Rourke owns 80 acres there and he didn't build the road to Town specifications. He wasn't approached, but two other people have right of ways on that access road. The Town's Attorney will investigate the parameters of the easement and make sure those property owners rights aren't violated. Retail sales will be farm produce, eggs, camp store toiletries, charcoal, etc. Mr. Rourke asked how that one trailer was allowed there, and Mr. Martin said that it wasn't allowed, and that's how this got to the Zoning Board for Special Use. Mr. Rourke asked if he was planning to sell the property and Mr. Music said he intended it to support his family.

Mr. Rourke expressed concern about site conditions and maintenance and Mr. Music said that it is in his best interest to keep a nice looking property.

Mr. Rourke plans to build right at the entrance on the property that he still owns.

Neighbor at 57 Fedor Road, Paula Lomasney, stated that it's 1500 ft from her property. She is concerned about water. We all run off the same aquifer. Mr. Music told her about his well flow test that showed he could get 80 gal per minute which is more than he needs. She is also concerned about noise. Come track season, 30 people per night, she asked how noise and population would be managed.

Mr. Music described his findings on noise. With distance, trees, etc it's the noise level of a quiet office by the time his neighbor hears it. She also expressed concerns about the traffic. Mr. Music won't let his guests cross Route 32, but the people who own the horses do. Guests will use the trails on site.

Mr. Rourke asked if the sites would all be on the lot he just purchased, and some will be on the other lot. He has centralized everything, he hopes it won't be visible from the road or to the neighbors.

Mrs. Mathias wants his rules that are published on Airbnb to be included in his Special Use Permit. Mrs. Mathias asked whether the tiny houses are subject to building codes and Mr. Martin didn't know. There is also nothing to prevent him from selling them off to people who like them.

Mr. Music said that not being subject to building codes is part of the appeal. There are health and safety standards for HUD and travel trailer industries.

Mr. Arnold asked and the park model RV has two entrances, but tiny homes he has seen don't. Mr. Music would be wise to look into safety requirements like that if he plans to build his own.

Ann Kusnierz from Candy Cane Farm next door to the property asked is he currently leasing to the couple who own the horses? No, he has a partnership with the horseback riding venture. They split the revenue 50-50.

Mrs. Kusnierz wanted to know who was responsible for the horses, because they have gotten loose and been seen running on Route 32. Mr. Music said that is a shared responsibility with the boarders, owners and riders. Human error happens. It happens on all farms. Mrs. Kusnierz asked about the permanent structure. It has been there a number of years and she believes it never had a C.O. She has noticed there



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seems to be somebody staying there. Neighbors said they had seen lights there. Mr. Music said that he used it when his tenants were between houses for a few days.

Mrs. Kuznierz asked how much lighting he had planned. Each unit will have a light at the door and on a post by their parking area. He is minimizing the lighting for campground atmosphere.

Ms. Purdue asked about a traffic study and there was one, he projected minimal impact of ten cars a day when there are 3000 now.

Mr. Antis asked and there are ten horses there now. Mr. Music is not aware of a limit but he would only add one more. There is a barn and two run-in sheds. Mr. Arnold said that Ag & Markets would limit the number.

Mr. Bouchard asked and no entertainment is planned on the site, no events at this time. Atty. Adele Kurtz asked what exactly is the definition of what's being placed on this land? Mr. Arnold stated that it's a park model RV now. There may be tiny houses in the future. According to Atty. Kurtz, under the Code RVs are limited to less than 400 sq. ft., so how does it comply with the Code? Atty. Buettner said that's not in the Zoning. Atty. Kurtz said it is in a section of the Code that talks about flood zones. DMV regulates travel trailers. Is he going to register the trailers?

Mr. Music doesn't plan to, as they aren't going on the road. He will if he has to. Is it true that the cabin doesn't require a CO? Mr. Music wasn't aware that it doesn't have a CO. Atty. Kurtz asked whether the Board would require that with the change of use. Atty. Buettner said that the Board can't require anything. Atty. Kurtz said it would need one within ten days of change, if it needs it.

Mr. Music did some renovations, but they didn't require a building permit so there was no CO issued when they were completed. The building was inspected when it was purchased and as far as Mr. Music knows it met the standards.

Atty. Buettner said that a tourist cabin is not a dwelling per the Code and doesn't need a CO. Mr. Dreimiller can't inspect it if it isn't a dwelling. Mr. Antis asked how to keep the public safe.

Mr. Martin asked whether motel cabins in Lake George, for example, are regulated by the State and Atty. Buettner thought that would be a good thing to look into.

Mr. Arnold asked whether AirBnB asked for anything like insurance. They don't require it but they recommend it. His insurance reflects the fact that it's a lodging, and they did do an inspection.

Mr. Martin's list of outstanding items was as follows:

1. Middle drive not to be used by patrons or for horseback riding, emergency access only.
2. Restrict all site access to northern drive
3. Remove reference to future sites future home
4. Investigate the easement to make sure the use doesn't negatively impact other users.
5. Campsite locations shows, septic and water lines to scale and accurate instead of schematic
6. Remove Bathhouse language, workshop with bathroom with shower is allowed.
7. Ag use allows horses, growing and sale of produce

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8. Phasing plan should be delineated on the site plan drawing. Number them 1 through 5. Sewage and drive and part of phase 1.
9. Find out if SWPPP applies is there more than 1 acre of disturbance overall?
10. Pave driveway to create apron to the entrance and remove radius heading to back of property
11. 760 fixed cabin 480 for the other 4, one tent, two cars, 8 persons are the limits on site use.  
Overflow parking available
12. No concerts or events
13. Recommendation that camps are subject to certificate of occupancy per transient lodging Codes used by the State; Atty. Buettner will look for one.
14. Define and delineate allowable uses of Workshop as it pertains to or excludes use by guests.
15. Incorporate campsite rules into Special Use Permit language
16. Guests only use onsite trails for horseback riding and do not cross Route 32 except at northernmost
17. Sign on Route 32 will not be lit but the one on site to keep people out of neighbors' area may be.
18. Limits of disturbance and buffering/screening should be on plans.
19. Smoke alarms are required per nfpa and the knox box is planned.
20. Merging of lots
21. Add locations of internet cable, electrical service to the map.

Ms. Purdue expressed concern that these structures fall through the building codes.

Mr. Rourke expressed concern about the driveway that was built for four houses and that this is substantially more.

Mr. Arnold motioned to forward to the Zoning Board 21 specific conditions for the ZBA to consider with regard to the Site Plan for the Tiny Farm Campground, LLC.

Roll call vote proceeded as follows: Mr. Bouchard, Yes; Mr. Antis, Yes; Mr. Arnold, Yes; Mrs. Mathias, Yes; Ms. Purdue, Yes; Chairman Zimmerman, No. Motion carries 5-0-1.

Atty. Buettner and Mr. Martin will finalize and formalize the list of recommendations and forward it to the ZBA.

**Saratoga Olive Oil  
1341 Route 9  
Site Plan Review**

Mrs. Mathias disclosed a relationship with the Braidwood family.

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Clint Braidwood of Saratoga Olive Oil with Matt Steves of Vandusen and Steves presented. This is property on the west site of Route 9N, it was Aquawood Pools. They want to renovate and improve, pave the parking, improve permeability, and use for office, retail, warehousing, storage and repackaging. The site has ample turn radiuses, it accommodates a tractor-trailer, but they expect to use box trucks. It will be daytime activity. Lighting is proposed, downcast security light on front. Sign will be removed and relocated, proposed location is on the plan. They will come back for a sign permit after they see how the landscaping looks.

Mr. Martin asked about the status of the ownership, because there was a marina owner who did boat storage there. It is under contract, but the bank needs to see the approval before they can close. Boats are to be off by June 1.

Mr. Arnold asked whether they had reviewed the plan for the boat storage and he wondered if they had relocated the fence like they were supposed to, it looks like they had. Mr. Arnold remembered the Board had asked for a drywell to be installed at the back, and asked whether it was done. If there isn't one, they need to put one in. There is a lot of impervious area back there.

Mr. Arnold stated that he likes the improvements.

Ms. Purdue asked about processing. They are adding salts, balsamic vinegar. Mr. Antis stated that packaging is light manufacturing.

Mr. Martin stated that it is a retail Primary use, and the other uses are accessory and incidental.

Mr. Arnold disagreed, stating that changing the packaging does not constitute manufacturing. All retail stores do that. Mr. Braidwood said it's usually about ten gallon containers put into smaller bottles.

A 42' x 30' area is retail space. That would require 10 parking spaces. Mr. Steves said they have 20 spaces shown, but they can add more in the back, there is plenty of room.

Mr. Martin said to park for Retail out front and other uses in the back such as parking for employees, packagers etc.

Currently the warehouse gets two deliveries a week. They own a 14 ft box truck that leaves daily. They are on Grand Ave. in Saratoga now. They are outgrowing it.

Mr. Arnold asked about a dumpster. Mr. Steves said they hadn't decided about the best place for it but they have plenty of room.

Mr. Martin asked what the triangular area next to the metal building would be and it will be grassy area. The line with circles is a fence. A decorative fence will be added on the property line.

Mr. Martin told him that six foot fence would only be allowed on the back, four feet or less on the front/side.

Mr. Antis asked and there are no plans to remove the metal canopies.

This needs a public hearing.

The square footage of warehouse space is 7300. They hope to occupy by Oct 1<sup>st</sup>.

Mr. Antis wants them to have lights in the dark. It is a daytime operation but during the holidays they will still be open when it gets dark early.

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They were asked about snow removal locations, anticipate it is not a problem as there is plenty of room. Mr. Arnold asked Mr. Martin whether he knew if the drywell went in, and Mr. Martin didn't think the boat storage operation had acted on their site plan.

Motion to set a public hearing for Saratoga Olive Oil for May 20<sup>th</sup> 7:01pm was made by Mr. Antis and seconded by Mr. Bouchard. All in favor, motion carries with no roll call.

Mr. Martin thought this might qualify as a Type II action for SEQR which would require short form. No other agencies except County for recommendation. Mr. Steves asked to poll the Board as they have a deadline at the bank on the 20-th so were there major concerns. They would like a determination in writing. The County meets before the next meeting. Mr. Martin can write a memo to the bank regarding the status, but can't guarantee in it that anything will be approved.

**Schermerhorn Residential Holdings**  
**60-66 Sisson Road**  
**The Grove on Sisson Road**  
**Site Plan Review**

Travis Mitchell of EDP presented with Mr. Schermerhorn.

This was seen in January as a concept. It will need a public hearing.

Mr. Martin asked about the townhouse word- are these rentals or owned? They are rentals, townhouse is the style.

17 acres. UR Zone, 1 unite per 5,000 140 units after wetlands are subtracted.

Two entrances off of Sisson Road, 24 ft wide roads, water and utilities from Sisson Road, a community mail kiosk. Four-unit buildings. tenth of an acre of wetlands disturbances that will require permits. They are all Army Corp wetlands, no DEC.

Water and sewer is onsite, first unit is quite a distance to Sisson Road over a natural drainage corridor. Sisson Reserve is to the north, a utility corridor to the South. 1.5 parking spaces are required per unit, they have 1.5 outside and one in garage. The units are 3 bedrooms. Traffic impact study showed 48 morning trips and 59 afternoon. Sight distance is fine. Vegetation removal was recommended.

They anticipate about 30 school aged children. Pets are allowed, restricted breeds in about 50% of units. Survey of school districts in Post-Star that Mr. Schermerhorn brought stated that they have been stable. It's not possible to say which elementary school the kids would go to.

This will require water and sewer district extensions. Conversations with the Town Board have begun.

Town will send to Leberge. SWPPP will go to Leberge.

Mr. Antis asked how far the first driveway is from Bluebird Road, Mr. Mitchell guessed 800 ft.

Sewer rates are based on water consumption.

A meeting of the Town of Moreau Planning Board was held on April 15, 2019 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

Centralized mailbox. Postmaster dictates not allowing individual mailboxes. They tell them what to put in. Mr. Martin asked what the applicant would recommend smaller subdivisions do. Going forward they will all have to have unified postal locations. Mr. Martin is looking for a design feature that will prevent blocking with snow, other damage. Center of the boulevard was suggested.

Mr. Antis brought up traffic and then said he didn't see an issue in that immediate area.

Mr. Martin thought the Board should anticipate third party review of the traffic study, since the public will raise concerns about it.

Mr. Bouchard asked and Mr. Schermerhorn stated that they get a mix of ages and kinds of people, families are getting smaller, they also get singles who work from home and need space. They run credit checks and background checks, even look on Facebook.

Mr. Schermerhorn owns the 30 acres behind this, the Leonelli project that is just getting started. Ms. Purdue asked are you planning more build out?

Mr. Mitchell explained traffic studies take into account approved un-built projects.

With apartments, the traffic is spread over the day, not all at the same time. Cars don't stack up at 7 and 3 like they might at a place of business. Adjacent landowners between the two driveways are not especially happy, but there is buffer and Mr. Schermerhorn is willing to add more when requested.

Mr. Arnold asked about speed bumps. Mr. Schermerhorn wasn't against them but not that big of a fan. Best speed enforcement is neighborhood watch. Speed limit is 15 mph usually. These roads are not going to the Town.

Mr. Zimmerman explained that as there were already a number of concerns about the traffic it makes sense for the Town to have their own traffic engineer confirm findings.

Mr. Martin said he would get the escrow amount from Peter Faith tomorrow. It will also be referred for SWPPP.

Motion to declare the Board Lead Agency for SEQR was made by Mr. Bouchard, seconded by Mrs. Mathias. All in favor, motion carried with no roll call. Involved agencies are DOH, DEC, Army Corp, Town Board, Referral to Fire & EMS, School.

Motion to set a public hearing for Sisson Grove on May 20<sup>th</sup> 7:05pm was made by Mr. Antis, seconded by Ms. Purdue. All in favor, motion carried, no roll call.

The meeting was adjourned at 11:00pm per motion by Mr. Bouchard, and seconded by Mr. Arnold. All in favor, motion carried, no roll call.

Respectfully Submitted,

Tricia S. Andrews

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