

A meeting of the Town of Moreau Planning Board was held on March 16, 2020 at 7:00 p.m. in the Town of Moreau Office Building, 351 Reynolds Road, Moreau, New York.

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; Tricia Andrews, Recording Secretary.

The meeting was called to order at 7:00 pm by Ron Zimmerman, Chair. On p. 2265, an Article 78 action was referenced, not 58. Motion to accept the minutes as amended was made by Mr. Bouchard and seconded by Mr. Shaver. All in favor, motion carried with two abstentions.

At the end of the last meeting it was decided that Mr. Martin was to have a conversation with Atty. Buettner for guidance on the flow of meetings after training had revealed a difference in the way they recommended it be done. Jim stated that Atty. Buettner hadn't initially agreed with what was said at the conference but wanted to do more research, and a written opinion would be forthcoming.

Fred Bartlett
Reservoir Road
Modification of Approved Site Plan Review

This is an enforcement action because the project has not been completed and the anticipated date was Nov. 17th, 2019. Mr. Bartlett was present and explained that he got a building permit and was not aware that the plans that came with the building had no foundation plans attached to it, so he had some drawn up and they took so long that it was winter and he didn't want to lay the foundation in the winter. He expects to start digging footings in the next day or two. Mr. Bartlett was not present when the deadline as agreed upon, and Mr. Pidgeon had agreed to things that were not do-able. Mr. Bartlett stated that he would like to have until Labor Day now that the weather is nice and he can begin to get things done. Chairman Zimmerman asked to review what had happened. At the meeting in November the application was to re-orient the building on the land, which had required a Variance which then required a third visit for Site Plan Review. The schedule that was put on it at that time was aggressive. Before that the Site Plan was done in March 2019. Chairman Zimmerman asked why it was taking so long.

Mr. Bartlett stated that he didn't know that the building didn't come with plans.

Mr. Martin stated that he had brought this to Atty. Buettner's attention. If the Board doesn't change the date tonight, the Town can take enforcement in court, which is an expensive means to the same end.

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Mr. Bartlett stated that his mother had gotten a letter from Code Enforcement threatening to put her in jail and that was inexcusable, as it was the Town's fault his plans had been approved without an adequate foundation.

Mr. Arnold asked and the building package was delivered about a year and a half ago. The approval is from March of last year and he had said then that it was going to be no problem. Mr. Pidgeon had agreed in September that the building was there and was all ready to go, and they gave it sixty days. That was a reasonable time.

Mr. Bartlett felt that it wasn't a reasonable time for concrete, trees, etc.

Mr. Arnold stated this is not about trees, it is about the building that sat there for months and he came for Site Plan and never looked at the plans? That is why they asked for a deadline in the first place, was to get him to pay attention to it.

Mr. Bartlett stated that he was not looking for anything. Mr. Arnold asked him why he had said Labor Day.

Mr. Shaver asked and his building permit is for one year.

Mr. Shaver motioned to grant an extension on the Bartlett Site Plan to be completed by September 7, 2020. Mr. Bouchard seconded, and added that many neighbors were present last time and Mr. Bartlett should remember that they are upset. Mr. Bartlett stated that no one wants the building up more than he does. Mr. Arnold stated that it is possible to put in footings in Oct and Nov, and he easily could have put it up in the original 60 days, and he prefers April 30th as a deadline for the sake of the neighbors and to put pressure on Mr. Bartlett.

Mr. Bartlett stated that this will have heat in the floor and four foot footings. He will have the grass, septic etc in by Labor Day.

Roll call vote resulted as follows: Mr. Bouchard, Yes; Mr. Vantassel, Yes; Mr. Arnold, No; Mr. Bergman, Yes; Mr. Shaver, Yes; Mr. Jensen, Yes; Chairman Zimmerman, No. Motion carries 5-2.

Motion that the Chair and one other member sign the amended mylars when they become available was made by Mr. Jensen and seconded by Mr. Bergman. All in favor, motion carried.

Gardner Condgon
Selfridge Road
Preliminary Plat Review

Matthew Webster with Vandusen and Steves Land Surveyors for a four lot subdivision for Selfridge Road. They followed the model of the subdivision they just did across the street, so hopefully it is in good order. There is an existing driveway. Mr. Arnold asked and it flows across all four lots. Mr. Arnold asked whether that is the access point to all four lots. Mr. Webster agreed that is the best point, but it could be clarified.

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Mr. Martin didn't think four driveways in that short space was a good idea, and thought the Board should draw on its experience with shared driveways and easement agreements.

Mr. Arnold stated that he is not opposed to shared driveways, but would prefer to limit them. He felt Lot 5 was not practical to make a change, but he felt that Lot 8 should have a driveway into the Northeast corner. Lot 5 he thinks should only share the first ten feet. A change in the lot shapes might even help to make that happen.

Mr. Jensen asked and this site is higher than the one the Board just reviewed on the other side of reservoir Road, so it doesn't have wetlands.

Mr. Martin stated that the Board would like to see septic and well locations so that they can know there are adequate separations.

Mr. Bouchard disclosed for the record that the applicant is his uncle, but he has no interest in this action. Chairman Zimmerman asked and the Zoning Administrator thinks this is an unlisted action, requiring a Short Form EAF.

The mapper didn't raise any issues for archaeology. This will require a public hearing.

Mr. Bouchard asked about the grade of the existing driveways. Mr. Webster didn't remember the percentage but he was told that it was compliant. Mr. Martin suggested that the applicant get their driveway permit started and that would reveal any problems. He also recommended starting to get their street addresses.

Mr. Arnold asked and Mr. Webster said he would find out how long the driveway will be. It is probably long enough to need turn-arounds and have width and height requirements. Mr. Bouchard remembered there is a retaining wall on one side that might limit the width. Mr. Martin re-read the list of items the Board wanted for the next meeting.

Mr. Bergman motioned to set a public hearing for April 20th at 7:05pm for North Branch Brook East of Selfridge Road and Mr. Jensen seconded.

Mr. Jensen reminded the applicant to put up his signs for the public hearing. The deadline for the April 20th meeting will be April 6th.

Mr. Martin advised the Board that Code revision began, at the Supervisor's request, with a draft solar law which is in the hands of the Town's attorney, and he is back into the Zoning rewrite now.

Chairman Zimmerman asked the status of multi-unit housing and Mr. Martin said he was thinking of limiting it to Route 9 areas, but that would just be a proposal. Mr. Martin plans to distinguish between duplexes and multi-families, and he appreciates input into whether duplexes should continue to be allowed in the R-5. Mr. Arnold said he didn't have a problem with duplexes on 5 acres, but he didn't like them on undersized lots. Mr. Jensen also thought duplexes should continue and Mr. Martin said it wasn't on his list of things that are 'broken' in the Code.

Mr. Arnold asked whether the multi-family housing question would be made before the Zoning Code revisions and Mr. Martin didn't think it would. The solar law is a separate question which can be handled outside of the Code revisions.

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Mr. Martin also said that he understands 5G technology better than he used to, and has learned that it will require more and larger antennas that are line of sight and will be on every street. That will also need to be taken into consideration, as well as electric charging stations.

Motion was made by Mr. Bouchard and seconded by Mr. Bergman to adjourn at 7:51 pm.

Respectfully Submitted,

Tricia S. Andrews