

Meeting of the Planning Board for the Town of Moreau, Saratoga County, State of New York  
was held at the Moreau Town Hall, 351 Reynolds Road, Moreau, NY 12828 on July 16, 2025.

#### **Planning Board Members Present**

- John Arnold Planning Board Chairman
- Adam Seybolt Planning Board Member
- Matt Abrams Planning Board Member
- Mike Shaver Planning Board Member
- Ann Purdue Planning Board Member
- Bradley Nelson Planning Board Member
- Maureen Jackson Alternate Planning Board Member
- Edward Potter Alternate Planning Board Member
- Josh Westfall Town of Moreau Building Planning & Development Coordinator
- Glen Bruening Town Counsel

#### **Planning Board Members Absent**

- Diana Corlew-Harrison Secretary
- Carl Hourihan Planning Board Member

#### **The meeting was called to order at 7:00 pm by Chairperson Arnold**

Minutes to approve – May 2025 – revisions noted and will be revised by secretary.

Mr. Shaver made a motion to approve, Ms. Purdue seconded. All in favor.

#### **Public Hearings: 7:01 PM**

##### **Old Business:**

**SPR6-2025 – Jacobie’s Park Side Farms** – Applicant seeks site plan review and approval in accordance with 149-27 Supplementary Regulations (PUD) and Local Law 5 of 2025. Site to feature 181 individual dwelling units, private roads, reconfigured public road, open spaces and recreation areas, and connections of a walking trail to an adjacent subdivision, all adjacent to (west of) Harry Betar Park. To be served by public water and public sewer. **Applicant:** Cerrone Brothers. **Owner of Record:** Jacobie Acres LLC. **Agent:** Environmental Design Partnership. **Property Location:** 11-29 Moreau Rec Road. **Tax Map ID:** 50.-3-28.2 & 64.-1-54. **Zoning District:** R-3. **SEQR:** Type 1.

**SUBD1-2025 Jacobie’s Parks Side Farms.** Applicants seek subdivision review and approval for 52 lots associated with single family homes, multi-family homes, recreation and open space, and roadways. Application for subdivision is in accordance with Local Law No.5 of 2025. The site will feature reconfiguration of public streets, and on-site water mitigation. Total units proposed are 181. To be served by public water and sewer. **Applicant:** Cerrone Brothers. **Owner of Record:** Jacobie Acres LLC. **Agent:** Environmental Design Partnership. **Property Location:** 11-29 Moreau Rec Road. **Tax Map ID:** 50.-3-28.2 & 64.-1-54. **Zoning District:** R-3. **SEQR:** Type 1.

Joe Dannible spoke about the project on behalf of Cerrone Builders. Zoning approved by Town Board. Reviewed Power Point presentation due to this being a public hearing. He noted there will be 181 units consisting of cottage homes, carriage units and apartments. He spoke of the private road, trees, streetlights, and traffic “calming” patterns. Discussed additional units in open spaces, such as gazebos, pickle ball areas. Public water will come from Gansevoort Rd (Route 32) looping through development into Moreau Rec. Public sewer will be low pressure force main system also coming from Gansevoort Rd (Route 32) through the other development on Bluebird Rd. Still awaiting approval for sewer extension.

Discussed storm water areas and descriptions, vegetation, trees, and planting. Project approved by the Fire Department and the Access Road into Moreau Rec. Reviewed the architecture of the home types and floor plans.

Mr. Arnold opened the public hearing.

Ms. Phyllis Miyauchi expressed her concerns about milkweed, butterflies, and their habitat. Asked if developers could keep a 100 square foot area for them. Mr. Arnold states they are not an endangered species, but we could ask developers to take this into consideration. Mr. Dannible states that they would consider a pollinator garden area.

Harry Gutheil asked if pickleball courts would be added in Moreau Rec or in this development. Mr. Arnold stated that there are no pickleball courts in the plans for this development and the Town had rejected plans to put them in Moreau Rec. Park. Gutheil also asked about the access road being connected to this development and the Park. Mr. Dannible stated that there is only one public road access into the park from development. Gutheil also asked where water and sewer were coming in and out of development. Mr. Dannible showed plans on the diagrams. He has concerns with his property access.

Clark Howe, resident of Jan Ave, expressed his concern with traffic. He states that there is no consideration to the North End of the project with access to the park. Asked if the park would still be closed at night. Mr. Arnold stated yes. Are there plans to add sidewalks on Jan Ave to help with pedestrian traffic? He states that Jan Ave was supposed to close back in the 90's but never happened. Town needs to consider how to slow down traffic on the roads in and out of the park and slow the new traffic that will be in and out of this development that will exit on Jan Avenue. Why is the town not considering these issues? Mr. Arnold stated that the access road was a requirement made by the Town Board to have two access roads in and out of development especially for traffic and fire, and ambulance access. Mr. Arnold spoke of the speed limit is in the hands of the Sheriffs' Dept. if needed to be changed. Mr. Arnold said that traffic review is in the hands of the Town and not this board. Mr. Howe states that Planning Board is the resource to the Town and these issues should be addressed through the Planning Board and public hearing and then sent to the Town Board. He believes that for future development in the "corn field", there should be a new road added and connect to the Parkside Farms and new development and not on Jan Avenue.

Bob Vittengl spoke about the project being an asset to the town. He states that this development is going to be a nice addition to the town and to help get the magic number of 18,000 people in the Town.

Mr. Arnold asked if the board had any questions or concerns. He also stated we are addressing both the SPR6-2025 and the SUBD1-2025 at this time.

Mr. Shaver asked about the access road because the Fire Dept has not approved of it yet. Mr. Dannible states that the Town Board has approved the road with PUD approval and legislation. Mr. Dannible states that the town has taken responsibility to maintain the access road but is unsure if Highway or Moreau Rec Dept is a caretaker currently. Mr. Shaver believes that the sewer, water, and roads should all be noted in the plans before we approve the PUD. Mr. Bruening spoke on the PUD legislation stating that all roads and future development still must be approved by the Town.

Mr. Arnold asked about parking spots and sizes. He also noted that stormwater was running through private lots. He states that there should be easements including in the deeds. He also asked if future development could be noted on this plan to leave open space to gain access to future development. Mr. Dannible said that could be reviewed and considered. Developers are welcome to add pedestrian traffic areas but not vehicular traffic.

Mr. Abrams asked about landscaping at entrances. Mr. Dannible states they are enhancing the entrances by adding new trees and flowers, street signs but not a sign for Jacobie Parkside Farms currently.

Mr. Shaver asked if public hearing could be left open for 30 days for the public to go to Town to get their questions answered. He believes the public deserves answers. Mr. Dannible states that we only had 4 people come forward and the questions were addressed, and he wants to close the public hearing tonight and not extending. Mr. Arnold wants to identify the access road with a dotted line. Mr. Dannible states that it could be a consideration to be added.

Mr. Nelson made a motion to table this until the Planning Board and our residents get the answers to questions that have arisen tonight. Mr. Shaver seconded.

Roll call – Abrams – no, Seybolt – no, Purdue – no, Jackson – no, Shaver – yes, Nelson – yes. 4-2 motion has not passed.

Mr. Seybolt made a motion to close public hearing. Second by Ms. Purdue.

Roll call – Abrams – yes, Seybolt – yes, Purdue – yes, Jackson – yes, Shaver – no, Nelson – no. 4-2 motion passed.

Ms. Purdue made a motion to approve the site plan and subdivision with following conditions:

1. Native plants such as milkweed are planted in an open space or designated areas.
2. Access road be approved with permits and completion before final plans and certificate of occupancy are approved.
3. Lighting could be downward facing.
4. Potential easement for pedestrian walkways on the south and on the north.
5. Parking sizes are within code requirement and number of spaces noted on plans.
6. Access road to be built to standard code and be maintained by the Town.

Motion seconded by Mr. Seybolt.

Roll call – Abrams – yes, Seybolt – yes, Purdue – yes, Jackson – yes, Shaver – no, Nelson – no. 4-2 motion passed.

Ms. Purdue made a motion to have mylars be signed by the Chairman and a member of the Planning Board, seconded by Mr. Seybolt. All approved.

**SPR4-2025 – Moreau Tavern** – Applicant seeks site plan approval in accordance with 149-21 for the reuse of former/commercial property on Route 9 as a tavern/restaurant use. The site will have private water and sewer and off-street parking. **Applicant:** Jason Fitch. **Owner of Record:** Jason Fitch. **Property Location:** 1000 Route 9. **Tax Map ID:** 89.-2-43.2. **Zoning District:** C-2. **SEQR:** Type II.

Applicants spoke about the project and asked for a public hearing.

Mr. Arnold opened the public hearing at 8:48pm.

William Hoffis spoke of his concerns about parking spaces, plans note 60 but only show 32. Also, lighting – will it be on all night, is it IDA compliant? Noise levels and hours into evening? Food deliveries made off Route 9 or Blanchard Rd? will town have no parking signs on Blanchard? Garbage pickup hours and container covered or not?

Mr. Arnold and applicants stated that garbage is in an enclosed area and covered, Deliveries more than likely of Blanchard Road for building accessibility, noise will be acoustic, no additional speakers and not late into evening just until dark. Outdoor lighting will be downward and ADA compliant and on during business hours. Parking spots were approved in prior meetings for 32 spots and to allow additional overflow parking in the rear.

Gary Bendecase read an email that this will provide a fantastic opportunity for the town, they have been great owners in the Saratoga area and believe the new restaurant will be good for the Town.

Steven Armstrong spoke in approval of the project, they do an excellent job in Saratoga, community involvement and fundraising, good people for Town involvement, good employers, business isn't a chain, professional applicants.

Heidi & Randy Tilford spoke in approval of the project, been good neighbors for 16 years, will be great for the Town.

Ms. Purdue asked about seating, Applicants state they have not done that yet until the renovations are complete and tables can be counted. That will also justify the amount of parking spaces needed. Applicants hope to get 60-150 with outdoor seating included.

**Mr. Shaver made a motion to close the public hearing. Mr. Abrams seconded. All approved.**

**Mr. Shaver made a motion to approve the proposal for Moreau Tavern SPR4-2025. Mr. Nelson seconded. Ms. Purdue would like to add with notation of no parking on Blanchard Rd or Route 9 with possible signage added, an occupancy number needed before approval to account for parking spaces required, no large speakers in the rear to be used to keep in accordance with noise ordinance, also to be considerate of residents and to not be heard off site.**

**Roll call - all approved.**

**Mr. Shaver made a motion to sign the mylars when available. Second, by Mr. Seybolt. All approved.**

**SUBD3-2024 – Hooper Subdivision** – Applicant is seeking Preliminary Plat Review in accordance with Article IV of Chapter 124 Subdivision of Land of Moreau Town Code. Specifically, the proposal is for a Cluster Subdivision in accordance with Article IX of Chapter 124. The proposed subdivision will result in four (4) additional (new) lots.

**Applicants:** James and Suzanne Hooper. **Owner of Record:** James Hooper. **Tax Map ID:** 64.0-2-106.1. **Zoning District:** R5. **SEQR Type:** Unlisted.

Applicants spoke about the project. He noted the changes to the site plan as board required, added the 8 acres notes about it being undeveloped land and not forever wild. There was an updated SWIPP with no exceptions, waiting for NYDEC for approval.

Mr. Arnold opened the public hearing at 9:17pm.

No public comments.

Ms. Purdue asked if the 8 acres would be further developed. Applicants state it will stay as it is today. Date of approval with this condition will apply when mylars are signed. She also asked if the sewer would be connected when available. Mr. Shaver asked about lot counts. The applicant states there will be 5. Mr. Arnold asked if the board should waive this requirement for sewer connection at this time for this development.

**Motion made by Mr. Shaver to waive the sewer requirement for this development due to no access. Ms. Jackson seconded. Ms. Purdue wants to add that the developer must hook up to sewer when it is available. Mr. Shaver doesn't feel that is fair because it is not required on Route 9 currently. The applicants state that the lots are way off the road and would be extremely expensive for landowners. Mr. Abrams would like to see the condition state it as an option to connect but not a requirement. Ms. Jackson reversed the second. Mr. Arnold asked if all in favor of the option to connect later. Ms. Jackson seconded the motion. All Approved.**

**Mr. Seybolt made a motion to close the public hearing. Seconded by Ms. Jackson. All approved.**

Mr. Arnold read the SEQR.

**Ms. Purdue made a motion for a negative declaration on this project. Second, by Mr. Seybolt. All approved.**

**Ms. Purdue made a motion site plan with deed restriction to note the 8 acres remain undeveloped as of the date of approval and to be included in the deeds of Lots 1-4. Second, by Mr. Seybolt. Roll call - All approved.**

**Ms. Purdue made a motion to sign the mylars when approved. Seconded by Mr. Shaver. All approved.**

## **New Business: Town Board Referral**

**Renua/Lightstar (Old West)** – Applicant seeks approvals from the Town Board in accordance with 149-28.1 and 149-50.2 for construction of one (1) 4.75 – Mwac ground mount solar power generating site on Old West Road. **Applicant:** Old West Road NY PV LLC. **Owner of Record:** Guy Swears. **Agent:** Nick Schupp. **Property Location:** 81 Old West Road. **Tax Map ID:** 89.-2-19 **Zoning District:** R5. **SEQR:** Type 1.

Applicants spoke of this project and went over the presentation and handed out packets. Hae had a business out of home for last seven years. Been working with utilities companies to keep this.

Parcel is 32 acres but site to be used is only using 18 acres. There are billboards on site, but they will not have an impact on construction of projects.

Mr. Arnold asked about visibility study. What properties were used? Applicants state from the Northway east and the front of property were considered. Palmer Ridge Road was not considered. Mr. Arnold states that there is visibility from that road and should be looked at again. He also states that all solar companies are looking to put projects on usable farmland, and he is opposed to using the only valuable farmland on this proposal. He also states he is not interested in buying or using the land but if made available for sale as farmland, it would be sold in minutes.

Mr. Arnold also states that this board is only here to make a recommendation on this from the Town because the Town ultimately has final say. Ms. Purdue also has concerns about what part of the law is relevant to this board's review.

Applicants' owners believe this is only viable option for them to keep the family farm.

Mr. Abrams asked what the closest parcel to solar panels. There is a family home on the property on the North side. The applicants state there is another parcel, but it has a blocked view by hedgerow which will be staying. Mr. Nelson asked if it was visible from Northway. Applicants state there is a brief view northbound of about 3.5 seconds.

Ms. Purdue asked about fire suppression. Applicants have a third party contracted to monitor it 24 hours a day and coordinate with the local fire department. Ms. Jackson also has these concerns. Josh states that the code enforcement would be involved but the town could use more training. Applicants state that an electrician must sign off on all phases of construction through the final approval. Mr. Abrams asked if he continually monitored and inspected. Applicants state that Lightstar has a team to keep up on all faults and issues will be looked at physically and followed up with. Ms. Purdue asked about construction timelines. The applicants state construction would start this fall and be completed in 6-9 months.

**Ms. Purdue made a motion to make an unfavorable recommendation to the Town of Moreau for this proposal due to concerns about fire suppression and chemicals used to extinguish fire and no water access, the value of farmland negatively affected, visibility to area neighbors and from Northway, training for Building Dept staff and emergency responders along with the health and safety concerns. Ms. Jackson seconded. Roll call – all approved.**

**Renua/Lightstar (Washburn)** – Applicant seeks approvals from the Town Board in accordance with 149-28.1 and 149-50.2 for construction of one (1) 4.0 – Mwac ground mount solar power generating sites on Washburn Road. **Applicant:** Washburn Road NY PV LLC. **Owner of Record:** Christopher Barden. **Agent:** Nick Schupp. **Property Location:** 148 Washburn Road. **Tax Map ID:** 89.-2-23.11. **Zoning District:** R5. **SEQR:** Type 1.

Parcel is 27.9 acres but site to be used is only using 19.2 acres. Access road will cross into the Town of Wilton and only areas would be the telephone poles, remaining area is in Moreau. Location is due North of Hiram Hollow. NYDEC meeting on July 30<sup>th</sup> to go over wetlands' areas.

Mr. Shaver asked if there was any prime farmland. Applicants state none.

Ms. Purdue asked about the buffer area. Applicants state it is owned by the landowner and not part of the lease. They would collaborate with landowners to maintain the buffer area.

Mr. Nelson asked about visibility, for example from Northway. Applicants state that it is limited due to vegetation on property. The only impact would be traffic on Washburn and neighbors on the road.

Mr. Nelson asked who land and grass be maintained. Applicants state the land is mowed twice a year and they typically put in pollinator plants to encourage wildlife.

Ms. Purdue have the same concerns as the prior submission for West Road with the fire suppression and chemicals used and training within the Code Enforcement Dept and Emergency responders.

**Mr. Shaver made motion to make a favorable recommendation to the Town of Moreau for this proposal but with Ms. Purdue's concerns on fire suppression, soil concerns and training within the Code Enforcement Dept. Mr. Nelson seconded. Roll call – Abrams – yes, Seybolt – yes, Shaver – yes, Nelson – yes, Purdue – no, Jackson – no.**

### Regular Meeting

### New Business

### Site Plan Review

**SPR7-2025 National Grid** - Applicant seeks site plan review for the expansion of use at the Butler Road Substation and associated storage. **Applicant:** National Grid. **Owner of Record:** Niagara Mohawk d/b/a as National Grid. **Property Location:** 2-89 Butler Road. **Tax Map:** 63.-4.1.11. **Zoning District:** C-1. **SEQRA:** Unlisted.

Allyson Phillips spoke on behalf of applicants. ZBA has approved this special use permit. They are asking for a three-acre expansion. Plans show permanent laydown yard area, storage locations, office building (storage unit) location.

Mr. Arnold asked about the hours. Applicant states hours will be open Mon- Fri 8am-4pm typically unless storm duty related issues.

Mr. Abrams asked about lighting, they stated it would be downcast lighting.

Ms. Purdue asked about truck traffic, they will have approximately 8 trucks a day in and out, mostly in the beginning and end of shifts.

**Mr. Abrams made a motion to waive the public hearing. Ms. Purdue seconded the motion. All approved.**

Mr. Arnold reviewed the SEQR. Change #18 to a no response regarding water retention.

**Ms. Purdue made a motion to approve a negative declaration for SEQR. Seconded by Mr. Abrams. All approved.**

**Ms. Purdue made a motion to approve this project when SWPP approved. Mr. Abrams seconded. Roll call - All approved.**

**Mr. Seybolt made a motion to sign the mylars when approved, Ms. Purdue seconded. All approved.**

### Subdivision

**SPR1-2025 Tier 1 Enterprises** - Applicant seeks a sketch plan conference for creation of four (4) additional lots. No construction is planned at this time for the applicant's submitted information. **Applicant:** Tier 1 Enterprises LLC. **Owner of Record:** Todd Tierney. **Property Location:** 134 Spier Falls Road. **Tax Map:** 62.-1.-1.-1. **Zoning District:** R-2. **SEQRA:** Unlisted.

Applicant bought the 26.9 acres on Spier Falls Road wants to subdivide into 5 lots to be sold to individuals for further development.

Applicant brought up that a neighbor who was present at the meeting, Dolores Bullivant, who had concerns about traffic and the road entrance being next to her property. They will move entrances to accommodate her concerns.

Ms. Purdue asked if there should be a SWPP done before this approval. Applicants state that if SWPP was to be done then the applicants may not agree with the SWPP. The transfer of SWPP requirements will be or should be assumed by the individual owners. Mr. Westfall stated that this is only for approval of a sketch plan at this time.

Mr. Arnold is having a tough time reading the contours on the maps provided. The applicant can submit better plans for the next meeting.

**Mr. Shaver made a motion to schedule a public hearing for August 18, 2025. Mr. Nelson seconded. All approved.**

**Motion made by Mr. Shaver to adjourn the meeting, all approved.**

Meeting ended at 11:20 pm

Signed by Diana Corlew-Harrison from audio on August 2, 2025.