

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 Sept 16, 2024.

Planning Board Members Present

- John Arnold Planning Board Chairman
- Mike Shaver Planning Board Member
- Matt Abrams Planning Board Member
- Adam Seybolt Planning Board Member
- Bradley Toohill Planning Board Member
- Ann Purdue Planning Board Member
- Carl Houlihan Alternate Planning Board Member

Planning Board Members Absent

- Bradley Nelson Planning Board Member

The meeting was called to order at 7:02 pm by Chairperson Arnold

Prior month minutes reviewed with changes discussed.

Motions made to approve minutes:

February 24 – by Mr. Toohill, seconded by Ms. Purdue, all approved but Mr. Houlihan abstained (not present at meeting)

March 24- by Mr. Toohill to review as amended, seconded by Ms. Purdue, all approved.

June 24-by Mr. Seybolt, seconded by Mr. Shaver, all approved.

July 24-by Ms. Purdue, seconded by Mr. Seybolt, all approved, Mr. Toohill abstained (not present at meeting)

Mr. Arnold announced that he has become the Planning Board Chairman and no longer Acting Chairman.

Old Business:

Site Plan SPR3-23-Pines Mobile Home Park Expansion

Applicant seeks Site Plan Review in accordance with 96 Mobile Homes and Mobile Homes Parks, for the addition of fifteen (15) manufactured dwelling units to the existing and contiguous Pine Mobile Home Park at 1411 Route 9. The proposal applied for and received a Special Permit from the Zoning Board of Appeals in 2023. **Applicant:** Greg Hewlett **Owner of Record:** Same. **Tax Map ID:** 63.3-1-20.1 & 63.3-1-21.1. **Address:** 1411 Route 9 **Zoning District (Current):** C-1. **SEQR Type:** unlisted.

Applicant spoke of project, review with ZBA, reviews with regards to the approvals of SWIP, Saratoga County Water & Sewer, DOT, Emergency Services. There has been changes to driveway entrances and water and sewer locations on plans. Applicant now back in front of this board requesting board approval.

Mr. Shaver asked if using Town water and sewer, applicant states yes.

Mr. Westfall states that this must be sent to Saratoga County for the driveway changes.

Mr. Shaver asked if fire hydrant within 500', applicant and Mr. Westfall will check with Fire Department.

Applicant states that the expansion will continue to be 55 plus community, there are making lot line adjustments to make it one parcel, making a walking path to mailboxes, also adding a parking spot for cars if not walking near Lot 32, lights will exist on exterior of homes only, no new or additional signage, 10mph speed limit signs added, no road names.

Ms. Purdue asked if about solid waste disposal, applicant states each resident responsible to have their own service.

Ms. Purdue asked about buffer and if they would maintain woods, applicant states on three sides with arborvitaes and/or vegetive buffer and be consistent with current site.

Ms. Purdue asked if plans could add a condition to add vegetative buffer, show walk path to mailbox, size of water/sewer connections all documented on plans, fire plan approvals, county and DOH approvals.

Motion made by Mr. Shaver to set up public hearing for October 21, 2024, for the addition of 15 manufactured homes to the development, Mr. Seybolt seconded, all approved.

New Business:

SUBD4-2024-Earnest Subdivision

Applicant seeks approval of a two-lot subdivision, pursuant to the approval of waiver per 124-41. Specifically, the proposed additional lot fails to meet the road frontage requirement (40'). Access to the new lot shall be provided over right-of-way to be established. **Applicant:** Harjit Earnest. **Owner of Record:** Same. **Tax Map ID:** 89.-2-37.22. **Address:** 168 Blanchard Road **Zoning District (Current):** R-2 **SEQR Type:** Type II.

Applicant spoke of right of way request and how they want to split the 20 acres they own into two parcels, giving a 5-acre parcel to her son to build a home and the need to share the driveway to gain access. They met with Jim Martin prior to his retirement. Plans need to show entrance at 40' road frontage being it is short of code. Neighbors are not willing to sell applicant any property to help meet the requirement. They are looking for a waiver of the code.

Mr. Arnold states that you need 50' to put in public road. You would need a waiver to make lot not on a public road or to make shared driveway. Mr. Arnold states that a duplex is an alternative that would fall within the code. Two family is not permitted in a R-5, per Mr. Westfall. Applicant only wants a one family home.

Mr. Toohill states his concern is with future sale of the property or if family issues or dispute down the road.

Mr. Arnold asked if they were seeking to have a subdivided lot created then with no road frontage, which is not allowed in Town. He told applicant that by law, any lot needs to have public access to a town road frontage per code.

Ms. Purdue is concerned if this meets the requirements for Fire Code and if there is safe covenant to not subdivide in future access. Mr. Arnold also concerned with future sale possibilities.

Mr. Shaver asked to make a motion to board to table this until next meeting or when decision of where the 40' of the road frontage will be and the help from Mr. Westfall with reviews of current codes.

Site Plan Review:

SPR23-2024 – Shangri-La Holdings- Applicant seeks conceptual Site Plan review in accordance with Article VI Site Plan Review for the development of a commercial greenhouse facility, drying/storage barn, farmstand for fruits and vegetables grown on site and parking event space: **Applicant:** Shangri-La Real Estate Holdings LLC. **Owner of Record:** Same c/o Orson Klender. **Agent:** CLA Site. **Tax Map ID:** 76.-3-83.111 & 76.-3-89.2 **Zoning District (Current):** C-1. **SEQR Type:** Unlisted.

Peter Loyola from CLA, spoke for applicants regarding project. Working on project since 2022. In February 2023, asked of boundary adjustment on western part of property from zoning board which was approved. Brought before Planning Board in September 2023. Two issues at that point with the County regarding access from Spier Falls Road and access to sanitary sewer with regards to it to be extended over Northway and became prohibitable.

Devon Klender spoke of project. Introductions of others in project, 5 members – his father Olsen Klender, and 3 other friends involved. They want to use land as multifunction platform with access to public with seasonal market with tillable land and greenhouses, farmstands. Working with Sutherlands of Salem, Slack Hallow Organics, Homestead Hemp (Originally Rogers Family Farm). Other thoughts for market would include food trucks, ice cream trucks, Christmas tree lots, pumpkins, climate control areas to see cider, coffee. Similar to farmers markets in Glens Falls and Saratoga. We would like to sell hemp and various supply where the applicants already have warehouses at exit 15 and Route 4

Schuylerville warehouses. Want to have farmers grow product in the agricultural site to grow and distribute products throughout New York State with the help of the people involved in project. Wants to start with a pavilion to have farmers sell their wares and then create growing sites for fruits, vegetables, and cannabis. Then create greenhouses to grow all sorts of things for farmers to sell.

Mr. Loyola spoke that of the 76 acres, there will be greenhouses on upper space, there will only be small box trucks entering property, no tractor trailers. There will be a retail component with the farmstand and pavilion of about 1.5 acres. There will be an internal road that connects the two parcels. There are crops being grown now through the summer months. Only 5 acres of crop fields currently. There will be 10 parking spaces, 3 food ruck spots, 25x40 pavilion. Property has a current well meeting all needs currently, National Grid to add a transformer to meet needs near access road. There will be four phases of construction, with 4 greenhouses, drying barn 50x100, outdoor crop fields. Access off Saratoga Road for employees only.

Mr. Shaver asked about sewer usage. Applicants only 15 employees only 225 gallons. Meets code requirements presently under 1000 gallons a day.

Greenhouses are a controlled environment. Insulated buildings with clear roof, use solar for heat.

Ms. Purdue asked what is going on now on property. Applicant states they are growing a test pilot crop of cannabis on 1 acre now. Moving product to other warehouses. Current tenants, Homestead 1787 and Tartun Ridge who have test permits, applicants acting as stewards/ tenants of the land currently.

Mr. Arnold asked of aroma at site and is currently same as Exit 16 as well. All from cannabis and hemp growing. Exit 17 is a funky aroma. Applicant's states been in contact with neighbors. Mr. Arnold asked if aroma will be all the time. Applicants states it when it is in cultivation state about 20 -40 days of season. The greenhouses will have only a fraction of aroma because it is contained and different operation with heat pumps and circulation pumps.

Mr. Arnold asked why this site? Applicant states the site has sandy soil, well drainage, soil does not create root rot, live in Saratoga so close to home, southwesterly winds in summer, northwesterly in winter, most of soil samples in Washington County is all clay so not conducive to crops. The 12 greenhouses will create a great site for growing. If permissible, would like to grow outside as well. Mr. Toohill asked if growing now, applicants state they are growing now with approximately 6000 plants.

Mr. Arnold asked if greenhouses permitted in commercial space. Mr. Westfall states a greenhouse is approved but not with open fields with crops with fruits and vegetables. Nurseries need a retail space and town approvals.

Mr. Shaver asked if property is fenced in, applicants state for the most part it is, and they have cameras on site.

Mr. Toohill asked if what they are growing is in violation. Mr. Westfall states they have been served a notice of violation and are here at meeting to seek approvals of the growing of vegetables and the farmstand pavilion. Applicants state that this is their response to this violation, set up farmstand and greenhouses.

Mr. Arnold asked the applicants if they are seeking this review to get permission and justification to allow a greenhouse with an open growing area of cannabis to distribute products that does not allow agricultural use in a commercial space presently. In present code there must be a retail space if this is to be a nursery, and this is approved in a C-1 district. The code does not allow for this use to permit the growing of this product or growing vegetables, fruits, or cannabis in open space in the commercial district. He is not seeing the commitment for retail with only a farmstand/pavilion on site in these plans currently. Mr. Arnold does like the greenhouse idea to make better use of this commercial space being its an odd shape and space.

Mr. Toohill asked if the indoor greenhouses would stop the smell. Applicants state with there state of the art greenhouse they want to build, it would keep the smell to a minimum. Mr. Toohill asked the sizes of the greenhouses. Applicants state they are looking at the 30x120 size units in this phase. Is there any idea of putting up one greenhouse as

a test site to see how the smell is. Applicants state they would love to try it and if it does not work then they could replace with just fruits and vegetables down the road.

A neighbor, Tim Monahan, has had multiple discussion with applicants and has had no objections.

Mr. Shaver asked if warehouses would be put on site. Applicants state they would like to move whole operation to one site if possible but do not want to put all eggs in one basket.

Ms. Purdue asked about traffic if greenhouses and warehouse space built out. Applicants state just employees (9-12), received supplies two times a year, distribution over 60-90 days but all with small box trucks – no tractor trailers.

Mr. Arnold has concerned with the smell and the complaints of neighbors. Would like to see if filtration system does in fact work. The vast number of complaints are the people driving on or by the Northway.

Applicants state that with the review tonight and board comments, they are currently looking for approval of the greenhouses as Phase 1, test them for filtration to mitigate 90% of smell, build out the farm stand (3 season – could be 4 and maybe sell coffee, cocoa, Christmas items), community space with pavilion, entertain other greenhouses, no outside growing, willing to discuss their options going forward and they hear the comments, complaints, ideas going forward. Applicants would like to come back with allowable greenhouse use plans and initial phase of project. Mr. Nelson likes the ideas of the greenhouses just not the outdoor growing space and the smell. Mr. Shaver likes the idea, and it is a generational thing that is coming whether we like it or not. Applicants asked if bringing in Christmas trees and selling them, is that an allowable use. Mr. Arnold states if they were approved for a nursery then yes. Applicants asked if you grow it on the property and put in a pot to sell, then its approved. Board says yes. Applicants state they will return with plans that take into consideration of all comments and concerns.

Meeting adjourned at 9:47 PM

Signed by Diana Corlew-Harrison November 11, 2024