

A Meeting of the Zoning Board of Appeals 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 the 24th day of January, 2018 at 7:00 PM.

ZONING BOARD MEMBERS PRESENT

Kevin Elms

John England

Matthew Manning

ZONING BOARD MEMBERS ABSENT: Gerhard Endal, Chair; Scott Fitzsimmons, Zoning Board Member

The Board did not review the minutes of the December 20, 2017 meeting.

The Board reviewed

APPEAL NO. 797

A request of Jacob Bryce of 3 Lilac Court, South Glens Falls, NY 12803 for a Special Permit pursuant to Chapter 149, Article V, Section 149-33, Home Occupation. Applicant is proposing to operate a home based business in a residence owned by William and Jennifer Breeyear making liquid dog treats. This property is located in an R-2, One and Two Residential District and is designated as 49.19-1-16 on the Town Assessment Map.

Jacob Bryce is present with Mrs. Breeyear, his mother. He wants to make liquid pet treats and sell them at farmers markets; the idea is to pay for college. It should not mess with traffic. The owners of the house are his mother and stepfather. There will be no sign out front, he is just using the kitchen. No vehicles are expected except for deliveries from Fed Ex or UPS, it is a one person business.

There was no comment received by the Town and no members of the public were present.

The Board commended Mr. Bryce for coming before them as he could have kept this enterprise hidden. Mr. England asked about the product and the main ingredient is water. It is human grade ingredients, there will be no storage of dangerous chemicals. Other ingredients include beef broth, molasses, malt, and preservatives. It will be in 16 oz bottles that go into the bowl or can be frozen as an ice treat. The main nutritional benefit is from the molasses which is good for the fur.

It is not carbonated.

Mr. Manning asked whether there would be bottles stored outside. Jake will use the garage for storage or rent a storage cube if it becomes necessary.

Mr. Elms said that this should be stipulated in any Permit, such as that it is one person, that there be no outside storage, etc. Mr. England asked and a Special Permit is issued to the property owner, not to the business proprietor. But the use can be narrowly described. Home businesses are limited to one employee in the Code.

Mr. Elms reviewed the Code and found that none of the limiting concerns were issues in this case. He wanted the Board to focus on part b.), the limits that the Board could add in order to protect the

A Meeting of the Zoning Board of Appeals 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 the 24th day of January, 2018 at 7:00 PM.

neighborhood.

Mr. Manning wanted to know whether there would be FDA Approval and there will be USDA. Mr. Manning would like to stipulate that there not be carbonation or additional ingredients that pose a danger, and was worried about outside storage. Mr. Bryce pointed out that carbonation is not good for dogs so he has no plans to add that. Mr. Elms suggested stating “no visible outside storage.” Mr. Martin recommended stipulating that it adhere to the definition of Home Occupation as stated in the Code, which is one employee, no outside parking, etc.

Mr. Elms closed the public hearing at 7:13pm.

Motion was made by Mr. Manning to grant Appeal No. 797 for with the four following stipulations: Limited to pet treats; comprised of human grade ingredients; no visible outside storage; must adhere to 149-33 and the definition of Home Occupation.

SEQR Part II was reviewed. No concerns were identified. Motion for negative declaration was made by Mr. Elms, and seconded by Mr. England. Roll call vote proceeded as follows: Mr. Manning, Yes; Mr. England, Yes; Mr. Elms, Yes.

Second to the original motion to grant the Appeal with stipulations was made by Mr. England. Roll call vote proceeded as follows: Mr. Manning, Yes; Mr. England, Yes; Mr. Elms, Yes.

The meeting was adjourned at 7:21 pm.

Respectfully submitted,

Tricia S. Andrews