

A meeting of the Zoning 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 the 24th day of July at 7:00 pm

**Town of Moreau
Zoning Board of Appeals
07-24-24 7:00 PM
Town Hall Meeting Room, 351 Reynolds Rd**

Zoning Board Members Present:

Gerhard Endal	Zoning Board Chairperson
Kevin Elms	Zoning Board Member
Scott Fitzsimmons	Zoning Board Member
Justin Farrell	Zoning Board Member

Also Present:

Joshua Westfall	Zoning Board Administrator
Deborah Hadden	Recording Secretary
Chris Phair	Appeal No 866
Jeffrey Nicholson	Appeal No 867
JoAnn Rosales Bailey	Appeal No 868

The meeting called to order at 7:00 by **CHAIRPERSON ENDAL**.

Approval of Minutes:

Previous minutes were not available for tonight's meeting

MR. FITZSIMMONS I make a motion to hold off on the minutes until the next meeting.

CHAIRPERSON ENDAL seconded

CHAIRPERSON ENDAL All in favor say aye

Results as follows:

MR. ELMS	AYE
MR. FARRELL	AYE
MR. FITZSIMMONS	AYE
CHAIRPERSON ENDAL	AYE

4 in the affirmative, motion carries

A motion was made by MR. FITZSIMMONS and seconded by CHAIRPERSON ENDAL to hold off on review and approval of meeting minutes until the next meeting.

OLD BUSINESS:

There was no old business to be discussed.

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NEW BUSINESS:

APPEAL NO. 866

Application for a Special Permit

- | | |
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| 1. Applicant Name: | Chris Phair |
| Applicant Agent: | N/A |
| Application Type: | Special Permit |
| Public Hearing Scheduled: | Yes – Wednesday, July 24, 2024 at 7:05 |
| Location of Proposed Project: | 241 Reservoir Road, Ft. Edward, NY 12828 |
| SBL: | 63.2-1-32.1 |
| Zoning District: | C-1. |
| SEQR: | Type II. |

Applicant seeks a Special Permit in accordance with §149-53 (Extension of Non-Conforming Use) related to the proposed construction of a 10' x 30' addition to an existing single-family residence (in line with current structure).

MR. PHAIR: This is for the purpose of enlarging my home. I have been doing this type of work and have 25 years experience.

CHAIRPERSON ENDAL: So you will be adding an addition?

MR. PHAIR: Yes.

CHAIRPERSON ENDAL: No comments from the neighbor?

MR. WESTFALL: Nothing from the neighbors.

MR. ELMS: Pretty cut and dried. Seems reasonable.

CHAIRPERSON ENDAL: I move to close the public hearing.

MR. FITZSIMMONS: I motion to approve area variance Appeal 866.

MR ELMS seconds the motion.

CHAIRPERSON ENDAL: roll call for vote

Roll call results as follows:

MR. ELMS	YES
MR. FARRELL	YES
MR. FITZSIMMONS	YES
CHAIRPERSON ENDAL	YES

4 in the affirmative, motion carries

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A motion was made by MR. FITZSIMMONS and seconded by MR. ELMS to approve Appeal No 866.

APPEAL NO. 867

Application for an Area Variance

2. Applicant Name: Jeffrey and Terri-Jo Nicholson
Applicant Agent: None
Application Type: Area Variance
Public Hearing scheduled: Yes. Wednesday July 24, 2024, 7:05 pm
Location of Proposed Project: 202 Bluebird Road, South Glens Falls, NY 1280
SBL: 50.-2-19.2
Zoning District: R-2
SEQR: Type II

Applicant seeks an area variance in accordance with §149-16 (Area and Setback) related to the proposed construction of a dwelling unit to be a 2-family residence. Specifically, the applicant seeks to construct said additional attached unit on 0.96 acres; 1 acre required; 0.4 (1,746 sq/ft) of relief requested. The proposed new structure is proposed to be 10' from the side property line; 15' required; 5' of relief requested.

MR. NICHOLSON: I submitted a variance for attaching stairs. There is 100 ft of land belonging to the Good Shepherd Assisted Living Facility, that is my neighbor. This land and drive cannot be developed or changed. I am seeking to change my home from a 1-family to a 2-family. There is not enough property for this. It will be for my family only.

CHAIRPERSON ENDAL: I drove by your home. Were there any comments from the neighbors?

MR. WESTFALL: No comments were received.

CHAIRPERSON ENDAL: I move to close public meeting.

MR. ELMS: Second.

CHAIRPERSON ENDAL closed the public hearing.

MR. FARRELL: This still will be 10' off the property line. I recommend a 100' buffer in perpetuity.

MR. WESTFALL: Specified.

MR. ELMS: This is a reasonable request.

CHAIRPERSON ENDAL: If there is no further discussion, is there a motion?

MR. ELMS: I motion to approve Appeal No 867.

MR. FITZSIMMONS seconded.

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CHAIRPERSON ENDAL roll call for a vote

Roll call results as follows:

MR. ELMS YES
MR. FARRELL YES
MR. FITZSIMMONS YES
CHAIRPERSON ENDAL YES

4 in the affirmative, motion carries

A motion was made by MR. ELMS and seconded by MR. FITZSIMMONS to approve Appeal No 867.

APPEAL NO. 868

Application for an Area Variance

3. Applicant Name: JoAnn Rosales Bailey
Applicant Agent: None
Application Type: Area Variance
Public Hearing scheduled: Yes. Wednesday July 24, 2024, 7:05 pm
Location of Proposed Project: 8 Willow St, South Glens Falls, NY, 12803
SBL: 50.53-1.7
Zoning District: R-1
SEQR: Type II

Applicant seeks a Variance in accordance with §70-7 (Fence: Variance) related to the proposed construction of fence exceeding 4' in a front yard on a corner lot.

NOTE: *The proposed fence is 6' and will go to the property line of the neighbor to the south.*

MR. ELMS: Do we have the authority to change fences?

MR. FARRELL: This is a bit of a gray area.

MS. BAILEY: This involves my 5-year-old son who is a flight risk.

MR. FARRELL: What type of fence will it be?

MS. BAILEY: A wooden fence.

MR. FARRELL: So this is a safety issue.

MR. ELMS: This is a special use issue.

MR. FITZSIMMONS: We should be able to assist people who need it.

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Mr. ELMS: There is a definite need.

CHAIRPERSON ENDAL: No comments or correspondence from the neighbors?

MR. WESTFALL: None.

MR. ELMS: I make a motion to approve Appeal No 868.

MR. FITZSIMMONS : Second.

CHAIRPERSON ENDAL roll call for a vote

Roll call results as follows:

MR. ELMS	YES
MR. FARRELL	YES
MR. FITZSIMMONS	YES
CHAIRPERSON ENDAL	YES

4 in the affirmative, motion carries

A motion was made by MR. ELMS and seconded by MR. FITZSIMMONS to approve Appeal No 868.

CHAIRPERSON ENDAL: There is no other business to discuss, I make a motion to adjourn.

MR. FITZSIMMONS: Second.

CHAIRPERSON ENDAL All in favor say Aye

Results as follows:

MR. ELMS	AYE
MR. FARRELL	AYE
MR. FITZSIMMONS	AYE
CHAIRPERSON ENDAL	AYE

4 in the affirmative, motion carries

The meeting was adjourned at 8:00 pm.

Respectfully Submitted,

Deborah Hadden, Secretary