

TOWN OF MOREAU
ZONING BOARD OF APPEALS

AUGUST 28, 2024

TOWN HALL MEETING ROOM, 351 REYNOLDS RD

Planning Board Members Present

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

Also Present:

Joshua Westfall	Zoning Administrator
Diana Corlew-Harrison	Recording Secretary (fill-in)
Shawn & Clement Mahadeo	Applicants

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

Mr. Endal gave all a sheet of notes he would like to have included in all ZBA minutes for each appeal.

1. ZBA Members reviewed the requirements for the variance requested.
2. ZBA members reviewed the Planning and Zoning Office staff notes and these are findings, with exceptions as noted in the deliberations. 3.
3. Motion to approve should state conditions desired or “without conditions.”

Minutes to Approve

February 2024 minutes were approved by all Board members in attendance with Kevin Elms abstaining (not present at that meeting). Zimmerman made motion to approve, Fitzsimmons seconded.

March 2024 minutes were approved by all Board members in attendance with Kevin Elms abstaining (not present at that meeting). Endal made motion to approve, Zimmerman seconded.

April 2024 minutes NOT approved. There is incorrect information. Josh Westfall to review audio and have corrections made to be ready for next meeting to review and possible approvals.

May 2024 minutes were approved by all Board members in attendance with exception by Justin Farrell. Zimmerman made motion made to approve, Fitzsimmons seconded.

No June 2024 meeting.

July 2024 minutes were approved by all Board members in attendance with Ron Zimmerman abstaining (not present at meeting). Elms made motion to approve, Fitzsimmons seconded.

Old Business: None

New Business: APPEAL NO. 869

Application for Area Variance

1. Applicant Name: Swift Property Maintenance (Shawn & Clement Mahadeo, owners)
Applicant Agent: None
Application Type: Area Variance
Public Hearing Scheduled: Yes- August 28, 2024
Location of Proposed Project: 3 Tulip Street, South Glens Falls, NY
Tax Map No.# 49.76-2-38
Zoning District: R1
SEQR Type: Type II

Applicant seeks an Area Variance in accordance with §149-15 (C) (Front Yard Setback) related to the proposed construction of an additional deck. Specifically, the applicant seeks to construct said deck 25' from front property line; 30' required; 5' of relief requested.

Mr. Endal asked applicants nature of appeal. Shawn Mahadeo stated they had removed a previous handicapped ramp and wanted to add this porch for architectural look and appeal of house. He noted that in staff notes porch had not received permits nor been approved which he was unaware.

ZBA members reviewed the Planning and Zoning Office staff notes.

ZBA members reviewed the requirements for the variance requested and determined the following findings.

- (1) That the strict application of said dimensional requirements would result in a specified practical difficulty to the applicant.*
- (2) The requested variance was not substantial in relation to the requirements.*
- (3) That the difficulty cannot be alleviated by some practical method feasible for the applicant to pursue.*
- (4) That there will be no substantial change in the character of the neighborhood or a detriment to the adjoining properties.*
- (5) That the variance would not be materially detrimental to the purpose of this chapter or to property in the district in which the property is located or otherwise conflict with the description or purpose of the district or the objectives of any plan or policy of the town and that the variance requested is the minimum variance which would alleviate the specific practical difficulty found by the Zoning Board of Appeals to affect the applicant.*

Mr. Endal made a motion to approve as presented without conditions. Motion seconded by Mr. Elms.

Motion to adjourn public hearing by Mr. Endal. Seconded by Mr. Elms.

Public hearing adjourned at 7:14pm.

Mr. Endal noted he will not be able to attend next meeting on Sept. 24 and would like Mr. Elms to be the acting chairman that night if possible.

Motion made by Mr. Endal to adjourn meeting. All approved.

Meeting adjourned at 7:18pm.

Signed by Diana Corlew-Harrison, filling in as acting secretary 8/29/24