

TOWN OF MOREAU
ZONING BOARD OF APPEALS
JULY 23, 2025
TOWN HALL MEETING ROOM, 351 REYNOLDS RD

Zoning Board Members Present

Gerhard Endal	Zoning Board Chairperson
Kevin Elms	Zoning Board Member
Justin Farrell	Zoning Board Member
Lisbeth DeBramo	Alternate Zoning Board Member
Joshua Westfall	Zoning Administrator

Zoning Board Members Absent:

Scott Fitzsimmons	Zoning Board Member
Ron Zimmerman	Acting Zoning Board Chairman
Diana Corlew-Harrison	Recording Secretary

The meeting was called to order by Mr. Endal at 7:00 pm.

Minutes to Approve: **June 2025 - Motion made by Mr. Elms to approve, Mr. Endal seconded, Roll call - all in favor.**

Old Business – none

New Business – Area Variance

Area Variance – Appeal No 894 Breault Area Variance

Applicants seek an Area Variance from the Zoning Board of Appeals for relief from the lot area requirements for a Day Care Center Use within their home per the respective district use and are table. **Zoning District: R-1. SBL: 50.6-1-27 Property Location: 6 Pheasant Way. Applicant: Shawna Breault. SWQR Type: Type II.**

Applicant spoke and states she has been in operation for about two years. She was unaware of the law. She is certified by NYS and has had a successful day care center.

Mr. Elms asked about the number of children. She states that she is allowed to have up to 16 children with only 4 under 2, 4 must be Kindergarten aged. Normally they have 10-12 but not every day, they are outside briefly.

Ms. DeBramo asked about the type of house. She states that she has a split-level home with ample space and meets NYS regulations. They live on top floor which is inaccessible to them. Middle floor is kitchen and learning areas. Downstairs is playing area. She also states she has had no cites from NYS to date. Hours of operation are 7-5, no weekends.

Mr. Endal asked if there were any public comments.

Edward Potter, one neighbor states he didn't even know she had a day care center.

Kelsey Molar, another neighbor and parent of provider, states they support the day care center. Run a good business. Kids love the daycare center. Communication is exceptional.

Charlene Endahl asked if fire drills were conducted. They conduct fire drills twice a month and review shelter plans in place two times a year with all the children who attend.

Ms. DeBramo agrees that there is a great need for daycare in our area.

Mr. Endal went over requirements for the variance and closed the public hearing.

Mr. Farrell states that this is an existing day care center with a reputable record and is a huge need in the Town.

Mr. Elms made a motion to approve the area variance with restrictions on hours from 7am-5pm Mon-Fri with the NYS Standards of a maximum of 16 children. Second, by Mr. Farrell. Roll call - All approved.

Special Use Permit – Appeal No. 893 Breault Day Care

Applicants seek a special use permit in accordance with Article V of Chapter 149 for the (continued) use of their home as a day care center. It should be noted the applicant will need an Area Variance (Appeal no. 894) approval in relation to size of property for the use. **Zoning District: R-1 SBL: 50.6-1-27 Property Location: 6 Pheasant Way. Applicant: Shawna Breault. SEQR Type II.**

Mr. Endal states that this is not commercial use in the R1 District.

Mr. Endal read about the requirements for the special use permit.

Mr. Elms states that this home has met all the NYS requirements and has been in operation for over two years.

There are not any structural changes or construction changes, the sewer meets the standards of a 1000-gallon septic tank, applicants state they have had no issues to date, Josh states that NYS must sign off on most requirements which are more than the Town of Moreau has anyway.

Ms. DeBramo made a motion to approve this special use permit with hours limited to 7am-5pm Mon-Fri and no more than 16 children at one time (unless NYS changes requirements). Mr. Elms seconded the motion. Roll call – approved.

Motion made by Mr. Endal to adjourn the meeting. Mr. Elms seconded. All approved.

Meeting adjourned at 8:30PM

Signed by Diana Corlew Harrison August 2, 2025.