

**Town of Moreau  
Zoning Board of Appeals Agenda  
March 27, 2024 – 7:00 PM  
Town Hall Meeting Room, 351 Reynolds Rd**

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 27th day of March 2024 at 7:00 pm

Zoning Board Members Present

Gerhard Endal	Zoning Board of Appeals Chairman
Ron Zimmerman	Zoning Board of Appeals
Scott Fitzsimmons	Zoning Board of Appeals
Justin Farrell	Zoning Board of Appeals
Matthew Manning	Zoning Board of Appeals ABSENT

Member Also present:

Jim Martin	Zoning Board Administrator
------------	----------------------------

The meeting called to order at 7:00 pm.

**APPEAL NO 861 – Area Variance**

- |                               |                                      |
|-------------------------------|--------------------------------------|
| 1. Applicant Name:            | Thomas and Virginia McGreevey        |
| Applicant Agent:              | None                                 |
| Application Type:             | Area Variance                        |
| Public Hearing Scheduled:     | Yes – Wednesday March 27, 2024       |
| Location of Proposed Project: | 1492 West River Rd, Moreau, NY 12828 |
| Tax Map No.:                  | 78.-1-63.2                           |
| Zoning District:              | R-5                                  |
| SEQR Type:                    | Type II                              |

**Appeal No. 861 – Application for Area Variance:** The applicant is seeking to construct a new 12' x 20' accessory building (garage) on the parcel at 1492 West River Road. The requested front setback for the proposed garage is 25' from the front property line. The R-5 District in which the parcel is located requires a 40-foot front setback. Therefore, relief of 15' is sought from the required front setback.

The applicant indicates that placement of the proposed garage in a compliant location would pose a practical difficulty due to the existence of the septic system. Additionally, the lot shape as formed by the river shoreline tapers, further limiting compliant locations.

A 25' setback is proposed: 15' (37.5%) of relief is requested.

Relocation of the septic system is not viable in consideration of the lot shape and remaining vacant areas. As such, the proposed location appears to be reasonable.

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 27th day of March 2024 at 7:00 pm

The character of the neighborhood is predominantly vacant and residential with the typical accessory building /uses (sheds, garages, etc.) present. The garage site and placement appear to be consistent with the overall character.

The placement of the garage appears to be inconsequential to the any neighborhood detriment and is beneficial to the applicant by retaining the existing maple tree and not incurring additional expense for rerouting the irrigation system.

**STAFF NOTES:** The size, character, proposed location, and scale of the proposed garage is consistent with other accessory uses and buildings in the neighborhood and does not appear to be excessive. The lot shape is most influenced by the river shoreline and the curvature of the road. These factors limit viable alternatives for placement of the garage.

A motion was made by **Scott Fitzsimmons** and seconded by **Ron Zimmerman** that approval of Area Variance 861 be approved with staff notes. **Justin Farrell** – Yes. **Gerhard Endal** – Yes.

#### **APPEAL NO 862 – Special Use**

- |                               |  |
|-------------------------------|--|
| 2. Applicant Name:            | Steve Vandixhorn                           |
| Applicant Agent:              | None                                       |
| Application Type:             | Special Use – Home Occupation              |
| Public Hearing Scheduled:     | Yes – Wednesday, March 27, 2024 at 7:05 pm |
| Location of Proposed Project: | 1597 West River Road, Moreau, NY 12828     |
| Tax Map No:                   | 78.-1-32.1                                 |
| Zoning District:              | R-5  |
| SEQR Type:                    | Type II                                    |

Appeal No. 862 – Application for Special Use: The applicant is proposing to reestablish a driveway at a preexisting access point along West River Rd. The driveway would be for patrons of the counseling service. There will be access by patrons of the counseling service – the frequency and timing of anticipated customer visits should be discussed.

The applicant is seeking to conduct a home occupation in the form of “private life counseling” service at his property at 1597 West River Rd in the Town of Moreau. The conduct of the service is in the form of counseling from within the existing dwelling on the parcel. The R-5 District in which the parcel is located requires that home occupation uses are subject to issuance of a permit for a special use from the Town Zoning Board of Appeals.

**CHAIRMAN ENDAL:** And you are?

**STEVE VANDIXHORN:** I am Steve Vandixhorn. I have conducted a life coaching practice for about 5 years and have an office in Glens Falls and looking to conduct a practice out of my home.

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 27th day of March 2024 at 7:00 pm

We received no communication from any neighbors either written or orally.

We are looking for no more than 2 cars at one time with a turn-around. We will make it as small as we can. I typically only have one person at a session. I currently only see around 10 people a week. I don't need anyone before 8 am and no later than 8 pm. You can put parameters on it. I work Monday, Wednesday and Friday at Glens Falls Hospital, so occasionally I might see someone on Saturday.

**SPEAKER 1:** I can't think, other than traffic coming and going, I can't think of much.

**SPEAKER 2:** This is a service-based business with clients coming and going and that is really it. There is no use of materials, no product being made.

**STEVE VANDIXHORN:** I am thinking of a small sign.

**SPEAKER 1:** The square footage of the sign must be 1' x 3'. Must be wall mounted.

**STEVE VANDIXHORN:** Thanks. I didn't realize that.

**STAFF NOTES:** From a staff perspective, three items are worthy of further consideration:

1. Discuss logical and non-adverse days of the week and timeframes when customers can come to access counseling services.
2. Discuss the establishment of on-site customer parking and ensure that the frequency of customer visits does not exceed the available parking. There should be no parking in the public right-of-way.
3. There is no reference made to a sign for the proposed home occupation. In the event signage is proposed, the following applies to such signage: As per §117-4. A. (1) signs for home occupations are limited to 3 sq feet in area, with no illumination and the sign must be a wall sign, as no freestanding signs are allowed.

A motion was made by **Scott Fitzsimmons** and seconded by **Ron Zimmerman** to approve the area variance appeal with conditions. **Justin Farrell** – Yes. **Chairman Gerhard Endal** – Yes

**STEVE VANDIXHORN:** I just want to say the Building Department did a great job in terms of helping me submitting this appeal.

Motion to adjourn. 7:35 pm

Respectfully Submitted,

Debbie Hadden, Secretary