

TOWN OF MOREAU
ZONING BOARD OF APPEALS
OCTOER 23, 2024

TOWN HALL MEETING ROOM, 351 REYNOLDS RD

Planning Board Members Present

Kevin Elms	Acting Zoning Board Chairperson
Scott Fitzsimmons	Zoning Board Member
Justin Farrell	Zoning Board Member
Joshua Westfall	Zoning Administrator
Diana Corlew-Harrison	Recording Secretary

Members Absent:

Gerald Endal	Zoning Board Chairperson
Ron Zimmerman	Zoning Board Member

The meeting was called to order by Acting Chairperson Elms at 7:03 pm.

Mr. Elms spoke to all in attendance about their only being three members present, which means the applicants could present if they wanted to but had the right to appeal and no appeals could be approved due to shortage of board members present.

Old Business: None

New Business: APPEAL NO. 870

Application for Area Variance

1. Applicant Name: William & Sandra Fisher
Applicant Agent: None
Application Type: Area Variance
Public Hearing Scheduled: No
Location of Proposed Project: 21 West Road, Moreau, NY
Tax Map No.# 49.34-1-358
Zoning District: R1
SEQR Type: Type II

Applicant seeks an Area Variance in accordance with §149-15 (C) (Side Yard Setback) related to the proposed construction of an accessory structure (Shed). Specifically, the applicant seeks to construct said shed 3' from the side of the property line; 12' required; 11' of relief requested.

Applicants stated they were willing to proceed with the application without all board members present.

Mr. Elms asked applicants if they located property lines or current surveys. Applicants stated they had found the pins and they wanted to move forward.

ZBA members reviewed the requirements for the variance requested.

Mr. Elms closed the public hearing.

Mr. Farrell made a motion to approve Appeal 870 with no conditions. Mr. Elms seconded, all members approved.

Application 871 - tabled until next month

Old Business: APPEAL NO. 872 (area Variance) and 873 (SUP)

1. Applicant Name: DMMH Corp
Applicant Agent: None
Application Type: Area Variance and SUP
Public Hearing Scheduled: No
Location of Proposed Project: 1427-1429 Route 9, Moreau, NY
Tax Map No.# 63.3-1-21.21
Zoning District: C1
Area Variance: Type II
Special Use Permit: Unlisted
Use of Property: Commercial

Applicant seeks an Area Variance in accordance with §149-21 (C) (Front Yard Setback for Storage), and Special Use Permit in accordance with Article V related to the proposed construction of an Office and Storage facility. Specifically, the applicant seeks to construct a 60' x 300' structure and associated parking lot in accordance with the above approvals. As proposed, Site Plan Review with the Planning Board will be required.

Applicant spoke to the Board about the plans, showed them survey plans and pictures of proposed improvements. Applicant agreed to move forward on appeal with lack of board members present.

Applicant told the board that he had attended the Planning Board meeting and they had given him a positive recommendation. Mr. Westfall confirmed the statement.

The board reviewed maps and plans asking where the 20 ft variance was needed.

Mr. Elms closed the public hearing.

Mr. Fitzsimmons made a motion to approve the relief of the setback with the Planning Board recommendation. Mr. Elms seconded, all approved.

Mr. Elms asked if the special use permit needed board approval as well. Mr. Westfall stated yes.

Mr. Elms asked if anyone had any comments.

Mr. Elms closed the public hearing.

Mr. Farrell made a motion to approve the special use permit (873), Mr. Elms seconded, all approved.

New Business: Appeal No. 876

1. Applicant Name: Ken and Tammy Hicks
Applicant Agent: None
Application Type: Area Variance
Public Hearing Scheduled: No
Location of Proposed Project: 18 Columbine Avenue, South Glens Falls, NY
Tax Map No.# 49.19-1-22
Zoning District: R-2
Use of Property: Residential

Applicant seeks an Area Variance in accordance with 149-15(C) setback related to the proposed construction of an accessory structure (shed). Specifically, the applicant seeks to construct said shed 8' from side property line; 15 required; 7' of relief requested.

Applicant states that they are seeking the variance to add a shed to their property to be used for storage. They have removed a smaller shed off this property to make room for this larger shed. A neighbor, Audrey Hogan, was present and said the applicants had been in many discussions over the shed. She was concerned with where the property lines were at first, but applicants had used a hunting app to walk the lines, which confirmed the lines with her and the applicants. She states she has no objection to the placement of the shed.

Mr. Elms asked the size of the shed. Applicant states its 24x18 purchased at Garden Time.

Mr. Farrell asked if this was going to be used just for storage. Applicants confirmed it was to be used for a tractor and side by side.

Mr. Elms closed the public hearing.

Mr. Fitzsimmons made a motion to approve appeal 876 with the 8' relief on the side of the property line with no restrictions. Mr. Farrell seconded, all approved.

Mr. Farrell made a motion to adjourn the meeting. Seconded by Mr. Fitzsimmons.

Meeting adjourned at 7:55 PM.

Signed by Diana Corlew-Harrison, Secretary 10/28/24.

Meeting adjourned at 7:34 PM.

Signed by Diana Corlew-Harrison, Secretary 10/23/24.