

A continuation of a public hearing was held by the Town Board of the Town of Moreau on June 13, 2017 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York for the purpose of hearing comments from the public on proposed Local Law 1 of 2017 – Stewart Bovee Zoning Change.

The Supervisor called the continuation of the hearing to order at 6:42 p.m.

Town Board Members Present

Alan VanTassel	Councilman
Todd Kusnierz	Councilman
Gina LeClair	Councilwoman
Gardner Congdon	Supervisor

Town Board Members Absent

Bob Prendergast	Councilman
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Also present: Leeann McCabe, Town Clerk; Malcolm O’Hara, Attorney for the Town; Jim Martin, Zoning Administrator; Jeff McCabe, Town Justice; Terry Stewart, Land Owner; Kathleen Moore, Post Star Reporter; Town Residents: Jack Passinault, Frances & Timothy Donbeck, Wade & Jeanne Sherman, Kyle Noonan, Reed Antis, Richard Hughes, Ronald Kowalski, Ed Petrush, Virginia Livsey, Bruce Flayer, Sam Wahnon; Village Residents: Cheryl Lawyer, Brigid Martin; Sherry Rivers, Lamplighter Mobile Home Park Representative

The following Notice of Public Hearing was posted in the Post Star Newspaper on June 3, 2017:

**TOWN OF MOREAU
NOTICE OF PUBLIC HEARING TO
CONSIDER ADOPTION OF LOCAL LAW**

NOTICE IS HEREBY GIVEN, pursuant to Section 20 of the Municipal Home Rule Law, that a public hearing which began on May 9, 2017 will be continued on June 13, 2017, at 6:30 p.m. at the Moreau Town Hall, 351 Reynolds Road, Moreau, New York, for the purpose of considering the approval of Local Law No. 1 of 2017. Local Law No. 1 of 2017, as proposed, would amend the Zoning Code of the Town of Moreau by changing the Zoning Map in the following manner: changing 14.98 acres of land from R-2 zoning district to the C-1 zoning district and 3.31 acres of land from the C-1 zoning district to the R-2 zoning district in the areas around Spier Falls Road, Mountain Road, Old Saratoga Road and Interstate 87.

A copy of proposed Local Law No. 1 of 2017 amending the zoning map can be obtained at the Town Hall.

Dated: June 3, 2017

Leeann McCabe
Town Clerk
Town of Moreau

Jim Martin, Zoning Administrator, explained that his office had been awaiting an updated map, which was to include the Wetland Maps and it had just been received last Thursday. He stated that he didn’t

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have enough time to properly notify the residents within the 500' boundary and it was decided before the public hearing that it would remain open for another continuation, which would be scheduled at the regular Town Board meeting to follow. There were several questions asked from the public.

Tim Donbeck asked what the difference was between a DEC Wetland and an Army Corp of Engineers Wetland. Mr. Martin replied that it had to do with the size of the parcels. He stated that DEC Wetlands have to be at least a certain size and he thought it to be around 11 acres. Whereas, the Army Corp of Engineers deals with smaller parcels.

Jack Passinault stated that DEC had drawn up maps back in the 1970's. Mr. Martin stated that changes were proposed but not adopted.

Wade Sherman asked what the reason for the zoning change was. Terry Stewart replied that it is a unique piece of property and that certain businesses wouldn't be feasible, such as truck stops, fuel depots and hotels. He also stated that he isn't doing the actual building, he's looking to develop and gain approvals and then let the buyer go through the planning processes.

Mr. Passinault asked if there would be any more lotting and Mr. Stewart replied that there would be selective logging.

Mr. Sherman asked if there were notification requirements of the public hearing. Mr. Martin replied that the 500' notification isn't a requirement but he intends to notify now that he has the proper map.

Kyle Noonan stated that the Town Board should wait on any changes until they get the comprehensive plan going. He stated that a change now, wouldn't be in the best interest of the Town or the residents. He stated that development should be calculated and commented that this is a major change.

Mr. Martin stated that it is within the authority of the Town Board to consider a resolution that would restrict the uses.

Supervisor Congdon stated that there was ambiguity with the land and it was zoned purposely. All comments had been considered and the lines were drawn for residential areas. Tim Donbeck agreed and stated that there is a good buffer right now. There are beautiful homes that won't want commercial development behind them.

Councilman Kusnierz stated that this issue was referred to the Town Board from the Zoning Board. He stated that the Zoning lines don't match up with the property lines, which makes this unique. He stated that he would like to hear everyone's thoughts on the matter.

Supervisor Congdon stated, that once a determination is made on the use, it's taken out of the Town Board's hands. Councilman Kusnierz stated that the Board can set the parameters.

Mr. Stewart explained where the access points are intended to be.

The public hearing was left open. Mr. Martin stated that the date for the continuation would be properly noticed in the Post Star and that each property owner within 500' would receive personal notification.

Respectfully submitted,

Leeann McCabe
Town Clerk