

A Workshop was held by the Town Board of the Town of Moreau, Saratoga County, at the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York on the 25th day of April, 2024.

The meeting was held in person. The Supervisor called the meeting to order at 6:33 PM with a roll call and the Pledge of Allegiance.

PRESENT:	Patrick Killian	Councilmember
	Mark Stewart	Councilmember
	John Donohue	Councilmember
	Jesse A. Fish, Jr.	Supervisor

ALSO PRESENT:	Erin Trombley	Town Clerk
	Jim Martin	Zoning Administrator
	Josh Westfall	Building, Planning and Development Coordinator
	Liz Bennett	Confidential Secretary

OTHERS PRESENT: Tom Masso, Ann Purdue, Gina LeClair, Bob LeClair, Aaron Lavine, Nicole Haddadnia

WORKSHOP

Supervisor Fish explained the purpose of the Workshop, which is to update the Town's comprehensive plan and zoning codes. The Board is seeking members of the community to engage in the process. He then introduced Jim Martin, the outgoing Zoning Administrator, to discuss next steps.

Jim Martin thanked the Board for creating an overlap of three weeks to allow for a transition between himself and Josh Westfall, the new Building, Planning and Development Coordinator (BPD Coordinator). He said they were working together on ongoing projects and PUDs together, and this was very beneficial for both Josh and the Boards. He then offered a zoning code update.

He said in 2015 the Town hired LA Group to update the Town's comprehensive plan and zoning law. The last plan for the Town took 10 years (1999-2009). The comprehensive plan was updated and adopted in 2019. New York State strongly implies in State law that the comprehensive plan precedes zoning and planning updates. Mr. Martin went on, saying zoning updates began, then stalled. A grant from the NYS Department of Agriculture and Markets sparked more movement following a farmland retention plan that was also done at that time. A zoning audit was conducted during the grant. This analysis gave detailed areas for improvement. \$15,000 was awarded to subsidize the necessary zoning updates, which was to be completed by April 2023. Jim said he drafted an update to zoning law 149 and accompanying updated map, which were sent to the State for the grant award, but the drafted updates were not completed and no action was taken. These documents are a starting place, he said, for this review.

Now the moratorium is in place. Three industrial zoning districts (1, 1A, 2) in Town need drastic updates, he said, adding that changes to use schedules and other details need to be considered in the moratorium. The Town code overall has shortcomings, he said, listing signs, fences, and chickens, which are all types of land use regulations that have separate chapters in Town law, outside the Chapter 149 zoning law. Instead, he said, everything should be covered in zoning law. Jim said Josh has no jurisdiction over enforcement of individual chapters of code outside the zoning chapter, which he called inefficient, and confusing for people trying to adhere to regulations believing they only need to look at zoning for that guidance. Signs, fences, and regulations around keeping chickens, he said, are addressed in the drafted code. Not included in the draft is

solar law, which he said should be covered by zoning as well. He added that most of the work on the solar law is complete, needs to be finished up. Chapter 92 should be in zoning and land use, he said, and that another concern is to address the old map (circa 1989), which has arbitrary boundaries that don't align with parcel boundaries. This creates complexity that is difficult to manage, he said. He continued saying 290 parcels have split zoning and that the map he has drafted addresses those issues. He said he created a spreadsheet listing the owners of affected properties so the owners could be contacted and engaged in the process.

Mr. Martin said that, as he sees it, the Board has two options at this juncture: 1) look at the three individual districts (industrial, manufacturing) only, or 2) use this opportunity to review the whole zoning ordinance chapter and make necessary updates. Jim said he recommends option 2. The 2009 comprehensive plan and 2013 zoning updates were drafted and never acted upon, he said, and the current draft referred to 2013 updates to inform changes. Having spoken to one of the new Town attorneys the day of the meeting, Jim said lots of zoning changes are happening in the State, citing Saranac Lake as an example of a Town now using a single development code, unified. He said they had dissolved their Zoning and Planning Boards and created a Unified Development Board. He said this requires fewer volunteers (five) to be appointed and that things up for review may be addressed at one meeting. He said it is a growing trend, then restated that he advised to review the entire code.

Supervisor Fish asked about a timeline proposal on option 2. Jim responded that without the drafted zoning chapter and map it would be difficult to complete in 9 months, but that it could be done in 9 months. He suggested starting with Industrial Zoning and advancing changes for those areas to stay within the timing of the moratorium. Councilmember Stewart agreed that the work Jim had done was very beneficial to the process and everything needed to be updated, then asked if additional revisions can be made after the moratorium ends, if needed. Jim said yes, and suggested three districts may no longer be needed, and that perhaps they should eliminate the "industrial" language in favor of business and technology language, away from heavy industrial. He explained that heavy manufacturing is unpopular with the electorate, and that a business and tech zone may be more appropriate, as an example. Councilmember Killian asked if a technology park was more of a blanket, adding he had seen a few business and technology districts around. Jim said his sense is that a use oriented to offices and away from processing materials is the direction to go.

BPD Coordinator Westfall said he read the code and agrees with Jim, that the draft documents are a good start. They don't address individual districts. Jim said community input and review is needed in the Industrial Zones. A public meeting is needed to receive input early in the process, he said, to hear what people think the best uses of these districts are.

Councilmember Stewart said public input is the most important and asked what resources they should start working on right away, such as a traffic study or study of the population. Jim suggested the Board members read the 2019 comprehensive plan. He said economic, population, school enrollment, and other trends are covered by the plan. Councilmember Stewart followed up by asking specifically about a traffic study. Jim said there was a traffic study of the Rte. 9 corridor, he believed in 2013. He said the Planning Board would like the Town Board to appropriate funds to update that traffic study to consider current and future congestion issues based on anticipated growth projects. Jim said the Glens Falls Adirondack Transportation Council funded the study before and could do so again.

Councilmember Stewart asked if a traffic study in question was at the corner of Spier Falls Rd and Ft. Edward was suitable for a roundabout, and would he recommend extending the new traffic study all the way to the Industrial

Park. Jim said he recommends reaching out to the Village to work together on assessing all of Rte. 9 from the Glens Falls bridge to Wilton. Councilmember Killian vocalized support for that idea. Jim said Moreau is in a geographically, strategically valuable spot due to its composition, excellent soil, and ongoing growth. He said communities need to grow or they die, that the growth needs management and regulation and to suit the needs of the community, but that growth is fundamental. Councilmember Stewart asked whether combining Planning & Zoning Boards is something that should be done during the zoning review or separately. Jim said it should be separate, that it could be done but doesn't want to bog down the process, so it's something to consider for the future.

Councilmember Killian asked what kinds of grants could be applied for based on growth, and asked how long it takes for grants to come in. Mr. Martin said he was employed on a contractual basis to work for the Town 2 days a week, but that Josh (Westfall) is employed by the Town full-time with great grant-writing experience. He went on to say grant funding is available every year, with applications opening in May being due in July. He said there are many programs the Town could go for. Councilmember Killian asked about the application process. BPD Coordinator Westfall said they could apply for infrastructure projects, or recreation, for example, by June, the award comes around December, and the contract comes early the following year and work can begin. Mr. Martin said there is a ready-made plan for passive recreation near the Industrial Park—the Hudson River Trails Parks Trail System plan needs updates, but could be filed this year with 75% grant funding to add to Town recreation funds. Supervisor Fish said another potential project to seek funding for is completion of the handicap accessible playground at the Rec Park. He also mentioned extending the sewer across the Northway so people on the other side could hook up to it, which Jim said would complement the zoning in that area as well. Councilmember Stewart asked Jim if he thought NYS could be engaged in connecting sewer to the facilities at Moreau Lake to eliminate dumping waste near Moreau Lake. Jim said that would be a good argument to extend the line, and he said he knew of two developers having obtained land on that side of the highway recently for whom extending the sewer line is a factor in their projects

Councilmember Stewart asked for clarification on the composition of a task force to work on the zoning updates, and mentioned that there had been a death in Councilmember Noonan's family, which is why he was not present at the meeting. Mr. Martin said the Board should choose option 1 or 2 and consult with residents of the community. Whether they call it an Advisory Committee or Task Force, he said this constituent body should be formed, and structured in a way to be reflective of a diverse cross-section of the community. He suggested the group not be too large, saying in his experience 7-9 people is optimal. Before this body is formed, there should be a public meeting to get input. Once the Task Force or Advisory Committee is formed, they can work with Josh.

Councilmember Stewart asked for additional clarification – should it consist of residents only? Jim said yes, it's a Town committee working on Town law, it should consist of Town residents, but added that the group/committee/task force can access other resources as needed. Councilmember Stewart asked if it's a community committee or an appointed task force. Jim said he uses the terms interchangeably, and it was always intended to be an appointed committee by the Board, and as such their meetings would be subject to the Open Meetings law. He also said the Board should have a liaison or two in attendance at the group/committee/task force meetings to bring updates before the Board regularly. Councilmember Stewart asked if the Board can make suggestions to the constituent group before the plan is finalized. Jim answered in the affirmative. He also said nobody but Josh is a zoning expert, and he can help craft what the group would like the Board to review. Suggestions of the group are not the final word, Jim said, adding that the Board and

public will have feedback and opportunities to make changes before everything is finalized. He said once formed, the plan will be presented at a public hearing.

Councilmember Stewart asked if this kind of project typically goes to a special election. Jim said he did not know, and said this would be a question for the Town attorney. He said he did not have all the answers, but the Task Force was his idea based on his years of experience, and is the best way to include the community through the process while lifting the heavy work off the Board so they can continue with other Town business.

Supervisor Fish asked if any attendees has questions for Jim or Josh. Confidential Secretary Liz Bennett asked Jim to define “residents” in relation to appointees to the new committee. Jim said the Board can define who they want to participate, for example property owners vs. residents. Councilmember Stewart asked if the new group should be open to the community or be appointed. Jim said the group will be more credible if members are appointed.

Tom Masso said he was concerned with the timeline and asked how much of the new code is already drafted to replace the standing code. Mr. Martin responded that consolidation of the broader zoning has been drafted, but that Industrial had not yet been drafted because of community interest and controversy—he wanted more input. Mr. Masso said he believed extending the scope beyond the Industrial code will be too large an undertaking to complete in 8.5 months, that it’s not focused enough. Jim said that feedback was reasonable and understandable. As an alternative, Mr. Martin suggested that change could be structured around Industrial code first, then to address other code changes. Supervisor Fish said the updates need to be finished and enacted this time, they need to carry the work all the way through to completion. He continued reiterating that once they do the Industrial Zones they can keep going on to the rest. Jim said getting structure set, community input, and start work on Industrial Zoning, a lot of time will have passed. The Industrial Zone is a priority, he said. He suggested a preliminary schedule be established and that it be adhered to.

Gina LeClair said a task force is a good idea and that there is a lot to be gained. She said she always wanted to be chosen for it in the past. She said to remember that the committee will be advising the Board, and to establish that hierarchy, but the decision in the end belongs to the Board. Jim said to build in regular interim reports from the committee to the Board when setting the schedule to ensure regular exchanges take place. Supervisor Fish said all Board members should be involved, even if it’s only two at a time.

Councilmember Stewart said May is not optimal to set a scheduled public hearing due to events and vacations in coming months. Jim responded saying first they should establish the task force, then set the public hearing and schedule. Usually, he said, they like to avoid summer scheduling, but the timeframe of the moratorium is what it is. He suggested setting the second meeting or hearing after Labor Day to regroup.

Someone asked if extending the moratorium is an option. Mr. Martin said the first extension of a moratorium is “ministerial,” if needed. The same meeting attendee asked if draft documents could go to Planning and Zoning Boards. Jim said he suggests dividing the code into about 15 pages at a time for review. Supervisor Fish said if the Industrial Park zoning is finished and the moratorium is lifted, they can continue working on the rest of the code. Jim agreed and said Industrial Zone changes will cause changes in other parts of the code, for example, definitions that are created may impact other instances where a term is used in the entire code. He then said this is an ongoing process, and to contact himself and Mr. Westfall. Supervisor Fish thanked him. Councilmember Stewart acknowledged Mr. Martin’s forthcoming retirement, thanking him for everything he

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has done for the Town over the years. Councilmember Donohue agreed, and said Jim had always walked him Board through anything he needed.

Resolution 158-2024 A motion was made by Councilmember Stewart, seconded by Councilmember Killian, to adjourn the workshop.

Asked if all were in favor, the responses were as follows:

Councilmember Killian	Aye
Councilmember Stewart	Aye
Councilmember Donohue	Aye
Supervisor Fish	Aye

The motion carried 4:0

The meeting was adjourned at 7:46 p.m.

Respectfully submitted,

Erin Trombley

Erin Trombley
Town Clerk