

TOWN OF MOREAU
ZONING BOARD OF APPEALS
September 24, 2025
TOWN HALL MEETING ROOM, 351 REYNOLDS RD

Zoning Board Members Present

Gerhard Endal	Zoning Board Chairperson
Kevin Elms	Zoning Board Member
Lisbeth DaBramo	Alternate Zoning Board Member
Scott Fitzsimmons	Zoning Board Member
Ron Zimmerman	Acting Zoning Board Chairman
Diana Corlew-Harrison	Recording Secretary
Joshua Westfall	Zoning Administrator

Zoning Board Members Absent:

Justin Farrell	Zoning Board Member
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The meeting was called to order by Mr. Endal at 7:01 pm.

Old Business

Area Variance

Appeal No 896 Maye Area Variance

The Applicant seeks an Area Variance from the Zoning Board of Appeals for relief from setback requirements as outlined in Article IV in connection with the siting of a garage. **Zoning District: R-1 SBL: 49.51-3-22 Property Location: 15 Jacobie Drive.**

Applicant: Dan Maye. SEQR Type II.

Note: Public Hearing Opened in August 25 Meeting.

The applicant brought a sketch of the proposed 10x20 garage placement. He is seeking a variance due to the garage will be only 5' from the neighbor's property. He states that the septic is in the way to moving it in the backyard more and he wants to keep close to house as he is an older gentleman and fears the snow and ice in winter months. The applicant went over the sketch with the board and discussed some options that may reduce the percentage of variance needed. Board suggested moving shed back and over to get 6 feet away from property line. Applicant and his contractor agreed that they would accommodate the request.

Mr. Elms made a motion to approve this variance moving the shed 6' away from the neighbor's property line, hence making the relief at 50%. Mr. Zimmerman seconded, Roll call – all approved.

New Business

Use Variance

Appeal No 898 Rhone Use Variance

The applicant seeks a Use Variance from the Zoning Board of Appeals for uses not permitted by right or special use permit to include commercial office, event, and professional services spaces in an existing structure. **Zoning District: R-5 SBL: 90.-1-20.21 Property Location: 260 Clark Road, Gansevoort NY. Applicant: Dana Rohne. SEQR Type II.**

Applicant came before board to seek assistance on and an approval of an accepted use of her property. Particularly the 30x40 Pole Barn which consists of 3 "stalls/open garage/storage space". There is also a living area consisting of a bath, shower, and laundry area in the back side of said barn. She currently has an apartment attached to home and is leasing part of the land to a local farmer. She is looking for someone to use the Pole Barn to produce more income on her property. She has posted on Facebook looking for ideas and uses, which she has asked Mr. Westfall and his office many times on which ones would be approved. She has had offers for office space, garage repair shop, coffee bean grinder, contractor storage, cabinet maker, hair salon and asphalt company.

Mr. Endal stated that this is an R-5 agricultural district and not a commercial zone. He also states that the pole barn is an accessory structure and when it becomes a business, then it's commercial use.

Mr. Elms states that zoning board needs to protect the neighbors from noise, traffic, etc. and adding commercial use in the R-5 district has to be reviewed for each use before any approvals will be given.

The applicant would like a sole person like an office so that she would not have issues as well because she lives there every day and to avoid the traffic and neighbors' concerns. The applicant asked the board then what type of business she could have in that space. Many suggestions brought forth by applicant were discussed in great length and gone over with the applicant as to why each use could possibly or would not be allowed.

The applicant asked if a category could at least be approved but Mr. Elms stated that it is too broad, and he would not approve of it. Many of the other board members agreed with Mr. Elms.

Ms. DaBramo also brought up the fact that the applicant has not completed nor has board approved the 4 circumstances listed in the criteria for decision to approve such variance, especially the financial and preservation of property.

The board suggested to the applicant that she should look for someone she felt comfortable leasing to first and then come back to the Zoning Board with proposed leasee, present the use that they would be looking for and complete the 4 factors of criteria to review with the board.

Ms. Bennett, neighbor to the property, spoke regarding the undersized lot (4.92 acres), the apartment and the potential of more commercial type uses in the R-5 district. She states it needs to stay agricultural and doesn't feel best for property.

Mr. Elms made a motion to table this application for 60 days and have the applicant come back before this board with a lease/tenant and ideas for use and the four criteria for variance met, then board can decide from there her options for use in the R-5 district. Mr. Fitzsimmons seconded. Roll call- all approved.

Meeting adjourned at 8:30PM

Signed by Diana Corlew Harrison on September 30, 2025.