

**PROPOSED LOCAL LAW NO. 13 OF 2025
ESTABLISHING A MORATORIUM ON CERTAIN
STORAGE FACILITIES IN THE TOWN OF MOREAU**

Be it enacted by the Town Board of the Town of Moreau as follows:

Section 1. Title and Authority. This Local Law shall be known as the Town of Moreau moratorium on new storage facilities in General Commercial (C-1) and Commercial and Communications (CC-1) Zoning Districts. It is adopted pursuant to Municipal Home Rule Law Section 10.

Section 2. Legislative Findings and Intent.

A. The Town Board finds that it is in the best interest of the Town of Moreau to enact a moratorium on the development of any new storage facility, referred to as a “warehouse for enclosed storage of goods and materials” in the Schedule of Regulations for the C-1 and CC-1 Zoning Districts appended to Chapter 149 of the Town Code.

B. Storage facilities are low-activity, low-employment zones that generate minimal sales tax revenue, sewer revenue, and water revenue when compared to other commercial uses permitted within this zone. The Town Board recognizes the potential impact to Town infrastructure and community character that is caused by the proliferation of these facilities within the C-1 and CC-1 Zoning Districts, where numerous storage facilities have already been constructed or approved. The Town of Moreau is committed to ensuring the health, safety, and welfare of its residents, and to the proper regulation of land uses within the Town.

C. Therefore, the Town Board has determined that it would be prudent to temporarily pause consideration of any new storage facility (warehouse for enclosed storage of goods and materials) within the C-1 and CC-1 Zoning Districts. Such a pause will provide sufficient time to study and address all zoning implications related to the continued proliferation of new storage facilities.

Section 3. Scope of Control.

A. For a period of six (6) months from the effective date of this Local Law, no applications for “warehouse for enclosed storage of goods and materials” in the C-1 and CC-1 Zoning Districts shall be complete, accepted or acted upon by any Town official, officer or body, including the Town Board, Planning Board, and Zoning Board of Appeals.

B. During such six (6) months, each and every time period applicable to a Town official, officer or body’s review of an application for a new warehouse for enclosed storage of goods and materials is hereby suspended and temporarily superseded by this Local Law including, but not limited to, time periods set forth in the Town Code and in New York State Town Law Sections 274-a, 274-b, 267-a and 276.

C. During such six (6) months, the jurisdiction of the Zoning Board of Appeals to act pursuant to Section 267-b of the New York State Town Law relative to relief from this Local Law is hereby suspended and temporarily superseded by this Local law for the purposes of any application for relief from this Local Law.

Section 4. Exceptions. This Local Law shall not apply to any warehouse for enclosed storage of goods and materials that has received final approval, with or without conditions, by the Town of Moreau Planning Board, and shall not prevent the issuance of any building permit or other subsequent approval for such approved project.

Section 5. Variance Procedure.

A. The Town Board shall have exclusive authority, after a Public Hearing, to vary or modify the application of any provision of this Local Law upon its determination that strict application of this Local Law would impose extraordinary hardship upon an applicant and that the variance granted would not adversely affect the health, safety or welfare of the citizens of the Town or significantly conflict with the general purposes and intent of this Local Law.

B. Any request for a variance shall be in writing and filed with the Town Clerk with an application fee of one hundred dollars (\$100.00). The Town Board shall conduct a Public Hearing on any such application on not less than five (5) days public notice and shall make its decision within sixty-two (62) days after the close of the Public Hearing.

C. If a variance is granted by the Town Board, the applicant shall be responsible for submitting an application for all reviews, and paying all applicable fees and escrows, required by the Town Code in the same manner as for projects not subject to the moratorium.

Section 6. Termination. The moratorium may be terminated by the Town Board earlier than six (6) months upon enactment of zoning regulations to ensure the proper siting of storage facilities within the Town.

Section 7. Effective Date. This Local Law shall take effect upon filing by the Office of the New York Secretary of State.