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TOWN OF MOREAU
SUPERVISOR'S OFFICE

Application
of
Ty Hall
for
Zoning Map Amendment
Tax Map Nos. 49.60-1-39.2; 49.60-1-38; 49.60-1-37;
49.60-1-44.1; 49.60-1-46; 49.68-1-9

Town of Moreau
Town Board

December 15, 2021

Submitted By:
Justin M. Grassi, Esq.
Jones Steves LLP
68 West Avenue
Saratoga Springs, New York 12866
(518) 587-0080

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Ty Hall Zoning Map Amendment Application

Ty Hall ("Applicant"), as President of Jack Hall Plumbing & Heating, Inc. ("Jack Hall"), is seeking to amend the Town of Moreau Zoning Ordinance to incorporate a PUD controlling six parcels of land along Route 9 between Merritt and Jacobie Road as more fully described in the enclosed Location Map and Legal Description (the "PUD Area"). The purpose of the proposed PUD is to permit Jack Hall to move their current operations to the PUD Area by constructing a facility with a maximum of 25,000 square feet which will incorporate both office and vehicle storage uses (the "Project") and is currently pending before the Moreau Town Board. It was recently brought to the Applicant's attention that the C-3 Zoning District did not follow the lot lines of the particular parcels involved in the PUD Area, resulting in the rear of each lot still containing some residentially zoned square footage, as depicted in the attached Exhibit B. As the Applicant intends for the entirety of each involved parcel and the PUD Area to be zoned consistently, this application is a request for a Zoning Map Amendment to extend the C-3 zone to the rear lot line of each parcel (the "Application"), as more specifically depicted in the attached Exhibit C.

As this current Application has little independent value beyond meeting the guidelines for the Applicant's current PUD Amendment application to continue, it is the Applicant's intent that these two applications continue concurrently. As such, we respectfully request that the Town Board deem the application complete and refer this zoning amendment application to the Planning Board for comment. It would then be our intent to return to the Town Board for purposes of acting on both this Zoning Map Amendment and the currently pending PUD Amendment Application previously submitted.

Dated: December 15, 2021

Respectfully Submitted,



Justin M. Grassi, Esq.
Jones Steves, LLP
Attorneys for Applicant

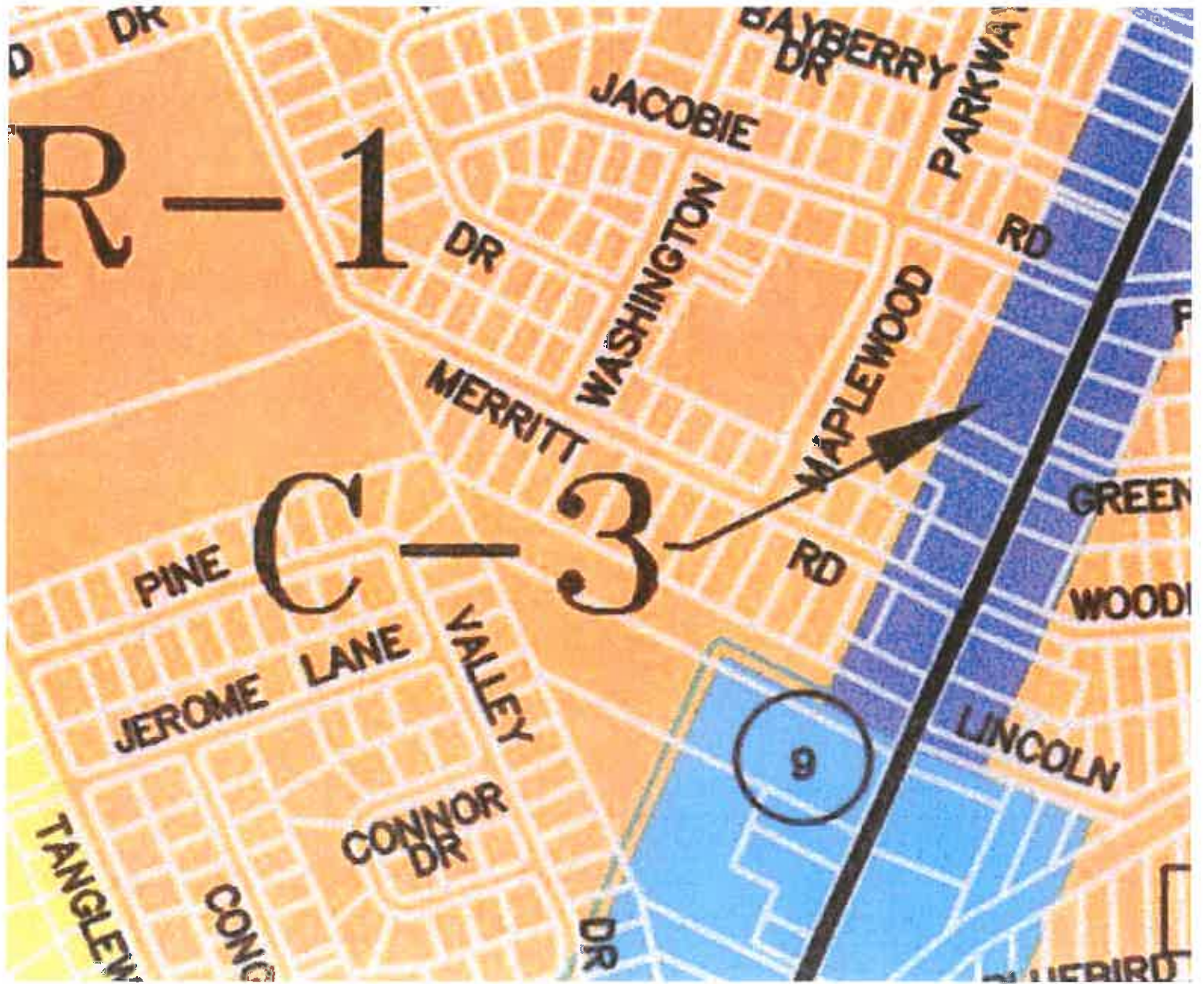


EXHIBIT B

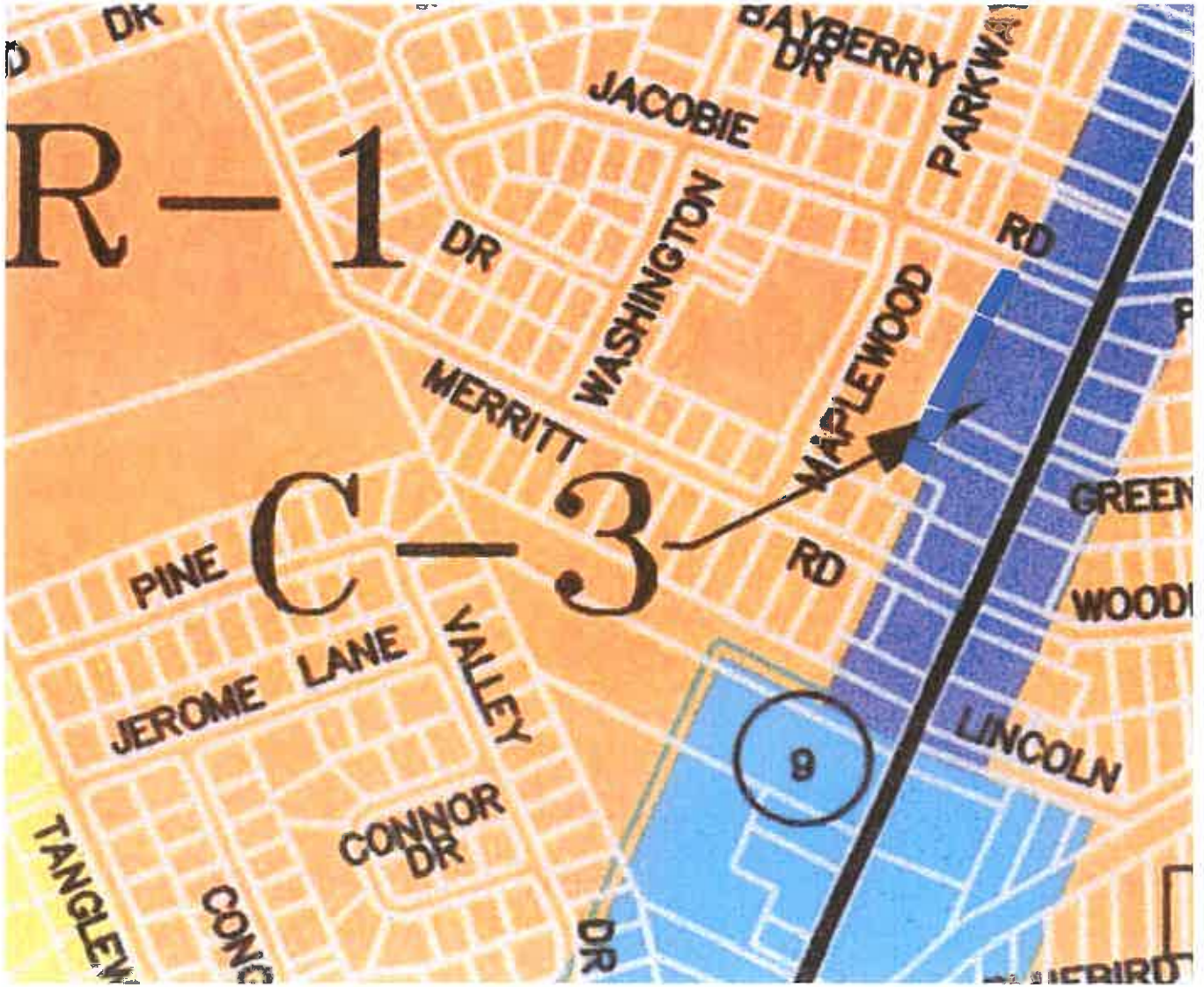


EXHIBIT C

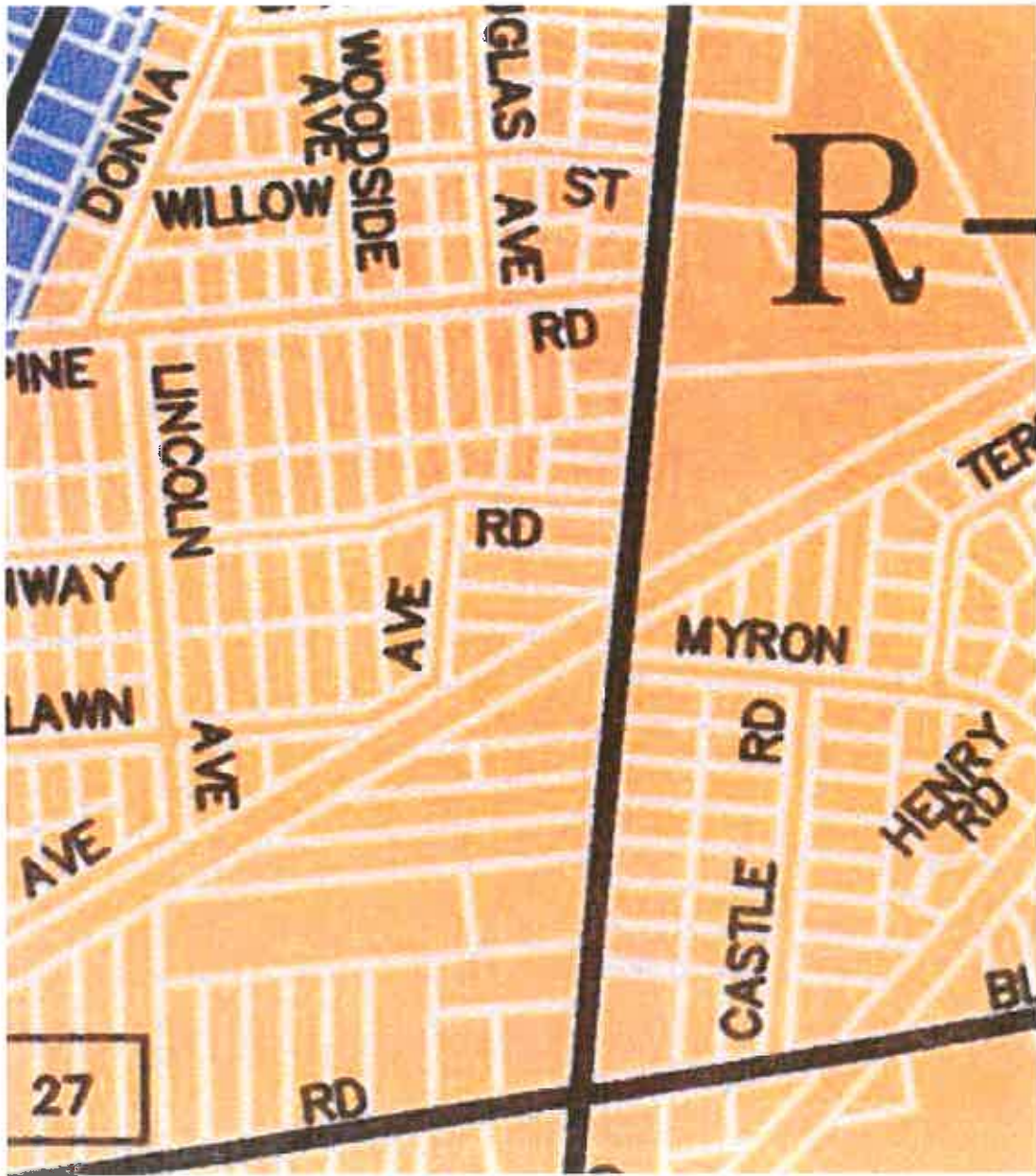


EXHIBIT C

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Ty Hall on behalf of Jack Hall Plumbing & Heating, Inc. Zoning Map Amendment			
Project Location (describe, and attach a location map): ~5.86 acres of land along Route 9 between Merritt and Jacobie Roads as more fully described in the enclosed Location Map			
Brief Description of Proposed Action: Applicant requests the extension of the C-3 Zoning District to the rear of each lot in place of the current residential district.			
Name of Applicant or Sponsor: Justin M. Grassi, Esq.		Telephone: 518-587-0080 E-Mail: jgrassi@saratogalaw.com	
Address: 68 West Avenue			
City/PO: Saratoga Springs		State: NY	Zip Code: 12866
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Planning Board Site Plan Review			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ 5.86 acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 5.86 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

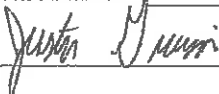
	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

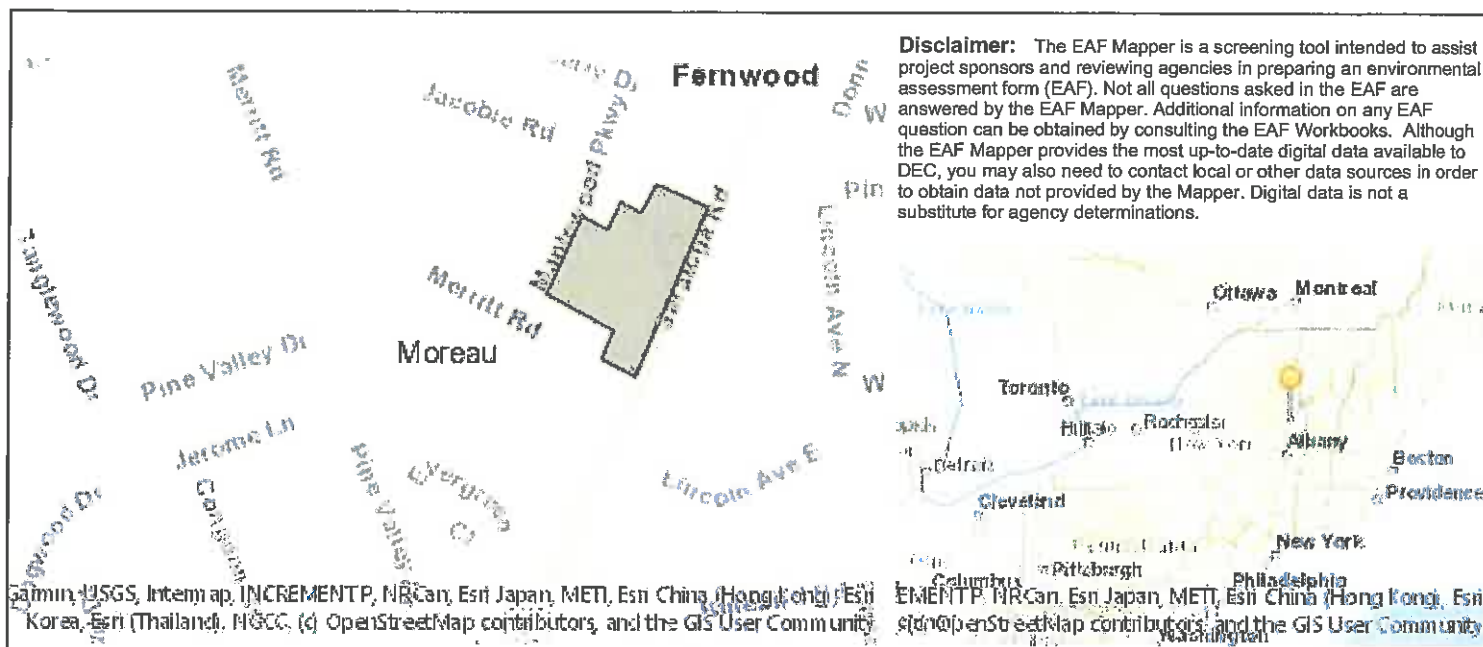
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: Justin M. Grassi	Date: 9/22/2021	
Signature: 	Title: Attorney for Applicant	



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

EXHIBIT D



EXHIBIT E

APPENDIX A LEGAL DESCRIPTION

Tax Map No. 29.60-1-39.2

ALL THAT CERTAIN PARCEL OF LAND with the buildings and improvements thereon, situate and being in the Town of Moreau, County of Moreau and State of New York, being Lot 2 as shown on a map entitled "Map of Subdivision of Lands of VT Rentals, LLC" located in the Town of Moreau, Saratoga County, New York prepared by W.J. Rourke, Associates- Licensed Land Surveyors, dated 11/19/2018, last revised 6/14/2019 filed in the office of the Saratoga County Clerk on 8/27/2019 as Map No.: M2019169.

Tax Map No. 49.60-1-38

ALL THAT CERTAIN PARCEL OF LAND situate in the Town of Moreau, Saratoga County, New York, lying on the westerly side of New York U.S. Route 9, between Jacobie and Merritt Roads, in said town, and which parcel is bounded and described as follows: BEGINNING at a point on the westerly edge of the 30 foot wide concrete pavement located under the present macadam surface of said Route 9, and which point of beginning is situate at a distance of 150 feet, southerly, measured along said westerly edge from the southerly line of Jacobie Road, running thence from the place of beginning, South 37 degrees 46 minutes West, along the westerly edge of pavement, for a distance of 327.67 feet; thence North 47 degrees 53 minutes 30 seconds West for a distance of 339.66 feet; thence North 42 degrees 15 minutes East, and along the easterly line of lands conveyed by Lena M. Jacobie to the United Methodist Church of South Glens Falls by deed dated May 3, 1968, and recorded in Book 828 of Deeds at page 463, for a distance of 304.58 feet; thence South 51 degrees 56 minutes East, on a line which is parallel to the aforementioned southerly line of Jacobie Road, for a distance of 314.84 feet to the place of beginning

Excepting from the above-described portion thereof lying within the bounds of the right-of-way of said New York U.S Route 9.

Tax Map No. 49.60-1-37

ALL THAT CERTAIN PARCEL OF LAND, situate in the Town of Moreau, Saratoga County, New York lying on the westerly side of New York U.S. Route 9, between Jacobie and Merritt Road, in said town and which parcel is bounded and described as follows:

BEGINNING at a point at the westerly edge of the 30 foot wide concrete pavement located under the present macadam surface of said Route 9, and which point of beginning is situate at a distance of 477.67 feet, southerly measured along said concrete pavement from the southerly line of Jacobie Road, running thence from the place of beginning South 37 degree 46 minutes West, along the westerly edge of said pavement, for a distance of 100 feet; thence North 47 degrees 56 minutes 20 seconds West for a distance of 347.47 feet; thence North 42 degrees 15 Minutes East, and along the easterly line of lands conveyed by Lena M. Jacobie to the United Methodist

EXHIBIT F

Church of South Glens Falls by deed dated May 3, 1968, and recorded in Book 828 of Deeds at page 463, for a distance of 339.66 feet to the place of beginning.

Excepting from the above-described portion thereof lying within the bounds of the right-of-way of said New York U.S Route 9.

Tax Map No. 49.60-1-44.1

ALL THAT CERTAIN PARCEL OF LAND situate in the Town of Moreau, Saratoga County, New York, lying on the westerly side of New York, U.S. Route 9, between Jacobie and Meritte Road, in said town, and which parcel is bounded and described as follows: BEGINNING at a point at the westerly edge of the 30 foot wide concrete pavement located under the present macadam surface of said Route 9, and which point of beginning is situate at a distance of 577.67 feet, Southerly, measured along the said concrete pavement from the southerly line of Jacobie Road, running thence from the place of beginning , south 37 degrees 46 minutes West, along the westerly edge of said pavement for a distance of 100 feet; thence North 47 degrees 59 minutes West for a distance of 355.29 feet; thence North 42 degrees 15 minutes East, and along the easterly line of lands conveyed by Lena M. Jacobie to the United Methodist Church of South Glens Falls by deed dated May 3, 1968, and recorded in Book 828 of Deeds at page 463, for a distance of 100.00 feet; thence South 47 degrees 56 minutes 20 seconds East for a distance of 347.47 feet to the place of beginning.

Tax Map No. 49.60-1-46 West Portion

ALL THAT CERTAIN PARCEL OF LAND situate in the Town of Moreau, Saratoga County, New York, lying on the westerly side of New York, U.S. Route 9, between Meritt Road and Jacobie Road, in said town, and which parcel is bounded and described as follows:

BEGINNING at the southwest corner of those premises previously conveyed by Lena M. Jacobie of Trustees of South Glens Falls Monthly Meeting of Society of Friends by deed dated October 24, 1963, and recorded in Book 745 of Deeds at page 33, and which point of beginning is also the northwest corner of Lot #33, as shown on map #4 of Part of the Lands of Lena M. Jacobie and James V. Lawrence, dated May 12, 1951, and filed in the Saratoga County Clerk's Office May 23, 1951, which map was made by Leslie W. Coulter, Licensed Land Surveyor, Glens Falls, New York, running thence from the place of beginning, North 47 degrees 59 minutes West, along the northerly line of lots #32 and #31, as shown on said map, for a distance of 163.11 feet; thence North 42 degrees 15 minutes East, and along the easterly line of lands conveyed by Lena M. Jacobie to the United Methodist Church of Glens Falls by deed dated May 3, 1968, and recorded in Book 828 of Deeds at page 463, for a distance of 99.73 feet; thence South 47 degrees 59 minutes East, on a line which is parallel to the northerly line of Merritt Road, for a distance of 155.29 feet to the northwest corner of those lands previously conveyed to Trustees of the South Glens Falls Monthly Meeting of Society of Friends by the aforementioned deed; thence South 37 degrees 46 minutes West, along the westerly line of said last mentioned parcel, for a distance of 100 feet to the place of beginning.

EXHIBIT F

TAX MAP NO. 49.60-1-46 East Portion

All that piece, parcel or lot of land situate, lying and being in the Town of Moreau, Saratoga County N.Y., bounded and described as follows: Beginning at a point on the westerly edge of the concrete pavement of New York State Rt 9 at the northeasterly corner of lands heretofore Part of the lands of Lena M. Jacobie and James V. Lawrence dated May 12, 1951 and filed in the Saratoga County Clerk's Office May 23, 1951; running thence north 47 degrees 59 minutes west along the northerly bounds of said Gunther property for a distance of 200 feet; thence north 37 degrees 46 minutes east a distance of 100 feet; thence south 47 degrees 59 minutes east a distance of 200 feet to the westerly edge of the aforesaid concrete pavement; thence south 37 degrees 46 minutes west along the westerly edge of the said pavement a distance of 100 feet to the place of beginning.

EXCEPTING, the rights of the public and the State of New York in land lying between the westerly edge of said pavement and the westerly boundaries of the State highway where it abuts the said premises.

TAX MAP NO. 49.68-1-6

ALL THAT PIECE, PARCEL OR LOT OF LAND situate, lying and being in the Town of Moreau, Saratoga County, New York, bounded and described as follows:

BEGINNING at a point on the westerly edge of the concrete pavement of New York State Route 9, which point also marks the northerly line of Merritt Road as shown on Map entitled "Map No. 4 Part of Lands of Lena M. Jacobie and James V. Lawrence" dated May 12, 1951 and filed in the Saratoga County Clerk's Office May 23, 1951, as map DD #16; running thence north 47 degrees 59 minutes west along the northerly line of Merritt Road for a distance of 200 feet; thence north 37 degrees 46 minutes east a distance of 160.44 feet; thence south 47 degrees 59 minutes east a distance of 200 feet to the westerly edge of the said pavement for a distance of 160.44 feet to the place of beginning.

