

TOWN OF MOREAU
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TOWN OF MOREAU
BUILDING DEPARTMENT

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APPLICATION FOR AREA VARIANCE

63.2-1-39

FOR INTERNAL USE ONLY	
APPLICANT: Moreau Ems 1583 Rt 9	APPEAL #: 899 ZONING DISTRICT: C-1 DATE SUBMITTED: 9/8/25 DATE ACCEPTED: HEARING DATE: <input type="checkbox"/> SEQR Type 1 <input type="checkbox"/> SEQR Type 2 <input type="checkbox"/> Unlisted

APPLICANT INFORMATION:

- Applicant(s):** Moreau Emergency Squad, Inc.
Street Address: 1583 Route 9
City, State, Zip: Moreau, NY 12828
Telephone #: 518-791-2305 **Fax #:** -----
E-mail Address: steven_van_guilder@hotmail.com
- Agent:** Richard E. Jones Associates Architects
Street Address: 339 Aviation Road
City, State, Zip: Queensbury, NY 12804
Telephone #: 518-793-1015 x 311 **Fax #:** 518-793-2223
E-mail Address: richardjones@rejaarchitects.com
- Owner:** Same as Applicant
Street Address:
City, State, Zip:
Telephone #:
Fax #:
E-mail Address:

RELATIONSHIP TO THE PROPERTY:

OWNER: ☒ Yes ☐ No

LESSEE: ☐ Yes ☒ No

AGENT: ☒ Yes ☐ No

If an agent, please attach an Agent Authorization Form. ** (Form attached)

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GENERAL PROJECT INFORMATION:

ADDRESS: 583 Route 9, Moreau, NY 12828 TAX MAP #: 63.2-1-39
CURRENT USE: Emergency Medical Service Facility ZONING DISTRICT: C-1 (Commercial)
LENGTH OF TIME OF USE: 21 years PROPOSED USE: Emergency Medical Service Facility
RELIEF SOUGHT: Front yard setback for addition, required number of parking spaces, percentage of permeable area

AREA VARIANCE REQUEST:

	Required Dimension	Proposed Dimension	Difference	%
Front Yard Setback	50'-0"	41'-0"	9'-0"	18%
Side Yard Setback	15'-0"	15'-0" & 70'-6"	0'	0%
Rear Yard Setback	30'-0"	38'-6"	0'	0%
Lot Area	1 Acre	1.22 Acre	0	0%

GENERAL DESCRIPTION OF THE ACTION FOR WHICH AN AREA VARIANCE IS SOUGHT:

The property is currently occupied by the Moreau Emergency Squad, Inc. and the proposed project is an expansion of the existing useage of the site. The expansion incorporates office space, a training room, and support spaces on the 1st floor and sleeping quarters for on call staff on the 2nd floor.

CRITERIA: An area variance may be granted only in the event that **ALL five (5)** of the circumstances listed in § 179-59A are specifically found to exist by the Zoning Board of Appeals and are each so stated in the findings.

- (1) That the strict application of said dimensional requirements would result in a specified practical difficulty to the applicant.
- (2) How substantial the requested variance is in relation to the requirements.
- (3) That the difficulty cannot be alleviated by some practical method feasible for the applicant to pursue.
- (4) That there will be no substantial change in the character of the neighborhood or a detriment to the adjoining properties.

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- (5) That the variance would not be materially detrimental to the purpose of this chapter or to property in the district in which the property is located or otherwise conflict with the description or purpose of the district or the objectives of any plan or policy of the town and that the variance requested is the minimum variance which would alleviate the specific practical difficulty found by the Zoning Board of Appeals to affect the applicant.

Please describe how your circumstance meets ALL five (5) criteria (please attach additional pages as necessary):

These requested area variances were originally approved by the Zoning Board of Appeals in 2017 but

the project was paused by the Owner because of funding delays and subsequently the variance

approvals lapsed. We are proposing the same area variance requests each with slightly different

requirements so refer to the attachment for descriptions of the criteria pertaining to each area variance request.

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CHECKLIST OF VARIANCE APPLICATION COMPLETENESS:

As per §149-57 of the Zoning Chapter of the Town Code, the following information shall be supplied by the applicant with any variance application:

Please complete the checklist of required application elements:

- ☒ 1. Map of the property with a scaled site plan and/or elevations necessary to show the proposed project for which the variance is sought.
- ☒ 2. Complete narrative response addressing each of the criteria as specified in this application.
- ☒ 3. Financial documentation demonstrating the reasonableness of financial return on the property.
- ☒ 4. Completed and signed Part 1 of the appropriate Environmental Assessment Form. Paper copies are available at the Building Department in Town Hall or electronically at <https://www.dec.ny.gov/permits/6191.html>
- ☐ 5. Additional information requested by the Zoning Board of Appeals.

Please return the original application, with all four pages intact, along with ten (10) paper copies and an electronic copy, including required information and documentation. The electronic copy may be submitted on a flash drive or emailed to biclerk@townofmoreau.org

NOTE: The application will not be scheduled on the Zoning Board of Appeals agenda until all paper and electronic copies have been received by the Town Building Department.

Also note that the information to be provided is not limited to the space on this form. If additional space is needed, please use separate sheets and indicate the enclosure number or page number for the attached sheets in the related space provided on this application.

Signature

Steven VanGuilder

Applicant (print)



Applicant (sign)

09-03-2025

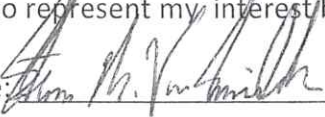
Date

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AGENT AUTHORIZATION FORM

I STEVEN VANGOULDER hereby certify that I am the applicant listed within the Area Variance Application and I have read the information contained in this application and it is true and accurate to the best of my knowledge.

I further authorize RICHARD E. JONES ARCH. to serve as my agent for this application and to represent my interest before the Zoning Board of Appeals.

Applicant's Signature:  Date: 08-03-2025

Agent's Signature:  Date: 08-03-2025

This application may be subject to review by the Saratoga County Planning Board, and a copy of this application is being sent to Saratoga County.

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Richard E. Jones Associates Architects

339 Aviation Road
Queensbury, NY 12804
Telephone (518) 793-1015

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Moreau Emergency Squad – Area Variance Criteria:

- (1) *That the strict application of said dimensional requirements would result in a specified practical difficulty to the applicant.*

Variance for the front yard setback: Conformance to the 50'-0" front yard setback requirement would create a practical difficulty for the Owner. To maintain the 50'-0" front yard setback the size of the proposed building addition would need to be reduced by over 1,000 square feet of program space or the building would need to move back 9'-0" which would then impact the development of any parking at the rear of the building.

Variance for the number of parking spaces: Conformance to the requirement to provide a total of 64 parking spaces would create a practical difficulty for the Owner. There is no additional site area that can be developed for parking and the layout as designed is the most efficient and functional layout for the site.

Variance for percentage of permeable area: Conformance to the requirement to provide the required 60% permeable area for the site would create a practical difficulty for the Owner. The existing permeable site area before any site development is only 55.4% so the Owner would not be able to develop the site at all to meet their extensive program needs.

- (2) *How substantial the requested variance is in relation to the requirements.*

Variance for the front yard setback: It is a moderate request of 9'-0" of relief from the 50'-0" requirement and the request totals 18% of relief.

Variance for the number of parking spaces: It is a moderate request of 9 parking spaces of relief from the required total of 64 parking spaces and the request totals 14% of relief.

Variance for percentage of permeable area: It would be considered to be a substantial request for relief from the 60% permeable area requirement as the request totals 58.1% of relief. A storm water management system will be provided consisting of collection devices and in-ground infiltrators to accommodate collection and infiltration of site runoff.

- (3) *That the difficulty cannot be alleviated by some practical method feasible for the applicant to pursue.*

Variance for the front yard setback: The request for 9'-0" of relief for the building addition cannot be alleviated. If the addition is moved back to maintain the 50'-0" front yard setback it would prohibit the development of any parking at the rear of the building and may require a variance for the rear yard setback.

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Variance for the number of parking spaces: The request for the relief from providing 9 additional parking spaces cannot be alleviated because there is no additional site area that can be developed for parking and the layout as designed is the most efficient and functional layout for the site.

Variance for percentage of permeable area: The request for relief from providing 60% of permeable site area cannot be alleviated. The existing permeable site area before any site development is only 55.4% so the Owner would not be able to develop the site at all to meet their extensive program needs.

- (4) *That there will be no substantial change in the character of the neighborhood or a detriment to the adjoining properties.*

Since this is an expansion of an existing use there will be no substantial change to the character of the neighborhood, and it will not be a detriment to the adjoining properties.

- (5) *That the variance would not be materially detrimental to the purpose of this chapter or to property in the district in which the property is located or otherwise conflict with the description or purpose of the district or the objectives of any plan or policy of the Town and that the variance requested is the minimum variance which will alleviate the specific practical difficulty found by the Zoning Board of Appeals to affect the applicant.*

The variances as requested by the Owner will not be detrimental to the purpose of the Town Zoning Ordinance or to property in the district. Granting the variances will allow the expansion of the existing facility and the continued use of the site by the Moreau Emergency Squad which will greatly benefit the community.

Moreau Emergency Squad – Financial Documentation:

The Moreau Emergency Squad has secured funding from USDA/Rural Development for the addition and renovations required to complete the project, and funding also includes grants from both Federal and State entities.

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Short Environmental Assessment Form
Part 1 - Project Information

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Instructions for Completing

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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: Moreau Emergency Squad, Inc.							
Project Location (describe, and attach a location map): 1583 Route 9, Moreau, NY 12828							
Brief Description of Proposed Action: Addition and alterations to the existing emergency services facility for the Moreau Emergency Squad, Inc.							
Name of Applicant or Sponsor: Moreau Emergency Squad, Inc.		Telephone: 518-791-2305					
		E-Mail: steven_van_guilder@hotmail.com					
Address: 1583 Route 9							
City/PO: Moreau		State: New York	Zip Code: 12828				
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.			<table border="1"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Site Plan review and approval from the Moreau Planning Board			<table border="1"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		2.22 acres					
b. Total acreage to be physically disturbed?		0.91 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.22 acres					
4. Check all land uses that occur on, adjoining and 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							

<p>5. Is the proposed action,</p> <p style="margin-left: 20px;">a. A permitted use under the zoning regulations?</p> <p style="margin-left: 20px;">b. Consistent with the adopted comprehensive plan?</p>	<p>NO</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>N/A</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p>6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>	
<p>7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>8. a. Will the proposed action result in a substantial increase in traffic above present levels?</p> <p style="margin-left: 40px;">b. Are public transportation service(s) available at or near the site of the proposed action?</p> <p style="margin-left: 40px;">c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	
<p>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: _____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>	
<p>10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>	
<p>11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>	
<p>12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?</p> <p style="margin-left: 40px;">b. Is the proposed action located in an archeological sensitive area?</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	
<p>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?</p> <p style="margin-left: 40px;">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: _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	
<p>14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:</p> <div style="display: flex; flex-wrap: wrap; padding: 5px;"> <div style="width: 50%;"><input type="checkbox"/> Shoreline</div> <div style="width: 50%;"><input type="checkbox"/> Forest</div> <div style="width: 50%;"><input type="checkbox"/> Agricultural/grasslands</div> <div style="width: 50%;"><input type="checkbox"/> Early mid-successional</div> <div style="width: 50%;"><input type="checkbox"/> Wetland</div> <div style="width: 50%;"><input type="checkbox"/> Urban</div> <div style="width: 50%;"><input checked="" type="checkbox"/> Suburban</div> </div>			
<p>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?</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>16. Is the project site located in the 100 year flood plain?</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,</p> <p style="margin-left: 20px;">a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p> <p style="margin-left: 20px;">b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	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: _____ Adjoining property across the road is a former clean-up site. _____	NO	YES
_____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Richard E. Jones, Architect & agent for the owner		Date: September 05, 2025
Signature: <u>Richard E. Jones</u>		

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Project:

Date:

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

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Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

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- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM