

A Meeting of the Zoning Board of Appeals for the Town of Moreau, Saratoga County, State of New York was held at the Moreau Town Hall, 351 Reynolds Road, Moreau, NY 12828 on the 24th day of March, 2021 at 7:00 PM.

ZONING BOARD MEMBERS PRESENT:

Gerhard Endal, Chair

Kevin Elms

Justin Farrell

Matthew Manning (Zoom)

Scott Fitzsimmons

Also present: Jim Martin, Zoning Administrator; Tricia Andrews, Recording Secretary (Zoom)
Board Members absent: None

The meeting was called to order at 7:00pm.

The Board reviewed the minutes of the February 24, 2021 meeting. Mr. Elms motioned to approve the minutes of the February meeting and Mr. Fitzsimmons seconded. All in favor, motion carried.

Appeal No. 835 A request of Denno Contracting, LLC OF 33 Atwell Road, Porters Corners, NY 12859 for an Area Variance pursuant to Chapter 149, Article V, Section 149-59 (A) and Town Law 267-b. Applicant is proposing to create a 5 lot subdivision with a common driveway as three lots will not have frontage on a public street. This property is located at 305-309 Reynolds Rd, Moreau, NY in an R-2, One and Two Family Residential District and is designated as 63.4-4-56 on the Town Assessment Map.

Garry Robinson representing Denno Contracting explained that he had submitted the alternative possibilities for this subdivision. They are just sketches. He submitted a dissertation about why they prefer the common driveway which would be for three of the lots.

The disadvantages to the cu-de-sac came from a conversation with Paul Joseph.

John Jackowski who lives behind this. They have a high water table issue the last couple of years, so they have a concern and a hope that this project will help solve their problem. Water is filling the ditch on Route 32, and on Gansevoort Road they have water, people have to pump water who have never had to pump before. When Gardner (Cingdon) sold the land the water table was 12- 13 feet, then it was 14ft. in 2018, and now it is at 7-8 feet. The McKenna project may have caused it.

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Chairman Endal recommended that be reported to the Planning Board.

Mr. Martin told the caller that this may advance to the Planning Board and a Stormwater Pollution Prevention Plan would be prepared and the drainage would come up then.

Mr. Jackowski wanted to establish that there was already a problem before this was put in so that this development wasn't blamed.

Mr. Elms stated that the cul-de-sac looked perfect. Chairman Endal stated that on the way to the meeting he had looked at a number of cul-de-sacs that had 4 houses on them in Town.

Mr. Martin stated that the lots are compliant.

Mr. Manning stated that there are three thresholds that need to be met to grant the Variance and he doesn't see why it's necessary to do so.

Mr. Farrell agreed while with Mr. Manning, adding that this is a main road and the additional driveways need to be eliminated, stating that he is in favor of the cul-de-sac. Mr. Fitzsimmons expressed concerns about the maintenance agreement two or three owners down the road.

Chairman Endal stated that people deserve to have a road that is taken care of by the Town.

The public hearing was closed at 7:18.

Chairman Endal asked for a motion.

Mr. Elms motioned to deny Appeal No. 835 stating that there was no hardship demonstrated, and there is a viable way to develop 5 lots, and the Board believes that having the roadway meet the Town requirements is the best way to manage runoff. Mr. Fitzsimmons seconded.

Roll call vote resulted as follows: Mr. Farrell, Yes; Mr. Elms, Yes; Mr. Manning, Yes; Mr. Fitzsimmons, Yes; Chairman Endal. All in favor, motion carries, Appeal No. 835 is denied.

The Board discussed something having to do with the Adirondack Transportation Council. They are separate from the Saratoga Area.

Motion to adjourn was made by Mr. Fitzsimmons and seconded by Mr. Elms.

Respectfully Submitted,

Tricia S. Andrews