

TOWN OF MOREAU
ZONING BOARD OF APPEALS

JANUARY 22, 2025

TOWN HALL MEETING ROOM, 351 REYNOLDS RD

Planning Board Members Present

| | |
|-----------------------|--------------------------|
| Gerhard Endal | Zoning Board Chairperson |
| Kevin Elms | Zoning Board Member |
| Scott Fitzsimmons | Zoning Board Member |
| Justin Farrell | Zoning Board Member |
| Ron Zimmerman | Zoning Board Member |
| Joshua Westfall | Zoning Administrator |
| Diana Corlew-Harrison | Recording Secretary |

The meeting was called to order by Mr. Endal at 7:01 pm.

Minutes to Approve:

June 23—**Motion made by Mr. Elms approve with changes, Mr. Endal second, all in favor, Mr. Zimmerman abstained.**

July 23—**Motion made by Mr. Fitzsimmons approve with changes, Mr. Elms second, all in favor, Mr. Zimmerman abstained.**

Nov 2023 – **Motion made by Mr. Elms to approve with no changes, Mr. Fitzsimmons second, all in favor, Mr. Zimmerman abstained.**

Dec 2023 – **Motion made by Mr. Zimmerman to approve with changes, Mr. Endal second, all in favor, Mr. Elms abstained.**

July 2024 – **Motion made by Mr. Endal to approve with no changes, Mr. Endal second, all in favor, Mr. Zimmerman abstained.**

Aug 2024 – **Motion made by Mr. Elms to approve with no changes, Mr. Endal second, all in favor.**

Sept 2024 – **Motion made by Mr. Zimmerman to approve with no changes, Mr. Endal second, all in favor, Mr. Fitzsimmons abstained.**

Oct 2024 – **Motion made by Mr. Elms to approve with no changes, Mr. Fitzsimmons second, all in favor, Mr. Zimmerman abstained.**

Nov 2024 – **Motion made by Mr. Zimmerman to approve with spelling change of Mr. Endal's name only, Mr. Fitzsimmons second, all in favor.**

Old Business: APPEAL NO. 863 (Special Use Permit)

Applicant seeks a Special Use Permit to establish a campground use. Phase 1 will contain 5 campsites; Phase II will contain an additional five campsites to total 10 sites between the two phases. Individual sites will consist of portable cabin structures and parking areas. The campsites will be supported by an on-site access drive, well, and on-site septic systems as well as laundry facility and other supporting accessory structures. Applicant: Michael Music. Property Location: 195 Mott Road. Tax Map ID: 91.-1-29.1. Zoning District(s): Agricultural and 1-Family (R5). SEQR Type: Unlisted. Note: pursuant to 14-34, the Zoning Board of Appeals (ZBA) has referred this application to the Planning Board for advisory review.

Mr. Music spoke of his project and some of the items that were asked of him from prior meetings. He said he has added signage, increased drainage to 18" in places needed, Driveway permit was issued, truck turnaround area for emergency vehicles was approved by Pete Corlew, size of units and campsite space sizes added to plans, disturbed areas mapped out. Septic added to Phase II, buffer plantings of hemlocks were added on east side as neighbors suggested.

Mr. Fitzsimmons asked what the maximum capacity of sites will be. Mr. Music wants to have no more than 4-5 people, 2 adults with 2-3 small children for example. Mr. Farrell asked what his target markets are. Mr. Music says small families and "DINK" (dual income no kids) families.

Mr. Elms asked how each septic will be connected. Mr. Music says all gravity fed to either system in Phases 1 and/or 2.

Mr. Farrell asked if any noise studies were done, he had walked the property that day and is concerned with neighbors on the east side. He said Phase II is considerably close to them and with no leaves on trees, it is very visible. He is very torn on the project now seeing it for himself and listening to the neighbors' concerns.

Mr. Zimmerman asked if there will be quite times? Mr. Music said same as the town ordinance of 10pm.

Mr. Farrell asked if this was modeled off something similar? Mr. Music states it will be like his brother's property in the Town of Moreau off Gansevoort Road (Route 32).

Mr. Elms asked what types of plants on east side to be planted. Mr. Music had stated he will be planting hemlocks and arborvitae as these are the neighbors wishes. If any others needed, he would oblige.

Mr. Endal asked if trail signs will be out on property and will people who wander or do not follow rules be held accountable? Neighbors also had sent in emails to their concerns to same matters. Mr. Music states that he will be the security and rules keeper as best he can and yes there will be trail signs in place with do not enter signs as well.

Mr. Farrell asked about wetlands on property, concerns with runoffs, water pooling, insufficient drainage near Shaw property. Mr. Music stated that he is looking into a better septic system (EZ flow system) that could shrink the disturbed area by 24% instead of using current plan.

Mr. Endal opened public hearing.

Neighbor, Ms. Spada questioned how Mr. Music was going to monitor people vs. reservations made in AirBNB? She says anyone can make a reservation online and state only 2 -5 people arriving but who is going to make sure that is who really showing up to the campsite? Mr. Music says he; wife and/or family will be overseeing that online and at check-in.

Neighbor, Deb Shaw, asked if they be allowed to have campfires and if so, how is that smell going to be avoidable at her house being it is so close. Mr. Music states he has fires quite regularly and did not know it was an issue with the Shaw's and is not sure that it can be avoided. She also spoke of a utility pole that was placed on their property at end of driveway for this project. Mr. Music states that there is an easement on that parcel with the Town of Moreau. Mr. Shaw states that it is on his deed filed with Saratoga County, so it is not an easement. Mr. Zimmerman states that this should be clarified by Planning Board and Town of Moreau before moving forward.

Mr. Farrell asked if this project does not move forward, do you have other plans for property. Mr. Music states that he would like this to move forward as is, but if not, he would more than likely subdivide it and possible put up to 8 houses on the property.

Ms. Spada has concerns about this lowering their resale values on their property. Ms. Shaw has same concerns.

Mr. Endal asked if any other comments from public or board.

Mr. Endal closed public hearing.

Mr. Endal reviewed the standards of the special use permit Parts A,B,C.

Motion made by Mr. Endal to defer SEQR to Planning Board, Mr. Fitzsimmons seconded, all in favor.

Motion made by Mr. Endal with the following conditions to approve Appeal 863 Special Use Permit, seconded by Mr. Fitzsimmons, all in favor.

- 1. Planning Board to do Site Plan Review at each phase of project.**
- 2. Meet all six conditions approved by Planning Board in prior meeting dated December 16, 2024.**
 - 1. Scheduled open months to be April to November only.**
 - 2. Guest stays to not exceed nine (9) consecutive days.**
 - 3. Screening on eastern property boundary to obscure views.**
 - 4. Entry driveway suitable for all emergency services with letter from Fire Dept.**
 - 5. Security gate for facility when campground is not open.**
 - 6. Site plan review by Planning Board at each phase of development (1-5) and (6-10).**
- 3. Add plantings, evergreens, etc. in Phase 1.**
- 4. Agree to camp rules supplied on earlier plans.**
- 5. No ATV's on property when campground is open. (Owner may use 1 for security purposes only)**
- 6. No hunting on property when campground open by tenants or owners.**
- 7. Easement/deed driveway clarification with Town of Moreau, Saratoga County and /or owners.**

Motion made by Mr. Elms to adjourn meeting, seconded by Mr. Endal. All in favor.

Meeting adjourned at 8:40 PM.

Signed by Diana Corlew-Harrison 1/31/2025.

Re-signed with revisions by Diana Corlew-Harrison 3/3/25.