

**TOWN OF BARRE
ZONING BOARD OF APPEALS
OCTOBER 19, 2020**

CALL TO ORDER: 7:00 pm

BOARD MEMBERS PRESENT

LuAnn Tierney Steve Coville
Larry Gaylard Charles Swan

BOARD MEMBERS EXCUSED

Stephen Karas – Alternate

BOARD MEMBERS ABSENT

Richard Miller

Others present by phone: Adam Wingard (AES) and Terresa Bakner (AES attorney who is a partner with Whiteman Osterman & Hanna LLP)

Mrs. Tierney opened the meeting at 7:00 pm.

I. APPROVAL OF MEETING MINUTES – September 19, 2020

Mr. Coville made a motion to approve the meeting minutes of September 19th seconded by Mr. Swan and carried (4-0).

II. OLD BUSINESS

Mrs. Tierney stated that the purpose of the meeting was an interpretation of the zoning law. The Planning Board proposal of changing the Residential 1 District to Agriculture/Residential District has been presented to the Town Board. The distance of the Business District is also being specified at a depth of 500 feet from the center of the road as it's a gray area. AES's proposal would have the access road, utility poles, underground lines and storm water pond with fencing will be in the Business District on one of the properties. Discussion took place:

- 350 322 C17 and 350 322 C1 of the zoning law was looked at
- Poles will be adjacent to the access road
- Physical conductors will be underground either under the access road or adjacent to it
- House on the property is 350 feet north and 550 feet south of the access road
- Road is close to the southern property line
- During construction which will be 3 to 6 months there will be 4-6 semi-trucks using the access road
- Post construction traffic will be biannually with 4x4 trucks for maintenance issues
- Working on exactly the buffer would be
- There is a decommissioning plan in place returning the site to normal/what it was before
- Would only be one person for preventative maintenance if there are no problems
- Are we putting the cart before the horse but then would know what can and can't do

RESOLUTION NO 12-2020

**Introduced by: Larry Gaylard
Seconded by: Steve Coville**

WHEREAS, In accordance with Section 22(C)(7), the Barre Zoning Board of Appeals will issue the following interpretation of accessory uses as they apply to the proposed AES Solar Project on the properties of Joshua Baird and Jacob & Melissa Monacelli located on Oak Orchard Road in Barre. This interpretation is contingent upon two things:

1. The successful rezoning on the rear portion of these lots from Residential 1 to Agriculture/Residential
2. Clearing defining the Business District as extending from the center of the road and back 500 feet.

DECLARED that based on careful consideration of Section 350-24(c) and 350-22(c)(7), the Barre Zoning Board of Appeals renders the interpretation that the requested accessory uses – the access road, utility poles, underground line and storm water feature with associated fencing – are clearly accessory to the permitted principal use and consistent with the purpose and intent of the zone district.

FURTHERMORE, allowing these uses is consistent with 350-112 of the Barre Solar Law which states, “The use of solar energy equipment for the purpose of providing electricity and energy for heating and/or cooling is a priority and is a necessary component of the Town of Barre’s current and long-term sustainability agenda”

Mrs. Tierney – Aye
Mr. Coville – Aye
Mr. Gaylard – Aye
Mr. Swan – Aye

The resolution was thereupon duly adopted.

III. NEW BUSINESS

Mrs. Tierney stated that Mrs. Dale-Hall had contacted her about the possibility of a variance request for an auto sales business on Route 98. Because the location is on a state road, the application would need to go to the County Planning Board. Due to the Thanksgiving holiday their November meeting is a week early. Mrs. Dale-Hall was asking if we could meet on November 9th. However, Mrs. Preston would have to be at the Town’s planning board. November 10th was decided on if a meeting is needed.

IV. ADJOURNMENT

Mr. Swan made a motion to adjourn at 7:27 pm; seconded by Mr. Gaylard and carried (4-0).