

**TOWN OF BARRE
PLANNING BOARD
APRIL 12, 2021**

CALL TO ORDER: 6:33 PM

BOARD MEMBERS PRESENT

Tom Keeler	Wes Miller
Jean Depatie	Kurt Dudley
Stephen Harling	Kirk Mathes

EXCUSED BOARD MEMBERS

Jean Peglow
Dr. George McKenna (Alt.)

ABSENT BOARD MEMBERS

Eric Watson (Alt.)

Others present: Mario Rice of AES,

Those present by phone/YouTube: Adam Winguard, Mike Jackson, Joe Quill, Susan Sherman, Pete Sherman, 2-7 on YouTube at various times

I. APPROVAL OF MEETING MINUTES

Mr. Mathes made a motion to approve the March 8th meeting minutes with no corrections. Motion was seconded by Mr. Dudley and carried. (6-0)

Mr. Harling made a motion to approve the March 22nd workshop meeting with no corrections. Motion was seconded by Mr. Dudley and carried. (6-0)

II. NEW BUSINESS

Mr. Keeler stated that Mr. Quill has submitted an application for a modification to his Special Use Permit which was granted on November 12, 2018. The conditions for that application were: outside work must be done on the northside of the building to minimize noise, air tools run between the hours of 8 am and 6 pm only and follow idling run times. Discussion took place regarding the application:

- He would like to open up the back of the building/property surrounded by a fence.
- All vehicles will be parked back there
- Property would look nicer in front and for those on Rt. 98
- Security reasons why he would like to have a fence
- Fence would be 1 foot off the property line
- Fence would be chain link with black mesh for privacy
- A survey would be done with purchase
- He is starting the process ahead of the purchase to have plans in place
- The number of vehicles was discussed
 - Our zoning (350-59) for a junk yard states no more than 4 vehicles

- There are normally around 4-5 vehicles that are unlicensed on the property at a time while he is working on getting them on the road for the customers.
- Could we put a limit on it? It was agreed to have 10 unregistered and 40 registered vehicles
- There will not be any partially dismantled vehicles on the property
- There are usually 25-30 vehicles on average for any given week
- All vehicles will be behind the fence
- Mr. Quill had some problems with the neighbors with burning trash on his property and kids walking around amongst the vehicles. He has had conversations with them about this and it seems to have improved at this time.
- Because this is a simple modification, the application does not need to go to the County Planning Board
- Zoning law was checked in regards to fencing (350-33). There is nothing that could be found on how close to the property line it could be
 - What if the neighbors do not want a fence that close? What if the neighbors also put a fence 1 foot away and then its not cared for between the fences?
- Property purchase will be adjacent to new properties
- The right of way has been there for years prior to Sherman's purchasing it from Mr. Rice

Resolution 7-2021

Introduced by: Kirk Mathes
 Seconded by: Steve Harling

WHEREAS, The Town of Barre Planning Board has reviewed the application of Quill Diesel/Joe Quill for a Special Use Permit modification and Site Plan Review for property located at 4627 Oak Orchard Road (95-1-64/95-1-21.21); and be it hereby

RESOLVED, that application be approved with

1. Outside work must be done on the northside of the building to minimize noise – as on the original Special Use Permit
2. Air tools ran between the hours of 8 am and 6 pm only – as on the original Special Use Permit
3. Follow idling run times – as on the original Special Use Permit
4. A survey must be obtained prior to installing the privacy fence around the perimeter of the property and a copy submitted to the Barre Code Officer
5. Only 10 unregistered vehicles and 40 vehicles allowed on the property
6. Agreed that the installed privacy fence to be on (1) foot from the surveyed boundary line

UPON ROLL CALL VOTE:

Mr. Keeler – Aye
 Mr. Miller – Aye
 Mr. DePatie – Aye
 Mr. Dudley – Aye
 Mr. Harling – Aye
 Mr. Mathes – Aye

The Resolution passed.

Resolution 8-2021

Introduced by: Kurt Dudley
Seconded by: John Depatie

WHEREAS the Town of Barre Planning Board has reviewed Part 2 of the SEQR form for the application of Quill Diesel/Joe Quill

RESOLVED, to declare a negative SEQR

UPON ROLL CALL VOTE:

Mr. Keeler – Aye
Mr. Miller – Aye
Mr. DePatie – Aye
Mr. Dudley – Aye
Mr. Harling – Aye
Mr. Mathes – Aye

The resolution passed.

Mr. Quill stated that he will have more land than what is fenced in. Of course, everything is pending the sale/purchase of the property.

Resolution 9-2021

Introduced by: Kurt Dudley
Seconded by: Wes Miller

WHEREAS after continued discussion of Quill Diesel/Joe Quill’s application

RESOLVED, to add pending the purchase of the property, the property size stated by the owner will not exceed 2.5 acres.

Mr. Keeler – Aye
Mr. Miller – Aye
Mr. DePatie – Aye
Mr. Dudley – Aye
Mr. Harling – Aye
Mr. Mathes – Aye

The resolution passed.

Mr. Keeler stated that an application from Mrs. Sherman/Rice Country Homes for a Special Use Permit modification and Site Plan review for a reduction in acreage. The reduction will be based on surveys done in the sale of property to Mr. Quill. Mr. Quill currently has/uses 1.33 acres but

with selling, the acres will increase. The maps provided in the application were reviewed with the board members. Both applications will involve different neighbors than original applications. However, because of the 500' neighbor notice, they would have been notified with the original applications.

Resolution 10-2021

Introduced by: Steve Harling
Seconded by: Kirk Mathes

WHEREAS, The Town of Barre Planning Board has reviewed the application of Susan Sherman/Rice Country Haven for a Special Use Permit modification and Site Plan Review for property located at 4627 Oak Orchard Road (95-1-64/95-1-21.21); and be it hereby

RESOLVED, that application be approved with the condition that all previous conditions be applied.

UPON ROLL CALL VOTE:

Mr. Keeler – Aye
Mr. Miller – Aye
Mr. DePatie – Aye
Mr. Dudley – Aye
Mr. Harling – Aye
Mr. Mathes – Aye

The Resolution passed.

Resolution 11-2021

Introduced by: Steve Harling
Seconded by: John Depatie

WHEREAS the Town of Barre Planning Board has reviewed Part 2 of the SEQR form for the application of Mrs. Sherman/Rice's Country Haven

RESOLVED, to declare a negative SEQR

UPON ROLL CALL VOTE:

Mr. Keeler – Aye
Mr. Miller – Aye
Mr. DePatie – Aye
Mr. Dudley – Aye
Mr. Harling – Aye
Mr. Mathes – Aye

The resolution passed.

The Governor has two proposed legislative measures on his desk that would amend the Open Meetings Law. The one measure concerning all documents used and discussed would need to be posted on our website including the agenda was discussed.

III. OLD BUSINESS

Mr. Keeler has had phone calls and emails with Mr. Winegard of AES regarding the solar project on Rt. 98. Mr. Winegard states that they will comply with the pending solar law changes.

Resolution 12-2021

Introduced by: Steve Harling

Seconded by: Kirk Mathes

To review the application of AES Solar Project located on Rt. 98 with the proposed solar changes on the table. Carried. (6-0)

To start the process, the proposed Solar Law changes were quickly reviewed. During the review, a mistake was found which was under 350-119 L 4; the last two sentences should become 350-119 L 5.

Mr. Rice had a print out of maps of the project which to into consideration of the proposed new law. The board reviewed the maps with questions/comments of:

- Panels will tilt east and west
- Panels cleaned bi-annually. However typically rain water will keep them clean. Panel conditions are monitored constantly. Snow is done similarly.
- Will be two rows of trees/shrubbery and a fence that is seven foot high
- Vegetation of neighbor properties have been taken into consideration
- Everything is being driven by setbacks and districts involved
- Received zoning board interpretations of accessory buildings
- All will be removed during decommissioning
- There will not be battery storage
- They will generally always be close by the project
- Inspections will be done by them and us as the town
- Structures and concrete pad are typically factory green
- Distances away from any structures were given
- There will be 100 feet of overhead wiring with the rest underground
- LaBella's regulations will be addressed

Resolution 13-2021

Introduced by: Steve Harling

Seconded by: Kurt Dudley

Whereas, after a review of the special use permit and the site plan of the application of AES Solar Project on the properties of Joshua Baird and Jacob & Melissa Monacelli located on Oak Orchard Road in Barre.

Therefore, I recommend we send this project to the town board for their review subject to:

- the solar law changes are adopted by the town board and reviewed by LaBelle for review, and

-the issues discussed in the April 7, 2021 letter from Labella are satisfied

UPON ROLL CALL VOTE:

Mr. Keeler – Aye
Mr. Miller – Aye
Mr. DePatie – Aye
Mr. Dudley – Aye
Mr. Harling – Aye
Mr. Mathes – Aye

The Resolution passed.

A workshop was set up for April 26th at 6:30 pm to continue work on the Battery Storage Law

IV. COMMUNICATION

ORLEANS COUNTY PLANNING BOARD

- Town of Shelby’s request for a Site Plan Review and Special Use Permit for Outdoor Recreation Facility with spring clay pigeons on Main Street in Shelby Center in Agricultural/Residential District was approved with conditions
- Town of Albion’s request for Site Plan Review and Special Use Permit for addition to Existing Building (Auto Dealership on Oak Orchard Road in Planned Development District was approved
- Lyndonville’s request for Area Variance and Site Plan Review for Retail Establishment (Dollar General on North Main Street in Central Business District was approved with conditions

V. ADJORNMENT

Mr. Depatie made a motion to adjourn the meeting at 9:10 pm; seconded by Mr. Harling and carried (6-0).

Lee A. Preston, Clerk