

**TOWN OF BARRE  
PLANNING BOARD  
JULY 8, 2024**

**CALL TO ORDER:** The board met at the Town Hall and the meeting was called to order at 6:34 pm by co-chair Mr. Keeler.

**BOARD MEMBERS PRESENT**

Tom Keeler                      Wes Miller  
Jean Depatie                  Jean Peglow

**BOARD MEMBERS EXCUSED**

Kurt Dudley                      Stephen Harling  
Ben Mathes

**BOARD MEMBERS ABSENT**

Gary Palmer (Alt)

Others present: Kirk Mathes, Gavin Jacob (by phone) Edward Purcell (by phone)

**I.     APPROVAL OF MEETING MINUTES**

Mrs. Peglow moved to approve the minutes of the June regular meeting with no corrections. The motion was seconded by Mr. Miller and carried (4-0).

**II.    OLD BUSINESS**

In regards to the application was received from Dish Wireless C/O Airosmith Development for 15079 East Barre Road, Tax ID 96.-1-45/RAD for a Special Use Permit required more information. To Mr. Keeler's and Mrs. Preston's knowledge, the information has not been received. Mr. Keeler will reach out to Mr. Fabry on this.

Regarding the application which was received from DRW NX leasing space on Crown Castle's cell tower located on East Barre Road Mr. Jacob is on the phone line representing DRW NX. DRW NX are the owner of the equipment leasing space on the tower from Crown Castle and co-locating on the tower. They are proposing to install one elevated platform and an equipment cabinet and new electric service within the existing compound, and install 2 microwave dishes, 4 SAF radios, and associated cabling and mounting equipment on the existing tower. Discussion took place:

- The entire stie where the tower is located is 74 acres with the tower only taking up a small portion of the acreage which is not in the public right of way.
- There are five preexisting cabinets with us adding one more.
- Is the Special Use Permit current? Mr. Jacob will trace it down if needed and so will Mrs. Preston
- A building permit would be required

- Mr. Keeler mentioned our “check list” and Mrs. Preston read it. They were agreeable however, would like to have it in writing

**Resolution 10-2024**

Introduced by: Jean Peglow  
Seconded by: Jean Depatie

**Whereas**, as application from DRW NX, LLC was received leasing space from Crown Castle on the cell tower on East Barre Road, tax lot no. 96.-1-45 to update equipment and electrical service

**And Whereas**, the Planning Board has reviewed the application

**Therefore**, the Planning Board has approved the Special Use Permit modification with the following conditions:

Compete the short SEQR Part 1 and submit to the Code Enforcement Officer before the building permit is given.

In addition, the following information must be on file before a building permit is given and which must be obtained:

1. Structural analysis is needed
2. Inspection certificates every two years on file with the Town of Barre
3. Proof of bond and two estimates for restoration
4. Emergency contacts and procedures on file with the Town of Barre
5. Change of ownership must be on file with the Town of Barre upon transfer
6. “Acknowledgement and Consent Letter” on file with the Town of Barre
7. EMI report

**UPON ROLL CALL VOTE:**

Mr. Keeler – Aye  
Mr. Miller - Aye  
Mr. DePatie – Aye  
Mrs. Peglow – Aye

The resolution passed.

**Resolution 11-2024**

Introduced by: Jean Peglow  
Seconded by: Jean Depatie

**Whereas**, as application from DRW NX, LLC was received leasing space from Crown Castle on the cell tower on East Barre Road, tax lot no. 96.-1-45 to update equipment and electrical service

**And Whereas**, SEQR Part 1 was reviewed followed by answering the questions in Part 2 and found no significant adverse effects

**Therefore**, 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 (a negative SEQR).

**UPON ROLL CALL VOTE:**

Mr. Keeler – Aye  
Mr. Miller - Aye  
Mr. DePatie – Aye  
Mrs. Peglow – Aye

The resolution passed.

An application from ATC Sequois LLC for 13310 Hemlock Ridge Road cell tower, tax map # 115.-1-13 for upgrades was received with Mr. Purcell on the phone. They would like to install 2 antennas, 4 RFUS, 1 NEMA Box attached to existing 195’ tower. Also, the installation of 1 equipment cabinet at grade. New 100A service from existing transformer to proposed equipment at cabinet. Discussion took place:

- Mr. Keeler mentioned the letter that was attached to the application stating that by Federal law of the application could not be denied, had to be acted on within 60 days, and basically just had to update the special use permit.
- Mr. Purcell was listening to the “check list” from the first application and he did not need to have it repeated. He also did not have an issue with required list.
- It was noticed that Part 1 of the SEQR was started and not completed. Mr. Purcell does not have an issue in making sure that it is completed.

**Resolution 12-2024**

Introduced by: Jean Peglow  
Seconded by: Jean Depatie

**Whereas**, as application from ATC Sequois LLC was received for the cell tower 13310 Hemlock Ridge Road, tax lot no. 115.-1-13 for upgrades

**And Whereas**, the Planning Board has reviewed the application

**Therefore**, the Planning Board has approved the Special Use modification Permit pending the submission of SEQR Part 1 with the following conditions:

1. Structural analysis is needed
2. A building permit must be obtained
3. Inspection certificates every two years on file with the Town of Barre
4. Proof of bond and two estimates for restoration
5. Emergency contacts and procedures on file with the Town of Barre
6. Change of ownership must be on file with the Town of Barre upon transfer
7. “Acknowledgement and Consent Letter” on file with the Town of Barre
8. EMI report

**UPON ROLL CALL VOTE:**

Mr. Keeler – Aye  
Mr. Miller - Aye  
Mr. DePatie – Aye  
Mrs. Peglow – Aye

The resolution passed.

**Resolution 13-2024**

Introduced by: Jean Peglow  
Seconded by: Jean Depatie

**Whereas**, as application from ATC Sequois LLC was received for the cell tower 13310 Hemlock Ridge Road, tax lot no. 115.-1-13 for upgrades

**And Whereas**, SEQR Part 1 was reviewed followed by answering the questions in Part 2 and found no significant adverse effects

**Therefore**, 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 (a negative SEQR).

**UPON ROLL CALL VOTE:**

Mr. Keeler – Aye  
Mr. Miller - Aye  
Mr. DePatie – Aye  
Mrs. Peglow – Aye

The resolution passed.

Mr. Keeler stated that Bridget Cook could not be to the meeting this month but has done some modifications to the proposed land separation zoning law. Changes regarding agriculture land involving more than 10 acres or more staying agriculture may not need to come before the board. Mrs. Preston stated that she has forwarded that email out to the members. We will go over this next month.

### **III. NEW BUSINESS**

There is no new business to come before the board at this time.

### **IV. COMMUNICATION**

#### **ORLEANS COUNTY PLANNING BOARD**

From the June meeting:

- Town of Gaines request for review of Local Laws #2 and #3 of 2024 for language changes and setback revisions was approved.
- Town of Yates request for review of Local Law #2 of 2024 Wind Energy Facilities regarding language regarding setbacks was accepted
- Town of Yates request for review of Local Law # 3 of 2024 for Short Term Rentals has some conversations. You can not have a common driveway or private lanes. Application was approved.
- Town of Yates request for review of Local Law #4 of 2024 of Farm Worker Housing with language from farm labor to farm worker was approved.

It was suggested that having the CEO attend at least every other meeting, either in person or by phone, would be beneficial. The CEO's presence could have been particularly helpful in the recent meetings regarding cell tower upgrades. This would also serve as a valuable learning opportunity for Jared. Mr. Keeler will forward this request to Mr. Pogue.

### **V. ADJORNMENT**

Mrs. Peglow made a motion to adjourn the meeting at 7:49 pm; seconded by Mr. Depatie and carried (4-0).

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Lee A. Preston, Clerk