

**TOWN OF BARRE  
PLANNING BOARD  
JUNE 10, 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	Kurt Dudley
Stephen Harling	Ben Mathes
Jean Peglow	Gary Palmer (Alt)

Others present: Bridget Cook, (Heath & O’Toole) and Kirk Mathes

**I. APPROVAL OF MEETING MINUTES**

Mrs. Peglow moved to approve the minutes of the May regular meeting with the following amendments: correcting "EMC report" to "EMI report" and adding the proof of bond. Both items pertained to the application received from Dish Wireless. The motion was seconded by Mr. Dudley and carried (7-0).

**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. A letter of agreement from the tower owner allowing consent to proceed with the project, the structural analyses, and the bond estimate have not been received. Mrs. Peglow stated that on one of the maps states that the structural analyses is included, however, the following map does not. Mrs. Preston did state that the special use permit was in good standing. Mr. K. Mathes stepped out of the room to call the representative who was in attendance last month since no one was here to represent the application. Mr. K. Mathes stated that Dish and the CEO have had many conversations regarding this and Dish is still working on the missing data required.

**Resolution 7-2024**

Introduced by:	Steve Harling
Seconded by:	Jean Peglow

**WHEREAS,** the required information for review regarding the Dish Wireless C/O Airosmith Development for 15079 East Barre Road, Tax ID 96.-1-45/RAD for a Special Use Permit has not been received and

**WHEREAS,** no one is here to represent the application

**NOW THEREFORE**, the Planning Board tables the application until next month.

**UPON ROLL CALL VOTE:**

Mr. Keeler – Aye  
Mr. Miller - Aye  
Mr. DePatie – Aye  
Mr. Dudley – Aye  
Mr. Harling – Aye  
Mr. Mathes – Abstained  
Mrs. Peglow – Aye

The resolution passed.

Regarding land separation, a 40-page document outlining the zoning law was presented to Mr. Keeler and Mr. Miller. However, no one else on the board had seen the document. Ms. Cook has done research on this looking at other similar towns and what the State wants then tailored it to Barre. Mr. Keeler asked Ms. Cook to give the board the highlights. Therefore, the highlights and discussion took place:

- The normal formatting was used – definitions followed by the plan
- Resubdivision was brought to the board’s attention stating that a minor/minimal change in lot lines after applying for a subdivision would not have to go through the process again
- The definition of a subdivision was left a two. However, it could be up to five but no more as it gets complicated. The higher the number the more involved it becomes
- A subdivision is basically when a parcel needs a new tax ID number.
- The Dept of Health and DEC Certificates so they must get involved with more that five due to water and waste water – is there enough water to support the development and the waste water is taken care of properly
- New York State states that land separation if the number one planning board activity/duty
- A comment made was what work is involved with this which is stated in this proposed law. One being stamped plans
- Those already separated are grandfathered in
- There are penalties which are consistent with other towns and what we have now
- The code officer will not issue permits until it would come before the planning board. Residents may come back after the fact
- There usually is a preliminary and final application which can be combined if it is a simple subdivision
- The application would be drafted by Heath & O’Toole. At this point, a draft has not been completed
- Ten stamped copies could be received of the plan. We do not want this to be a burden on the residents. The number of copies can be adjusted
- Some are on a case-by-case basis

- Any revisions should be shown of the final submission
- What is the cost of construction? We would want to make sure there is enough money to complete the projects.
- Preliminary has some things listed that are not in the final due to the number of exemptions
- There is a difference of 5-10 houses or buying a chunk of land
- What about an exemption of agriculture land as apposed to residential land? It was advised not to do this, but Ms. Cook will investigate this. It still should be specific and may not be easy to enforce it using agriculture. Should we do it this way or change the number of divisions to 3? There are lots of questions/discussion on this questioning
- Subdivision was started to prevent non-compliant lots
- A site plan may also be needed along with a SEQR and public hearing
- There are time periods stated by New York State and we would need to stay on top of them
- What if some things are waived one time and the next time it is not? Some things may not apply or does not exist?
- Is there a checklist of some kind?
- We do not want to leave lots in an undesirable condition or poorly done without being burdensome to the residents
- Need to think of the future on where we could be with development
- This would create an easier way to monitor things for the code officers

It was decided at this point to stop so everyone could look at the proposed law and continue this discussion next month. Ms. Cook will investigate the questions regarding housing and agriculture subdivision and have a draft application prepared.

Mr. Keeler had talked with Mr. Pogue today regarding the questions on the fees. Mr. Pogue said yes fees would offset a portion of the code's salary. The position is part time with less than 30 hours per week. Mileage is above the salary and is reimbursable. Larger projects will require an escrow account. The fees received from the last 5 years will need to be given later. Fee total will include permits and application fees, however. Mr. Pogue was not opposed to an increase across the board with no fee with a demolition application. Continued discussion took place.

**Resolution 8-2024**

Introduced by: Jean Depatie  
 Seconded by: Kurt Dudley

The Planning Board is recommending to the Town Board a 40% increase in the fee schedule across all categories to account for inflation since the 2006 schedule. Additionally, they suggest waiving the cost of demolition, while still requiring the application for a permit.

**UPON ROLL CALL VOTE:**

Mr. Keeler – Aye  
Mr. Miller - Aye  
Mr. DePatie – Aye  
Mr. Dudley – Aye  
Mr. Harling – Aye  
Mr. Mathes – Aye  
Mrs. Peglow – Aye

The resolution passed.

A question was asked with should the board list out the fees with the increase listed since some should maybe be more that 40% and some less. The statement was duly noted and it was left as it voted on.

**III. NEW BUSINESS**

An application was received from DRW NX leasing space on Crown Castle’s cell town located on East Barre Road 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. The structural analysis indicates that there is insufficient capacity already. The board may want to have an attorney or engineer look at it before its approved.

**Resolution 9-2024**

Introduced by: Jean Peglow  
Seconded by: Kurt Dudley

To table the application of DRW NX due to a possible footprint increase and a representative was not in attendance

**UPON ROLL CALL VOTE:**

Mr. Keeler – Aye  
Mr. Miller - Aye  
Mr. DePatie – Aye  
Mr. Dudley – Aye  
Mr. Harling – Aye  
Mr. Mathes – Abstained  
Mrs. Peglow – Aye

The resolution passed

#### **IV. COMMUNICATION**

##### ORLEANS COUNTY PLANNING BOARD

From the May meeting:

- The Village of Medina's request for a Special Use Permit and Site Plan Review for a home business for dog grooming located on East Center Street. They have been in business and are just making it legal now. The request was approved.
- Village of Medina's request for a Site Plan Review to construct an addition to the rear of an existing building and to demolish an existing building on property located on North Main Street. The company is remodeling. The project would increase parking for customers and vehicles that are for sale. The request was approved.
- Village of Albion's request for an area variance of the required amount of parking spaces as per Village of Albion's Zoning Coad located on East Avenue. The site is becoming a Dollar General with 35 parking spots. The request was approved.
- Town of Yates request for review of Town of Yates Local Law #1 of 2024: Solar Energy System Law was approved. Mr. Miller noted that two months ago, any solar was not allowed. The law has three classifications compared to our two. Mr. Miller suggested that we review the law when each has some time.

#### **V. ADJORNMENT**

Mr. Miller made a motion to adjourn the meeting at 8:39 pm; seconded by Mrs. Peglow and carried (7-0).

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Lee A. Preston, Clerk