

**TOWN OF BARRE
PLANNING BOARD
OCTOBER 14, 2024**

CALL TO ORDER: The board met at the Town Hall and the meeting was called to order at 6:33 pm by co-chair Mr. Keeler.

BOARD MEMBERS PRESENT

Tom Keeler Wes Miller
Jean Depatie Kurt Dudley
Stephen Harling Jean Peglow
Gary Palmer (Alt)

BOARD MEMBERS EXCUSED

Ben Mathes

Others present: William Grover Agent of Pyramid Network Services for Verizon Wireless by phone, Patrick Olles, Marissa Olles, and Kirk Mathes

The Pledge to the Flag was recited.

Mr. Harling made a motion and seconded by Jean to approve Mr. Palmer as a voting member in Mr. Mathes' excused absence.

I. APPROVAL OF MEETING MINUTES

Mrs. Peglow moved to approve the minutes of the September regular meeting with no corrections. The motion was seconded by Mr. Dudley and carried (7-0).

II. PUBLIC HEARING Telecommunications Tower 13310 Hemlock Ridge Road 115-1-13

Mr. Keeler opened the public hearing at 6:38 pm. He stated that an application was received from Mr. Grover, Agent for Pyramid Network Services on behalf of Verizon Wireless regarding an upgrade to the cell tower located at 13310 Hemlock Ridge Road for a special use permit modification and site plan approval. Mr. Keeler then read the legal notice that was put in the Batavia Daily newspaper on September 28, 2024 and stated that the neighbors within 500 feet were notified.

Mr. Keeler asked Mr. Grover to explain the application again to us. Mr. Grover stated that they will be removing six antennas and replacing them with three antennas. There will be no modifications to the tower itself. This will make the tower 5G capable. He followed the same procedure as the last time with a different cell tower in the town.

Mr. Keeler has not had anyone contact him with any questions and asked Mrs. Preston if there were any that came into the office. She stated that a resident had come in and was told that some of the equipment was going to be removed and replaced with upgraded equipment making it more 5G capable.

Resolution 21-2024

Introduced by: Jean Peglow
Seconded by: Kurt Dudley

TOWN OF BARRE PLANNING BOARD RESOLUTION ADOPTING SHORT ENVIRONMENTAL ASSESSMENT FORM PART 2&3 AND MAKING A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE FOR THE PROPOSED TELECOMMUNICATION EQUIPMENT UPGRADE LOCATED AT 13310 HEMLOCK RIDGE ROAD

WHEREAS, on or about June 26, 2024, Pyramid Network Services, LLC d/b/a Verizon Wireless (the “Applicant”) submitted an application for site plan approval for a proposed telecommunication equipment upgrades to be located at 13310 Hemlock Ridge Road (Tax ID No. 115-1-13) (the “Proposed Action”); and

WHEREAS, the Proposed Action involves removing six antennas and replacing them with three antennas on to an already existing mount on existing tower, and

WHEREAS, as part of its application, the Applicant submitted a Short Environmental Assessment Form dated June 26, 2024, and

WHEREAS, on September 9, 2024, the Planning Board of the Town of Barre declared itself lead agency for purposes of SEQRA review of the proposed action, and

WHEREAS, on September 9, 2024, the Planning Board of the Town of Barre classified the action as an Unlisted Action, and

WHEREAS, on October 14, 2024, the Planning Board held a public hearing on the project and public comments were received by members of the public; and

WHEREAS, no interested or involved agencies identified or provided comment on any potentially significant environmental impacts, and

WHEREAS, the Planning Board has reviewed all submissions made by the Applicant, considered comments made by the public and interested agencies, and taken a hard look at the potential environmental impacts of the Proposed Action and has caused to be prepared Part 2 and Part 3 of the Short Environmental Assessment Form (“SEAF”), attached hereto, and

NOW THEREFORE, the Planning Board hereby adopts the attached SEAF Part 2 and Part 3,

AND THEREFORE, the Planning Board hereby finds that there will be no major or minor environmental impacts associated with the Proposed Action,

AND THEREFORE, the Planning Board hereby makes a negative declaration of environmental significance for the Proposed Action.

UPON ROLL CALL VOTE:

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

The resolution passed.

Resolution 22-2024

Introduced by: Jean Peglow
 Seconded by: Stephen Harling

TOWN OF BARRE PLANNING BOARD RESOLUTION REGARDING PYRAMID NETWORK SERVICES APPLICATION FOR SITE PLAN APPROVAL FOR THE PROPOSED TELECOMMUNICATION EQUIPMENT UPGRADE LOCATED AT 13310 HEMLOCK RIDGE ROAD

WHEREAS, on or about June 26, 2024, Pyramid Network Services, LLC d/b/a Verizon Wireless (the “Applicant”) submitted an application for site plan approval for a proposed telecommunication equipment upgrades to be located at 13310 Hemlock Ridge Road (Tax ID No. 115-1-13) (the “Proposed Action”); and

WHEREAS, the Proposed Action involves removing six antennas and replacing them with three antennas on to an already existing mount on existing tower, and

WHEREAS, on September 9, 2024, the Planning Board of the Town of Barre declared itself lead agency for purposes of SEQRA review of the proposed action, and

WHEREAS, on September 9, 2024, the Planning Board of the Town of Barre classified the action as an Unlisted Action, and

WHEREAS, on October 14, 2024, the Planning Board held a public hearing on the project and public comments were received by members of the public; and

WHEREAS, on October 14, 2024, the Planning Board made a negative declaration of environmental significance for purposes of SEQRA; and

WHEREAS, after review, the Planning Board has weighed the effects of the Proposed Action on health, safety, and welfare of the community; and

NOW THEREFORE, the Planning Board does grant Site Plan Approval for the Proposed Action.

UPON ROLL CALL VOTE:

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

The resolution passed.

III. NEW BUSINESS

Mr. Olles had contacted Mr. Keeler who had some questions and Mr. Keeler introduced Mr. Olles to the board. Mr. Olles operates Pat’s Auto Repair on Route 31 A, just west of Eagle Harbor Road. He would like to add a 40’ x 40’ addition on the east end of the building putting it 22 feet from the property line. This would add 3 bays to the building and it would not be seen from the road. Currently, you can drive around the building, however, with the addition, you will not be able to drive around. Mr. Olles does have a Special Use Permit currently. He will need to do a formal application and come before the board again. He should touch base with the code officer. Mr. Olles was told the code officer is usually in the office on Friday afternoons and the application is located on the website or in the lobby.

IV. OLD BUSINESS

In regards to Mr. Leone, with him possibly having a business in the last lot in the Business District, Mr. Keeler did check with Mrs. O’Toole and the setbacks would be as outlined in §350-24-E3. Mrs. Peglow thought she had heard he had rented Halstead’s old building. He was also concerned about the possibility of asbestos as well. Mr. Keeler will reach out to him. Mr. Keeler also asked Mrs. Preston to forward Mrs. O’Toole’s response to the board.

In regards to the proposed subdivision law, discussion continued:

- Mr. Keeler had some questions and had emailed Ms. Cook
- Can we just do a law for major subdivision and not for a minor subdivision? We can but from a legal stand point it will not solve the problem and it is a better/cleaner this way
- If it 10 acres of farmland to farmland, it does not have to go through the process
- What about having two applications – one for a minor subdivision and one for a major subdivision?

- Process is like coming before the board for a site plan approval
- Resident/land owner would to the Code Officer first then come before the board
- Board can ask whatever they need to ask
- Preliminary – section 15 of the law – simple as changing the date
- Putting in a road can also make it a major division because of state rules
- If someone has a lot and wants to separate off one five acres lot, why go through the process?
Lack of oversight and what is to stop the next owner to subdivide and so on.

Resolution 24-2024

Introduced by: Gary Palmer

Seconded by: Jean Peglow

To send the proposed Subdivision and Development of Land as drafted, which included the application form, to the Town Board.

UPON ROLL CALL VOTE:

Mr. Keeler – Aye

Mr. Miller - Aye

Mr. DePatie – Aye

Mr. Dudley – Nay

Mr. Harling – Aye

Mrs. Peglow – Aye

Mr. Palmer – Aye

The resolution passed.

On the Comprehensive Plan draft, Mr. Depatie stated the plan now is to review the draft plan and for each board to mark one hard copy plan with their suggestions along with comments from the public hearing. The committee would then go over all the comments in January. Mr. Keeler gave an overview that the “first comprehensive plan was adopted in 1996 in combination with the Village and Town of Albion, we did a modified review of the plan, and this time a very strong review. We need a little more time to look at it than one meeting even though it was emailed out beforehand. Should there be a big section on agriculture because of the grant that we were applying for. Was the grant applied for? Jean (John) said it never came up in conversation

Resolution 25-2024

Introduced by: Jean Peglow

Seconded by: Stephen Harling

To allow ourselves more time to review the draft comprehensive plan. The resolution passed with a vote of 6-0 with 1 abstention.

Mr. K. Mathes had stepped out of the meeting and when he came back in stated that he had called Mr. Pogue and he will be looking into whether a grant had occurred. Some general comments did arise regarding renewable energy and the Park on why survey question answers were included on those. All survey answers should be used or none – do not pick and choose.

V. COMMUNICATION

ORLEANS COUNTY PLANNING BOARD

September's meeting:

- Town of Yates Special Use Permit and Site Plan Review for a Farm Worker Housing Project located on Yates-Carlton Townline Road was approved for one year
- Town of Shelby's Special Use Permit and Site Plan Review for Broadband Tower to be attached to a Farm Silo on South Gravel Road was approved
- Town of Barre's Area Variance and Use Variance for a Ground Mounted Solar Array Project located on Drake Island Road Extension area variance was approved and use variance was not approved.
- Land Use Training with Niagara County hosted was reviewed
- Household hazardous waste event results was reviewed which was paid for with half from a grant and half from garbage collection fees

VI. ADJORNMENT

Mrs. Peglow made a motion to adjourn the meeting at 8:15 pm; seconded by Mr. Harling and carried (7-0).

Lee A. Preston, Clerk