

**TOWN OF BARRE  
PLANNING BOARD  
SEPTEMBER 10, 2018**

**CALL TO ORDER:** 6:56 PM

**BOARD MEMBERS PRESENT**

Tom Keeler                      Wes Miller  
Jean Depatie                  Kurt Dudley  
Kirk Mathes                    Jean Peglow  
Wilford Wraight

**BOARD MEMBERS EXCUSED**

Darryl Sanford

Others present: Wayne Kenward, Ben Yazman (Apex), Gabe Recco (Apex), Neil Habrig (Apex), Robin A. Nacca, John Metzler, Brittany Maxwell (SunSpin Media) Janice Grabowski, Alex Nacca, Gary Mufford, George McKenna, Jeanne Martillotta, Shirley Nigro, Randall Shortridge, Lynn Condoluci, LuAnn Tierney, Cindy Burnside, Richard S. Miller, Charles Swan, Rick Root, Sean Pogue and Shellye Dale-Hall.

Mr. Keeler started the meeting with stating the duties of the Planning Board.

**I.     APPROVAL OF MEETING MINUTES**

Mr. Dudley made a resolution to approve the meeting minutes of August 13<sup>th</sup>. Seconded by Mr. Mathes and carried (7-0).

**II.    PUBLIC HEARING**

Mr. Keeler stated that a Site Plan Review application was received from Shirley Nigro who would like to use the Grange as the processing location for her ceramics. Her application was sent to the County Planning Board and was heard on August 23<sup>rd</sup> because the location is on a state road. The County Planning Board approved the application with the following conditions:

- Site plan shall indicate location of any refuse container(s) and/or holding tank(s) on the site and such location and screening shall be satisfactory to the Town of Barre Planning Board.
- Orleans County Department of Health permit(s) shall be granted.
- The agreement between the owner of the site containing the designated parking spaces and the applicant must endure as long as this business is in operation.

The comments made were also read: The Town may wish to confirm that no parking will be permitted in front of the building along Oak Orchard Road. The structure is not connected to waste water utilities and the applicant has been working with the Orleans County Department of Health to pursue alternative systems (i.e., holding tank or compost toilet). No signage or lighting is indicated on the site plan. As the southern (side) porch is on a neighbor's property, it should be clarified whether this door will be used. If so, an agreement between the two property owners may need to be in place. The proposed use is relatively low-impact in nature and may be a good fit for this unique situation and building.

The public hearing for the application of Shirley Nigro was opened at 7:01 pm. With no comments from either the board or those in attendance, the public hearing was closed at 7:02 pm.

**Resolution 9-918**

Introduced by: Kirk Mathes  
Seconded by: Kurt Dudley

**WHEREAS**, The Town of Barre Planning Board has reviewed the application of Shirley Nigro (aka Grange Building) for a Site Plan Review for property located on the Southwest corner of Maple Street and Route 98 (95.3-1-15.1); and be it hereby

**RESOLVED**, the Site Plan be approved with conditions of

- Site plan shall indicate location of any refuse container(s) and/or holding tank(s) on the site and such location and screening shall be satisfactory to the Town of Barre Planning Board.
- Orleans County Department of Health permit(s) shall be granted.
- The agreement between the owner of the site containing the designated parking spaces and the applicant must endure as long as this business is in operation.

**UPON ROLL CALL VOTE:**

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

The resolution was thereupon duly adopted.

### **III. OLD BUSINESS**

In regards to a solar law, a proposed law was sent to Mr. Lance Mark, Town attorney for comments. Mr. Keeler may also talk with an attorney who specializes in solar. We are the only town left in the County who does not have a solar law in place. Discussion took place:

- Should be respectful to all residences.
- Would there be washing of chemicals/leaching into the surrounding soil?
- Could a draft be available to residents to look at and/or put on the website?

Because more time is needed for review, the action was tabled.

### **IV. NEW BUSINESS**

The subdivision of property was discussed:

- Town does not have any laws regarding this.
- Sarah Getti from the County Planning Board has given a couple of State guidelines.
- We might not end up with land locked properties or non-conforming property lots becoming more non-conforming.
- It may get tricky.
- A resident may buy a subdivision and then not be able to build etc. as planned.
- How would the residents be informed of the change?
- May have possible merging of lots to be in compliant.
- It's not a common occurrence in our town.
- Look at comparable towns.
- Generally a purchase order is subject to government stipulations with attorneys hopefully aware of the local laws.
- Don't forget flag lots.
- Mrs. Dale-Hall does get attorney calls on this.
- Should/could Mrs. Dale-Hall be a part of the decision?
- We should be pro-active and not reactive.

Mr. Keeler stated that several letters have been received with requests for changing our zoning in regards to wind turbines. He would like Mrs. Preston to scan and email the letters to Planning board members giving them a chance to review them. More proposals will also be coming. Dr. McKenna stated that Clear Skies above Barre will be submitting proposed changes. Mr. Yazman also formally submitted a request in regards to wind turbines. Mr. Keeler stated that this issue would be on the October agenda with Mr. Mark possibly being in attendance. However, we as the planning board only review them and make recommendations to the town board. Mr. Metzler asked if the board members with a conflict of interest have voted on this in the past. Mr. Keeler read from the Short Course training the section pertaining to conflict of interest. Mr. Metzler was told no the members in conflict have not voted on any decisions but they have participated in discussions. Mr. Mark will be asked if those in conflict can vote on the recommendations.

Mrs. Nacca asked if the agenda could be published ahead of time in the future. Also could copies of any proposals be available.

Mr. Metzler would like the board to be aware of the Sherman Anti-trust act. Mrs. Preston will scan and email the document to board members.

Mr. Keeler stated that the board has an open alternate member opening. The position was advertised on the town's website. Two letters of intent were received from Steve Harling and George McKenna. Dr. McKenna was sent a letter stating what the board does reviewing last month's meeting via the recording of the meeting. The board will be meeting September 17<sup>th</sup> in executive session for the sole purpose to conduct the interviews of the two candidates. Mr. Mark will be consulted if minutes should/need to be taken.

## **V. COMMUNICATION**

### **ORLEANS COUNTY PLANNING BOARD**

James Bensley, Director of the Orleans County Department of Planning and Development announced the upcoming regional land use workshop, to be held Wednesday, November 14th at the Quality Inn and Suites in Batavia. He also announced the upcoming Public Information Meeting for the Kendall-Yates-Carlton Local Waterfront Revitalization Program to be held Thursday, August 30 at the Carlton Fire Department Recreation Hall.

- Lyndonville's request for Site Plan Review for reuse of existing structure at South Main Street in Central Business District was approved.
- Clarendon's request for amendments of Zoning Ordinance text was approved
- Gaines request for Site Plan Review and Special Use Permit to operate seasonal business on Ridge Road in Commercial Historical District was approved with condition that an agricultural Data Statement must be submitted and the Gaines Planning Board shall be satisfied that off-street parking requirement have been met.

## **VI. ADJORNMENT**

Mrs. Peglow made a resolution to adjourn the meeting at 8:00 pm; seconded by Mr. Wraight and carried (7-0).

---

Lee A. Preston, Clerk