

**TOWN OF BARRE  
PLANNING BOARD  
JANUARY 14, 2019**

**CALL TO ORDER:** 6:35 PM

**BOARD MEMBERS PRESENT**

Tom Keeler                      Wes Miller  
Jean Depatie                  Kirk Mathes  
Jean Peglow                   Stephen Harling  
Dr. George McKenna

**BOARD MEMBERS EXCUSED**

Kurt Dudley                   Eric Watson

Others present: Lance Mark, John Metzler, Robin Nacca, Brittany Maxwell (Sun Spin Media), Richard Cox, Iva McKenna, Sean P. Pogue, Tom McCabe

Mrs. Nacca wanted to let the board know that it was a nice touch adding the Pledge to the Flag. She also stated that she felt that the board was one of the most professional that she has seen in a while.

Mr. Keeler stated that there will be an agenda change: Orleans Planning Board will be first due to two referrals dealing with solar. He also stated that since Mr. Dudley is excused, Dr. George McKenna will step up and take his place for this meeting. Mr. Keeler then gave the meeting guidelines.

**Resolution 1-2019**

Introduced by: Tom Keeler

Seconded by: Kirk Mathes

To hold all public comments to a two minute limit, one topic at the end of the meeting for efficiency to accomplish the business of the meeting.

Discussion took place:

- It is a constitution law – open meeting law that all can speak
- It can't interrupt the board meeting so the business can be accomplished in a timely matter
- It's our First Amendment right to speak
- Should be five or even ten minutes and not two
- A public hearing is different and would not be limited

Dr. McKenna made a motion to amend the original motion to be five minutes and not two minutes. There was not a second.

The Resolution was approved.

## **I. APPROVAL OF MEETING MINUTES**

Mr. Mathes made a motion to accept the minutes of the December 10<sup>th</sup> and December 17<sup>th</sup> meetings. Seconded by Dr. McKenna and carried (7-0).

## **II. COMMUNICATION**

### ORLEANS COUNTY PLANNING BOARD

At the December 13<sup>th</sup> meeting:

- Reviewed terms, training, and nominating committee
- Implementation of a possible deficiency report was discussed in regards to incomplete and late submissions
- An overview of local government regulation of small cellular facilities urging caution in light of a federal ruling and cell phone repeaters
- Farm operation regulations in agricultural districts producing alcoholic beverages
- An overview of amendments to the New York State Environmental Quality Review regulations specifically revised thresholds on Type 1 and II actions
- Broadband and trees on the canal were discussed
- 2019 meeting calendar was approved
- Town of Barre's request for Area Variance, Site Plan Review and Special Use Permit for pole barn in General Business District were approved
- Town of Shelby's request for Site Plan Review and Special Use Permit for a riding arena in Agricultural/Residential District were approved
- Town of Shelby's request for Site Plan Review in General Business District was approved
- Ridgeway's request for Area Variance, Site Plan Review and Special Use Permit for ground mounted utility grade solar energy system at 3962 Allis Road in Industrial District were approved
- Ridgeway's request for Site Plan Review and Special Use Permit for ground mounted utility grade solar energy system at 3846 Beals Road in Industrial District were approved

## **III. OLD BUSINESS**

Since the board is in the process of developing a solar policy, the Ridgeway requests were discussed:

- Panels can be put in wetlands
- Five year update on bonds (cost of bond) at 150% of the cost of the project
- Will have grass underneath them
- Article 10 is not required
- Panels are remote controlled
- \$250,000,000 decommissioning cost

- One project is 56% solar coverage
- Planting trees to protect panels
- Study on Rt. 31 traffic
- County had no comments for both projects
- Town involvement?
- There is an application fee, building permits etc. needed
- Tax handling was not handled
- Is it being sold back to the grid? Can the grid handle it?

Discussion then took place regarding review of the proposed solar policy

- Solar limits are by state
- Small scale for your own use
- Have distribution box for your own use, get credit for what not used but there is no agreement
- Definitions need some clarifications
- Kilowatt is the standard
- 350-117 small scale or everything?
- Are we just going for residential and/or commercial? Could have one for each
- Change definition of solar farm to clean it up
- Maybe use a definition similar to Ridgeway's
- Should always from building permit but maybe not a Site Plan Review or Special Use Permit
- Should be known how many panels (90 panels roughly about ¼ acre)
- What about glare etc.
- Would it fall under right to farm?
- Does it pose a public health & safety hazard?
- Section IV State law supersedes and town needs to yield to it
- Can they be recycled when usefulness is gone?
- Should try to be independent of the grid entirely
- Panels can follow the sun
- Should educate the public on solar
- How could we serve the public better
- Beef up decommissioning
- Ridgeway has annual inspections
- Utility scale solar system
- Update bond every five years
- Remove immediately if Special Use Permit revoked
- Term is 18 – 12
- Cost?
- Vacant properties
- Ridgeway has town buildings and property exemptions. We should also include this
- Should follow Ridgeway's maximum height rules
- Setbacks discussed. Should call a developer and get a hypothetical. Tabled for the moment
- No lost structure in our solar

- Set fee schedule
- Require new owners to get a new Special Use Permit
- Opt out doesn't have to be a part of the policy
- Can't put the cart before the horse – need expert advice on infrastructure and topographic of the land
- In the past the town had someone interested in putting in a solar farm
- Mr. Harling stated that you can tell when they need to be replaced as they won't be as efficient

Subdivision was briefly discussed.

- Clarendon has a zoning law for subdivision
  - Planning board survey and stamped by the planning board
- Gaines, as well as every town in Monroe County have a subdivision law
- Mrs. Dale-Hall should be included in this conversation

#### **IV. NEW BUSINESS**

Dr. Pogue stated that in the comprehensive plan a change to the zoning law making Rt. 98 to Root Road and Rt. 31A to Eagle Harbor Road be changed to business. He was wondering what the process would be to make that a reality. Mr. Keeler stated that yes it was in the plan and that the board was lax in following thru. The Town Board would have to submit a referral to the County Planning Board, have a public hearing and make a ruling.

#### **V. PUBLIC COMMENTS**

Dr. McKenna stated that maybe comments could be written down and given to an alternate and they could bring up the comment so it won't be disruptive to the meeting. A comment made to that was a person won't forget what the comment to be made will not be forgotten.

A comment was made that the Comprehensive plan survey of residents on the Town's website is all gibberish. Mrs. Preston will look into this.

#### **VI. ADJORNMENT**

Mrs. Peglow made a motion to adjourn the meeting at 9:05 pm; seconded by Mr. Mathes and carried (7-0).

---

Lee A. Preston, Clerk