

**TOWN OF BARRE
PLANNING BOARD
JUNE 10, 2019**

CALL TO ORDER: 6:31 PM

BOARD MEMBERS PRESENT

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

BOARD MEMBERS ABSENT

Eric Watson

Others present: Robin Nacca, Scott Sharping, Sally Brown, Marilyn Ostafew, Judy Kurtz, Ronald Carr, Dish Network representative, Tom McCabe, Larry Gaylard and Shellye Dale-Hall.

I. APPROVAL OF MEETING MINUTES

Mr. Harling made a motion to accept the minutes of May 13th. Seconded by Mrs. Peglow and carried (7-0).

II. PUBLIC HEARING Barre Stone Products Oak Orchard Road 9-1-75

Mr. Keeler is abstaining from all conversations and decisions turning the meeting over to Mr. Miller for this section. The public hearing was opened at 6:32 pm.

Questions were opened to those in attendance:

- Where is it coming out onto Rt. 98?
 - Mr. Sharping answered by showing an enlarged map included in the application
- Parcel is land locked
- Using 24 of the 50 acres and staying away from the ditch

The public hearing was closed at 6:35 pm.

Resolution 5-2019

Introduced by: Mr. Steve Harling
Seconded by: Mr. Kurt Dudley

WHEREAS, The Town of Barre Planning Board has reviewed the application of Keeler Construction for a modification to their Special Use Permit for property located on Route 98 (94-1-75) and be it hereby

RESOLVED, the modification be approved.

UPON ROLL CALL VOTE:

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

The resolution was thereupon duly adopted.

Mr. Keeler took over the chairman's seat.

III. PUBLIC HEARING

Joshua Piscitelli 5309 Eagle Harbor Road 116-1-63

The public hearing was opened at 6:37 pm.

Mr. Piscitelli was not in attendance. It was stated that this would be the second modification of the special use permit. The application states that he wanted to make his now non-existent storage tent a permanent storage building. Wind had destroyed the tent leaving the framework.

Discussion took place:

- Medal on the outside of the existing framing?
- Ms. Brown asked if the property was zoned commercial and it is not
- Ms. Brown complained about all the equipment being more and more all the time it seemed.
- Ms. Brown complained about the noise (yelling, loud equipment running) after 9 pm sometimes going to 1 am in the morning
- Ms. Ostafew also spoke about safety. One of their trucks blew through the stop sign at Hill and Hemlock in front of her.
- Trucks are loading and unloading on the road
- Men are yelling over equipment running
- Have gone up cemetery driveway and cut across the field at times last year.
- Property is becoming untidy – seeming to be out growing the space. In talking to Mr. Carr, Mr. Piscitelli states he will clean things up.
- Ms. Ostafew had brought some printed pictures of the property for review.
- Ms. Brown stated that they are having bonfires after dark with black smoke at least five nights a week. Ms. Ostafew and Mr. Carr agreed. Ms. Ostafew worries about pollution of the water, air noise, fire hazards
- Who is monitoring them? DEC does with a special use permit updated yearly.
- Mr. Carr stated that he noticed they are going to the south more and more.

- The property was originally owned by members of his family and it was/has never been surveyed. There was a buffer at one time but no longer. There is only one foot clearance now.
- A survey has recently been done. By Mr. Carr, Mr. Pistcitelli agrees and is currently in the process of buying 25' on the south side.
- Mr. Carr's sister told him to handle the situation. An email was received from his sister stating that Mr. Carr could speak for her.
- Mr. Carr was told that the holding tanks are EPA tanks and is not worried about the land being organic.
- Mrs. Peglow had her copy of previous applications and in comparing them, all are different measurements
- It was felt that we can't entertain looking at this application until problems from previous applications are in compliance.
- Property cannot become a commercial property/district when it's a residential property

The public hearing was closed at 7 pm.

The board then discussed the application with a summary of concerns being

- Tank storage
- Survey concern
- Will the temporary storage hold a roof
- Noise
- When is it due for renewal
- Set back on the east side
- Burning
- Hours of operation
- Discrepancies in site plans

Other discussion:

- Modification just adds to the current application
- Noise was not previously addressed
- No parking in the road was addressed
- A letter from the planning board should address these concerns
- We can hold Mr. Piscitelli accountable with proof and can site him or the special use permit can be revoked at any time.

Resolution 6-2019

Introduced by: Mr. Jean Depatie
 Seconded by: Mr. Stephen Harling

WHEREAS, The Town of Barre Planning Board has reviewed the application of Joshua Piscitelli a modification to their Special Use Permit for property located at 5309 Eagle Harbor Road (116-1-63) and be it hereby

RESOLVED, the modification be tabled until his current special use permit is compliant and Mrs. Shellye Dale-Hall is satisfied.

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 was thereupon duly adopted.

IV. OLD BUSINESS

Mrs. Dale-Hall stated that she has not heard from Mr. Wietler.

The proposed solar law is in the hands of the Town board. They have completed the long SEQR form. The solar law will be submitted to the County Planning board this month with a public hearing possibly July 2nd. Mrs. Dale-Hall stated that there is someone interested in a solar farm and may submit an application in July. Community solar a cooperative organization was not addressed however it was felt that it would go under commercial. The fee schedule was also not discussed and Mr. Miller like what the Town of Batavia has.

V. NEW BUSINESS

An application from Dish Network was received. They would like to install 3 antennas on existing American Tower Corp and new 5' x 7' platform at grade inside fenced compound.

- Mr. Dudley is abstaining from all decisions/discussions as the tower is located on his family farm
- Tower height is 290' with height of antennas at 270'
- Rarely climb tower
- A structural analyses was not included with application.

Resolution 7-2019

Introduced by: Mr. Jean Depatie
Seconded by: Mr. Steve Harling

WHEREAS, The Town of Barre Planning Board has reviewed the application of Dish Network for a site plan review and modification to a Special Use Permit for property located on West County House Road (93-1-3.1) and be it hereby

RESOLVED, the site plan review and modification be approved with conditions of

1. A structural analyses is needed

2. Must obtain building permits
3. Inspection Certificates every two years on file with the Town of Barre
4. Proof of bond and two bid 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

UPON ROLL CALL VOTE:

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

The resolution was thereupon duly adopted.

VI. COMMUNICATION

ORLEANS COUNTY PLANNING BOARD

Town of Ridgeway’s request for site plan review for Pool Service and Supply business on Salt Works Road in light industrial district was approved.

Town of Albion’s request for site plan review and special use permit for 748.44 Kw ground-mounted solar array on Eagle Harbor-West Barre Road in agricultural/residential district was approved.

Shelby’s request for area variance, site plan review and special use permit for aesthetic pond on West Shelby Road in agricultural/residential district was approved.

Yates request for a site plan review to construct building addition on Millers Road in light industrial district was approved.

Gaines request for local law regulating solar energy systems was approved with a condition that setback requirements for ground-mounted solar energy systems should be explicitly listed under three sections. A copy of the recommendations were given to board members for information regarding our own proposed solar law.

Murray’s request for amendment to zoning ordinance for regulation of special events at farms and wineries was returned to Murray with no action taken.

Barre’s request for special use permit for Barre Stone was approved.

VII. ADJORNMENT

Mrs. Peglow made a motion to adjourn the meeting at 8:29 pm; seconded by Mr. Harling and carried (7-0).

Lee A. Preston, Clerk