

**TOWN OF BARRE
ZONING BOARD OF APPEALS
FEBRUARY 17, 2020**

CALL TO ORDER: 7:00 pm by Mrs. Tierney

BOARD MEMBERS PRESENT

LuAnn Tierney Cindy Burnside
Steve Coville Richard Miller
Charles Swan Stephen Karas – Alternate

BOARD MEMBERS EXCUSED

Others present: Lanor Markle, Larry Gaylard, Chelsea Smith, Josh Smith, Gary Palmer, Scott Burnside, Diana Petranek and Kirk Mathes.

Mrs. Tierney opened the meeting at 7:00 pm. She read ordinance 350-75 A (5) and then the legal ad that was in the Batavia Daily News.

I. APPROVAL OF MEETING MINUTES – December 16, 2019

Mr. Swan made a motion to approve the meeting minutes of December 16th seconded by Mr. Coville and carried (5-0).

II. PUBLIC HEARING

Joshua Smith 13860 Gillette Road (127-1-131)

Mrs. Tierney stated that Mr. Smith has submitted an application for an area variance of 26.64 feet for two 14' x 20' additions to an existing building that is too close to the road. He was unaware that a building permit and a variance was required. The required questions/considerations (§350-74 (2)) were reviewed. The self-created issue could come into play as according to Mr. Smith the building apparently is an existing floater type on stone. However, Mr. Smith does not know how long the building has been there and its now embedded in the stone and is not sure if it can be moved now.

The SEQR was completed.

RESOLUTION NO 1-2020

**Introduced by: Charles Swan
Seconded by: Richard Miller**

WHEREAS, The Barre Zoning Board of Appeals has reviewed the SEQR of **Josh Smith application** for property located at 13860 Gillette Road (127-1-7.131); and be it hereby

DECLARED a negative SEQR.

Mrs. Tierney – Aye
Mrs. Burnside – Aye
Mr. Coville – Aye
Mr. Miller – Aya
Mr. Swan – Aye

The resolution was thereupon duly adopted.

The public hearing was opened at 7:12 pm.

- Mr. Smith stated that the sides and roof are medal and its an improvement on the property.
- Mrs. Tierney thanked Mr. Smith for coming and making everything correct. She also welcomed Mr. & Mrs. Smith to the town and raising their young family here.

With no other comments or concerns addressed the public hearing was closed at 7:13 pm.

RESOLUTION NO 2-2020

**Introduced by: Stephen Coville
Seconded by: Richard Miller**

WHEREAS, The Barre Zoning Board of Appeals has reviewed the application of **Josh Smith** for an area variance for property located at 13860 Gillette Road (127-1-7.131); and be it hereby

RESOLVED, that a 27-foot setback be granted.

Mrs. Tierney – Aye
Mrs. Burnside – Aye
Mr. Coville – Aye
Mr. Miller – Aya
Mr. Swan – Aye

The resolution was thereupon duly adopted.

III. PUBLIC HEARING

Lanor Markle on behalf of West Barre Church 5377 Eagle Harbor Road (116-1.58)

Mrs. Tierney stated that Ms. Markle has submitted an application on behalf of West Barre Church for a new sign in front of the church requiring a 33' front setback. The location of the sign is south of the currant sign and further back. The required questions/considerations (§350-74 (2) were reviewed. The request is due to the width of the road.

The SEQR was completed.

RESOLUTION NO 3-2020

**Introduced by: Richard Miller
Seconded by: Charles Swan**

WHEREAS, The Barre Zoning Board of Appeals has reviewed the SEQR of **Lanor Markle on behalf of West Barre Church's application** for property located at 5377 Eagle Harbor Road (116-1.58); and be it hereby

DECLARED a negative SEQR.

Mrs. Tierney – Aye
Mrs. Burnside – Aye
Mr. Coville – Aye
Mr. Miller – Aya
Mr. Swan – Aye

The public hearing was opened at 7:18 pm.

Ms. Markle was questioned about the currant sign. She stated that the existing top will be removed and eventually the brick section may come down. It was erected as a memorial so it will be used as a flower bed this year at least.

With no other comments or concerns addressed the public hearing was closed at 7:19 pm.

RESOLUTION NO 4-2020

**Introduced by: Stephen Coville
Seconded by: Charles Swan**

WHEREAS, The Barre Zoning Board of Appeals has reviewed the application of **Lanor Markle on behalf of West Barre Church** for an area variance for property located at 5377 Eagle Harbor Road (116-1.58); and be it hereby

RESOLVED, that a 33-foot front setback be granted.

Mrs. Tierney – Aye
Mrs. Burnside – Aye
Mr. Coville – Aye
Mr. Miller – Aya
Mr. Swan – Aye

IV. NEW BUSINESS

Mr. Coville informed the board that he has signed an easement on his property for the Heritage Wind project as he will have turbines in front of and behind his property. He will not be a voting member if anything comes before the board concerning Heritage's project.

Our goal is to encourage residents to comply with the town zoning ordinances. To that end, Mrs. Tierney would ask each board member, as leaders in the community, to set a good example by making sure they are in compliance with any permitting or variances that they might need personally. It is also helpful to spread that information if you know of a friend or neighbor who is not familiar with that information.

Mrs. Tierney stated that we, collectively are the Zoning Board of Appeals. No one of us represents the ZBA. No one of us has any right to speak unsolicited on behalf of the ZBA nor should your position be used for influence. Any communication from us generally comes as a decision from all of us in the form of minutes that have been written by Mrs. Preston and approved by our board. If you are speaking in a different arena, you represent only yourself. Please be mindful that your behavior should contribute to the smooth operation of the board.

Whenever you read through the zoning ordinances, if you think something is unclear, please make a note. Although we have no authority to make changes, we can then forward those suggestions to the Town Board for consideration.

Mrs. Tierney asked Mr. Mathes, who is on the Planning Board, if he wanted to inform the board of anything. Mr. Mathes stated that there are a couple of issues being discussed concerning the Solar Law with "gray areas". However, they will be waiting awhile and do the changes all at once. We have also asked the Town Board to go forward with a moratorium on battery storage.

IV. ADJOURNMENT

Mr. Miller made a motion to adjourn at 7:36 pm; seconded by Mr. Coville and carried (5-0).

Lee A. Preston, Clerk