

**TOWN OF BARRE  
ZONING BOARD OF APPEALS  
AUGUST 21, 2023**

**CALL TO ORDER:** The board met at the Town Hall with the meeting called to order at 7:00 pm by chair Mr. Coville.

**BOARD MEMBERS PRESENT**

Steve Coville                 David Allen  
Kelly Dudley                 Larry Gaylard  
Charles Swan

**BOARD MEMBERS EXCUSED**

Others Present: Jeanne Martillotta – Representative for Barre Center Presbyterian Church

**I.       APPROVAL OF MEETING MINUTES – July 17, 2023**

Mr. Gaylard made a motion to approve the meeting minutes of July 17<sup>th</sup> meeting and seconded by Mr. Allen and carried (5-0).

**II.       PUBLIC HEARING                 4706 Oak Orchard Road                 (95.6-1-60.11)**

Mr. Coville stated that an application has been received from Mrs. Jeanne Martillotta on behalf of Barre Center Presbyterian Church asking for several variances. He then read the legal notice that was printed in the Batavia Daily News on August 12<sup>th</sup>. Mrs. Preston stated that she did not have any emails and there was nothing put in the drop box

**Resolution 18-2023**

**Introduced by:         Charles Swan  
Seconded by:         David Allen**

To open the public hearing at 7:05 pm.

The resolution passed (5-0).

Mrs. Martillotta stated that the church is looking to sell the house

- House was purchased in the 1980's and somewhere along the line, the parcels were combined into one parcel and tax lot number
- Was used as a church office, school, and meetings
- Church flourished at one time however not now (declined in attendance etc.)
- Because of its location in the hamlet, a front, side, back, lot size and width variances are required
- Big issue is the septic tank and leach lines are needed
  - Septic tank needed repairs

- Engineers were asked to help and one tank for both locations was created after purchasing some land from Alvin Smith
  - Tank is either 3,000 or 6,000 gallons – large enough to cover both the house and church
- Conventional banks will not allow a shared septic
- Everything concerning sharing the septic and costs are outlined in the purchase agreement
  - Mrs. Martillotta did not have that with her
- Boundaries have been surveyed by Doug Health
  - The top and bottom measurements on the garage are different
  - The size of the lot is different than the original property of the house so that the church can control the septic system
    - Septic is in the rear of the house property
- Variances are needed to continue the sale of the property

Comments/Questions made were:

- There were Mexican services in the past, are they still there? They have not been there is a while and it has been discontinued at this time
- Mr. Coville had contacted the Health Department on the septic concerns. They suggested if it was allowed that
  - The agreement would be for life use
  - Future maintenance cost be divided
  - Lines to the tank underground be split – each property having their own lines connected to the tank
  - Home was built in 1850
  - Septic is right behind the garage of the house
  - Property will be split differently than it was originally – the depth is a little shorter
  - The driveway will be split – the church will not have a turn around as it currently is allowing house to have its own driveway
  - Call to Mrs. Dale-Hall confirmed that there is only one tax lot number. Once sold, the County will create a new tax number after being called
  - Will there be a problem 10 years etc. down the road with the septic issue? It is a permanent easement for both the septic and driveway
  - There would have to be a disclosure in the future
  - The intent is for the buyer to live in the house and not be rented out
  - House needs a lot of work before it is converted back to being lived in and not an “office”

**Resolution 19-2023**

**Introduced by: Larry Gaylard**  
**Seconded by: Charles Swan**

To close the public hearing at 7:25 pm.

The resolution passed.

**III. NEW BUSINESS**

The FEAF SEQR part 2 was discussed regarding the application of Barre Center Presbyterian Church with the questions being asked.

**Resolution 20-2023**

**Introduced by: Charles Swan  
Seconded by: David Allen**

**WHEREAS** the Town of Barre Zoning Board of Appeals has reviewed Part 2 of the FEAF SEQR form for the application of Barre Center Presbyterian Church for property at 4706 Oak Orchard Road (95.3-60.11) and

**RESOLVED**, that the proposed front, side, rear, lot width, and lot size will not result in any significant adverse environmental impacts, therefore declaring a negative SEQR

**UPON ROLL CALL VOTE:**

Mr. Coville – Aye  
Mr. Allen – Aye  
Mrs. Dudley – Aye  
Mr. Gaylard – Aye  
Mr. Swan – Aye

The resolution passed.

Any possible conditions were discussed.

**Resolution 21-2023**

**Introduced by: Charles Swan  
Seconded by: Larry Gaylard**

**WHEREAS** the Town of Barre Zoning Board of Appeals held a public hearing and discussion for the application of Barre Center Presbyterian Church for property at 4706 Oak Orchard Road (95.3-60.11)

**RESOLVED**, to grant a front setback variance on the house of 43.3', rear setback variance on the garage of 34.7 feet, side setback variance on the garage of 1 foot, lot variance of 109.5 feet, and lot size variance of 24,261 square feet with conditions of

1. Must obtain separate tax lot numbers
2. Septic situation is for the life use of both properties involved
3. Future cost regarding maintaining the system must be spelled out for the life use of both properties
4. Lines going to the tank must be separate for each property involved
5. The driveway south of the church must be split giving the owners of house their own private driveway

**UPON ROLL CALL VOTE:**

Mr. Coville – Aye  
Mr. Allen – Aye  
Mrs. Dudley – Aye  
Mr. Gaylard – Aye  
Mr. Swan – Aye

The resolution passed.

**IV. OLD BUSINESS**

There is not any old business at this time

**V. ANNOUNCEMENTS**

As of right now, there are no new application to come before the board. However, the next meeting will be September 18<sup>th</sup> with the intention of meeting with Mr. Leddon.

**VI. ADJORNMENT**

Mr. Gaylard made a motion to adjourn the meeting at 7:35 pm; seconded by Mr. Swan and carried (5-0).

---

Lee A. Preston, Clerk