

**TOWN OF BARRE
PLANNING BOARD
JANUARY 8, 2024**

CALL TO ORDER: The board met at the Town Hall and the meeting was called to order at 6:30 pm by co-chair Mr. Miller.

BOARD MEMBERS PRESENT

Tom Keeler Wes Miller
Jean Depatie Kurt Dudley
Stephen Harling Ben Mathes
Jean Peglow

EXCUSED BOARD MEMBERS

Others present: David Herring (Keeler Construction), Buddy Keeler (Keeler Construction), Michael Keeler (Keeler Construction), Becky Marquart, Harry Marquart, Judy Kurtz, Jay Kurtz, Jim Salmon, Larry Gaylard, Tercia Gaylard, and Kirk Mathes

I. APPROVAL OF MEETING MINUTES

Since Mr. Keeler was and is conflicted with the approval of the December minutes and the upcoming public hearing, he left the room turning the meeting over to Mr. Miller. Mr. Dudley made a motion to approve the December regular meeting minutes with no corrections. Motion was seconded by Mr. Depatie and carried (6-0).

II. PUBLIC HEARING Barre Stone Products 14120 West Lee Road

Mr. Miller opened the public hearing at 6:32 pm. He then asked Mr. Herring to come and explain the application. Mr. Herring stated that there are three parts to the application.

1. Construction of a screening berm outside of the life of mine at 4412 Oak Orchard Road
2. Addition of 14056 and 14058 West Lee Road, 4430 and 4552 Oak Orchard Road, and Maple Street (95.-1-44.1)
3. Correction of what is believed to be wrongly identified in the current Special Use Permit

Discussion followed:

- The berm will consist of a row of trees to help with sound and visibility for neighbors. This is outside of what is being mined.
- Mining is currently 1000 feet from the proposed berm and will be an added protection. Mining will extend to approximately 100 feet from the berm.
- A resident stated that they get ground shaking now when blasting occurs. Mr. Herring has not heard of home owners' issues regarding this until now. All blasting falls within permit guidelines. The resident was encouraged to call the office. They will come out to look at it and place monitoring

equipment before blasting occurs. They do not want to disturb the neighbors wanting to be a good neighbor to all.

- Residents were given a change to look at a larger map.
- DEC does not live in my house and it is a big concern.
- What about our wells? Many went dry before public water was available.
- Land was surveyed five times between Bentley's old house and theirs and every time it is off by a few feet.
- There are no plans of mining off Maple Street or of having a road coming onto it. If in the future there is, a request must be submitted to DEC who will advertise it with a public comment period to follow
- What are the future plans of the operation? The plan has not been developed yet. There are no time lines at this point either.
- Resident is all for business but not at their expense.
- Adding the properties is the first step in the process.
- DEC is aware of houses around the properties
- Keeler have records from every blast they have done.
- Town has the right to limit area and depth
- What happens when those limits are reached.
- Everything is a long process from start to completion. There will be opportunities to review it when the time comes
- What about saying could not mine any further east than berm on all properties? What about Rotoli property and leave the others alone?
- Everything will come out the main entrance. There is no discussion, thoughts, or intentions to come out anywhere else at this time
- What about the telephone poles?
- This is the first step of just adding the properties into the Special Use Permit. We would have to come back her and to the DEC to start mining them.
- There is a supply of several decades left of what they are mining now.
- First and foremost, we need to be good neighbors stressed by the Keeler's
- It is a permitted action in this town.
- What are the setbacks? This would be the time to change them.

The public hearing was closed at 7:18 pm.

II. OLD BUSINESS

Resolution 1-2024

Introduced by: Jean Peglow
Seconded by: Kurt Dudley

WHEREAS, Barre Stone Products filed an application for a modification of their Special Use Permit to add a screening buffer berm outside the current NYSDEC Life of Mine for property at 4412 Oak Orchard Road

NOW, THEREFORE, approve the addition of the berm to the property of 4412 Oak Orchard Road

UPON ROLL CALL VOTE:

Mr. Miller - Aye
Mr. DePatie – Aye
Mr. Dudley – Aye
Mr. Harling – Aye
Mr. Mathes – Aye
Mrs. Peglow – Aye

The resolution passed.

Resolution 2-2024

Introduced by: Jean Peglow
Seconded by: Ben Mathes

WHEREAS, Barre Stone Products filed an application for a modification of their Special Use Permit to the addition of five parcels (14058 and 14056 West Lee Road, Maple Street [95-1-44.1], 4430 [95-1-47.221] and 4552 Oak Orchard Road [95-1-45])

NOW, THEREFORE, approve the addition of the five properties to the current Special Use Permit with no changes to the use of the property concerning mining them at this time

AND IT IS FURTHER RESOLVED, that the Special Use Permit must have a yearly review

UPON ROLL CALL VOTE:

Mr. Miller - Aye
Mr. DePatie – Aye
Mr. Dudley – Aye
Mr. Harling – Aye
Mr. Mathes – Aye
Mrs. Peglow – Aye

The resolution passed.

Resolution 3-2024

Introduced by: Jean Peglow
Seconded by: Steve Harling

WHEREAS, Barre Stone Products filed an application for a modification of their Special Use Permit to correct the topographical error of 94-1-46.11 to 95.-1-46.11

NOW, THEREFORE, make the necessary correction

UPON ROLL CALL VOTE:

Mr. Miller - Aye
Mr. DePatie – Aye
Mr. Dudley – Aye
Mr. Harling – Aye
Mr. Mathes – Aye
Mrs. Peglow – Aye

The resolution passed.

Resolution 4-2024

Introduced by: Kurt Dudley
Seconded by: Jean Peglow

WHEREAS, Barre Stone Products filed an application for a modification of their Special Use Permit to

1. Add a screening buffer berm outside the current NYSDEC Life of Mine for property at 4412 Oak Orchard Road
2. Addition of five parcels (14058 and 14056 West Lee Road, Maple Street [95-1-44.1], 4430 [95-1-47.221] and 4552 Oak Orchard Road [95-1-45]))

WHEREAS, the planning board reviewed the SEAF form again

NOW THEREFORE, the board declared a negative SEAF agreeing with the first SEAF completed.

UPON ROLL CALL VOTE:

Mr. Miller - Aye
Mr. DePatie – Aye
Mr. Dudley – Aye
Mr. Harling – Aye
Mr. Mathes – Aye
Mrs. Peglow – Aye

The resolution passed.

Mr. Keeler returned to the meeting at 7:30 pm and the meeting was turned back over to him.

III. NEW BUSINESS

A discussion was had regarding the vacancy of two alternates. Should it be advertised again which has not been successful to date. Could place it on the town’s website. Members should reach out to those they know that might be interested.

IV. COMMUNICATION

ORLEANS COUNTY PLANNING BOARD

At the December meeting:

- Town of Yates request for a moratorium on Wind Energy and Alternative Energy Systems for 180 days was approved
- Town of Yates request for a moratorium on Solar Energy Systems for 180 days was approved
- Town of Yates request for a moratorium on Short-Term Rentals for 180 days was approved
- Town of Yates request for a moratorium on Farm Labor Camps/Housing beyond what is required under New York State Agriculture & Market Law was denied
- Town of Albion's request for a Special Use Permit and Site Plan Review for a 2.5 MW Solar Farm Project on Route 31 which will connect to the Long Bridge Road on back lots was approved.
- Town of Gaines request for an Area Variance, Special Use Permit, and Site Plan review for a 28,070 square foot Warehouse Building on Ridge Road for mainly apples. All three requests were approved.

Other actions included:

- The winter State Department webinar training sessions information was given out
- Expiring members and vacancies was discussed
- Kevin Johnson was recognized for his 23 years of serving on the County Planning Board
- Please remember to sign and return any action information back to the county planning board
- The 2024 calendar dates of meetings and submission deadlines were approved

COMP PLAN COMMITTEE

Mr. Depatie stated that they are getting ready to put out the questionnaire:

- Post card with a QR code
- Have a raffle as an incentive to complete the questionnaire

The committee is not being dominated by one person. The Ag grant was asked about. Mr. Depatie had not heard anything about it and was asked to take it back to the comp plan committee.

V. ADJORNMENT

Mrs. Peglow made a motion to adjourn the meeting at 7:54 pm; seconded by Mr. Depatie and carried (7-0).

Lee A. Preston, Clerk