

**TOWN OF BARRE
ZONING BOARD OF APPEALS
AUGUST 19, 2024**

BOARD MEMBERS PRESENT

Steve Coville David Allen
Kelly Dudley Larry Gaylard
Charles Swan

BOARD MEMBERS ABSENT

Brent Leddon Alternate

Others Present: Bridget O’Toole, Cait Purcell of 3rd Rock Solar, Paul Couch, Kurt Dudley, Diana Petranek, R. Baxter, and Sean Pogue

CALL TO ORDER: The board met at the Town Hall with the meeting called to order at 7:06 pm by chair Mr. Coville.

The Pledge to the Flag was recited.

I. APPROVAL OF MEETING MINUTES – July 15, 2024

Mr. Swan made a motion to approve the meeting minutes of July 15th meeting and seconded by Mr. Allen and carried (5-0).

Mr. Coville stated that we will be having two public hearings this evening and proceeded to read the read the public notice that was published in the Batavia Daily newspaper for both.

II. PUBLIC HEARING Diana Petranek 13911 Drake Island Road Ext. 127.-1-9.12

Mr. Coville opened the public hearing at 7:09 pm. He stated that the application received was for an area variance requesting 50 ft. setback from the northside of a dead-end road to minimize Depth to maintain shading foliage in later years that does not inhibit energy production. Ms. Purcell spoke regarding the application stating that the original application had battery storage and the resident and since decided to eliminate the battery storage.

Questions from the board and Mrs. O’Toole were asked:

- Where were the measurements taken from – the side of the road or the right of way as it is very hard to tell with the map included with the application. The application would not correctly remember which one
- Is the solar array in the front yard of the property? Resident considers it her front side yard. She feels there is not another place to put it for future foliage growth back of the wooded property that surrounds her. She does live on a dead-end road.

- Mrs. O’Toole spoke up and stated that because of our solar ordinance, she would also need to obtain a use variance as well as an area variance. Ms. Purcell questioned Mrs. O’Toole and they will speak later regarding this.

There were no questions from those in attendance.

Resolution 2-2024

Introduced by: Larry Gaylard
 Seconded by: David Allen

To close the public hearing at 7:18 pm and reopen the hearing next month for Ms. Petranek. The resolution passed (5-0).

III. PUBLIC HEARING Paul Couch Root Road 116.-1-13.22

Mr. Coville opened the public hearing at 7:19 pm. The public hearing is regarding the application from the previous month received from Mr. Couch desiring to build a pole barn on his property. Due to the lack of information and an incomplete application, the request was not done properly. We now have a complete application and full understanding of what was requested.

Questions from the board and Mrs. O’Toole were asked:

- The size of the pole barn again you are thinking about is 30’ x 40’ correct? Yes so the use is not substantial
- How long have you owned the property? 20 years
- How far off the road do you plan to build? 300’
- The closest neighbor’s property is? 100’ on the east side and 200’ on the west side. Some is woods and the other is a vacant lot – so its not near anything else
- The property is 75.9 acres total
- Mr. Couch had no idea of zoning when purchased property
- Pole barn would be used for storage of tractor and bushhog, mower, hunting gear during hunting season and 4-wheeler
- May use property for a garden in the future if could figure a way to keep animals out of it.

Resolution 3-2024

Introduced by: Larry Gaylard
 Seconded by: David Allen

To close the public hearing at 7:23 pm for Mr. Couch. The resolution passed (5-0).

IV. NEW BUSINESS

Since a use application is also needed for Ms. Petranek, further action was tabled at this time.

V. OLD BUSINESS

The FEAF SEQR part 2 was discussed regarding the application of Mr. Couch’s application was discussed and the questions were asked.

Resolution 4-2024

**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 Mr. Couch for property Root Road (116.1-13.22) and

RESOLVED, that the proposed pole barn 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.

The Board then answered the questions related to a use variance:

1. There is no other property with which to erect the barn
2. The 30’ x 40’ barn is not a substantial portion of the neighborhood
3. A negative SEQR was declared
4. The law was not known at the time of purchase and confusing to applicant

Resolution 5-2024

**Introduced by: Kelly Dudley
Seconded by: Larry Gaylard**

WHEREAS the Town of Barre Zoning Board of Appeals held a public hearing and discussion for the application of Mr. Couch for property on Root Road (116.1-13.22)

RESOLVED, to grant the use variance

UPON ROLL CALL VOTE:

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

The resolution passed.

A reminder was given regarding training hours.

IV. ADJORNMENT

Mr. Swan made a motion to adjourn the meeting at 7:33 pm; seconded by Mrs. Dudley and carried (5-0).

Lee A. Preston, Clerk