

**TOWN OF BARRE
ZONING BOARD OF APPEALS
SEPTEMBER 16, 2024**

BOARD MEMBERS PRESENT

Steve Coville David Allen
Kelly Dudley Larry Gaylard
Charles Swan

BOARD MEMBERS ABSENT

Brent Leddon Alternate

Others Present: Diana Petranek and Margaret Swan

CALL TO ORDER: The board met at the Town Hall with the meeting called to order at 7:03 pm by chair Mr. Coville.

The Pledge to the Flag was recited.

I. APPROVAL OF MEETING MINUTES – August 19, 2024

Mr. Allen made a motion to approve the meeting minutes of August 19th meeting and seconded by Mr. Swan and carried (5-0).

II. NEW BUSINESS

Jennifer Mura of 3rd Roc Solar LLC for property owner Diana Petranek submitted the use variance required for the property at 13911 Drake Island Road Extension. This application contains a better map than the area variance from last month and is a more complete application.

Resolution 6-2024

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

TOWN OF BARRE ZONING BOARD OF APPEALS RESOLUTION THAT THE PROPOSED AREA AND USE VARIANCE LOCATED AT 13911 DRAKE ISLAND ROAD EXTENSION IS SUBJECT TO SEQRA AND CLASSIFYING CONSIDERATION OF THE PROPOSED ACTION AS AN UNLISTED ACTION

WHEREAS, on July 30 and September 9, 2024, Diana Petranek & 3rd Rock Solar (the “Applicant”) submitted applications for an area and use variance approval for a ground mounted solar array located at 13911 Drake Island Road Extension (Tax ID No. 127.-1-9.12) (the “Proposed Action”); and

WHEREAS, the Proposed Action involves installation of ground mounted solar array

WHEREAS, the Proposed Action does not meet the requirements of either a Type I or Type II action under SEQRA; and

NOW THEREFORE, the Zoning Board of Appeals of the Town of Barre hereby declares itself lead agency for the purposes of SEQRA review.

AND THEREFORE, the Zoning Board of Appeals further resolves that the proposed action is classified as an Unlisted Action under SEQRA.

UPON ROLL CALL VOTE:

Stephen Coville – Aye
David Allen – Aye
Kelly Dudley – Aye
Larry Gaylard – Aye
Charles Swan – Aye

The resolution passed.

Resolution 7-2024

Introduced by: David Allen
Seconded by: Charles Swan

TOWN OF BARRE ZONING BOARD OF APPEALS RESOLUTION TO REFER THE PROPOSED AREA AND USE VARIANCE LOCATED AT 13911 DRAKE ISLAND ROAD EXTENSION TO THE ORLEANS COUNTY PLANNING BOARD PURSUANT TO GML 239-M

WHEREAS, on July 30 and September 9, 2024, Diana Petranek & 3rd Rock Solar (the “Applicant”) submitted applications for an area and use variance approval for a ground mounted solar array located at 13911 Drake Island Road Extension (Tax ID No. 127.-1-9.12) (the “Proposed Action”); and

WHEREAS, as part of its application, the Applicant submitted a Short Environmental Assessment Form dated July 30 and September 9, 2024, and

WHEREAS, on September 16, 2024, the Zoning Board of Appeals of the Town of Barre declared itself lead agency for purposes of SEQRA review of the proposed action, and

WHEREAS, on September 16, 2024, the Zoning Board of Appeals of the Town of Barre classified the action as an Unlisted Action, and

WHEREAS, the Zoning Board of Appeals of the Town of Barre is required to refer any issuance of area and use variances approvals to the County Planning Board pursuant to GML § 239-m.

NOW, THEREFORE, the Zoning Board of Appeals of the Town of Barre hereby refers the applications for an Area and Use Variance Approval of the proposed ground mounted solar array to be located at 13911 Drake Island Road Extension to the Orleans County Planning Board for a report and recommendation thereon, a copy of which is attached hereto and made a part thereof.

AND IT IS FURTHER RESOLVED, that the Zoning Board of Appeals Clerk shall transmit a copy of this resolution and the completed portions of the Short Environmental Assessment Form to the Orleans County Planning Board.

AND IT IS FURTHER RESOLVED, that failure of the Orleans County Planning Board to provide said report and recommendation to the Planning Board within thirty (30) days after receipt of the referral by the Planning Board shall be deemed approval.

UPON ROLL CALL VOTE:

Stephen Coville – Aye
David Allen – Aye
Kelly Dudley – Aye
Larry Gaylard – Aye
Charles Swan – Aye

The resolution passed.

Resolution 8-2024

Introduced by: Charles Swan
Seconded by: Kelly Dudley

TOWN OF BARRE PLANNING BOARD RESOLUTION TO SET A PUBLIC HEARING FOR THE AREA AND USE VARIANCE LOCATED AT 13911 DRAKE ISLAND ROAD EXTENSION

WHEREAS, on July 30 and September 9, 2024, Diana Petranek & 3rd Rock Solar (the “Applicant”) submitted applications for an area and use variance approval for a ground mounted solar array located at 13911 Drake Island Road Extension (Tax ID No. 127.-1-9.12) (the “Proposed Action”); and

WHEREAS, as part of its application, the Applicant submitted a Short Environmental Assessment Form dated July 30 and September 9, 2024, and

WHEREAS, on September 16, 2024, the Zoning Board of Appeals of the Town of Barre declared itself lead agency for purposes of SEQRA review of the proposed action, and

WHEREAS, on September 16, 2024, the Zoning Board of Appeals of the Town of Barre classified the action as an Unlisted Action, and

NOW, THEREFORE, the Zoning Board of Appeals of the Town of Barre hereby resolves to hold a public hearing on October 21, 2024 at 6:30pm for the proposed ground mounted solar array to be located at 13911 Drake Island Road Extension.

AND, THEREFORE, the Zoning Board of Appeals Clerk shall cause notice of said public hearing to be published in accordance with the Town Code 360-86(E).

AND, THEREFORE, the Zoning Board of Appeals Clerk shall serve notice in compliance with Town Law 283-a to property owners within 500 feet of the proposed project.

UPON ROLL CALL VOTE:

Stephen Coville – Aye
David Allen – Aye
Kelly Dudley – Aye
Larry Gaylard – Aye
Charles Swan – Aye

The resolution passed.

III. OLD BUSINESS

A reminder was given again regarding training hours. The training that occurred this evening will be added for everyone. The list once updated will be sent out again for everyone's review.

IV. ADJORNMENT

Mr. Swan made a motion to adjourn the meeting at 7:25 pm; seconded by Mr. Allen and carried (5-0).

Lee A. Preston, Clerk

