

**TOWN OF BARRE
PLANNING BOARD
SEPTEMBER 9, 2024**

CALL TO ORDER: The board met at the Town Hall and the meeting was called to order at 6:34 pm by co-chair Mr. Miller.

BOARD MEMBERS PRESENT

Tom Keeler	Wes Miller
Jean Depatie	Kurt Dudley
Stephen Harling	Ben Mathes
Jean Peglow	Gary Palmer (Alt)

BOARD MEMBERS EXCUSED

Others present: William Grover Agent of Pyramid Network Services for Verizon Wireless by phone

The Pledge to the Flag was recited.

Mr. Keeler noted that Mr. Palmer was not needed as a voting member.

I. APPROVAL OF MEETING MINUTES

Mrs. Peglow moved to approve the minutes of the August regular meeting with no corrections. The motion was seconded by Mr. Dudley and carried (7-0).

II. NEW BUSINESS

An application from Mr. Grover, Agent for Pyramid Network Services on behalf of Verizon Wireless regarding an upgrade to the cell tower located at 13310 Hemlock Ridge Road for a special use permit modification and site plan approval. Mr. Keeler asked Mr. Grover to explain the purpose of the application and what is being planned.

Mr. Grover stated that they will be removing six antennas and replacing them with three antennas. There will be no modifications to the tower itself. This will make the tower 5G capable. The upgrade is considered an essential upgrade. A board member asked who deemed it an essential upgrade? Mr. Grover was not sure. He followed the same procedure as the last time with a different cell tower in the town.

Mr. Keeler stated that we have a couple of resolutions to do that Mrs. O'Toole has forwarded to him regarding this application. They have to do with the SEQR, sending the application to the County and setting a public hearing. This procedure was questioned by the board because Hemlock Ridge was not a county road, we cannot deny this going forward, among other things. Maybe this is to educate the public? Let us just see what the outcome of it is with sending it to the county.

Resolution 17-2024

Introduced by: Ben Mathes
Seconded by: Jean Peglow

TOWN OF BARRE PLANNING BOARD RESOLUTION THAT THE PROPOSED UPGRADE TO TELECOMMUNICATION EQUIPMENT LOCATED AT 13310 HEMLOCK RIDGE ROAD IS SUBJECT TO SEQRA AND CLASSIFYING CONSIDERATION OF THE PROPOSED ACTION AS AN UNLISTED ACTION

WHEREAS, on or about June 26, 2024, Pyramid Network Services, LLC d/b/a Verizon Wireless (the “Applicant”) submitted applications for special use permit and site plan approval for a proposed upgrade to the telecommunication equipment located at 13310 Hemlock Ridge Road (Tax ID No. 115.-1-13) (the “Proposed Action”); and

WHEREAS, the Proposed Action involves removing six antennas and adding three new antennas on the already existing mount on existing cell tower; and

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

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

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

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 18-2024

Introduced by: Jean Peglow
Seconded by: Wes Miller

TOWN OF BARRE PLANNING BOARD RESOLUTION TO REFER THE PROPOSED UPGRADE TO TELECOMMUNICATION EQUIPMENT LOCATED AT 13310 HEMLOCK RIDGE ROAD TO THE ORLEANS COUNTY PLANNING BOARD PURSUANT TO GML 239-M

WHEREAS, on or about June 26, 2024, Pyramid Network Services, LLC d/b/a Verizon Wireless (the “Applicant”) submitted applications for special use permit and site plan approval for a proposed upgrade to the telecommunication equipment located at 13310 Hemlock Ridge Road (Tax ID No. 115.-1-13) (the “Proposed Action”); and

WHEREAS, as part of its application, the Applicant submitted a Short Environmental Assessment Form dated June 26, 2024, and

WHEREAS, on September 9, 2024, the Planning Board of the Town of Barre declared itself lead agency for purposes of SEQRA review of the proposed action, and

WHEREAS, on September 9, 2024, the Planning Board of the Town of Barre classified the action as an Unlisted Action, and

WHEREAS, the Planning Board of the Town of Barre is required to refer any issuance of special use permits and approval of site plans to the County Planning Board pursuant to GML § 239-m.

NOW, THEREFORE, the Planning Board of the Town of Barre hereby refers the applications for a Special Use Permit and Site Plan Approval of the proposed telecommunications facility to be located at 13310 Hemlock Ridge Road 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 Planning Board 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:

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

The resolution passed.

The SEQR Part 2 was reviewed for the application.

Resolution 19-2024

Introduced by: Jean Peglow
Seconded by: Steve Harling

WHEREAS, on or about June 26, 2024, Pyramid Network Services, LLC d/b/a Verizon Wireless (the “Applicant”) submitted applications for special use permit and site plan approval for a proposed upgrade to the telecommunication equipment located at 13310 Hemlock Ridge Road (Tax ID No. 115.-1-13) (the “Proposed Action”); and

WHEREAS, as part of its application, the Applicant submitted a Short Environmental Assessment Form dated June 26, 2024, and

WHEREAS, on September 9, 2024, the Planning Board of the Town of Barre declared itself lead agency for purposes of SEQRA review of the proposed action, and

WHEREAS, on September 9, 2024, the Planning Board of the Town of Barre classified the action as an Unlisted Action, and

WHEREAS, the Planning Board of the Town of Barre reviewed part two of the Short Environmental Assessment form on September 9, 2024.

NOW, THEREFORE, the Planning Board of the Town of Barre has determined that the proposed action will not result in any significant adverse environmental impacts

UPON ROLL CALL VOTE:

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

The resolution passed.

Resolution 20-2024

Introduced by: Kurt Dudley
Seconded by: Jean Peglow

TOWN OF BARRE PLANNING BOARD RESOLUTION TO SET A PUBLIC HEARING FOR THE UPGRADE TO TELECOMMUNICATION EQUIPMENT LOCATED AT 13310 HEMLOCK RIDGE ROAD

WHEREAS, on or about June 26, 2024, Pyramid Network Services, LLC d/b/a Verizon Wireless (the “Applicant”) submitted applications for special use permit and site plan approval for a proposed upgrade to the telecommunication equipment located at 13310 Hemlock Ridge Road (Tax ID No. 115.-1-13) (the “Proposed Action”); and

WHEREAS, as part of its application, the Applicant submitted a Short Environmental Assessment Form dated June 26, 2024, and

WHEREAS, on September 9, 2024, the Planning Board of the Town of Barre declared itself lead agency for purposes of SEQRA review of the proposed action, and

WHEREAS, on September 9, 2024, the Planning Board of the Town of Barre classified the action as an Unlisted Action, and

NOW, THEREFORE, the Planning Board of the Town of Barre hereby resolves to hold a public hearing on October 14, 2024 at 6:30pm for the proposed telecommunications facility to be located at 13310 Hemlock Ridge Road.

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

AND, THEREFORE, the Planning Board 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:

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

The resolution passed.

Mr. Grover asked when the County Planning Board would be held. He was told that the information had to be submitted by September 19th for the September 26th meeting. The meeting started at 7 pm.

Mr. Nick Leone had requested to be on the agenda. He would like to start a business on Maple Street repairing agriculture equipment and would like to make sure that it is possible before he purchases the property. The property is located just inside the general business district. Discussion took place:

- Is there 3-phase electric there? Yes
- I will be tearing down the building that is there currently and rebuilding
- I have asked about a sprinkler system and since the building will be under 12,000 one will not be needed
- Mr. Leone would like a clear path from the Town
- Do you have a business plan? Yes. Make sure to put it all down, the more the better
- Use the State building code and ask the CEO
- Our code is lot specific use engineered drawings down the road. Was planning on it but did not want to spend the money if it was not a go at that location
- Spoke with Eric Watson and he is willing to build it for him
- Our zoning codes were reviewed along with definitions
- Definitions finalized decision that a special use would be required
- A question arose on 50 feet from a residential district neighboring a general business district. Clarification is needed on this.
- He was planning on building on the west side of the property but he can just build on the east side instead.
- Mr. Keeler stated Mr. Leone should think about the demo and the possibility of asbestos

III. OLD BUSINESS

In regards to the possible Land Separation zoning law, Mr. Dudley had some questions. He felt that the minor separation was the same as a major separation except for the number of properties involved. Maybe he was missing something, however, it was an overwhelming amount of paperwork that needed to be done. More clarification is needed so Mr. Miller will reach out to Ms. Cook.

Mr. Depatie stated that there is not an update on the comprehensive committee at this time. There are emails going back and forth still at this time and he is not sure where things stand at this time.

IV. COMMUNICATION

ORLEANS COUNTY PLANNING BOARD

July's meeting:

- Town of Shelby's Moratorium on Wind Energy Conversion Systems Local Law #2 of 2024 for 180 days was approved
- Town of Kendall's Special Use Permit and Site Plan Review for a Home Business for Firearm Sales on Center Road was approved
- Town of Kendall's Area Variance and Site Plan Review for constructing a Commercial Structure for a business project on Sand Road was approved
- Village of Albion's request for a parcel to rezone from Residential to General Commercial on East Bank Street was approved
- Village of Albion's request for another parcel to rezone Residential to General Commercial on East Bank Street was approved

Orleans County Household Hazardous Waste Event was a success in August by Orleanshub. There was not a meeting in August. Mr. Bensley passed away

V. ADJORNMENT

Mrs. Peglow made a motion to adjourn the meeting at 8:08 pm; seconded by Mr. Depatie and carried (7-0).

Lee A. Preston, Clerk