



# Knox Town Board Minutes

*March 3/13/2018 DRAFT*

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The meeting was called to order at 7:06pm, followed by the Pledge of Allegiance to the Flag.

Present on this date:

- Supervisor Lefkaditis
- Councilman Barber
- Councilman Barcomb
- Councilman Pritchard
- Councilman Saddlemire
- Town Attorney Javid Afzali
- Town Clerk Traci Schanz

Supervisor Lefkaditis began the meeting by introducing the Town Attorney, Javid Afzali, and acknowledged for the last six months Mr. Afzali has been serving in the United States Army and thanked Mr. Afzali for his service.

A brief presentation was given by Kiernan Hanley regarding his Eagle Scout project. Kiernan would like to build a shelving unit for the Berne Library.

**RESOLUTION 64-2018** – A motion was made by Councilman Saddlemire and seconded by councilman Pritchard to donate \$100.00 toward this project. This motion carried unanimously.

**RESOLVED:** to approve the \$100.00 donation for Kiernan Hanley's Eagle Scout project.

**RESOLUTION 65-2018** A motion was made by Councilman Barcomb and seconded by Supervisor Lefkaditis to convene the public hearing on Local Law 1 regarding minimum attendance standards by members of the Planning Board and Zoning Board of Appeals. This motion carried unanimously.

**RESOLVED:** to convene the Public Hearing of Local Law 1 of 2018.

Supervisor Lefkaditis explained the reasoning behind the law. Several members of the audience asked a few brief questions. of the audience spoke, read letters, or submitted letters to be read aloud by board members. All written statements are attached at the end of this document.

Art Tooper asked a question regarding the number of absences.

Dee Woesner asked how frequently absences affect the PB and ABA ability to hold a meeting.

Bob Price asked for a clarification regarding the language of all other boards attending all Public Hearings or only the Hearings for which Board they are a member of. Attorney Afzali clarified that Board Members need only to attend the Public Hearing of their respective Boards in which they are a member of, not every board.

Bill Pasquini asked for clarification regarding number of absences, being 2 consecutive or 2 in total. Councilman Barber asked a question regarding Section 7, letter "c" regarding notification of the article.

Councilman Barcomb inquired how can members be sure this new law will not be used as a political tool to keep or get rid of certain people.

Wendy Barcomb inquired about making exceptions for extenuating circumstances.

**RESOLUTION 66-2018** A motion was made to close the Public Hearing on proposed Local Law 1 2018 by Councilman Saddlemire and seconded by Supervisor Lefkaditis. This motion carried unanimously.

**RESOLVED:** To close the Public Hearing on proposed Local Law 1 2018.

**RESOLUTION 67-2018-** A motion was made by Supervisor Lefkaditis to pass Local Law 1 2018 and was seconded by Councilman Pritchard. The motion carried with 3 YAY and 2 NAY votes, with Councilman Barcomb and Councilman Barber voting NAY.

**RESOLVED:** To pass Local Law 1 2018

**RESOLUTION 68-2018** – At 7:20pm a motion was made by Councilman Pritchard and seconded by Councilman Barcomb to convene the Public Hearing of the proposed new business district at the intersection near state routes 156/157. This motion carried unanimously.

**RESOLVED:** to convene the Public Hearing for the proposed new business district at the intersection near state routes 156/157.

After Councilman Barcomb read a statement from Amy Pakorny, Supervisor Lefkaditis stated he would like the minutes to reflect that he has "zero dealings in the subject area, there are none pending, and this particular statement is baseless, shameless, and typical gutter politics."

Councilman Barber read the official Planning Board memo that was initially created January 13, 2017.

Several members of the audience spoke, read letters, or submitted letters to be read aloud by board members. All written statements are attached at the end of this document.

**RESOLUTION 69-2018** – At 8:14pma motion was made by Supervisor Lefkaditis, and seconded by Councilman Barcomb adjourn the public hearing, and was carried unanimously.

**RESOLVED:** to adjourn the public hearing of the proposed business district near state routes 156/157.

Mr. Price announced that on Saturday, April 7, 2018 there will be a blood drive held at the Knox Town Hall from 8:00am-1:00pm.

Attorney Afzali spoke briefly regarding the Resolution Introducing Local Law and provided all Board members with a copy.

**RESOLUTION 70-2018** – A motion was made by Supervisor Lefkaditis introducing Local Law 2 2018 with the following changes; removal of section 47.-1-2.9, 58.-1-2.2, 58.-2-2.5 and the addition of 58.-2-2.2. This was seconded by Councilman Saddlemire. This motioned carried with a vote of 4 YAY and 1 NAY with Councilman Barcomb voting NAY.

**RESOLVED:** To introduce Local Law 2 2018 with the following changes; removal of section 47.-1-2.9, 58.-1-2.2, 58.-2-2.5 and the addition of 58.-2-2.2.

Michael Connors from the Albany Comptroller's office spoke briefly regarding the Internet Fairness Conformity Tax.

Supervisor Lefkaditis asked for liaison reports. He reports that the Planning board met to discuss the sub-division on Bell Road and had a discussion regarding the business district public hearing held this meeting. The Planning Board had no new business. There were no other liaison reports.

Supervisor Lefkaditis made a brief announcement regarding the dog rabies clinics being held March 17th, June 5<sup>th</sup>, September 8<sup>th</sup>, and November 10<sup>th</sup>.

**RESOLUTION 71-2018-** A motion was made by Councilman Barcomb to approve the consent agenda and minutes from 2/13/2018 and the minutes from the Special Meeting held 3/8/2018. This motion was seconded by Councilman Pritchard. This motion carried unanimously.

**RESOLVED:** To approve the consent agenda from 2/13/2018 and the minutes from the Special Meeting of 3/8/2018.

Supervisor Lefkaditis reports that Highway Superintendent Gary Salisbury is unable to attend tonight's Board Meeting because he is meeting with the Knox Fire Commissioners regarding the sub-division on Bell Road, and the potential specs for the roadway. Supervisor Lefkaditis reports that the Highway Superintendent has received both new trucks which have been in service. He also mentioned that the park plan demolition will begin when the snow melts with the demolition of the tennis courts. Assemblyman Santabarbara helped secure a \$125,000 grant, along with a maximum \$50,000 from the general fund, and the town is almost ready to get started but need to file an RFP. A brief discussion was held regarding the process of RFPs. If all goes well there is a Community Build scheduled for July 19-22, 2018. A letter has been prepared to be sent out for donations for everything from shirts, to food, to equipment, etc. The Albany County Sherriff's Office will be contract regarding the Inmate Work Program.

**RESOLUTION 72-2018-** A motion was made by Councilman Barcomb to approve the Resolution to solicit RFPs for the Town Park Project. Councilman Barber seconded this motion. This motion carried unanimously.

**RESOLVED:** To approve the Resolution to solicit RFPs for the Town Park Project.

Supervisor Lefkaditis will contact Assemblyman Santabarbara regarding a ribbon cutting ceremony as he deserves to be here after giving the Town the Grant for the project.

The facilities walk-through will be discussed again at next months meeting due to the amount of snow we currently have.

Councilman Saddlemire briefly discussed the Communities Clean Energy Grant. He has contacted the project manager, trying to get a list of approved vendors/contractors that meet the requirements of NYSERDA, so that the town can choose from a qualified vendor when ready. He is waiting to hear back from the Power Authority to schedule a final audit and develop a final plan. The original application has Amy Pakornky's as a contact person, and Councilman Saddlemire suggests changing that to himself.

Supervisor Lefkaditis gave an update on the generator at the Town Hall. It has been partially repaired. Technicians are waiting on the correct crank shaft sensor. In the meantime, it can be turned on manually if needed. Councilman Saddlemire also spoke briefly regarding the suggestion of a wind break to protect the generator from the wind.

**RESOLUTION 73-2018-** A motion was made by Supervisor Lefkaditis to approve the purchase of white vinyl fencing, not to exceed \$200.00 to protect the north and west side of the generator. Councilman Barber seconded this motion. This motion carried unanimously.

**RESOLVED:** To approve the purchase of white vinyl fencing, not to exceed \$200.00 to protect the north and west side of the generator.

A discussion was held regarding the changes made to the Blight Law by Attorney Afzali. Supervisor Lefkaditis asked Attorney Afzali to email all Board members as well as the Zoning and Building Administrator Dan Sherman, a copy of the blight Law with the revisions made. Board members will meet with Dan Sherman to discuss the changes.

A discussion was held regarding the Knox Historical Society Agreement/lease. Attorney Afzali recommends that the board authorize the Supervisor to enter into a Memorandum of Lease with Knox Historical Society. The alternative is a new lease which requires a public referendum process and is not necessary for the requirements of the State Education Department.

**RESOLUTION 74-2018-** A motion was made by Councilman Barber, seconded by Councilman Barcomb to approve the Supervisor to Execute a Memorandum of Lease with Knox Historical Society as presented. This motion carried unanimously.

**RESOLVED:** To approve the Supervisor to Execute a Memorandum of Lease with Knox Historical Society as presented.

A brief discussion was held regarding a request from the Transfer Station workers to change the hours. They would like the Board to consider adding hours during the week and removing two hours from Saturdays. The Board members will discuss it again at the April meeting.

A discussion was held regarding Planning Board training in April. Supervisor Lefkaditis would like to address the law that is in place regarding the training of Planning Board and Zoning Board of Appeals members. Councilman Barcomb would like to be upfront with members regarding the expectations of training. Ed Akroyd asked that the Board share information with the public regarding training so that townspeople could attend. Attorney Afzali's Firm also provides training for PB and ZBA members. The Board will discuss this matter again next month.

**RESOLUTION 75-2018-** A motion was made by Councilman Barber, seconded by Councilman Barcomb to appoint Kevin Sherman as the CAC Chair. This motion carried unanimously.

**RESOLVED:** to appoint Kevin Sherman as the CAC Chair.

**RESOLUTION 76-2018-** A motion was made by Councilman Barcomb, seconded by Supervisor Lefkaditis to appoint Doug Roether as the ZBA Chair. This motion carried unanimously.

**RESOLVED:** to appoint Doug Roether as the ZBA Chair.

**RESOLUTION 77-2018-** A motion was made by Councilman Barcomb, seconded by Supervisor Lefkaditis to appoint Ernest Cupernall to the CAC with a term expiring on December 31, 2019. This motion carried unanimously.

**RESOLVED:** to appoint Ernest Cupernall to the CAC with a term expiring on December 31, 2019.

**RESOLUTION 78-2018-** A motion was made by Supervisor Lefkaditis and seconded by Councilman Pritchard to appoint William Pasquini to the PB with a term expiring on December 31, 2024. This motion carried with 4 YEA votes and 1 ABSTENTION with Councilman Barcomb abstaining.

**RESOLVED:** to appoint William Pasquini to the PB with a term expiring on December 31, 2024

**RESOLUTION 79-2018-** A motion was made by Supervisor Lefkaditis, seconded by Councilman Pritchard to appoint Todd LaGrange to the PB with a term expiring on December 31, 2021. This motion carried with 4 YEA votes and 1 ABSTENTION with Councilman Barcomb abstaining.

**RESOLVED:** to appoint Todd LaGrange to the PB with a term expiring on December 31, 2021.

**RESOLUTION 80-2018-** A motion was made by Supervisor Lefkaditis, seconded by Councilman Saddlemire to appoint Dennis Cyr to the ZBA with a term expiring on December 31, 2024. This motion carried with 4 YEA votes and 1 ABSTENTION with Councilman Barcomb abstaining.

**RESOLVED:** to appoint Dennis Cyr to the ZBA with a term expiring on December 31, 2024.

**RESOLUTION 81-2018-** A motion was made by Councilman Barber, seconded by Councilman Barcomb to appoint Dana Sherman to the ZBA with a term expiring on December 31, 2021. This motion carried unanimously.

**RESOLVED:** to appoint Dana Sherman to the ZBA with a term expiring on December 31, 2021.

The appointment of an alternate member to the ZBA will be discussed at next month's meeting.

There was a discussion held regarding the Park Laborer and DCO positions as well as part time cleaner position, buildings and grounds and the consolidation of positions into one full time position. The Board feels like there is plenty of work for one person to be busy full time, but it will be difficult to find one person to do it all. Supervisor Lefkaditis will work on costs estimates for the various positions. The discussion led into a deeper conversation regarding the dumping of commercial material at the transfer station. Bill Pasquini suggested getting an extra 30-yard dumpster specifically for commercial purposes. Supervisor Lefkaditis will speak with Superintendent Salisbury about this matter and it will be discussed at the next Board meeting. The discussion turned back to consolidating positions, changing the hours from 40 hours per week to 30 hours per week. Supervisor Lefkaditis would like this matter to be taken care of at the next Board meeting in April.

**RESOLUTION 82-2018-** A motion was made by Councilman Saddlemire, seconded by Councilman Barcomb to appoint Marla Briggs to the CAC with a term expiring on December 31, 2019. This motion carried unanimously.

**RESOLVED:** to appoint Marla Briggs to the CAC with a term expiring on December 31, 2019.

Councilman Barber would like to change the date for the Community Roadside clean up day. This will be placed on a future agenda.

**RESOLUTION 83-2018 -** A motion was made by Councilman Barcomb and seconded by Councilman Barber to accept the Supervisor's and Clerk's report as presented. The motion carried unanimously.

**RESOLVED:** to accept the Supervisor's and Clerk's report.

**RESOLUTION 84-2018 –** A motion was made by Councilman Barcomb and seconded by Councilman Saddlemire to authorize the Supervisor to pay the bills from Abstract 3, 2018 including vouchers 41-58 for the general fund in the amount of \$9,934.67 and voucher numbers 59-73 for the highway fund in the amount of \$13,273.11. This motion carried unanimously.

**RESOLVED:** to approve the Supervisor to pay the bills from Abstract 3- 2018.

Councilman Saddlemire informed everyone present about the dates of the Maple Festival activities taking place this weekend as well as Farm Family Day. Farm Family Day will be held at Nick Tommell's farm September 9, 2018 from 11:00am-3:00pm.

Councilman Saddlemire addressed everyone with a personal request to look at the code on milk containers. If there is a "36", this means the milk was produced in New York State. He would like the public to help himself and all NYS farmers to purchase milk with this numerical code on it. Supervisor Lefkaditis will post this information on the Town's Facebook page.

Councilman Saddlemire also spoke briefly regarding the passing of Richard Guilz Sr., his lifelong dedication to the East Berne FD. The Board will hold a moment of silence for Mr. Guilz at the April meeting.

Mr. Cupernall spoke regarding starting up a table tennis club. He had questions regarding insurance to cover himself. He would wait until the floor is completely repaired downstairs. He would like to have an afterschool group and an adult group. He currently has one volunteer to help him with this idea. Supervisor Lefkaditis discussed the possibility of merging a previous idea of a homework club with the table tennis club, as well as Ray Hand's idea of creating a book corner. This item will put placed on a future agenda.

**RESOLUTION 85-2018** - At 10:00pm, a motion was made by Councilman Barcomb, seconded by Councilman Pritchard to adjourn the meeting and was unanimously approved.

**RESOLVED:** to adjourn the meeting.

Respectfully Submitted,

Traci Schanz  
Knox Town Clerk  
March 28, 2018

**\*\*PLEASE SEE BELOW, LETTERS FORM THE PUBLIC\*\***

March 13, 2018

Statement of Gary S. Kleppel (1093 Township Road)  
To: The Knox Town Board  
Re: Public hearing on the proposed "156/157 Business District"  
Town Hall, Knox, NY

I'm not here tonight to speak against the proposed business district. I actually proposed that the Town develop mixed use, residential/commercial districts in 2002. However, I do have some questions and concerns about the current proposal, and I would appreciate it if the board would address them moving forward.

First, I was surprised to see that the size of the business district *expanded* from about 80 acres to 292 acres. That's a 265% increase! Can you tell me why you decided to enlarge the district by that much?

Second, I'm not on the planning board, but I'm told that the planning board had some concerns about the original proposal for the business district. Can you tell me what these are, and can you tell me how the Town responded? The law says the Town needs to take a "hard look" at the planning board's concerns.

Third, and along the same line, I've heard that the planning board had not seen the present proposal for the new business district before the public hearing was announced. Shouldn't they have an opportunity to provide input?

Fourth, two of my neighbors told me that the location of the business district has some traffic issues - one spun out in this area. How will the board address issues associated with increased traffic and traffic safety in the new district?

Fifth, there are several areas with karst geology in the proposed business district. These are places with shallow, porous bedrock. Commercial chemicals that might be used or spilled in the district can easily get into the groundwater, seriously affecting people and existing businesses downstream of the district.

Sixth, the business district is for "low impact" businesses. Would you tell me how the Town defines, "low impact"?

Finally, to make a business district attractive to businesses, rather than just having a bunch of schlock strip malls, the Town will probably need to put some resources into infrastructure. This means that Town funds may be needed to pay for the improvements. Have you looked into what this will mean to people's taxes?

Once again, I own a business. I'm pro-business and I have long been a proponent of business districts in Town. But I want these business districts to be a gain not a drain for the people of Knox. I would ask you to take time to consider the input that you receive tonight, to address the concerns of the planning board and that we all work together to create an attractive business environment in our town.

Thank you.

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OK, so there's another proposal to rezone some number of properties at the 156/157 intersection as a business district. Once again, only general feel-good reasons have been given for why the town should do this. No specific expectations (like great news! these lucky property owners will be able to sell their lot to Dollar General!) or estimate of the likely environmental impacts (won't a nice little LED sign for Stewarts look good there?) have been seen. No projections as to how the town might benefit, projected property investment, etc. No reason as to why only these few property owners should be granted the ability to use or sell their property for business ... why not the whole town? If this is being done just to support business, then why not include all businesses in town? And, to be a legal SEQR process, the public should be made aware of the possible developments and impacts in a public hearing; a general "whattya think about a BD" meeting does not satisfy that requirement. So my first comment is that the proposal is technically unacceptable and does not meet legal requirements.

The best way to develop and consider major zoning changes is via the comp plan process. However, the reality is that after an update effort was started years ago, no work has been done with the consultant in recent years. The current supervisor controls comp plan meetings, and has zero training in comp planning. And apparently based only on a general-but-sincere desire to encourage business growth, the town is proposing more BD zoning without benefit of developing zoning changes through the comp plan. What should be happening is consideration of what future pressures for change will be, and what zoning changes we might need to plan for dealing with those changes. The major pressures we've seen as a PB include future growth in single family housing (subdivisions), and growth in 55+ housing (Street Rd proposal). The current BDs have not evidenced any significant demand for business development. Developing possible zoning changes to accommodate or discourage these development pressures and analyzing their impact relative to the goals of encouraging agriculture, preserving the environment, and public health should be the next

step. Instead, we get a proposal for to somehow encourage the growth of retail businesses in one stretch of highway that is defined by .... gee, that looks like a swell number of lots!? And apparently any businesses that might develop would surely have no impacts on neighbors.

The big picture is that we do have pressure for development of housing for seniors and renters. You can see it in Altamont. The big question is, do we want Knox to continue as is, likely slow growth through subdivision of farmland, or do we want to encourage and plan for growth by planning for infrastructure, both for general health and to allow dense development to develop the hamlet. Magic won't work. The proven path is to provide infrastructure, and the housing/population growth will generate the demand for business development. If we want a real village, we need to plan for it. We are not going to develop the hamlet into a thriving village without infrastructure. Want a walkable community? - not going to happen with large lot zoning. I would continue to encourage all to read through the Governor's Smart Growth Initiative. This is a recent study effort which basically details and updates (planning is learning ... ) the relation of infrastructure to development. They make a solid case that infrastructure is basic to growth. The lessons I get are that we can meet growth needs and avoid subdividing our farmland by accommodating population growth by developing our rural village, but this will require developing infrastructure (water, sewer) to support denser development.

So the un-noticed cost to the public is that officials are dreaming up ways to look like they're supporting business while ignoring the real pressures for growth and the need to update the comp plan to deal with them. But, hey, they'll have opportunity to bloviate about their really really deep devotion to business development while they ignore reality.

And what could possibly go wrong? With such ill-defined boundaries for the proposed BD, any property owner anywhere could ask, why not me? And while the BD status provides zero change to business demand, it is possible that someday a successful business will result, But, it won't contribute to real development of a village, and a successful business will generate impacts on neighbors. And there are spots where sight distance and other problems will generate real crashes. This will be a problem for the TB. And the idea that it's OK to allow development anywhere and expect DOT to fix the traffic problems is ridiculous; DOT does not restrict property owners access rights, and traffic increases at an existing driveway will occur without any reviews.

History's lessons- up to 1974, businesses could develop anywhere in town. Concerns about health and impacts from businesses scattered throughout the town forced the town to develop zoning law.

The 1974 Zoning Law provided large lot zoning to protect the environment and citizen health, set up SO requirements, but set no area for a SO. The 1997 Comp Plan only noted several possible areas for future consideration as a SO. In 2004, we created the MRD. In 2014, we created the hamlet SO, which is suitable for infrastructure development. If we go back to allowing random development, we can certainly expect to go back to what we had in 1974 - public complaints about development to the TS who will not be able to fix the problems.

Gee, and I was trying to be brief. Oh well, let me know if you have questions or want to discuss this further. I suspect some are afraid we can't do what Berne already did.

Bob Gwin

Comments by Debra Nelson

Submitted to the Knox Town Board, Tuesday, March 13, 2018

To be included in the record for Public Meeting regarding the proposed Business District along State Routes 156/157.

The Knox Town Board is proposing a Business District near State Routes 156 and 157 against the advice of its appointed boards.

Why? What are they up to?

People don't want it. And they don't want it here.

Why do we need another business district?

We don't! We already have two districts that allow business uses: one in the hamlet, less 2 miles away from this proposed district, and one in the southern part of town.

Who wants a business here? Where are they? Who are they?

If someone wants to open a business in Town, there are reasonable alternatives to do so in the two existing districts in Town.

Why here?

There are problems with groundwater. People's wells will be affected.

The Planning Board and the Conservation Advisory Council have advised the Town Board against it, citing concerns about impacts to the environment and the community character.

Why ignore the advice of the Planning Board and CAe?

Why misrepresent information?

When Vas filled out the State Environmental Quality Review (SEQR) forms, he described the project as "Convert zoning from residential to business on multiple parcels along state route 156 in the Town of Knox, *the majority of whici: house local low impact businesses.*"

Really?! This is just plain false! The majority of the 18 parcels on the 292 acres support residential and agricultural uses, as zoned. There are 2 home occupation businesses (which are allowed under current zoning) and 1 greenhouse (which is also allowed). And there is 1 abandoned restaurant. That's it. That is not a "majority".

Why try to fool the public?

Why now?

Town Supervisor Vas Lefkaditis has been pushing hard for this business district for years. Why?

And now that the Town Board has a Republican majority, they have resurrected it and are trying to push this through, without concern for the residents. Why?

We have zoning in place to protect property values, promote the economy, and safeguard public health, safety and welfare. This proposed zoning change is incompatible for the area. It will hurt property values and harm public health, safety and welfare.

Why are they pushing for this now?

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**Why would the residents want this?**

They wouldn't!

Why would they want a district where they or their neighbors would NOT be allowed to have stables for horses?

Yet their neighbors would be allowed to:

- Run a gas station
- Have a car washing station
- Do light industrial manufacturing
- Operate a heliport
- Build a motel
- Or a shopping center
- Run a laundry mat
- Or a dry cleaning plant
- and many, many other uses

Does that sound like the Knox you want to live in? Motels and car washing stations and dry cleaning plants and shopping centers at this location?

**Why are they afraid to hear from the public?**

This zoning change could drastically change the character of this community! And yet this effort has been kept secret. WHY?

If it is a bad, bad idea, (which it is) and not needed (which it isn't), why is the Town Board, and particularly Vas, pushing for this?

What is going on here?

\*\*\*\*\*

DRAFT

Robert B. Price, C.Mfg.E.  
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Delanson, N.Y. 12053-2139  
518.895.8954      Email: [garknox@nycap.rr.com](mailto:garknox@nycap.rr.com)

11 March 2018

Knox Town Board -

The following comments represent my concerns about the rationale presented to the public regarding the creation of a Business District in the area of the Rte 156/157 intersection. They supplement the comments sent to the Board by Deb Nelson who also has very serious concerns about this process.

First, I would like to point out that the presence of "Low Impact Businesses" is NOT a viable rationale that additional businesses should be added to the proposed district.

One of the LIB businesses sells machinery, specifically, wood working machines. It has been in business for at least 45 years (I know this for a fact since I purchased a 12 inch table saw from Keith Armstrong 45 years ago.) He was a one person business back then and is still a one person business.

Another LIB business has been building picnic tables and chairs and small garden buildings for about the same length of time and it is also still a one person business.

And the LIB nursery about a mile west of the 156/157 intersection has also been there a long time with still only one owner and a few part time helpers.

Lastly but not least, there is the former Highland Farms restaurant which has gone through at least 4 owners over the last 15 years, all of whom have failed to keep the business going. Not because the food was not good or the service was not good or the ambiance was not nice but because there were not enough patrons to keep the business viable.

My point is that the presence of the mentioned entities is most definitely NO indication that the proposed area is a good candidate to create a business district. If that rationale was true then one would expect that over the last 40-t- years other businesses would have been established and they have not!

And one very important flaw in the thinking is ignoring the configuration of Rte 156. It is a very sharply curved stretch of road with a 35 MPH warning sign. DOT

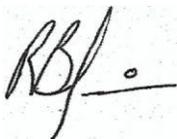
records will show the number of times that speeding vehicles have trashed themselves when they skidded off the road, taking down utility poles and rubbing the paint off the passenger side of the vehicle while skidding along the stone wall.

And here is a very important issue regarding this process. I am assuming that ALL 18 of the residents were sent a formal notification regarding the time and date of the meeting. But clearly that leaves out the vast majority of the rest of the residents of Knox. The Altamont Enterprise of 1 March 2018, on Page 28, has a small notice announcing the meeting of the TB on 13 March. I submit to you that less than *5io* of the rest of Knox residents have seen that notice since very, very, very few people read those notices. By the way, the copy that I have of the list of effected sites is headed with the words LEGAL NOTICE - there is no such notice in the 1 March paper. Also, there is no notice regarding the TB meeting in the 8 March edition of the Enterprise!

The Planning Board, when it has a reason to want the public to know about an important PB meeting, puts a block notice in the *Enterprise* that is in the front section of the paper. It has a black frame around the notice and has a headline "Attention Knox Residents" across the top. That is how you get the attention of a much larger portion of the Knox public not by burying it in the fine print at the back of the Local Notices section. Assuming that the TB wanted to do that!

Also, I was not able to find any mention of the subject of the 13 March meeting on the Town Web Site. Another indication of the flawed thinking that went into this proposal.

There is, in my experienced opinion, significant reasonable doubt regarding the sincerity of the TB' s intentions regarding the creation of this proposed new business district.



Robert B. Price

1676 Berne Altamont  
Road  
Altamont, NY 12009

March 13, 2018

Knox Town Board  
March 13, 2018 Public Hearing

Subject: Business District 2

Board Members:

My wife and I reside at 1676 Berne Altamont Road and we are against any zoning change of my property or other property in my neighborhood. I have spoken before at Town and Planning Boards voicing our opposition to this proposal. We purchased my property with the intention of residing in a rural area and would like it to stay that way. I am of the opinion the town does not have the water, sewer, and code enforcement infrastructure to properly support a business district. Emergency services such as police, fire, and EMS are also stretched thin. Need for these services will only increase as businesses are established. I see no benefit to neighbors or me with a zoning change. Residents from other areas of town are free to have a differing opinion but they have the luxury of not being in the district or having their property reclassified against their will.

I would like to bring to the attention of the board that changing the zoning of my property would cause a private horse stable to become a non-permitted use. However, a dry cleaning operation like the one in Wynantskill near where I grew up that contaminated the water wells in my neighborhood would now be allowed with a variance. A variance would not be attainable to stable a horse on any of the 200 plus acres within the proposed business district even though much of it is ideal land to do so. This restriction would surely affect property values. I believe the appropriate board should take a deeper look at the Accessory Use classification called "Stables for horses for non-commercial purposes." I find it difficult to comprehend a ban on horses in a rural location as a result of a zoning change that I oppose but the same change would then allow dry cleaners, fuel storage, and industrial uses on the exact same tract of land. Even if I wanted to open a business I would much rather keep the current residential classification, apply for a special use permit, and retain the right to have horses rather than ask for a zoning change that would completely forbid horses.

Recently the town zoning board approved a variance for the former Foxenkill Tavern to reopen under new ownership. I have no opinion for or against this decision but in a February 1, 2018 Altamont Enterprise news article the new owner states he hopes to stay open until 2 AM on the weekends and have live bands. I cannot see how a live band would be permissible under the excessive noise provision on page 46 of the Zoning Ordinance. I hope there are not similar plans for a business serving alcohol to 2 AM with live bands within the proposed business district.

As far as I know the town's Planning Board is charged with task of analyzing land use issues and has never voted in favor of a new business district. I have no knowledge of any current property owner within the proposed district wanting to open a business that requires a zoning change. No one has ever approached me asking me to sell my property because they thought it was an ideal business location. It seems efforts to rezone are external to my neighborhood. Any change needs to benefit the citizens inside the district that are most affected. If anyone on the board has knowledge of a business wanting to locate into this new district, I wish they would share that information. Actually in the interest of full disclosure all elected officials should state for the record any past, present, or future interests they may have with properties in the proposed district. It seems to be a situation where the town wants to make a zoning change and then see what happens. Instead of opening the door for anything from a heliport to a laundromat I would prefer an approach where the community first knew what kind of business wanted to open and then make an informed decision.

Sincerely,



Art Brearton

Hi Earl,

The following are questions that I would like the Town Board to answer regarding the proposed business district on Rt. 156.

Thanks,  
Betty

Dear Town Board members,

I have the following questions that I would like the Town Board to respond to regarding the SEQR process for the potential adoption of the proposed 156 business district:

1. This is a SEQR Type I action that requires assessment of the most intensive uses allowable for the entire business district. When and how will the environment impacts be assessed?
2. When will Parts II and III of the Environmental Assessment Form (EAF) and an Environmental Impact Statement (EIS) documenting the environmental and community impacts be completed?
3. Who will conduct the environmental impact analyses? What are their qualifications?
4. When will the environmental impact analyses' be available to the public to comment on?
5. When and how were the residents within the proposed district notified of the proposed change in zoning and of this meeting, and what proof do you have of their notification?
5. This proposed zoning change affects the entire community. How were the residents of the town notified and what proof do you have of that?
6. Are you planning another public hearing? If so, when is that scheduled for and how are you going to notify

