

PLANNING BOARD - TOWN OF KNOX - ALBANY COUNTY

P.O. Box 56, Knox, N.Y. 12107

Established 1822

PLANNING BOARD MEETING MINUTES

Minutes: 14 April 2016

Present: Bob Price, Bob Gwin, Betty Ketcham, Tom Wolfe, Dan Driscoll, Brett Pulliam, Debra Nelson

- Meeting was called to order at 1940.

Approval of the draft minutes of the previous month's meeting.

- Minutes of the March 2016 meeting were reviewed and unanimously approved without modification.

New Business

One-Cut Rule Cases

Betsy DuPont from Rudy Synder LS, presented a lot-line adjustment plan on behalf of Frank Popolizzio and Hugh Amoroso. Frank, his wife and Hugh collectively own 140 acres of land on Knox Cave Road that they plan to split—Hugh taking 37 acres and Frank and his wife retaining the remaining 103 acres. Betsy went to Town of Wright since they have a lot-line adjustment law and was referred to the Knox Planning Board.

Dan Driscoll made a motion that this case falls under the Town's One-Cut Rule. Tom Wolfe seconded the motion. There were 7 Yea and 0 Nay. Bob Price will write letter to Town of Wright and send a copy to Betsy.

Mark King, Executive Director of the Mohawk Hudson Land Conservancy, showed a drawing related to a One-Cute Rule case involving Darcey Pulliam and Zeb Pulliam. The properties are located in the Bozen Kill Preserve and are properly surveyed. They are planning to subdivide two portions of land that are landlocked with the CPR railroad as a boundary. The subdivision will result in adding 8.3 and 8.7 acres, respectively, to the protected area. Mark will send along a copy of the surveys for the Board's files.

Old Business

Zoning Ordinance- Noise and Lighting Amendments

Bob Price reported that the Town Board will accept the Noise and Lighting amendments and hold a public hearing. He recommended that we incorporate the typos updates into this round as well. Bob Gwin updated the Lighting amendment to include comments from the Town Board meeting; suggested changes/additions are italicized. The Board reviewed the amendment and there was discussion around the agricultural exemption. Bob Price will call Dr. Robert Moore to discuss and report back to the Board.

The Board decided to hold an interim special meeting in order to further discuss and finalize their recommendation on the Lighting amendment. Betty Ketcham will send out a Doodle poll to determine best day/time.

Zoning Ordinance-Commercial Solar Array Amendment

Bob Gwin and Debra Nelson presented the updated Solar Array amendment. Bob Gwin read an article from Copake related to preparedness and commercial solar arrays. Betty, Bob Gwin and Debra plan to complete the EAF.

Tom Wolfe made a motion to transmit the updated amendment to the Town Board. Dan Driscoll stated that the Planning Board would need time to digest the updated amendment as well as consider how neighboring towns like New Scotland are updating their Zoning Ordinance. Ultimately, the Planning Board agreed to add the Solar Array topic to the agenda of the interim meeting and will vote on Tom's motion then.

Abandonment

John Dorfman, Town Attorney, provided Bob Price with the NYS Property Maintenance Code to consider in discussions related to abandonment. The law goes back to 1981 and all towns in the state of NY are required to utilize it. The NYS Property Maintenance Code was originally presented to the Town Board and was then deferred to the Planning Board.

John Dorfman recommended that the Planning Board review the Code and update the Zoning Ordinance accordingly. Doing so would give the Town the authority to take action on the abandoned properties. The Board discussed whether it needed to be incorporated, or is it inherent since Knox is in NY state? Further, the Board discussed the subjective "slippery slope" of blight in a town with varying socio-economic positions. The current Zoning Ordinance does not mention junk vehicles or unsafe structures. The Board discussed targeting abandoned **and** blighted buildings.

Bob Price will contact John Dorfman to see if existing state law covers the situations that the Planning Board has been asked to address. Supervisor Vas Lefkaditis requested that Bob also inquire about the Town's legal obligations if property is in violation. Must the Town act or can the Town *choose* to act? If the situation results in a lien, must the Town take action then? Or can the Town keep liens in place/add as necessary?

With no further questions from the audience, Brett Pulliam made a motion that the meeting be adjourned. Dan Driscoll seconded the motion. There were 7 Yea and 0 Nay.

Meeting adjourned at 2156. Next meeting - Thursday, 12 May 2016 @ 1930.