

PLANNING BOARD - TOWN OF KNOX - ALBANY COUNTY

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

Established 1822

PLANNING BOARD MEETING MINUTES

Minutes: 12 January 2017

Present: Bob Price, Bob Gwin, Tom Wolfe, Deb Nelson, Brett Pulliam, Betty Ketcham, Travis O'Donnell
Meeting was called to order at 1932.

1. Minutes from the December 2016 meeting were reviewed and approved with one modification—add “regarding” before “possible visual impact” under “Questions from the Audience”, #3.
2. Due to unforeseen circumstances, Jared Pantella of Labella Associates was not able to attend to discuss the Community 2.0 solar project. The Board will continue discussion in February.
 - i. Deb Nelson will contact Deb Breitenbach to schedule a site visit to the graveyard near Buttermilk Falls once the environmental report is received.
3. The Board discussed adding the “checklist” provided to Borrego to the Zoning Ordinance for continuity and guidance. Since this is currently a living document and may evolve, an amendment to the Zoning Ordinance would need to be made each time the list is updated. The Board agreed to not include the checklist in the Zoning Ordinance at this time.
 - i. Ken Saddlemire inquired about emergency response protocols for the solar array site. Borrego will need to show that they have discussed this with the Knox Fire Department, possibly providing a key to the access gate and registering for a 911 address. He also inquired about possibly injury sustained during maintenance of the site and the Board referred to the existing O&M plan.
 - ii. Betty pointed out that the tree clearing will need to be completed before the end of March 2017 so as not to disturb the local bat population.
4. The Board continued discussions on the Route 156/157 business district proposal.
 - i. Tom Wolfe stated that the Board has not, as recommended in the Comprehensive Plan, contacted anyone that may be affected by the proposed change—which the Board did do when discussing the Business District #1. The residents have not had a chance to comment or participate in the analysis.
 - ii. Bob Price stated that the Planning Board is a qualified body to decide if the proposed location is an ideal location for a business district and due to many factors, the Board finds the location to be a poor location for a business district. It would be irresponsible for the Planning Board, knowing what they know, to recommend that the area be designated a business district.
 - iii. Tom Wolfe stated that currently, three businesses exist in this area and have operated for extended periods of time. The site conditions are limiting to the type of businesses that can operate. Tom recommended using the Comprehensive Plan as consistent guidance for evaluation as done with Business District #1 in the hamlet.
 - iv. Deb Nelson referred to the Comprehensive Plan and stated that there is no defined process that includes public participation. She also discussed the role and responsibility of the Planning Board, referring to the NYS Town Law.

- i. *“The planning board may review and make recommendations on a proposed town comprehensive plan or amendment thereto. In addition, the planning board shall have full power and authority to make investigations, maps, reports and recommendations in connection therewith relating to the planning and development of the town as it seems desirable.”¹*
- ii. The Planning Board can seek input from the public but it is not a business district by vote. Deb stated that the Planning Board should not hold a public meeting if the Planning Board does not feel like it is a responsible planning action.
- v. Travis O'Donnell agreed on encouraging more public feedback but stated that it should be part of a greater effort to update the Comprehensive Plan. He proposed coupling the final business district recommendation with a recommendation to also reinvigorate the Comprehensive Planning process. Brett Pulliam recommended reexamining the business district when the Comprehensive Plan update is completed.

Travis O'Donnell shared his drafted recommendation and made a motion to adopt the memorandum as the Planning Board's full statement regarding the Town Board's proposed amendment to designate the area near the intersections of Routes 156 and 157 as a business district and to forward the memorandum to the Town Board. Bob Gwin seconded the motion.

Additional discussion included survey analysis/counts and possible inaccuracies of percentages stated in the memorandum. Travis O'Donnell will send the data that he reviewed when drafting the memorandum to the Planning Board. Debra Nelson proposed striking the below sentences that relate to the public survey.

- i. *In a 2014 “Town of Knox Comprehensive Plan Update Visioning Survey”, less than a third of respondents would accept the creation of a new mixed business/retail district in this location.*
- ii. *Without it, any effort to create an additional business district in the town in this location could be interpreted by opponents as illegal spot zoning. Knox has a fixed amount of land within its borders. Each acre set aside for a new business district is one lost for agricultural land/open space, which 92% of Knox vision survey respondents indicated is important to them.*

There were 6 Yea: Bob Price, Bob Gwin, Debra Nelson, Brett Pulliam, Betty Ketcham, Travis O'Donnell and 1 Nay: Tom Wolfe. Bob Price sent the memorandum to the Town Board.

5. Chastity McGivern, on behalf of Ken Beckley, approached the Board regarding a property line adjustment. Beckley's 21.3-acre property was surveyed in 2014 and the surveyor used an existing stonewall as a boundary line on the final drawing. Without a proper boundary line, the survey is null and void. The Board made a motion that this change is a true boundary line adjustment. There were 7 Yea and 0 Nay. When Chastity receives the Mylar, she will call Bob Price for the official stamp.

Debra Nelson made a motion that the meeting be adjourned. Brett Pulliam seconded the motion. There were 7 Yea and 0 Nay.

Meeting adjourned at 2036. Next meeting - Thursday, 9 February 2017 @ 1930.

¹ <http://codes.findlaw.com/ny/town-law/twn-sect-271.html>
Attachment: Copy of Planning Board Memorandum to Town Board