



# Knox Town Board Minutes

## Public Hearing

### March 21, 2024

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**The meeting was called to order at 7:00 pm by Supervisor Pokorny, followed by the Pledge of Allegiance.**

Present on this date:

- Supervisor Pokorny
- Councilman Cyr
- Councilwoman Springer
- Councilman Pritchard
- Town Clerk Schanz
- Councilman Saddlemire

Not Present on this date:

- Highway Superintendent Schanz

**RESOLUTION 063-2024** - A motion was made by Supervisor Pokorny seconded by Councilwoman Springer to suspend the Public Meeting and open the Special Meeting for the Public Hearing regarding the Solar Moratorium. This motion carried unanimously.

**RESOLVED:** to suspend the Public Meeting and open the Public Meeting and open the Public Hearing regarding the Solar Moratorium.

**Public Hearing Comments:**

- Al Gaige states he believes the Planning Board is doing a great job working on the filing of a new set of laws regarding solar in the town. He has been attending Planning Board meetings and believes they need a bit more time before they are finished.
- No other comments from the audience.

**RESOLUTION 064-2024** - A motion was made by Councilwoman Springer seconded by Councilman Pritchard to close the Public Hearing and reconvene the public meeting. This motion carried unanimously.

**RESOLVED:** to close the Public Hearing and reconvene the public meeting.

**RESOLUTION 065-2024** - A motion was made by Councilman Saddlemire seconded by Councilman Pritchard to pass **LOCAL LAW 001-2024; A LOCAL LAW TO EXTEND THE MORATORIUM ON THE PROCESSING AND APPROVAL OF NEW APPLICATIONS FOR LARGE SCALE SOLAR PROJECTS IN THE TOWN OF KNOX**. This motion carried unanimously.

**RESOLVED:** to pass **LOCAL LAW 001-2024**

### **LOCAL LAW # 001 - 2024**

#### **A LOCAL LAW TO EXTEND THE MORATORIUM ON THE PROCESSING AND APPROVAL OF NEW APPLICATIONS FOR LARGE SCALE SOLAR PROJECTS IN THE TOWN OF KNOX**

**Be it enacted by the Town Board of the Town of Knox as follows:**

##### **Section I. Title**

**This Local Law shall be referred to as the “Local Law to Extend Moratorium on the Processing and Approval of New Applications for Large Scale Solar Projects in the Town of Knox.”**

##### **Section II. Purpose and Intent**

**On April 18, 2023, the Town Board of the Town of Knox resolved to enact a twelve (12) month moratorium on the processing and approval of new applications for large scale solar projects in the Town of Knox. The Town Board thereafter commissioned the Planning Board to review and make any recommendations to the Town Board as to any changes, revisions or amendments to the Solar Law. The Town Board still awaits recommendations regarding any changes, revisions or amendments to the Solar Law. The moratorium is now set to expire on April 18, 2024.**

**Based on the minutes of the January 23, 2024 meeting of the Town of Knox Planning Board, the members thereof moved to request that the Town Board extend the moratorium on the Solar Law for an additional six months, or until adoption of the new solar law, whichever comes first, and such motion was passed. in which the following motion was passed:**

**And based on procedural advice from the town attorneys, the Planning Board has undertaken an environmental review and a comprehensive review of the Town Zoning Law and general Code relating to large scale solar development. The Albany County Planning Board has reviewed this extension proposal and recommended it be deferred to local consideration, finding that it will “have no impact upon the jurisdictional determinant referring to this case, nor will it have significant countywide or intermunicipal impact.”**

**The Planning Board has been developing a draft document based upon laws regulating solar development in other municipalities, and they plan to propose a local law to better regulate development projects in this field of rapidly evolving technologies. In order to allow sufficient time for the Planning Board to complete their work, this local law will enact a six month extension to the moratorium on new applications for large scale solar projects.**

It is the Planning Board's desire to complete its review of the proposed local law in an appropriate and deliberate manner free from any race to diligence or timing concerns raised by the possible expiration of the moratorium. The moratorium is set to expire on April 18, 2024 and it is anticipated the Planning Board and the Town Board may need additional time to complete this process, the related environmental review, and the required procedure for the adoption of a local law. Accordingly, the Town Board desires to extend the current moratorium for an additional six (6) month period. The Town Board finds that pursuant to 6 NYCRR 617.5(c)(30) the extension of the moratorium is a Type II action under the New York State Environmental Quality Review Act ("SEQRA") which has been determined not to have a significant impact on the environment or is otherwise precluded from environmental review under Environmental Conservation Law, article 8 and is therefore not subject to review under 6 NYCRR Part 617 or Environmental Conservation Law article 8.

### **Section III – Moratorium – Extended Term**

The Twelve Month Moratorium on the on the Processing and Approval of New Applications for Large Scale Solar Projects in the Town of Knox shall be extended for an additional six (6) month period of time through October 18, 2024.

### **Section IV – Enforcement**

This local law shall be enforced by the Planning Board of the Town of Knox, or such other individual(s) as designated by the Town Board. It shall be the duty of the Planning Board to advise the Town Board of all matters pertaining to the enforcement of this local law and to keep all records necessary and appropriate to the office and to file the same in the Office of the Town Clerk.

### **Section V - Severability**

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this law which can be given effect without such invalid part or parts.

### **Section VI. Suspension and Supersession of Other Laws**

All local laws in conflict with the provisions of this Local Law are hereby superseded and suspended through October 18, 2024. This Local Law also supersedes, amends, and takes precedence over any inconsistent provisions of New York Town Law under the Town's Municipal Home Rule powers, pursuant to Municipal Home Rule Law §10(1)(ii)(d)(3), §10(1)(ii)(a)(14), and §22. In particular, this Local Law supersedes any inconsistent provisions of New York Town Law §267, §267-a, §267-b, §274-a, §274-b, §276 and §277 for the purpose of vesting the Town Board of the Town of Knox with the authority to accept, hear, process and determine applications for variances from this Local Law.

### **Section VII - Effective Date**

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with the Municipal Home Rule Law of the State of New York.

Ed Ackroyd has resigned from the Planning Board. The Planning Board has openings, and the Clerk will post this to the website to seek candidates for members.

RESOLUTION 066-2024 - A motion was made by Supervisor Pokorny seconded by Councilwoman Springer to appoint Gary Bunzey as the new Planning Board Chair. This motion carried unanimously.

**RESOLVED:** to appoint Gary Bunzey as the new Planning Board Chair.

The Clerk asked Councilman Cyr when the concession stand/bathroom would be done for residents and little league as many people are calling to book dates for the warmer weather. The Councilman could not provide a specific date, only that the electric has been completed, and that the next step is plumbing. Councilman Cyr stated he is relying on other people and has been waiting for help. The Clerk and Councilman Saddlemire had offered to help previously. When asked if the lights were on in the pavilion itself, or outlets available, it was explained by the Building Inspector that the electrician cut off the electric wiring to the pavilion as the wiring was old and damaged during construction and the electrician cut it off, knowing it was not safe and it needed to be repaired/replaced. The Supervisor suggested offering a timeline to residents and little league about what has been done and what needs to be done. Councilman Cyr states the post, flooring, sheetrock, and other work still needs to be done. Councilman Saddlemire asked if Councilman Cyr needed other contractor names to contact for the work and he said no, he had names. Councilman Cyr stated he will attend the little league meeting on Monday. Councilman Cyr is no longer relying on contractors to donate their time as that wasn't working out, and is now paying contractors to work on the building. Building Inspector Sherman asked if the league was planning on continuing to use the fryers. He stated it cannot be used inside at all and for safety concerns and liability reasons it cannot be used outside either. Councilman Cyr suggested Building Inspector Sherman speak with the Park Committee regarding the use of fryers. Building Inspector Sherman wanted to clarify that nothing is being stored (equipment, fryers, etc.) in the building and that it will not be used until the building is complete. Councilman Cyr stated this is correct. With no specific answers given to a timeline for completion of the project, the discussion ended.

**RESOLUTION 067-2023** - A motion was made by Councilman Cyr seconded by Councilwoman Springer to adjourn the meeting. This motion carried unanimously.

**RESOLVED:** to adjourn the meeting

Respectfully submitted,  
*Traci Schanz*  
Knox Town Clerk