



Knox Town Board Minutes

December 8, 2020

Meeting and Public Hearing

(In Person and Virtual)

P.O. Box 116 • Knox, New York • 12107 • Phone 518-872-2551 • www.knoxny.org

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

Present on this date:

- Supervisor Lefkaditis
- Councilman Cyr
- Councilman Pritchard
- Councilman Saddlemire
- Councilwoman Springer
- Highway Superintendent Schanz
- Town Clerk Schanz

Supervisor Lefkaditis presented the 2021 Budget.

Supervisor Lefkaditis read a letter from Annette Landry and Katie Johnson, from Berne-Knox-Westerlo School district. The letter thanked the Knox Youth Council for their collaboration with the Backpack Program and providing Thanksgiving Day meals that fed approximately 35 children and their families. Supervisor Lefkaditis thanked Councilman Saddlemire for his donation of 18 gallons of milk to the program, as well as Councilman Cyr and Clerk Schanz for the planning and organization of the event.

Presentation:

John Wright – is looking to replace a trailer at 4 Line Road. He has purchased the property, cleaned it up and would like to replace the trailer with a newer 1998 Trailer (12'x67'). The new trailer is the same size, and it would be placed in the same location as the existing trailer that will be removed no later than 30 days from the Board's approval.

RESOLUTION 138-2020 - A motion was made by Supervisor Lefkaditis seconded by Councilman Cyr in accordance with the Town of Knox House Trailer Ordinance, Article 7 – 1968, we permit the swapping of a 1970 trailer for a 1998 Skyline trailer, providing that the Skyline trailer is in the same location as the previous trailer, on parcel number 78.-1-17. This motion carried unanimously.

RESOLVED: to permit the swapping of a 1970 trailer for a 1998 Skyline trailer, providing that the Skyline trailer is in the same location as the previous trailer, on parcel number 78.-1-17.

Supervisor Lefkaditis provided a basic presentation and review of details regarding the MRD that has been discussed for approximately three and a half years. He explained the number of lots, residential versus agricultural. He reviewed the permitted uses in an MRD and what uses would be taken away. The proposal was sent to the Knox Planning Board and Knox Zoning Board of Appeals, with both boards approving it. This proposal was also sent to the Albany County Planning Board who determined this would not have a significant impact and referred it to the local Board. Insight Northeast, an engineering firm, was hired and a negative declaration was declared on the EAF Part II. Supervisor Lefkadits spoke to all but 3 of the land owners in the proposed zone change and 73% of the parcel owners that comprise 95% of the land are in favor of the change to an MRD.

RESOLUTION 139-2020 - A motion was made by Councilman Cyr seconded by Supervisor Lefkaditis to suspend the public meeting of 12.8.2020 and reconvene the public hearing on proposed Local Law 2 of 2020, the proposed MRD rezoning near 156/157 intersection. This motion carried unanimously.

RESOLVED: to suspend the public meeting of 12.8.2020 and reconvene the public hearing on proposed Local Law 2 of 2020, the proposed MRD rezoning near 156/157 intersection.

Public Hearing Comments

B. McAulliffe - stated the presentation changed her comments from the statement she had prepared

- stated she has no recollection of any previous presentation to this Board
- stated she spoke with the Albany County Planning Board and the submittal was done around the beginning of the COVID virus where no one was allowed to attend the meetings in person to remind the ACPB of their concerns with how the paperwork was done
- thanked the Supervisor for clarifying there is only 80 acres but stated there is a lot of acres surrounding this who are against it
- stated she did not hear any specific comments of a member of the ZBA but was told the ZBA wanted to re-look at it as they felt the chairman mislead the Board by telling them that the ACPB had approved the proposal
- stated she noticed a date on a letter in the presentation and this would have been the wrong letter to use as justification for a SEQR
- stated she has only heard 2 people on record state they want this to happen and wondered why those who support it don't show up
- stated she holds the Board culpable for the impacts to everyone
- stated she has been watching and has seen shortcuts taken locally
- stated the Board has been ignorant and uninterested in the information presented to them by residents

RESOLUTION 140-2020 - A motion was made by Councilwoman Springer seconded by Councilman Cyr to adjourn the public hearing on proposed Local Law 2 of 2020; proposed rezoning near 156/157 intersection and reconvene the public meeting of 12.8.20. This motion carried unanimously.

RESOLVED: to adjourn the public hearing on proposed Local Law 2 of 2020; proposed rezoning near 156/157 intersection and reconvene the public meeting of 12.8.20.

Public Comment

B. McAulliffe - stated she believed the Supervisor and the Board have personal interest in the rezone as no specific reason for it has been given

- would like an explanation as to while financials have not been filed
- stated she believed that legitimizing home business was the sole reason given for the rezone, she and others in town expect that next month a rezone of Karl's property and others surrounding it, will be the next on the agenda

E. Ackroyd – stated he was a combat wounded veteran, said he was curious as to where the flag was out front (a brief explanation was provided by Board, that the rope was broken and would be replaced)

D. Roether – he applauded the Board for implementing new rules with how the meetings have been held but would like to see them bring it up another level with the rules, perhaps stating proper decorum, and people making personal accusations should not be tolerated. He stated he drafted something for the ZBA that he has not had to use but thinks the Board should and would share it with them in the future.

Supervisor Lefkaditis stated the AUD was filed today.

Minute Approvals:

RESOLUTION 141-2020 - A motion was made by Councilman Pritchard seconded by Councilman Cyr to approve the minutes as presented from 10.19.2020, 11.04.2020 and 11.19.2020. This motion carried unanimously.

RESOLVED: to approve the minutes as presented from 10.19.2020, 11.04.2020 and 11.19.2020.

Highway/Transfer Station:

Superintendent Schanz stated things are slow and they are preparing for winter. He has not yet been provided an update on the motor that is being worked on.

Old Business:

Policy Committee Meeting – The committee met with the Building and Zoning Administrator, Dan Sherman, and a new policy was created for timelines in response times for calls, complaints, inspections, etc. Supervisor Lefkaditis stated Mr. Sherman was receptive to the new policy but did bring up a good point that the Board needs to address. Specific forms will be created and used to document calls, inspections, etc. Files will now be filed in section/block/lot order. Mr. Sherman uses his personal cell phone to conduct town business and requested a cell phone for town use. The Board agrees that one phone is necessary for the BZA, and he can relay any important information to his assistant as needed.

RESOLUTION 142-2020 - A motion was made by Supervisor Lefkaditis seconded by Councilman Cyr to allow the BZA (Building and Zoning Administrator) to purchase a cell phone with a monthly service NTE \$50.00 payable by the Town of Knox. This motion carried unanimously.

RESOLVED: to allow the BZA (Building and Zoning Administrator) to purchase a cell phone with a monthly service NTE \$50.00 payable by the Town of Knox.

New Business

Stickers for Transfer Station: Councilman Cyr met with Transfer Station Supervisor Lee Harnett and they will start to hand out stickers to residents and require residents to have them on their vehicles. The information will need to be shared with residents via social media and possible the paper or a letter.

New Elevator Company

RESOLUTION 143-2020 - A motion was made by Councilman Cyr seconded by Councilman Pritchard to authorize the Supervisor to execute an agreement with Albany Elevator in the amount of \$1,300.00 per year. This motion carried unanimously.

RESOLVED: to authorize the Supervisor to execute an agreement with Albany Elevator in the amount of \$1,300.00 per year.

MRD Rezone

Councilwoman Springer stated for the record that part of the platform she ran on was in support of the MRD and that this has not changed.

Supervisor Lefkaditis read the resolution pertaining to the MRD:

WHEREAS, pursuant to Sections 264 and 265 of the Town Law, the Knox Town Board held a public hearing on November 4th, 2020 to consider an amendment to the Knox Zoning Ordinance for the rezoning approximately 49 acres from Residential to Multi-Use Recreational of that portion of parcels located near the intersection of NYS State Route 156 and NYS State Route 157 further located within the Town of Knox and more fully identified as Tax map No.s:

47.-1-15
47.-1-16
47.-1-17
47.-1-30
58.-1-2.11
58.-2.211
58.-2-2.3
58.-2-2.41
58.-2-2.2 ;and

WHEREAS, pursuant to Sections 264 and 265 of the Town Law, the Knox Town Board held a public hearing on November 4th, 2020 to consider an amendment to the Knox Zoning Ordinance for the rezoning approximately 31 acres from Agricultural to Multi-Use Recreational of that portion of parcels located near the intersection of NYS State Route 156 and NYS State Route 157 further located within the Town of Knox and more fully identified as Tax map No.s:

58.-1-4.1
58.-1-4.2 ;and

WHEREAS, the Knox Town Board is extremely interested in rezoning the abovementioned parcels to foster future economic growth in accordance with the Knox Comprehensive Plan in that the Knox Comprehensive Plan promotes "application of land use controls in the Town of Knox to encourage and simplify the process of residential and commercial development in the most appropriate parts of the Town" and that "Knox can and should become a town that is friendly to appropriate development"; and

WHEREAS, the Knox Town Board is extremely interested in rezoning the abovementioned parcels to foster future economic growth in accordance with the Knox Comprehensive Plan in that the Knox Comprehensive Plan states "Other areas that could be considered (for commercial use) include the area accessed by State Route 156 in the vicinity of the Mountain View Woodshop and Highlands Farms Restaurant,"; and

WHEREAS, the Knox Town Board is extremely interested in rezoning the abovementioned parcels to preserve the Town's resources and character by removing egregious currently permitted uses by the Town's Zoning Ordinance such as (i) Trailer Courts, (ii) Airport, personal, (iii) Airport, private, (iv) Hospital, nursing, or convalescent home, clinic, (v) Fire stations, (vi) Private, public, or parochial school, (vii) University, college, seminary, convent; and in accordance with the Knox Comprehensive Plan in that the Knox Comprehensive Plan goals state "Protect the Town's groundwater and other natural resources", "Preserve the rural character of the Town", Promote and protect the aesthetic, cultural, and historic character of the Town"; and

- Started in March 2013
- June 2013, then planning board member Earl Barcomb expressed interest in creating growth in business districts
- July 2013, Mr. Barcomb again expressed that the center of town should not be the only area where business districts should be considered
- July 2013, the planning board approved Business District I unanimously
- August 2013, Councilman Nick Viscio indicated that Business District 1 was a good first step and should set the town up for Districts 2, 3, and 4
- April 2014, Business District 1 is approved unanimously without any approval from the Albany County Planning Board
- March 2016, the Board agrees with the public and dismisses the request for a business district, reduces the size from 199 acres to 80 acres and opts for a less intrusive MRD
- June 2016, the Town Board unanimously agrees that the business district uses are too aggressive and proposed that the Planning Board consider an MRD

- -Since June 2016, there have been no less than:
 - 3 Albany County Planning Board considerations
 - 4 Planning Board considerations
 - 3 requests for extensions granted to the Planning Board (the Town Board went out of its way to grant more time to the Planning Board to research the MRD)
 - at least one workshop
 - one special meeting
 - 2 SEQR reports created, with the most recent reviewed by an outside council
 - Part II's were completed in public, (as required by law)
 - nearly a dozen public hearings
 - a dozen votes by various Boards
 - numerous mentions in the Enterprise

Supervisor Lefkaditis stated nothing has received more attention than the MRD. He said he could not believe that people could come and say there was no transparency regarding the MRD. The Board went above and beyond by notifying abutting neighbors, as it was not required. This process has been 58 months of due diligence, 58 months of listening, community and professional feedback, and exhaustive planning and research.

Supervisor Lefkadits told an anecdotal story regarding the MRD. H stated about a year and a half ago a friend of his who teaches 6th grade in Schoharie texted him. She said her class was talking about business districts in small towns, and she had used Knox as an example because at the time the town was in the middle of the BD and MRD. She asked the Supervisor what he thought her students would think and he told her that he thought the kids would think that the town was crazy for not having a BD. She told him he was right, and her students could not believe that Knox didn't have basic amenities like gas stations and stores. Anecdotally, 6th graders support the MRD.

Councilman Pritchard stated the support showed in the elections.

A roll call vote was taken:

Supervisor Lefkaditis: AYE
Councilman Saddlemire: AYE
Councilman Cyr: AYE
Councilwoman Springer: AYE
Councilman Pritchard: AYE

RESOLUTION 144-2020 - A motion was made by Supervisor Lefkaditis seconded by Councilwoman Springer to pass the MRD Resolution as presented. This motion carried unanimously.

RESOLVED: to pass the MRD Resolution as presented.

KYC Santa Event Update

The council is in good shape for planning of this event. 20 Children have registered so far. Another posting to FB and the website will go out, shopping and decorating will be done for the event. The event will be held on 12.20.2020 from 1-3pm.

RESOLUTION 145-2020 - A motion was made by Supervisor Lefkaditis seconded by Councilwoman Springer to accept the resignation of Eric Marczak from the Zoning Board of Appeals effective 12.7.2020. This motion carried unanimously.

RESOLVED: to accept the resignation of Eric Marczak from the Zoning Board of Appeals effective 12.7.2020.

A brief discussion was held regarding the newsletter. Councilman Cyr would like to divide the responsibilities among the Board to gather all of the different information.

RESOLUTION 146-2020 - A motion was made by Councilman Saddlemire seconded by Supervisor Lefkaditis to authorize the Supervisor to make a payment of \$11,024.25 to Monaco, Cooper, Lamme & Carr, PLLC. This motion carried unanimously.

RESOLVED: to authorize the Supervisor to make a payment of \$11,024.25 to Monaco, Cooper, Lamme & Carr, PLLC.

RESOLUTION 147-2020 - A motion was made by Councilwoman Springer seconded by Councilman Cyr to accept the Clerk's report as presented. This motion carried unanimously.

RESOLVED: to accept the Clerk's report as presented.

RESOLUTION 148-2020 - A motion was made by Councilman Saddlemire seconded by Councilman Pritchard to authorize the Supervisor to pay the bills in Abstract 12. In the general account this includes voucher #'s 349-368, 390-391 totaling \$21,452.33 and in the highway account, voucher #'s 369-389 totaling \$26,881.25. This motion carried unanimously.

RESOLVED: to authorize the Supervisor to pay the bills in Abstract 12. In the general account this includes voucher #'s 349-368, 390-391 totaling \$21,452.33 and in the highway account, voucher #'s 369-389 totaling \$26,881.25.

RESOLUTION 149-2020 - A motion was made by Councilman Pritchard seconded by Supervisor Lefkaditis to adjourn into executive session pursuant to POL Article 7 §105(1)d. This motion carried unanimously.

RESOLVED: to adjourn into executive session pursuant to POL Article 7 §105(1)d.

Respectfully submitted,

Traci Schanz

Knox Town Clerk