

Town of Knox, Albany County
Established 1822

Planning Board Meeting Minutes
02/14/2013

Planning Board Members:

Present: Bob Gwin, Betty Ketcham, Tom Wolfe, Dan Driscoll, Bob Price,
Brett Pulliam, Earl Barcomb, Pam Fenoff

Meeting called to order at 1932.

Approval of the draft minutes of the 10 January 2013 meeting.

January 10th minutes reviewed. Motion to approve by Brett Pulliam, seconded by Earl Barcomb.

Discussion of the placement of a DRAFT of the ZO with revisions on the Town's website. Dan wants to be sure that it's clearly indicated that this copy is labeled as a draft / subject to approval, etc.

Bob P: We need to change the heading of the notice of public hearing, remove the word "proposed". The first paragraph should contain information about what the hearing is regarding a proposal to amend the Zoning Ordinance of the Town of Knox.

Second paragraph change @ Findings: to say... "Based substantially on a careful review of the Town's comprehensive plan, the Town Board..."

Eliminate the entire sentence / Letter D.

Zoning Ordinance Changes

Changes in the ZO will be indicated with ***BOLD ITALICS***.

Bob Gwin handed out a document Draft WECS Amendment to Zoning Ordinance "Proposed Setback requirements for wind turbines."

Draft WECS Amendment to Zoning Ordinance

Proposed Setback requirements for wind turbines.

- * The purpose is to provide objectively based requirements for physical setbacks from wind turbines to address the possibilities of ice or broken blades being thrown from a wind turbine; setbacks for mitigation of noise or other impacts are not covered here. Our goal must be to protect the public from physical injury or damage.
- * As a starting point, we have examples of requirements by WECS operators advising employees of dangers within 1300 feet of a turbine.

- * Regulations for Europe and other areas with wind turbines developments were reviewed; while there is a great deal of variation, it is clear that setbacks for ice/breakage generally range from 500 to 1500 meters, and those distances generally increase with experience as regulations are updated.
- * The proposed setbacks section wording noted below is primarily based on 1) the current (July 23, 2012) draft Wind Energy Conversion Systems Law of the Town of Lyme, NY and 2) the analysis and calculations in Chapter 7 (Health and Safety – Zones of Protection) of the report “Findings of the Lyme Citizens Wind Committee on the Issues of Environmental, Health and Safety Matters (May 14, 2011) by the Town of Lyme (NY) on Industrial Wind turbines. Both documents can be accessed on the townoflyme.com website. Note that the draft law limits total turbine height to 400 feet (page 15).
- * proposed wording of Section 4L (in current draft)
 - L. Setbacks. To avoid problems related to turbine failure or ice throw, each wind turbine shall be set back as follows:
 - a) One-half mile (2,640 feet) safety setback from the nearest public road or right-of-way.
 - b) One half mile (2,640 feet) from property lines.
 - c) 1,600 feet from any non-WECS above ground utilities located within the project boundaries.

Tom wants to be on record that these changes seem to be excessive setbacks. Tom feels that regardless we need to move this along to the Town Board. Discussion...

Bob G. proposes that we adopt his new wording to the L Setbacks in Article VI, Section 61. We need to allow for worse case scenario / largest possible turbine that might be installed / allowed in Knox. Dan seconded it. Passed 4/3 votes.

Bob P to Dan: What definitions did we not put in that we need to?

Dan provided definitions and additions that should be included in the ZO, items that were previously approved and haven't yet been inserted. SEE NOTES ON THE RESOLUTION #89 CHANGE ZO to INCLUDE METEOROLOGICAL TOWERS AND WINDMILLS

Dan asked if the “Full Cutoff Lighting” for new construction amendment ever got inserted in the ZO? Bob: does not believe it is in there... Bob will find out and get that info to Pam for insertion into the ZO. Dan was adopted 8/9/2011.

Bob Delaney arrived – is there a Add Resolution #92 regarding this FCL, found resolution, included in a package of info he gives to residents, to Art V, Sect 50.

Bob P: reviewed the changes for the Notice of Public Hearing that will be put in the paper, given to the Town Board and put in the paper, at the TB's discretion. Is that correct? Yes. Will it be put on the website? Not until the TB decides and with lots of notes that this is a draft / these are proposed amendments.

Discussion about what should be on the web... The WECS as a stand alone? The ZO (updated / complete / corrected) as it should be? The PROPOSED / AMENDED ZO

Tom we still need to deal with issues of "shadow flicker" mentioned in the WECS.

We viewed the ZO that is currently on the web. Confirmed that this web version is the same as the bound printed version Bob P handed out in January. Confirmed that resolutions made after 2007 – need to be added and those won't be bolded italics as they've already been approved, just need to be added.

Motion to adjourn – Tom, Bob P seconded. Meeting adjourned at 2117.

Next Meeting: March 14, 2013, 7:30 pm