

**PLANNING BOARD
TOWN OF KNOX
ALBANY COUNTY
Established 1822**

PLANNING BOARD MEETING MINUTES

March 13, 2008

Present: Dan Driscoll, Bob Gwin, Betty Ketcham, Brett Pulliam, Mike Scott

Meeting called to order at 1930.

The first order of business was to discuss suggestions for alternatives to the One-Cut Rule that would satisfy both the Town Board and the Planning Board. Brett Pulliam suggested changing the length of time required between uses of the one-cut rule from 18 months to 3 or 5 years. Dan Driscoll reported hearing suggestions that the Town adopt a moratorium on using the one-cut rule while we are discussing changes with the Town Board, and limiting use of the one-cut rule to only one time. Brett Pulliam felt that the intent of the rule in the first place was to allow families to split up large parcels of land for their children and if the rule were limited to one time use, it would prevent families from doing that. Bob Gwin suggested that perhaps, as part of the cell tower project mitigation efforts, the Town Board would consider formalizing the comprehensive plan, which included eliminating the one-cut rule.

Dan Driscoll pointed out that the way the rule is written now, it appears that if a 50 acre parcel is split in two today, then 18 months later, both of those parcels can be split in two again. Mr. Driscoll further suggested that perhaps a simpler subdivision process could replace the one-cut rule, possibly eliminating the public meeting requirement. Bob Gwin made the point that this would do away with public disclosure of the project, but Mr. Driscoll pointed out that there is already no public disclosure of these projects since a one-cut is not required to come before the Planning Board at all. Brett Pulliam suggested that the Planning Board could require a minor subdivision if a previously (one-cut) divided parcel were to be divided again. The Board was not sure that eliminating the public hearing is legally an option, but since there is no public hearing for one-cuts now, it doesn't seem it would be a problem. The idea was also suggested that as part of the process of the simple subdivision, applicants would be required to notify at least their immediate neighbors of the proposed division and the date of the meeting at which it would be discussed.

The next topic discussed was the Agricultural and Mining District. As part of the re-zoning that Dan Driscoll has been working on, he became aware that the Agricultural and Mining District that he believed was only a small area near Route 146 is actually the entire northwest corner of the town. Mr. Driscoll just wanted to bring that fact to the attention of the Board for their information.

Next, the Board discussed the revision of the Town fee schedule. Bob Gwin pointed out that the Planning Board has never really been in the position to advise the Town what fees should be charged. However, after some discussion the Board agreed that nearby Town's should be surveyed and the topic further discussed once that information is obtained. Brett Pulliam added the caveat that the Town of Knox is not like the Town of Bethlehem for example and we should not be charging the same fees.

The next topic discussed was the proposed Cellular Tower on the Street Road parcel. At it's meeting on March 11th, the Town Board voted to re-zone the parcel on Street Road out of the LC2 and pursue construction of a cellular tower on the site. Chairman Price prepared an Environmental Assessment Form and Negative Declaration for the Town Board and submitted it to the County Planning Board who said it did not require county approval. Dan Driscoll also told the Planning Board members that the County Planning Board did not feel this was spot zoning since it is their opinion that zoning should follow property lines and this delineation does not. The EAF with Neg.Dec. was passed around. The question was brought up at the Town Board meeting that if a property owner has a parcel that is partially in the LC2 and they wanted to have it rezoned if this would be possible, there did not seem to be any objection to that possibility; the Town Board pointed out that many years ago a rezoning had been done for a private landowner in LC1. Dan Driscoll also informed the Planning Board members that he believes it is the Town's intention to own the cellular tower which may effectively bypass the Planning Board review of the project assuming municipal law exempts Towns from following their own ordinances.

Finally the Board discussed the draft February minutes. 2 minor changes were made, and upon hearing no other comments, the minutes were approved with those changes.

Upon a motion made and duly seconded, the meeting was adjourned at approximately 2022.

The next meeting will be on Thursday, April 10th, 2008 @ 1930.