

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

PLANNING BOARD MEETING MINUTES

April 14, 2011

Present: Earl Barcomb, Dan Driscoll, Bob Gwin, Bob Price, Brett Pulliam, Tom Wolfe

Meeting called to order at 1940.

The Board began by reviewing the **March 10 minutes**. A motion was made by Member Driscoll to approve the minutes as written, duly seconded by Member Pulliam and passed unanimously.

The Pokornys' were on the agenda to request that the board consider adopting a Dark Skies Ordinance. Russ Pokorny began by explaining he and Amy Pokorny were in the process of donating 5 - 10 acres of land near the Octagon Barn as a separate parcel. The property referred to would be fronted on Middle Road which would be the highest part of their property. The Dudley Observatory is the prospective buyer of the property and would like to put an observatory on the highest point of the Pokorny's property. This location is close to the Octagon Barn which could be used by the Dudley Observatory for meetings and other functions. They would need access to the road and to the Octagon Barn and could possibly use the Octagon Barn's parking lot.

Chairman Price thanked Russ and Amy Pokorny for sharing the draft Model Lighting Ordinance (MOI) by the Illuminating Engineering Society with the board. Chairman Price explained that the document explains that full cut off lights direct 95% of light towards the ground with only 5% of light towards the sky. He stated that the Town of Knox had implemented the full cut off lights in the construction of the new Town Hall building renovation and that these lights had also been used in the site plan for the Helderberg Ambulance Building located on the corner of Knox Cave Road and Street Road.

Chairman Price said that dark sky lighting is a very controversial subject and that 99% of current lighting does not qualify as dark sky lighting. He added that the commonly used "cobra" shaped lighting fixtures have only 50 – 60% of their light directed down and are extremely wasteful and having said that, changing any existing lighting in Town would be a very hard thing to do. Mr. Pokorny said that The Dudley Observatory is willing to pay for the retrofitting of the existing lights of the few properties that would be an issue near the proposed site and that he thought those property owners would be agreeable to doing so.

Mr. Pokorny said that he and Mrs. Pokorny's main concern and reason for bringing the Dark Skies Ordinance to the Planning Board was to mostly influence any future construction if possible. Member Wolfe suggested we could make it a requirement for obtaining a new Building Permit. The Town could adopt an Ordinance that states all new construction in the Town of Knox must have full cut off lighting on all exterior lights. The Board agreed that there wasn't any reason not to do this for future construction and Chairman Price agreed to approach the Town Board with the proposal of making this modification to the Zoning Ordinance in Article 5 Section 50.

Chairman Price asked if there were any other concerns regarding this request. Mr. Pokorny was asked if the elevation was adequate for the installation of an observatory on his land and he agreed that it was.

Member Wolfe suggested that there may in fact be an endangered species breeding area on the part of the referenced property. He said that it may be a good idea for Mr. Pokorny's to check with the DEC to verify or eliminate this as a potential barrier to the plans. Chairman Price indicated that Member Ketcham may be able to check this information through her GIS program and offered to contact her.

Member Driscoll asked if we knew if an observatory would be allowed in the town of Knox. Since the Dudley Observatory is part of a University it was determined that it would be allowable. Another concern was the amount of land to be parceled off as Mr. Pokorny had mentioned 5-10 acres. The parcel in question is considered to be in the Agricultural District which would mean it would have to be at least 10 acres to get Site Plan approval.

After discussion it was determined that the front 5 acres on the road could be used for the observatory and that the back 5 acres could be retained through an easement so that it could continue to be for purposes of growing hay by the Pokornys. It was agreed by all that an observatory is permitted and within the scope of our existing ordinance.

Chairman Price told the Board and audience that on June 18th a Blood Drive would be held in the new Town Hall and he urged everyone to come and give blood.

Ed Ackroyd and Russ Pokorny said that enough money had been raised in order to fund the BKW Marching Band for this year and that it was being reinstated in the budget for next year. The Knox Fire Department was a huge supporter throughout the process.

Member Driscoll asked that we continue to work on the revised EAF Part 3. As the Board began the discussion on the issues that were previously determined to be possible environmental impacts, the question was asked how other communities address the issue of a positive in the EAF and how do they turn it into a negative to prevent doing an EIS. It was noted that it might be beneficial to see how other communities handle it instead of doing it from scratch. Chairman Price felt that there must be someone somewhere that has dealt with these issues that we may be able to learn from in order to make this a less painful process. Member Wolfe noted that Duanesburg has a Wind Zoning Ordinance. Mr. Pokorny said he could email Chairman Price Russ Carey of Duanesburg' contact information.

After discussion about how and where power lines may or may not go, it was decided that the power line issue could be mitigated.

Impact on Aesthetic Resources: After some discussion and disagreement on the importance of the impact of construction, it was agreed by all that it is an important impact but not as important as some of the other potential impacts. There was more discussion about the fact that wind farms could protect farmers providing a potential benefit while others saw it as something that might not be seen as part of the comprehensive plan. Chairman Price said that the line in the Comprehensive plan that refers to 'preserving the rural character of this community' is important when it was written 15 years ago but that times change and possibly and that needs to be kept in mind.

Member Driscoll said he would summarize the discussion and decisions on the impacts.

Upon a motion made by Member Barcomb and duly seconded by Member Driscoll, the meeting was adjourned at 2125.

The next meeting will be held on May 12th @ 1930