

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

PLANNING BOARD MEETING MINUTES
July 13, 2006

In attendance: Bill Bellerjeau; Brett Pulliam; Dan Driscoll; Bob Price, Chairman; John Dorfman, Attorney; Bob Gwin; Mike Scott; Carol Barber, Recording Secretary.

The meeting was called to order by Bob Price at 7:33 p.m.

The meeting began with Bob Price introducing John Dorfman, attorney for the Town of Knox. Mr. Dorfman spoke to those in attendance regarding the Muia minor subdivision at 1451 Berne Altamont Road stating that when this was previously approved on 8 June 2006, the Planning Board was not aware of the covenants prohibiting any further subdivision of the parcels on a Betsy Walk subdivision approved in March of 1992. Mr. Muia's deeds and the deeds from the previous owners did not contain any covenants regarding any further subdivision of the Muia property. Mr. Dorfman recommended that the Board revoke and rescind the approval for the Muia minor subdivision in light of the restrictive covenants.

Bob Price then read the following resolution dated 11 July 2006: "The Knox Planning Board does hereby revoke and rescind their prior approval, dated 8 June 2006, of the application of Frank Muia for a Minor Subdivision of lands known as 1451 Berne-Altamont Road, Altamont, NY 12009 by reason of new facts received after the date of approval.

These facts established that said parcel of land was and still is encumbered by certain restrictive covenants precluding any further subdivision of this property at this time. This restrictive covenant was incorporated by the Knox Planning Board in a prior subdivision approval on 16 March 1992, wherein applicants parcel was created.

This Order of Revocation and Recession is without prejudice to the applicant/property owner submitting a new application as they may deem appropriate for consideration by the Knox Planning Board."

Bob Price made a motion that the Board adopt the resolution. It was seconded by Dan Driscoll. The vote for approval of the resolution was unanimous.

A certified letter had been sent to Mr. Muia regarding this meeting and a certified letter will be sent to Mr. Muia stating the outcome of this meeting.

Mr. Steven Brown (774 Bozen Kill Road, Altamont, 861-7461) was in attendance to discuss his plans for a minor subdivision. He wishes to donate approximately 130 acres to the Mohawk Land Conservancy. As President of the Mohawk Land Conservancy, Dan Driscoll recused himself regarding this minor subdivision. Mr. Brown will have the land surveyed. Bob Price informed Mr. Brown that he will need to complete a subdivision application along with the application fee and a survey map.

A discussion was then held as to how to best meet Mr. Brown's needs. Mike Scott made a motion to declare that the transaction was a one-cut situation since the additional land being transferred to the existing parcel was a boundary change not a newly created parcel and that the creation the other parcel was therefore part of a one-cut situation.

The motion was seconded by Brett Pulliam. The motion carried with two nay votes from Bob Price and Bob Gwin. A letter will be sent to Mr. Brown advising him of the Board's decision and requesting that he provide a copy of the survey, that the new parcel and the changed parcel be made less than 6 acres to prevent them from being further subdivided and that a copy of the agreement with The Mohawk-Hudson Land Conservancy also be provided to the Board.

Bob Price noted to the Board that the Jeff Thomas property is apparently still being looked at by someone since he got yet another call from a land appraiser asking for information regarding the property..

Amy Pokorny was in attendance to continue the discussion regarding the Site Plan Approval process for the proposed windmill for their property on Beebe Road. The windmill will approximately 104 ft. high including the 8 ft. rotor. A motion was made by Bill Bellerjeau, seconded by Mike Scott to approve the sketch plan for the proposed personal windmill. The approval vote was unanimitous. Board members will do a site visit on Sunday, July 16 at 7:00 a.m. to conduct a balloon test so that a Visual Addendum form can be completed as part of the submission of an EAF. A Public Hearing will be scheduled for August 10 at 7:30 p.m.

Loren Pruskowski, Project Manager from Sustainable Energy Developments Inc., Ontario, NY was in attendance to discuss the meteorological tower proposed for the Pokorny property at 588 Middle Road. The tower will be 50 meters high

(164 feet) and be up for no longer than 18 months. He has presented the Board with a package of information as part of the Site Plan Approval process. He also furnished a signed agreement with the Pokorny's stipulating the agreement between them and S.E.D.

Dan Driscoll then went through all the questions regarding the proposed project that are contained in the new Site Plan Approval regulations. It was noted that a Visual Addendum form needed to be completed along with the submission of the Environmental Assessment Form.

Specific details regarding the configuration and details of the tower were discussed. Mr. Pruskowski told the board that the base and each guy wire will be fenced and that the tower stay wires will be covered in a bright yellow sheath for the first six feet.

S.E.D. will send information letters to all surrounding property owners prior to the Public Hearing. Mr. Pruskowski was directed to put up a balloon for visual impact assessment purposes and take GPS coordinates of where the balloon was visible from various locations around the tower. The Board will receive summaries of data collected on a regular basis. A motion was made by Dan Driscoll, seconded by Bill Bellerjeau to accept the information provided. The motion carried unanimously. A Public Hearing will be scheduled for Thursday, August 10th at 7:30 PM.

A motion was made by Bill Bellerjeau, seconded by Bob Gwin to adjourn the meeting at 9:18 p.m. Motion carried.

The next meeting will be on Thursday, 10 August 2006 at 1930.

Two public hearing will be held regarding the site plan approval proceedings for the Pokorny windmill and the SED meteorological tower.