

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

PLANNING BOARD MEETING MINUTES

July 10, 2008

Present: Dan Driscoll, Bob Gwin, Bob Price, Mike Scott

Meeting called to order at 1935.

Minutes of the June meeting were approved without change.

The Board began by discussing the subdivision on Street Road presented to the Board by Ms. Hupe-Cole. It has come to Chairman Price's attention that Ms. Hupe-Cole's brother has ordered a modular to be erected on his portion of the property and had intended to proceed without any oversight on the part of the Town. Ms. Hupe-Cole was asked to convey to her brother that he will need a Certificate of Occupancy (CO) in order to complete the home (connect electric service, for example) and that he will not be able to obtain a CO if he has not first obtained a Building Permit prior to erecting the modular.

The next item of business discussed was a Special Use Permit to allow the Meteorological Tower located on the Pokorny's property to remain in place. When the Site Plan Review was done in October 2006, the Town asked that the wind data be provided to the Town as part of allowing the tower to be put up. The Planning Board was under the impression that since the tower would be up for 18 months that the Town would receive 18 months of data but the Board discovered later that only 12 months of data were required to be provided under the agreement between Sustainable Energy Developments (SED) and NYSERDA. In late May, SED approached the Town about keeping the tower up for an additional 12 months. SED offered to pay for 2 months if the Town could come up with money for the other 10. The Town was not able to obtain funding for this so SED was informed that the tower would have to be removed. Now, SED is looking to keep the tower up for an additional 18 months at no cost to the Town in order to obtain additional data. As part of its work for NYSERDA, SED created a business plan that suggests a group of Town residents approach 1,000 residents of the Town of Knox and possibly surrounding towns and ask them to contribute \$1,000 each to put up 3 wind turbines along Middle Road. SED could then use both the money and additional data to try to obtain

additional funding from a bank to complete the project. The additional data is needed to provide credibility for the proposed business plan. The question posed by Chairman Price is whether the Zoning Board of Appeals should tie the extension of this Special Use Permit to the Town obtaining at least a copy of the additional data? An additional question is why SED is now offering to keep the tower working for an additional 18 months without the need for outside funding?

One question that has not been answered is who owns the data generated by the tower? The Zoning Board of Appeals decided to carry their decision over to August's meeting and invite SED to be there to answer some of these questions.

Dan Driscoll asked what the Town's interest is in this project was since it is not certain that the Town would be interested in pursuing this type of project for a number of reasons; including the shakiness of the finances of the project, the possible impact on development in the Town, and the lack of a decommissioning fund that would be used to tear the project down when it reaches the end of its useful life. Mr. Driscoll suggested that the Town is not interested in this data at all and the Planning Board should preempt the Zoning Board of Appeals and send a recommendation to the Town Board to not allow commercial wind turbines in the Town of Knox. Bob Gwin agreed that based on the first 12 months of data, the project does seem shaky and the Town should obtain as much data as possible before deciding if the project for a commercial wind turbine should go forward. Mike Scott agreed that the Town should ask for the additional data as part of extending the Special Use Permit since the data will be needed in order to consider a commercial wind turbine farm whether it is owned by the Town or not. Bob Gwin made a further suggestion that since this project was originally presented as a community based project to gather information for the use of the community in the first place, the Zoning Board of Appeals can require the data to be made available to the community as part of approving the permit extension. Chairman Price agreed to convey this information to the Zoning Board of Appeals.

Upon a motion made and duly seconded, the meeting was adjourned at 2045.

The next meeting will be on Thursday, August 14th, 2008 @ 1930.