

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

PLANNING BOARD MEETING MINUTES

September 11, 2008

Present: Dan Driscoll, Bob Gwin, Betty Ketcham, Bob Price, Brett Pulliam, Tom Wolfe

Meeting called to order at 1935.

Minutes of the August meeting were approved with minor changes.

The Board began with a **Public hearing regarding the proposed Verizon Wireless tower on Pleasant Valley Road.** Public notices were placed in the newspaper and a balloon test was done on September 4th. However, Verizon did not send notices to neighbors adjacent to the property so the Board will not be able to finalize the process at this meeting. Verizon's request is based on a coverage map prepared by their technical staff showing a gap in the coverage to the east of the Town owned cell tower proposed on Street Road. The Board heard from Verizon attorney Michael Cusack who gave a background on the proposed tower.

The tower will be located on 25.6 acres in an agricultural district. Verizon would lease a parcel 100' x 100' that is mostly cleared already so construction of the tower will not impact the treeline significantly. Verizon is proposing a monopole tower approximately 100 feet in height with panel antennas. The tower will have backup utility service, microwave capability will be added later to allow traffic to be re-routed as needed. There will be a propane fueled generator separate from the enclosure, but Verizon has not determined if a 500 gallon or 1,000 gallon tank will be needed. Dan Driscoll asked about the lighting at the facility and pointed out that the lights detailed in the proposal would emit too much light both laterally and upwards. Full cutoff lighting as the Town requires is meant to direct light where it is needed and not shine up into the sky or off to the side and emit glare on surrounding residents. Mr. Cusack said that he will look into this and Verizon will try to find a more acceptable light fixture for the facility. Mr. Cusack also pointed out that the light will include a motion detector. The Board then questioned the setback from property lines and Mr. Cusack pointed out that the boundaries are at least 1.5 times the height of the tower and the engineers verified this, but it doesn't show up well on this scale map.

The Board then began discussing the visual impact tests that were done on September 4th. One of the views documented was from the Burke Wildlife Management Area (WMA) from an unofficial trail that is an old skid trail from about 30 years ago. The trail is infrequently used. There is some visibility of the tower as one moves down the hill on the east side at the rear of the WMA and from a distance, but Verizon thinks that the visibility is a small to moderate impact. Mr. Cusack also presented some samples of exterior finishes that would be used on the equipment enclosure and the Board agreed on a pebble finish in a darker brown color called "cocoa".

Bob Gwin then turned the discussion to co-location of other carriers on this tower. Mr. Gwin asked if all carriers would use the same building and generators. In general, they would use their own equipment enclosures and some would need a separate building and a generator, but regardless, the parcel that Verizon would lease should be sufficient to accommodate these requests. If a co-locator was to approach Verizon, they understand that they would have to contact the Board to revise the site plan.

The Board then considered the environmental impact of this project. Mr. Driscoll noted that an environmental assessment form has not been completed yet, but wanted to know if Verizon had studied the noise level from the tower site. Mr. Cusack informed Mr. Driscoll that the generator is a 60kw unit that operates at 81 decibels at 23 feet. The tower is located 150 feet away from any other property line, and exact measurements have not been done but it is unlikely that anyone would be able to hear it. Testing of the generator is done weekdays at 10 am and 3 pm when most people are not around. Mr. Driscoll calculated the expected sound level in decibels at the further distance and concluded that the sound levels would be acceptable.

Mr. Driscoll then went on to ask about the impact on wildlife since the proposed site does border a Wildlife Management Area. Mr. Cusack stated that there would be no significant impact on wildlife except for the possible impact on migrating birds, but if they were flying low enough to hit the tower, they would also be hitting the trees around it.. Mr. Driscoll asked that information be included in the EAF.

Mr. Driscoll then suggested that since there is a group in Town trying to make Route 156 in the area of the intersection with Route 157 more attractive, that Verizon should consider compensatory mitigation

in the form of providing access to and cleaning up the Elsass Cemetary. Since the tower will not be visible from the cemetery, it would make sense to do this and then once cleanup is done, the Town would be responsible for maintaining it. Chairman Price agreed that this suggestion should be brought up to whomever at Verizon would be able to approve this suggestion. Mr. Cusack responded that, while it is an unusual request, he would certainly bring it up to Verizon.

Finally, Chairman Price asked how the access road to the site will be finished, Mr. Cusack responded that it will be gravel and crushed stone and Verizon will maintain it. Mr. Price also asked about security at the site and was told that the site would be remotely monitored and security dispatched if needed. Chairman Price suggested that a 6' high barbed wire fence may not be sufficient.

The proposal was tabled until next month. Public hearing suspended until 10/9.

The Board then heard from Ms. Sarah Gordon who was suggesting applying to the Department of Agriculture and Markets for a grant to study ways to preserve farmland in the Town of Knox. Ms. Gordon appeared before the Town Board to discuss the Right to Farm Law that was passed by Albany County and the possibility of the Town passing a similar law. The Board agreed that it seemed redundant to pass a similar law since the Town is already a part of Albany County and, therefore, presumably subject to the County law. Ms. Gordon clarified that the idea would be for the Town to adopt something more substantial (i.e. land use regulations, addressing cluster zoning, incentive zoning, etc.) than what the county has put into place Ms. Gordon pointed out that the Town of Berne has received a grant and is using the money for planning, such as surveys, outreach, etc. The grant money could be used to encourage local produce in area stores, restaurants, schools, or to develop a farmers market. Dan Driscoll pointed out that the Town has considered Transfer of Development Rights (TDR) for years but the development pressure is just not enough to make it work. But, Ms. Gordon pointed out, although TDR may not be feasible, Purchase of Development Rights (PDR) could be a way to preserve farmland and provide economic incentives. Another possible idea is an Agricultural Chamber of Commerce that, like a co-op, could bid for goods, services, etc. Chairman Price inquired as to who would be doing this, if the Conservation Advisory Council would manage this and prepare the application for the grant, etc.? Ms. Gordon suggested more outreach to farmers to find out what they would need to remain farmers, or more innovative ways to attract younger people to continue farming such as internships, "rent-to-own" type programs, etc. Mr. Driscoll suggested that Ms. Gordon contact

the head of the Mohawk-Hudson Land Conservancy to work with them as the MHLC in very interested in PDR.

Upon a motion made and duly seconded, the meeting was adjourned at 2140.

The next meeting will be on October 9th, 2008 @ 1930.