

# PLANNING BOARD - TOWN OF KNOX - ALBANY COUNTY

P.O. Box 56, Knox, N.Y. 12107

*Established 1822*

## PLANNING BOARD MEETING MINUTES

**Minutes:** 11 September 2014

**Present:** Earl Barcomb, Tom Wolfe, Betty Ketcham, Bob Price, Brett Pulliam, Dan Driscoll

- Meeting called to order at 1940.
- Minutes of the 08/14/14 meeting were reviewed and approved unanimously.
- Jennifer Geckler has signed on as the new Minutes Recorder.

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### New Business

#### **Zoning Ordinance Pamphlet:**

Bob Price handed out copies of the Zoning Ordinance Pamphlet that included a fold-out map at the back. Those with previous copies of the Zoning Ordinance may present them to Bob Price to have the map added.

#### **Hydraulic Fracturing Recommendation:**

At the last Town Board meeting, the Town Board asked that the Planning Board issue a recommendation regarding banning Hydraulic Fracturing in the Town. The action was prompted by a similar memorandum from the Conservation Advisory Council presented at the Town Board meeting by Eric Kuck.

Bob Price sent pertinent links regarding Hydraulic Fracturing to the board prior to the scheduled Planning Board meeting.

- <http://www.dailykos.com/story/2014/09/08/1328137/-After-earthquake-Ohio-suspends-fracking-at-two-wells?detail=email>
- <http://www.usatoday.com/story/money/business/2014/01/05/some-states-confirm-water-pollution-from-drilling/4328859/1>

Bob Price shared ordinances for the town of Dryden and Berne with the intent to use as a guide for developing an ordinance for the Town that would stand up in court, should the need present itself. A copy of Eric Kuck's memorandum was sent to Bob Price and is to be posted on the Town website. Brett Pulliam suggested adding Hydraulic Fracturing to Section 46-Prohibited Industrial Uses, Pg 33 of the Zoning Ordinance. Tom Wolfe would like more information in order to make a recommendation and suggested that the board consider delaying a recommendation until the Comprehensive Plan revision is complete. Hydraulic Fracturing is referenced in the Comprehensive Plan survey and there are no imminent plans for Hydraulic Fracturing in the Town that would warrant an expedited recommendation. Dan Driscoll

shared that it is of professional opinion that the type of shale present in the Town would not make this an area of interest to those conducting Hydraulic Fracturing.

***Tom Wolfe made a motion that the Planning Board would not discuss or produce a recommendation regarding Hydraulic Fracturing until the Comprehensive Plan revision is adopted. Dan Driscoll seconded the motion and the motion passed. There were 6 Yea and 0 Nay.***

Bob Price will send a memorandum to Mike Hammond indicating the Board's decision.

**Motorcycle Noise:**

Dan Driscoll inspected ~50 motorcycles at a local resale shop for the presence of an EPA certification on the muffler. EPA certification is given to those mufflers that comply with standard EPA requirements that include noise control. Approximately 1/3 of those he inspected had the certification. After some discussion, the Board decided that the presence of an EPA certification is not a useful way to prohibit excessive motorcycle noise in the Town. Currently, motorcycle noise complaints are being handled by Building and Zoning Administrator, Bob Delany, via a written ticket. The Board agreed that no further discussion was needed.

**Small Scale Solar Siting:**

Bob Price presented a Small Scale Solar Siting ordinance for the State of NY. All except two counties can use a standard form to receive a permit and monetary credit from NYSERDA.

Bob Price raised the question of whether there is a need for the creation of a small scale solar ordinance in the Town. Currently, the Zoning Board Administrator issues a required permit for solar installations. Contractors are aware of the need for a permit and would need to engage a qualified underwriter inspector before a credit could be claimed. Also, NYSERDA has a process in place that requires a set of drawings signed by a licensed architect be submitted before a credit can be claimed by the installer which adequately serves as a regulatory oversight for the process.

The board discussed a need for a regulation to reduce shadowing on a neighbor's solar panels during building construction which could create an opportunity for 'air rights'. The Board agreed that this was not a likely scenario and that setbacks can deal with most situations regarding height restrictions. The Board discussed the presence of 10+ small scale solar installations in the Town that have not created any issues.

***Earl Barcomb made a motion that a small scale solar siting ordinance did not need to be created for the Town. Tom Wolfe seconded the motion. There were 5 Yea with Bob Price voting Nay.***

Meeting adjourned at 2043.