

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

**PLANNING BOARD MEETING MINUTES**

October 9, 2008

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

Meeting called to order at 1936.

**Minutes of the September meeting** were approved with minor changes.

The Board began with a **Public hearing regarding the proposed Verizon Wireless tower on Pleasant Valley Road.** Chairman Price noted for the record that Verizon submitted receipts of letters sent to neighboring property owners. 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, and a 1000 gallon propane tank at the back of the equipment shelter. Testing of the generator will be done weekdays at 10 am and 3 pm once per week.

After hearing from Mr. Cusack, the Board turned their attention to the Visual Impact Analysis. A balloon test was done September 4<sup>th</sup>, pictures of the balloon test and simulations of the proposed tower were provided by Verizon at the September meeting. Chairman Price reviewed the reasons for this tower with members of the audience and discussed changes that the Planning Board has already required Verizon to make. These changes include requiring the generator to run on propane instead of diesel as originally proposed, and full cutoff lighting on the outside of the building. Verizon submitted specifications for the light fixture that would be used and the Board agreed it is acceptable. At the

September meeting, Mr. Driscoll calculated the expected sound level in decibels that the generator would emit during testing and concluded that the sound levels would be acceptable. Mr. Cusack further noted that the Visual Impact Analysis report has not changed since the September meeting except that it was updated to show expected coverage for this tower.

The Board then opened the discussion to questions or comments from members of the audience. The first people to speak were Mr. and Mrs. Koch who own one of the adjacent properties. Mr. Koch asked how far the propane tank would be from their property line and was told it would be about 145 feet from the property line and about 955 feet from the base of the tower to the Koch's current residence. Mr. Cusack responded that the tank could be moved to the other side of the equipment enclosure if that would help. Chairman Price said that is up to Verizon to decide but that having the tank in front of the building would most likely make it easier to fill as well. Mrs. Koch inquired if the microwave capability will impact anything electrical in the house and was assured that it would not.

Mr. Koch asked why the tower could not be moved closer to Pleasant Valley Road since that area is a higher elevation. Chairman Price noted that it is only about 5 feet higher in elevation and this specific site was chosen taking into consideration vegetation, visibility, and coverage and this appears to be the best spot. Dan Driscoll also noted that moving the tower closer to Pleasant Valley would not make it any less visible from the Koch's house. Mr. Koch told the Board that his concern is not so much the visibility from their house but the plans they had to build a retirement home close to this property line that will border the tower and he is concerned that the project will devalue his property. Mr. Driscoll asked if it would be possible to move the leased area further away from the property line, Mr. Cusack stated he did not have the authority to say yes or no but if the Board requests that Verizon look into that, they would. Mr. Cusack further pointed out that looking at the map, moving the tower might actually make it closer to the level spot the Koch's were planning on using to build. After reviewing the topographic maps with the Kochs, the Board concluded that they don't see the benefit of moving the tower site. It would not change the proximity to the potential house significantly and it would likely make the tower more visible from other sites. The Board did request that Verizon plant a stand of trees on the NE side of the site to mask the propane tank and eventually the enclosure and Verizon agreed.

The Board also heard from Michael Vincent, a resident of Berne, who asked if the Board has looked into the effect of this project on adjacent property values. After some discussion regarding the tradeoffs

between visual impacts and cell phone coverage, Chairman Price answered Mr. Vincent by saying that it is not specifically in the purview of the Board to hire an assessor to look into that for us, so no, that has not been looked at. Mike Scott further pointed out that there is a procedure for having assessments reduced that might provide some relief to property owners if their values decline as a result of this project.

Hearing no further comments, the public meeting was closed at 2036. The Board then turned to reviewing the Environmental Assessment Form.

After reviewing, Dan Driscoll proposed a **resolution stating that the project will not result in any large and important impacts and, therefore, is one which will not have a significant impact on the environment, and therefore, a negative declaration will be prepared.** Brett Pulliam seconded the resolution, passed unanimously.

Mr. Driscoll then proposed a **resolution to approve the Site Plan Review including the conditions as modified in this meeting.** Brett Pulliam seconded, passed unanimously.

The Public Hearing was closed at 2050.

The final order of business discussed by the Board was a Commercial Wind Farm Ordinance. The Board began by discussing several recent newspaper articles discussing the possibility of commercial wind farms in the Hilltowns. Chairman Price stated that as far as he knows, no one in the Town of Knox has been approached with this type of proposal, and the wind data we have is marginal, but what should the Board be doing to protect the Town and it's residents? Dan Driscoll stated that he is not sure the Board should write a commercial wind turbine ordinance, but rather rely on the current zoning ordinance that prohibits towers over 125 feet. Chairman Price pointed out that the Zoning Board of Appeals could give a variance for that and asked if, other than the height, the current ordinance would allow for commercial wind turbines. Bob Gwin believes that since towers other than cell towers and personal windmills are not allowed at all, the Board could just clarify the definition of "tower". Dan Driscoll mentioned that the windmill ordinance does define wind turbine farms but it says more than 3 windmills would be considered a wind turbine farm and, as an example, Helderberg Wind Energy is looking to put in just 3 turbines.

The Board took an informal vote on whether a wind turbine ordinance is needed at all with the following results: No – Bob Gwin, Dan Driscoll, and Mike Scott; Undecided – Brett Pulliam and Bob Price (Betty Ketcham and Tom Wolfe were not present to voice their opinions). Chairman Price concluded that the Board needs to gather more information to make an informed decision. Bob Gwin was asked to research other alternate energy sources viable here in Town; Dan Driscoll was asked to research environmental impacts. Chairman Price volunteered to poll Planning Board chairmen in Towns that have commercial wind turbines to see what their opinion of the projects are and asked if anyone else would volunteer to research how many commercial wind turbines are currently running in the state and how many are proposed. Mike Scott mentioned that NYSERDA would be a good resource in the interest of time saving although their information is somewhat biased. Mr. Scott also stated that he feels the Town should demand the additional data from Sustainable Energy Development from the met tower so that the Town has all available information before making any decision.

Upon a motion made and duly seconded, the meeting was adjourned at 2148.

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The next meeting will be on November 13<sup>th</sup>, 2008 @ 1930.