

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

**PLANNING BOARD MEETING MINUTES
December 14, 2006**

In attendance: Dan Driscoll, Bob Gwin, Bob Price, Brett Pulliam

The meeting was called to order at 1935.

The Town's new website is now up and running – it can be accessed at www.knoxny.org.

The November minutes were discussed and the Board agreed that they should be revised to be more concise and factual. Approval of the November minutes was tabled pending revision.

The Board then discussed the process for creating and reviewing the minutes: the Recording Secretary will type a draft version and send to the Chairman who will review and make any necessary revisions. The reviewed minutes will then be sent to the Board members and the Town Clerk. Following discussion of the draft at the next meeting, any further revisions will be made and a final version will be sent to the Town Clerk and the Chairman who will then post the final minutes on the Town website. All agreed with this procedure.

The next order of business was to review the **wireless communications ordinance from the Town of Mount Kisco as a possible template** for the Town of Knox ordinance. The first item discussed dealt with HAM antennae/towers; that Bill Bellerjeau believes it is not allowed under Federal law to limit the properties on which they can be located and how high they can be. Limitations can be placed on where on the property to locate the tower, but that is all. Chairman Price suggested that a provision should be put in place to account for this.

The next item was the definition of Personal Wireless Services. All Personal Wireless Services must be permitted under federal law; Chairman Price stated that we will modify the Zoning Ordinance to include a definition of Personal Wireless Service and then reference the separate ordinance. Bob Gwin mentioned that all of the other ordinances we have reviewed modify the Zoning Ordinance in some way so they are not truly stand alone, and he wants to be sure that this stand alone ordinance won't in any way change our current administrative structure.

The Board then went on to discuss whether it is possible to specify that any towers need to be put on Town land. Bob Gwin pointed out that the Bethlehem Ordinance requires

that towers be put on Bethlehem property as a first choice and Knox should have no problem with doing that in their ordinance.

The next items discussed were heights of the proposed towers and the application process. Knox will ask for documentation from the applicant showing why the height requested is the minimum that will provide adequate functionality. If necessary, we can hire an engineer at the applicant's expense to verify their justification. The application process will be the same as for the MET towers: the applicant will go to the Zoning Administrator to file the application which will then be sent to the Planning Board for Site Plan Review.

At this point in the discussion, Dan Driscoll proposed that this ordinance really can't be written by a committee; Chairman Price agreed that it needs to be taken on by two people who can then present the Board with a draft version to discuss and vote on. Dan Driscoll and Chairman Price agreed to serve on an ad hoc committee and will begin working on revising the Mount Kisco ordinance after the first of the year.

The idea of an overlay district was discussed and the Board members agreed that an overlay district is not needed, we will just include some basic guidelines such as a hierarchy of where the towers could be located: Town property first and Agricultural Districts second with none allowed in the Residential District. Dan Driscoll also mentioned that the Mount Kisco ordinance is the only one that defines public utility and we could run into difficulty with the federal regulations if that is not defined.

The final item discussed in this topic was the **Environmental Assessment Form**. Bob Gwin questioned if the visual EAF form is bound into our ordinance; Chairman Price believes that since it is a standard DEC form, we can just reference that. Dan Driscoll offered that there is a good description of visual assessment guidelines in the Helderberg Escarpment Planning Guide.

The Board then turned to a **discussion of wind turbines** and whether or not the Town of Knox is an appropriate candidate for them. The debate centered around the issue of the rural character of the Town as opposed to the social responsibility of the Town to make every effort to reduce dependence on fossil fuels.

Finally, Bob Price mentioned an article in the latest issue of Planning News about a new regulation that passed in the summer of 2006 and goes into effect January 1, 2007 requiring planning and zoning officials to have 4 hours of training annually. However, the regulation also has a provision that the town can individually waive the requirement as they see fit so it is not clear whether this will be enforced or not. Chairman Price presented this information to the Town Board. Dan Driscoll pointed out that there is a free downloadable 10 hour program that can be completed over several years to fulfill the requirement. Chairman Price will inform the Town Board of this as well.

The meeting was adjourned at 2055.

Respectfully submitted,

Catherine Traina
Recording Secretary

The next meeting will be held on Thursday, 11 January 2007 at 1930.

Discussion of the Cell Tower Ordinance will be continued.