



Town of Knox Planning Board

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Minutes: September 14, 2023

Present: Todd LaGrange, Ed Ackroyd, Betty Ketcham, Deb Nelson, Zachery Martineau, alternate member Deirdre Keating.

Absent:

Chairwoman Deb Nelson called the meeting to order at 7:35 PM.

Betty moved to approve the August 10 meeting minutes and Zach seconded. Todd, Betty, Deb and Zach voted AYE and Ed abstained. Deirdre was making copies and did not vote.

Two corrections were noted and will be made before the final version is distributed.

Matthew Monroe of 949 Township Rd. appeared to request annexation of one acre of land to his undersized .58 acre lot from his neighbor, Daniel Broomhall. The new larger lot would still be undersized. He would have enough room to build a shed within allowed setbacks. Mr. Broomhall did not want to further reduce his road frontage by transferring more land to Mr. Monroe. Mr. Monroe presented a list of his neighbors' signatures indicating their approval of the proposed change. The one cut rule delays further cuts from Mr. Broomhall's property for 18 months.

Deb read from rules regarding proposed changes within 500' of a municipal boundary or a County or State road (Rt. 146) or an agricultural district that require review by the Albany County Planning Board (ACPB).

*Deb said she will refer the application to the ACPB. She told Mr. Monroe that they meet once a month, and their next meeting will be October 19.

Todd made a motion to approve the requested one-cut lot line modification on the condition that Albany County Planning Board approves it, Ed seconded and the motion passed unanimously.

The Knox Planning Board can supersede a negative decision from ACPB with a supermajority vote. The ACPB may need a stamped survey from Mr. Monroe.

Deb introduced a referral from Dan Sherman and the ZBA of a request to extend an existing cell tower by 20' from 96' to 116' tall on property owned by Chris Kryzak.

Todd asked about aeronautical or aviation height requirements for a beacon because of our elevation and proximity to Albany Airport. Deirdre located an FAA requirement for 200’.

Todd asked if the structural strength of the existing tower would be adequate for the extended height. He also asked if clearance to the old house of Chris Kryzak would be adequate. The request appears to be for the purpose of adding equipment for T- Mobile.

This may require an SUP from the ZBA. Deb will ask ACPB if it requires their approval. Deb noted that radio, TV, electric transmission towers are not allowable in any district per the zoning ordinance. There are two cell towers in Knox – one on town owned land next to the transfer station and the subject tower on Kryzak’s land, but cell towers and meteorological towers are not addressed in the zoning ordinance.

Windmills can’t exceed 125’ in height. Todd would like to see a 150’ height limit in Knox. Deb said precedents from other municipalities (including Pinnacle towers in New Scotland) should be considered.

Todd read rules about certain towers between 50’ and 200’ within the slope of the approach to an (Albany) airport requiring review from FAA.

- *Deb said she would discuss this application with the ACPB for their guidance.

- *Todd will check on height limits in Rensselaer County, where some areas have elevation similar to ours.

- *Ed will ask Dan Sherman for the building permit application. It should have more specifics and the date they applied for the permit.

- *Long term, the planning board will consider revising the zoning ordinance to address cell and meteorological towers.

Garry Bunzey was in attendance and he expressed interest again in serving on the planning board. He said he wants changes to the zoning ordinance because he is concerned that RIC could bring the same basic proposal for a large scale solar array a third time for the site in his neighborhood on Thompsons Lake and Old Stage Roads.

- *Deb said she would send his resume to the town board for their consideration.

Deirdre sent members a map by Hudson River Clearwater organization of power lines that may be able to accept power from new large scale solar arrays. Developers are presently limited to large scale projects within 1 mile from a three phase line. Todd noted that the line serving the area of RIC’s denied application ends in Voorheesville and at Warner’s Lake Road and a stretch of Thompsons Lake Road is the only area that has potential for this kind of development.

Deb asked members when they can schedule a visit to the Reservoir Road solar project site.

- *Todd can visit on Monday.

- *Deirdre, Betty and Zach can visit it this weekend.

- *Deb said she would arrange for the solar developer to meet with them there.

Deb suggested members plan to meet their training requirement of four hours per year. A program will be held in Saratoga in February.

Members agreed that updated definitions are needed in the zoning ordinance. Deb noted that our definition for large scale solar arrays refers to lot size rather than production capacity in watts. Deirdre suggested a solar appendix could be added.

Todd said that changes to the zoning ordinance need to be enacted before the moratorium ends to keep RIC from applying again for the same location. Deb said our changes have to look not at particular applications, but at the compatibility of each application with allowable and appropriate land uses per the comprehensive plan and with neighboring community character.

Deb said a comprehensive plan update is needed to address renewable energy and other changes that have emerged since 1994. She suggested asking the town board to contract with a consultant to do the work to assure an apolitical approach. Grants are available for this purpose.

For now the planning board will focus on the solar moratorium. Deirdre distributed model laws and other material from her research:

- Lewis County and DANC (Development Authority of the North Country) model solar law
- New Scotland solar law– they have a 5 year lookback for clear cutting
- American Farmland Trust links to permitting procedures and regulations in other towns.
- DOS compilation of links to resources:
 - Dutchess County model solar law
 - Town of Canton draft solar law with more on standards and application requirements
 - Tug Hill Commission planning guidance
 - Scenic Hudson’s Solar Mapping Tool and siting information
 - Maps of National Grid and NYSEG three phase power lines

Issues to be considered in developing updated zoning language:

- Agrivoltaics
- Add language about transfer of ownership
- Decommissioning
 - Should requirement to return the land to its original condition include re-planting trees that were removed?
 - Deb recommended they look at decommissioning and reclamation plans for mining.

The planning board needs to understand how PILOT revenue is determined. The supervisor will be asked to attend a future meeting to explain and answer questions.

Garry Bunzey noted that plans to improve infrastructure for power line capacity will open more land to large scale solar development.

Todd made a motion to adjourn, Betty seconded and all approved.

The meeting adjourned at 9:06 PM.

The next meeting will be held on Thursday, October 12, 2023 at 7:30pm

Members will be notified about arrangements for the field trips

Respectfully submitted by Amy Lauterbach, filling in for Planning Board Minutes Recorder vacancy