

**ZONING BOARD OF APPEALS
TOWN OF KNOX**

**MEETING MINUTES
August 13, 2020**

In attendance: Chairman Doug Roether, Kristian Snyder, Mackenzie Hempstead, Eric Marczak, John Wright, Ernie Cupernall

Absent: Sue Mason

Chairman Roether called the meeting to order at 7:30 p.m. A motion was made by Eric Marczak and second by Mackenzie Hempstead to approve May 2020 and June 2020 minutes as written. No discussion. All in favor, motion carried.

NEW BUSINESS

No new business

OLD BUSINESS

No old business

Motion made by Chairman Roether and second by Kristian Snyder to close open meeting and start public hearing for Richard Shoemaker at 7:42pm. Mr. Shoemaker is requesting a special use permit for placement of campers on property for use by family and friends for camping. The property is located at 2305 Berne Altamont Road, Berne, NY. At the location there is a section of land that is in Schoharie County. After discussion, it was requested that Mr. Shoemaker provide the ZBA with further information on the property and intent. The location has been defined as a TYPE 2 camp per Knox zoning ordinance. Mr. Shoemaker stated that there are 3 campers on the Albany County section of owned property. The ZBA is requesting copies of the titles and registrations of said camping trailers. Paperwork on the well and septic tank has been requested as well. The bathroom is said to be in Schoharie County per Mr. Shoemaker. There is a porta potty at the location on the Albany County side. The bathroom/septic is in use per Mr. Shoemaker. The septic is just used for bathroom facilities and water. The trailers are pumped out by a company per Mr. Shoemaker. Invoices have been received to show that the trailers have been pumped out. Mr. Shoemaker provided certified mail receipts that letters were mailed and handwritten signatures from neighbors who received a hand delivered copy. Overlay maps and a survey were provided as well. A survey is being requested from Mr. Shoemaker as to where the bathroom is located. It is being requested that Mr. Shoemaker provide site plan information as listed on the town website. It is requested that he provide 4 copies so they may be sent to the Planning Board.

Mr. Mark Young, Dutch Settlement Rd, Berne, spoke in opposition to the proposed special use permit. Mr. Young's property adjoins that of Mr. Shoemaker. He stated that the site map provided is incorrect, states that the campers are closer than the required 50' to his property. Mr. Young has always had a right of way to his land to be used for agricultural purposes as the area is zoned agriculture. Mr. Shoemaker has blocked off the roadway and no longer allows Mr. Young the right of way. Mr. Young feels this request by Mr. Shoemaker will change the character of the area.

Mr. Joseph Plouffe, Pleasant Valley Rd, Berne, spoke in opposition to the proposed special use permit request. Mr. Plouffe is the current owner of the Foxenkill Experience which is located across the street from the location in question. Mr. Plouffe feels that Mr. Shoemaker has provided inaccurate maps to the ZBA. Mr. Plouffe is upset that there has never been a cease and desist given to Mr. Shoemaker as he is still erecting buildings. Traffic in and out of the driveway are causing safety concerns to the patrons of the restaurant. Patrons are complaining about the noise from the cars and motorcycles that are racing down the road. Mr. Plouffe feels this request by Mr. Shoemaker will change the character of the area as it is in direct eye sight from the restaurant.

The ZBA has 60 days to make a decision on the special use request AFTER all information requested is supplied by Mr. Shoemaker.

Motion made by John Wright and second by Mackenzie Hempstead to close the public hearing at 8:26pm. All in favor. Motion carries.

For the matter of record the ZBA has received complete application from Drew McArdle.

Motion made by Eric Marczak and second by Mackenzie Hempstead to begin public hearing for Drew McArdle for request of an area variance of 34' to construct an A frame garage, located at 721 Bozenkill Rd Altamont, NY at 8:30pm. Motion made by Mackenzie Hempstead and second by Kristian Snyder to approve the area variance as there is no change in the characteristic of the neighborhood. All in favor. Variance APPROVED.

Letter will be mailed to Mr. McArdle.

Motion made by Mackenzie Hempstead and second by Ernie Cupernall to close the case and public hearing for Drew McArdle at 8:38pm. All in favor. Motion carries.

With no further business, a motion was made by Mackenzie Hempstead and second by John Wright to close meeting. All in favor, motion carries. Meeting close at 9:05p.