

**ZONING BOARD OF APPEALS
TOWN OF KNOX**

MEETING MINUTES
June 27, 2019

In attendance: Chairman Doug Roether, Kristian Snyder, Eric Marczak, Bonnie Donati, Sue Mason, Recording Secretary Mackenzie Hempstead
Absent: Dennis Cyr, John Wright

Chairman Roether called the meeting to order at 7:40 p.m. A motion was made by Eric Marczak and second by Doug Roether to amend the May 2019 minutes to reflect " There are no minutes or copy of the original special use permit as one was never issued". A motion was made by Eric Marczak and second by Kristian Snyder to accept the minutes of the May 2019 meeting, (with amendment). All in favor, motion carried.

NEW BUSINESS

Gary Kleppel of the Agriculture Advisory Committee (AAC) came before the ZBA to discuss the change in zoning to allow swine farms within the Town of Knox. A resident would like to raise pigs, town zoning currently does not allow. The AAC promotes farming and tech support to the Town of Knox. The AAC would like to work with the ZBA moving forward and ask for guidance.

Bonnie: Sees no substantial problem, this is a farming community. Anything can be managed and the American farmer needs a helping hand.

Eric: Asked if the location was on Township Road, answer was No. Agree that locations will be identified as permits are addressed. Questioned the disposal of deceased animals/carcasses, the number of head, proximity to sinkholes, any water issues. Asked if the CAC (Consevation Advisory Committee) has been approached. Mr. Kleppel stated as of yet they have not. Advised it was a good idea and he will try to attend a meeting of the CAC. Will speak with Earl Barcomb and Ken Saddlemire as to what specs are needed to run a swine farm.

Doug: Full agreement with Bonnie. Urbanization has run out the farms. Can control odors if managed properly. Would like to make farming positive and have the community support agriculture.

Kristian: Questioned if there has been any resistance? Mr. Kleppel answered "none at all. Very positive responses have been received". Would like to see Mr.

Barcomb and Mr. Saddlemire bring attention to this request at the next town board meeting.

The AAC would like an ordinance or program established as to get the best outcome. In regards to “tech support”. This means that they are available to answer any questions the farmer may have. In the process of creating a Farm transitioning program. This program will help young people who need it find land for farms.

Mr. James Czebiniak came before the ZBA to request a variance to build a metal garage on his property at 133 Middle Road, Altamont, NY. The rear setback would be 15 feet instead of the required 50 feet. All other setbacks are within the required amounts. The location of the structure was chosen due to the land sloping and there being wet spots on the property. A public hearing is scheduled for July 25, 2019 at 7:45p.

Mr. Joe Plouffe came before the ZBA to request the Special Use Permit for the Foxenkill Restaurant be modified to reflect his name as operator as he is purchasing the business. He is purchasing the restaurant side of the road, along with the small parking area. Intended use for the new business will be a Seafood/Steak House. A motion was made by Kristian Snyder and second by Sue Mason to approve the modification on the Special Use Permit. All in favor, unanimous. Motion carries.

Mrs. Amy Pokorny was in attendance and stated that they had corrected the issues that were questioned at the last meeting: Fire exit signs were installed and handicap parking has been identified. The Albany County Board of Health has not yet been contacted. The dimensions used on the forms for Albany County BOH was that of a two bedroom residence. This was used for the purpose of the septic system. As for the building of the pavilion at the location, per Town Attorney, Zoning Ordinance Enforcer (Dan Sherman) has the final say for approval of the building permit. Mrs. Pokorny advised that the building permit has been granted for the building of the pavilion.

Mr. Dan Sherman sent an application for interpretation as to what a cultural center is defined as. The ZBA will start working on putting together the interpretation. Knox ZBA needs to define what a cultural center is and set parameters. It was also stated that the building must be up to code MUST be listed in the definition. A motion was made by Doug Roether and second by Eric Marczak to table the discussion and research what cultural center/facilities are/do. All in favor, motion carries.

Gary Mickle came before the ZBA to inquire what he needed to do so he can start to sell cars at Mickle Automotive again. As a matter of record, documentation was received by Mr. Mickle to attest vehicles were previously sold at the business location, 1126 Township Road, Altamont, NY 12009. Mr. Mickel stated he would like to have between 2-20 vehicles on the property for sale. He stated he has the room for the housing of said vehicles as he has 115 acres of property. The sign that will be on the building will be purchased through NYS so it will comply with the zoning code. A motion was made by Bonnie Donati and second by Kristian Synder to grandfather Mr. Mickle's business so that he can sell vehicles at the location. Letter must state that the business comply with NYS guidelines. Sue Mason, Nay Kristian Snyder, Yay Eric Marczak, Nay Bonnie Donati, Yay Doug Roether, Yay. 3 Yay, 2 Nay **Motion does not carry. Need 4 Yay to pass and rational was not stated as needed in letter to "grandfather"**.

Advised Chairman Roether will not be at the July ZBA meeting and Dennis Cyr will be running the meeting.

With no further business, a motion was made by Eric Marczak second by Sue Mason to close public meeting at 9:51 pm. All in favor, motion carries

Respectfully submitted,
Mackenzie Hempstead
Recording Secretary
Zoning Board of Appeals