

**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**

Russ & Amy Pokorny came before the ZBA to receive guidance as they would like to build a pavilion out behind an existing Octagon Barn for PV panels on south facing roof for electricity. The structure will be open with gravel base and house a tractor. Snow load has been approved. This *MAY* be used for meetings if weather permitted. Area is zoned as agricultural. Owners facilitate sales tax for area farmers so they can sell their goods/product at current location. No charge for admission to vendor to set up for the farmer's market. Homeowners insurance cover the property per Mr. & Mrs. Pokorny. In 2003 there was a special use permit given for the Octagon Barn. Owners would like to make sure they are in compliance with the town zoning ordinance. There are no minutes or copy of the original special use permit as one was never issued. Bonnie Donati asked if people will be able to sit on the roof? Response was: No, there will just be panels on the roof. Ms. Donati also questioned if a cultural facility is in the zoning ordinance as of now. Kristian Snyder stated he would like to see the structure before being excused at 8:35p. John Wright stated that he thought there may not be a need of a special use permit as they are just expanding the square footage. They have been doing business without incident. The structure is not attached and would be used occasionally, if any. Eric Marczak inquired about working

facilities. Response: There is one that is functional. Mr. Marczak stated that he would like to see "cultural facility" be defined. Dennis Cyr was concerned as to what the fire code for the building was. Mr. Cyr would like to see the plans of the building and adequate drawing of the location of the sewer/water. He feels this does not fall under home occupancy as it is not attached to home. Stated he will try and find material and speak with individuals who were ZBA members in 2003. HE needs to make is own opinion and not from other people. Doug Roether stated this is an agriculture are with a cultural center. He suggested to create parameter for a use variance which would document all aspects of use at the facility. A motion was made by Eric Marczak to table the discussion on the building of the pavilion until ZBA speaks with Town attorney, second by Bonnie Donati. Al 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. His parents sold cars previously at the business location, 1126 Township Road, Altamont, NY 12009. Business was started in 1965. Mr. Mickle was advised to provide letters to ZBA that will attest to being in business. Provide copy of DBA if possible. A letter will be given from ZBA to sell cars at location and that his business is grandfathered. A motion was made by Doug Roether and second by John Wright to table until Mr. Mickle provides documentation requested. All in favor, motion carries.

Joseph Dunham came before the ZBA to inquire if he could get a non-toxic 6000-gallon tank for seal coating at his residence. This is for his personal use for his business. He WILL NOT be selling the product. Having it at his residence saves time on travel to go get product. ZBA advised they would like to see the MSDS (Material Safety Data Sheet) for the product. Also, would like documentation as to the plot plan on location with measurements to the street, well and home. A motion was made by Dennis Cyr, second by John Wright to table discussion until June 27, 2019 meeting. All in favor, motion carries.

## OLD BUSINESS

It was discussed that a letter be sent to Napredak LLC as to the improvements made to the Knox Café/Groomingtail location. Handicap parking is an issue with this location. Handicap parking MUST BE identified and traffic pattern for parking lot needs to be marked and identified. Special Use Permits that have been approved subject to owner complying with the original copy of parking area submitted by June 15, 2019. Letter to be sent to Dan Sherman with site plan and

date for compliance. Would like Mr. Sherman to enforce the inadequacies at the location and issue citations if not rectified.

Eric Marczak advised that he would like to have Mr. Tom Engle come and speak with the ZBA about the karst. Mr. Engle is the vice president of the company that owns the Knox Caves, is a town resident, landowner and retired from DEC. A motion was made by Dennis Roether, second by Dennis Cyr for a training session for the ZBA on the karst with date TBD. All in favor, motion carries.

A motion was made by Doug Roether, second by Dennis Cyr to purchase a stamp for file keeping. This stamp will include the word "Approved" with the date. The minutes will be stamped upon approval and filed in the Knox Town Hall.

With no further business, a motion was made by Dennis Cyr to close public meeting and was second by Eric Marczak at 10:10 pm.

Respectfully submitted,  
Mackenzie Hempstead  
Recording Secretary  
Zoning Board of Appeals