

**ZONING BOARD OF APPEALS
TOWN OF KNOX
MEETING MINUTES
September 23, 2010**

In attendance: Chairman Bob Edwards; Jim McDonald; Dennis Barber; Gayle Burgess; Sue Mason; Amy Pokorny; Ken Kirik; Carol Barber, Recording Secretary

The minutes of the August meeting were read. Under a motion made by Dennis Barber, seconded by Jim McDonald, the minutes were approved as read.

Gerald Wright, G.T. Wright, Inc., new owner of the old Foxenkill Tavern at 2320 Helderberg Trail, was in attendance. He plans to open a business at this location to be known as Foxenkill Gallery, which will offer artwork, antiques, books, café and a farm stand. He will need to apply for a Special Use Permit.

A Public Hearing was opened at this time on behalf of Russ & Amy Pokorny to request an extension of the variance for the MET tower located on their property at 588 Middle Road. Amy Pokorny excused herself from the meeting as a Board member. Members of Helderberg Community Energy (HCE) were also in attendance. The HCE is made up of local residents who volunteer their time and is funded through grants and donations. This extension is being requested in order to be able to correlate data from this tower in Knox with a possible tower in the town of New Scotland. It is not known at this time when a tower may be available in New Scotland. Such a correlation would save New Scotland at least 4 years of work. Jerry Lenseth, a landowner in Berne and New Scotland was in attendance and stated that New Scotland does not currently have a wind ordinance. It is strictly a draft at this point. He feels his property in New Scotland would be a perfect location for a tower. HCE is also looking at other towns in which to place a tower. A tower would not be able to be erected from November through March due to snow. Having wind data from Knox is also valuable to other towns. Chairman Edwards explained that the job of this Board is to interpret the ordinance, not the validity of a tower and/or data collected. This Board is limited to the ordinance, not the merits of wind energy.

Loren Pruskowski of Sustainable Energy Development was in attendance. He stated it is not financially feasible to take the tower down and put it up again later. The HCE was allowed to form through a NYSERDA project. It is not a money maker.

The question of whether or not enough data has been collected regarding bats was raised. The answer was yes.

Gayle Burgess questioned Amy Pokorny as to whether they have been to the Planning Board or Town Board again. She stated no. Gayle stated that she believes there is more concern over policy than actual data. Bob Edwards stated this issue would be debated with the Town Board. Again, the Zoning Board is limited to the ordinance and is not able to grant an open-ended permit. Ken Kirik stated this Board cannot supercede the ordinance.

There were neighbors of the Pokorny property in attendance who are both for and against the extension of this tower.

Bob Price was in attendance and suggested that the Board deny this request at this time with the ability to come back at another time. He stated the wind data is vital, but is irrelevant to the request before this Board.

A motion was made to close the hearing by Jim McDonald, seconded by Dennis Barber. Motion carried. The hearing was closed at 8:53 p.m.

A motion was made to approve the request. The motion was unanimously opposed. The request was denied.

A motion to adjourn the meeting was made by Dennis Barber, seconded by Bob Edwards. The meeting was adjourned at 9:02 p.m.

Respectfully submitted,

Carol Barber
Recording Secretary