

Fulton County Planning Board
Fulton County Planning Office
1 East Montgomery Street | Johnstown, NY 12095

Tuesday, July 19, 2022
8:45 a.m.

Meeting Notes

Present:

Dave Rackmyre, Jr., Chairman (Town of Oppenheim, Code Enforcement Officer)
James Anderson, Vice Chairman (City of Gloversville)
Peter Goderie (City of Johnstown, Farmer - Town of Perth & Mayfield)
Tracy Gutowski (Town of Perth & Fire Department / Public Safety Secretary for City of Gloversville)
Colleen Ioele-DeCristofaro (City of Johnstown)
John Kessler (Town of Mayfield)
Jerry Moore (Town of Mayfield)
Frank Lauria, Alternate (Supervisor, City of Gloversville)

Scott D. Henze, Planning Director
Aaron Enfield, Sr. Planner

1. Call to Order

The meeting was called to order at 8:45 A.M.

2. Approval of Minutes to the April 19, 2022 Meeting:

MOTION: To approve the minutes of the April 19, 2022, Fulton County Planning Board meeting.

MADE BY: Tracy Gutowski

SECONDED: Colleen Ioele-DeCristofaro

VOTE: 8 in favor, 0 opposed

3. General Municipal Law:

In accordance with New York State General Municipal Law § 239-m, the following applications were forwarded to the County Planning Board for review:

A. Town of Perth – Joseph C. Fritz – Special Use Permit for Firewood Cutting and Sales along NYS Route 30:

Joseph Fritz, III is proposing a firewood cutting and sales operation along the west side of NYS Route 30 in the Town of Perth (Tax Map Parcel No. 166.-2-40.111). The property which is owned by John and Tina Healy is approximately 36.1+/- acres in size and is located in an A-R Agricultural-Residential zone.

PLANNING BOARD DISCUSSION:

Planning Board Member Peter Goderie indicated the owners had already been operating for several years and inquired on why it was coming to the planning board for a review.

Senior Planner Aaron Enfield stated that Mr. Fritz is expanding his business, and Town of Perth Code Enforcement Officer asked him to come before the Planning Board.

Planning Board Member Tracy Gutowski stated that Joseph Fritz was unaware he needed to come before the planning board beforehand.

Vice Chairman James Anderson inquired about the bins that would be available for customers after hours?

Mr. Enfield stated there will be a few spots for customers to pick up wood after hours in front of a locked gate. Subsequently, Mr. Enfield stated that during the Town of Perth Planning Board's review of the project they considered looking at screening the properties on either side.

Ms. Gutowski pointed out the Site Plan will have ample space to pull in for customers without blocking NYS Route 30.

Planning Board Member John Kessler inquired if there will be screening for the properties across the street?

Ms. Gutowski mentioned that Perth did not discuss the homes across the street because the Planning Board wanted to make sure people knew that this might come up in the Public Hearing in August.

Chairman Dave Rackmyre mentioned that he has noticed that the logs have been moved further away from NYS Route 30.

Planning Board Member Jerry Moore indicated he had concern with the property owner not being the applicant.

Mr. Enfield stated that the applicant was a relative of the property owner.

Planning Board Member Colleen Ioele-DeCristofaro stated that the current owners live in Texas as per Real Property records.

Mr. Anderson mentioned that the City of Gloversville recently reviewed an application for a food truck where the owners live out of area and will be operated by locals. He stated there is nothing in the code that would not allow for this.

Mr. Anderson stated that because this is a Special Permit Town of Perth could make the applicant come back after a certain period of time so they could see if they are following through.

MOTION: Recognizing no regional impacts to the Firewood Cutting and Sales business along NYS Route 30 and recommend that Joseph C. Fritz's Special Permit application be approved with the following conditions:

1. Screening to be provided along the residential property on the north and south of the proposed project.
2. Make sure that large piles of lumber are not viewable from NYS Route 30.

MADE BY: John Kessler
SECONDED: James Anderson
VOTE: 8 in favor, 0 opposed, 1 abstain (Tracy Gutowski)

B. Town of Broadalbin – Local Law 1 of 2022: Town of Broadalbin Solar Energy Facility and Solar Farm Moratorium Law:

On Tuesday, July 12, 2022, the Town of Broadalbin Town Board introduced Local Law 1 of 2022: Establishing a Twelve (12) Month Moratorium on Solar Energy Facilities and/or Solar Farms. The Town Board of the Town of Broadalbin is concerned that the current Town of Broadalbin Zoning Ordinance does not set forth any procedures for establishing Solar Energy Facilities or Solar Farms.

The Town Board of the Town of Broadalbin is of the opinion that if Solar Energy Facilities and/or Solar Farms are allowed to proceed without Zoning procedures in place the Town will have no way to assure the orderly development of such projects within the Town pursuant to the Town of Broadalbin Comprehensive Plan and the Town Board is desirous to investigate the impact of this new kind of use that may be inconsistent with the Comprehensive Plan.

The Town Board of the Town of Broadalbin realizes that the Town of Broadalbin is a rural and open community and that Solar Energy Facilities and/or Solar Farms may be appropriate as an alternate energy production source.

The Town Board of the Town of Broadalbin finds that a moratorium should be enacted to enable the Town of Broadalbin to investigate the appropriate regulation of Solar Energy Facilities and/or Solar Farms in terms of prospective development and/or amendment of the Comprehensive Plan and/or Zoning regulations of the Town of Broadalbin

PLANNING BOARD DISCUSSION:

Planning Director Scott Henze stated that the Town of Broadalbin does not have zoning and there is no provision for solar within the Town. He mentioned that the previous solar farm within the Town was reviewed under Site Plan Review and the municipality would like to establish a stand-alone law.

The county planning board had a back and forth conversation regarding solar, decommissioning, its impact on the community, and long-term effects on the environment within the county.

PLANNING BOARD ACTION:

MOTION: Recognizing no regional implications that could occur from the Town of Broadalbin Solar Energy Facility and Solar Farm Law Moratorium Law within the Town of Broadalbin and offer no recommendation.

MADE BY: Peter Goderie
SECONDED: James Anderson
VOTE: 9 in favor, 0 opposed

C. Town of Broadalbin – Route 29 Storage LLC, Site Plan for a Storage Unit along State Highway 29:

Joseph DeGiulio is proposing a Storage Facility along the south side of NYS Route 29 in the Town of Broadalbin (Tax Map Parcel No. 138.3-1-29). The property is approximately 4.938+/- acres in size. The seven (7) proposed storage facilities and two swales are located on the south side of the property that is currently a field.

PLANNING BOARD DISCUSSION:

Mr. Henze gave background information on the project that is currently being reviewed by the Town of Broadalbin Planning Board. He stated that the project will have climate controlled storage, the first in the county, and will be accessed via key card and a gate.

Mr. Anderson inquired if any additional curb cuts will be necessary for the storage facility?

Mr. Henze stated that existing curb cuts will suffice due to the current business at the front of the property. Subsequently, he stated that the sign of the storage unit will be located on the side of the current business, per the NYS Department of Transportation.

PLANNING BOARD ACTION:

MOTION: Recognizing no regional implications that could occur from the Town of Broadalbin Solar Energy Facility and Solar Farm Law Moratorium Law within the Town of Broadalbin and offer no recommendation.

MADE BY: James Anderson
SECONDED: Peter Goderie
VOTE: 9 in favor, 0 opposed

4. Property Transactions in Fulton County 2011 – 2021:

The Fulton County Planning Department handles analysis for the Decennial Census. In addition to the information provided by the U.S. Census Bureau, the department has been analyzing local data from the county and the state.

PLANNING BOARD DISCUSSION:

Mr. Enfield gave a PowerPoint presentation on property transactions within Fulton County within the past decade highlighting the 19,208 transactions by Fulton County Department of Real Property. Mr. Enfield focused primarily on the 13,066 transactions from property owners that currently live within the county, or have made Fulton County their home over the past decade. As a result, from the pandemic there has been a spike in individuals purchasing Residential Vacant Land, and Two Family Year-Round Residences. The biggest influx of individuals purchasing properties that are not listed as primary residence are from New York State are from Montgomery, Schenectady, Saratoga, Albany, Herkimer, Suffolk, Rensselaer, Dutchess, and Westchester County.

Mr. Moore indicated that he has seen new horse farms pop up over the past few years and wonder if data can show if it is related type of farm production.

Mr. Enfield stated that initial look at the data it is difficult to classify specific uses, however, Real Property does have numerous classifications that could be narrowed in on a more granular scale.

Ms. Gutowski stated that the south side of Tryon along County Highway 107 is currently for sale, roughly \$400,000 more than the owners purchased from the Fulton County Industrial Development Agency (IDA). She expresses her concern that as result of the property not being used for its initial intention, it should go back to the IDA. Subsequently, Ms. Gutowski expressed concern that the IDA was involved with Hoffman's Carwash.

Mr. Henze indicated that he will send her concerns to IDA Executive Director, Jim Mraz and will have him reach out to her.

5. Activities Report June 2022:

Each month, County Planning Department staff put together an Activities Report for the Buildings and Grounds/Highway Committee of the Fulton County Board of Supervisors. This Committee is responsible for overseeing the work undertaken by the Planning Department staff. In an effort to give County Planning Board members an idea of the types of issues that are being examined and the types of projects that are currently being worked on by Planning Department staff, the Activities Report is included on the Board's monthly Agenda.

PLANNING BOARD DISCUSSION:

Mr. Moore pointed out the list of individuals that Mr. Henze has been meeting with regarding the Great Sacandaga Lake History Museum, and highlighted his meeting with Town of Mayfield Historian Sandy Town. Mr. Moore stated that on August 22, 2022 the Mayfield Historical Society will hold a discussion on the topic on August 22, 2022 wherein Mr. Henze will be a speaker.

Planning Board Alternate Frank Lauria stated that he has been hearing positive comments on the museum from his constituents in the City of Gloversville.

Mr. Anderson expressed concern on how the museum will be operated financially after the construction is completed.

6. Other Business:

A. (David Rackmyre, Chairman)

Mr. Rackmyre indicated that he would like to have the American Flag moved back in so the Pledge of Allegiance can be done at the start of each meeting.

Mr. Henze stated he will make that arrangement.

7. Close of Meeting:

MOTION: To close the meeting at 9:35 a.m.

MADE BY: Dave Rackmyre

SECONDED: Frank Lauria

VOTE: 9 in favor, 0 opposed