



FULTON COUNTY PLANNING BOARD MONTHLY MEETING

TUESDAY, MARCH 21, 2023 | 8:45 AM

1 EAST MONTGOMERY STREET, JOHNSTOWN, NY 12095

MEETING NOTES

PRESENT:

Walter Fitzgerald (Town of Northampton)
Peter Goderie (City of Johnstown & Farmer in Town of Perth and Mayfield)
Colleen Ioele-DeCristofaro (City of Johnstown)
John Kessler (Town of Mayfield)
Jerry Moore (Town of Mayfield)
Jay Pierz (Town of Stratford)

Scott D. Henze, Planning Director
Aaron Enfield, Senior Planner
Carla Kolbe, Tourism Coordinator

1. CALL THE MEETING TO ORDER:

The meeting was called to order at 8:45 p.m.

2. AUTHORIZATION OF CHAIR FOR MARCH 2023 MEETING:

Due to the absence of Chairman Dave Rackmyre and Vice Chairman James Anderson, the Planning Board needs to appoint or authorize an Acting Chairman for the meeting.

DISCUSSION:

After a back and forth conversation, it was recommended that Peter Goderie serve in the capacity as acting Chairman for the meeting.

PLANNING BOARD ACTION:

MOTION: To authorize Peter Goderie as acting chair for the March 21, 2023 Fulton County Planning Board meeting.

MADE BY: Jerry Moore
SECONDED: Colleen Ioele-DeCristofaro
VOTE: 6 in favor, 0 opposed

3. APPROVAL OF THE FEBRUARY 21, 2023 MINUTES:

MOTION: To approve the minutes of the February 21, 2023 Fulton County Planning Board meeting.

MADE BY: John Kessler

SECONDED: Peter Goderie

VOTE: 6 in favor, 0 opposed

4. INTRODUCTION OF NEWEST PLANNING BOARD MEMBER, JAY PIERZ (STRATFORD):

Background:

During the March 2023 Fulton County Board of Supervisors' meeting, Town of Stratford resident Jay Pierz became the newest member to the Planning Board, finishing the term of Leigh Ann Loucks.

DISCUSSION:

Planning Board Member Jay Pierz introduced himself to the Board. He stated he owned property on Pleasant Lake since 1991, and been a full-time resident in Fulton County since 2013, retiring in 2019 as an orthopedic surgeon. He also indicated that, while he was in medical school, he worked in construction. Mr. Pierz indicated he was very interested and praised Town of Stratford Supervisor Richard Forgarty for approaching him to be on the Board.

5. INTRODUCTION OF TOURISM COORDINATOR, CARLA KOLBE:

Background:

Over the past several months, Fulton County received fourteen (14) applications for the new position within the Planning Department. On Wednesday, March 15, 2023, Carla Kolbe started as the Tourism Coordinator in the department and will be housed in the Fulton County Visitor Center in Vails Mills.

DISCUSSION:

Tourism Coordinator Carla Kolbe introduced herself to the Fulton County Planning Board. She indicated how elated she was to have the job and to get the word out on the exciting things happening in Fulton County. Ms. Kolbe mentioned that she worked in journalism previously and that she understands the need to tell a story and can use that background to promote the stories of events and businesses. Ms. Kolbe also mentioned she is a small business owner in Northville.

Planning Board members inquired on where Ms. Kolbe will be working.

Ms. Kolbe stated she will be housed in the Fulton County Visitor Center and will be working there.

Fulton County Planning Director Scott Henze indicated that there is office space available for Carla. Subsequently, he stated that, at the time of construction, it was the County's intention on having tourism personnel at the Visitor Center. Mr. Henze also indicated that the Board of Supervisor's understands that tourism is an economic development benefit for the county, and also stated that the County is still partnering with the Fulton-Montgomery Chamber of Commerce on a couple of services. He also stated that, as a result of Carla being housed in the Visitor Center, that office is now open seven (7) days a week.

6. 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 Mayfield Planning Board – CMK Reality – Site Plan for a Storage Facility along County Route 106:

CMK Reality is proposing to construct two (2) storage facilities: one (1) 80' x 30' building, and one (1) 90' x 30' building at 3748 State Highway (Tax Map Parcel No. 152.-10-2) that is approximately 2.37 +/- acres in size. The applicant recently came to the Planning Board on February 15, 2023 with the intention of putting the storage building onto the conveyed property. The Site Plan indicates that the storage will be elsewhere on the property.

The Town of Mayfield Zoning Ordinance defines a Storage Facility as “a piece of land, structure or group of structures, designed and/or constructed for short or long-term storage of individual or business property for a fee. A storage facility does not include a warehouse/distribution center, truck terminal, or other transfer facility for goods, wares and merchandise.”

The property is in the Resource Hub Zoning District and is not an allowed use under Site Plan Review. During the February 22, 2023 Zoning Board of Appeals meeting, the Town of Mayfield ZBA granted a Use Variance for a Storage Facility on the property.

PLANNING BOARD DISCUSSION:

Mr. Henze inquired if the storage facilities will be climate controlled?

Senior Planner Aaron Enfield stated that it was unclear if they would be climate controlled and that the question did not come up in conversation during the review process.

Mr. Henze indicated that he has seen a trend in climate controlled facilities appearing in the Town of Broadalbin and mentioned that there may be more of a need for these types in the future.

PLANNING BOARD ACTION:

MOTION: Recognizing no regional implications that could occur from 239-m application for CMK Realty's Site Plan for a Storage Facility along County Route 106 (Black Street) and to offer no recommendation to the Town of Mayfield Planning Board.

MADE BY: Peter Goderie

SECONDED: Walt Fitzgerald

VOTE: 3 in favor, 0 opposed, 3 abstain (Jerry Moore & John Kessler – Town of Mayfield Planning Board, and Colleen Ioele-DiCristofaro – Employee of Howard Hanna)

As a result of the tie due to conflict of interest, the 239-m application received a default approval.

B. Town of Mayfield Planning Board – Oakley Management – Site Plan for a Storage Facility along NYS Route 30:

Oakley Management LLC is proposing to construct a 60' x 120' storage building at 3953 State Highway 30 (Tax Map Parcel No. 152.-5-18.2) that is approximately 2.37 +/- acres in size. The applicant recently

came to the Planning Board on February 15, 2023 with the intention of putting the storage building onto the conveyed property. The Site Plan indicates that the storage will be elsewhere on the property.

The property is in the Commercial (C-1) Zoning District and is an allowed use under Site Plan Review. The Town of Mayfield Zoning Ordinance defines a Storage Facility as “a piece of land, structure or group of structures, designed and/or constructed for short or long-term storage of individual or business property for a fee. A storage facility does not include a warehouse/distribution center, truck terminal, or other transfer facility for goods, wares and merchandise.”

During the March 1, 2023 Special Meeting of the Town of Mayfield Planning Board, the applicant indicated that the parcel they received was before the Planning Board on February 15, 2023 and will be the area the storage facility will go. Subsequently, the applicant indicated that it will be used for storage of vehicles at Outdoor Motor Sports.

PLANNING BOARD DISCUSSION:

Mr. Enfield showed the Planning Board, an updated Site Plan that he is working on with the applicant.

Mr. Henze indicated that as the project is within 500’ of the Town of Broadalbin, a SEQR Coordination will also need to be sent to the Town Clerk.

PLANNING BOARD ACTION:

MOTION:	Recognizing no regional implications that could occur from 239-m application for Oakley Management’s Site Plan for a Storage Facility along NYS Route 30 and to offer no recommendation to the Town of Mayfield Planning Board.
MADE BY:	Walt Fitzgerald
SECONDED:	Colleen Ioele-DeCristofaro
VOTE:	4 in favor, 0 opposed, 2 abstain (Jerry Moore & John Kessler – Town of Mayfield Planning Board)

C. Town of Mayfield Planning Board – Strategic Storage – Site Plan for a Storage Facility along County Highway 155:

Strategic Storage, LLC is proposing the construction of a two (2) 4000 sq. ft. prefabricated steel storage buildings at 356 County Route 155 (Tax Map Parcel No. 151.-7-10). The property is in the Commercial (C-1) Zoning District and is an allowed used under Site Plan Review.

The Town of Mayfield Zoning Ordinance defines a Storage Facility as “a piece of land, structure or group of structures, designed and or constructed for short or long-term storage of individual or business property for a fee. A storage facility does not include a warehouse/distribution center, truck terminal, or other transfer facility for goods, wares and merchandise.”

PLANNING BOARD DISCUSSION:

Mr. Enfield showed Planning Board members an updated Site Plan that he is working on with the applicant.

Mr. Enfield stated that the property includes a portion of a right-of-way that was once part of the Fonda, Johnstown & Gloversville (FJ&G) Railroad.

Mr. Goderie inquired if this property is one the County has been working on obtaining.

Mr. Henze stated the County has been in dialogue with the owner. He stated that the County is allowed to purchase former right-of-ways from owners for \$2,500 an acre. The owner has indicated that he is willing to do a trade for having the County hook sewer up to the property, which would be several thousands of dollars more. Subsequently, he stated that, due to financing, the County was able to extend the sewer line to the property.

Mr. Moore inquired that 66' is listed as former right of way and inquired how much width the Rail Trail typically has?

Mr. Henze stated that 20' is typically the width for the Rail Trail.

After a back and forth conversation, Planning Board members agreed that there was regional impacts regarding the FJ&G right of way.

Mr. Kessler brought up the fact that storage facilities are exempt from paying sales tax which can be seen as a regional impact as the Town and County will be losing out on revenue.

After a back and forth conversation, Planning Board members agreed this could also be seen as a regional impact.

PLANNING BOARD ACTION:

MOTION:

Recognizing that there may be regional implications that could occur from 239-m review for Strategic Storage's application for a Site Plan along County Highway 155 with in the Town of Mayfield and offer the following recommendation:

1. To make sure that no permanent structures do not go along a potential bike lane along the former Fonda, Johnstown & Gloversville (FJ&G) Railroad right-of-way; and
2. The construction of storage facilities on the property are not subject to sales tax.

MADE BY:

Colleen Ioele-DeCristofaro

SECONDED:

Peter Goderie

VOTE:

4 in favor, 0 opposed, 2 abstain (Jerry Moore & John Kessler – Town of Mayfield Planning Board)

D. City of Johnstown – Second Wind Coffee – Site Plan for a Retail Service Establish at 132 W. Main Street (State Route Highway 67):

Shawn Beebe, owner of Second Wind Coffee, is proposing to move from his current location at 32 West Main Street to 132 West Main Street, the former Restaurant Supply Company. The applicant is proposing to utilize the front portion of the first floor into a coffee shop. No alterations will be done to the exterior of the property.

PLANNING BOARD DISCUSSION:

Planning Board Member Colleen Ioele De-Cristofaro inquired if there will include a restaurant. She indicated there has been speculation as the owner has indicated such to customers.

Mr. Enfield mentioned that he spoke with the City of Johnstown Code Enforcement Office regarding the application. He indicated that there is currently no Site Plan for the project. Subsequently, he stated, while there are other parts that may be associated with the building in the future (restaurant, co-worker space), the Site Plan is only for the coffee shop.

PLANNING BOARD ACTION:

MOTION: Recognizing no regional implications that could occur from 239-m application for Second Wind Coffee's Site Plan for a Retail Service Establishment at 132 West Main Street and to offer no recommendation to the City of Johnstown Planning Board.

MADE BY: John Kessler
SECONDED: Jerry Moore
VOTE: 6 in favor, 0 opposed

7. PLANNING BOARD MEMBERSHIP:

The Fulton County Planning Board is a 9-member board with one (1) Alternate member. The Board has been operating for several months with only eight (8) members. On January 11, 2023, Town of Stratford resident Jay Pierz expressed interest in becoming a Board member. On February 15, 2023 the Fulton County Planning Board recommended that Mr. Pierz's name be put forwarded to become a Planning Board Member. During the March 2023 Board of Supervisors' meeting, Mr. Pierz became the newest member to the Planning Board.

On Monday, March 6, 2023, Tracy Gutowski, representing the Town of Perth, resigned from the Planning Board.

As of the March 21, 2023 meeting, membership is currently at 8 members.

8. ACTIVITIES REPORT – FEBRUARY 2023:

Each month, County Planning Department staff put together an Activities Report for the Public Works 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:

Sewer District

Mr. Moore inquired on the Public Hearing that was scheduled for Sewer District #5.

Mr. Henze stated that it was rescheduled for April 10, 2023. Subsequently, he stated that, as a result of the Public Hearing, the project will go out to bid in May, with an award contract in July. Mr. Henze reminded the Planning Board that \$8.5 million for the project has come from the American Rescue Plan Act (ARPA).

Boralex Solar Project

Mr. Goderie inquired on the Boralex Solar Project open house.

Mr. Moore indicated that the open house was very well attended, however, he stated that he was disappointed on the presentation.

Mr. Kessler concurred with Mr. Moore stating that the Boralex open house did not provide chairs and provided basic information to attendees.

Mr. Goderie inquired if a member of the Town of Mayfield or County will be part of the review process for this project.

Mr. Enfield indicated that he did not believe there will a representative, as the review process became more streamlined when the Office of Renewable Energy Siting (ORES) was established.

Post Meeting Note: Mr. Enfield has reached out to ORES to confirm and, as of March 27, 2023, has not responded.

9. OTHER BUSINESS:

Fulton County Planning Department:

FMCC Training

Mr. Enfield stated that the training at FMCC will be held on Thursday and have about 55 attendees from Fulton, Herkimer, Montgomery, and Schoharie Counties.

Ms. Ioele-DeCristofaro stated that she will be unable to attend and inquired if pre-recorded trainings count for Planning Board training hours.

Mr. Henze indicated that they can count for Fulton County Planning Board Members.

Mr. Enfield indicated that, at the conclusion of the training, to coordinate with Carol Ellis in the Planning Department.

Other:

Corner of NYS Route 30 and County Route 155.

Mr. Fitzgerald inquired on what is being done to the parcel that was cleared and owned by the Lanzi family?

Mr. Enfield stated that there is a lot of speculation, but nothing has come to the Town of Mayfield Planning Board or Code Enforcement at this time.

10. CLOSE OF THE MEETING:

MOTION: To close the meeting at 9:43 a.m.

MADE BY: Walt Fitzgerald

SECONDED: Colleen Ioele-DeCristofaro

VOTE: 6 in favor, 0 opposed