



FULTON COUNTY PLANNING BOARD MONTHLY MEETING

TUESDAY, MAY 21, 2024

8:45 AM

1 EAST MONTGOMERY STREET, JOHNSTOWN, NY 12095

AGENDA

PRESENT:

- X Dave Rackmyre, Jr., Chairman (Code Enforcement Officer for Town of Oppenheim & Town of Stratford)
- X James Anderson, Vice Chairman (City of Gloversville)
- X Walter Fitzgerald (Town of Northampton)
- X Peter Goderie (City of Johnstown & Farmer in Town of Perth and Mayfield)
- X Colleen Ioele-DeCristofaro (City of Johnstown)
- X John Kessler (Town of Mayfield)
- X Jerry Moore (Town of Mayfield)
- X Sheila Perry (Farmer, Town of Broadalbin)
- X Jay Pierz (Town of Stratford)
- X Frank Lauria (Alternate, Supervisor – City of Gloversville)

- X Aaron Enfield, Senior Planner

AGENDA:

1. 239 Reviews:
 - A. Town of Northampton Planning Board – Site Plan Review for a Boat Storage and Office at 1180 NYS-30
 - B. City of Johnstown Planning Board – James Chevrolet – Site Plan for an Ancillary Building along NYS-30A
 - C. City of Gloversville Common Council – Tobacco Retailer Local Law
 - D. Town of Perth Planning Board – King FC Properties – Site Plan Review for a Retail Store (Grab-n-Go Deli) at 4207 NY-30
 - E. Town of Caroga Planning Board – Kim Walker – Site Plan for a Farm Stand at 3124 State Highway 29A
 - F. Town of Johnstown Planning Board – Site Plan Review for a Financial Institution (Wells Fargo Advisors) at 198 Second Avenue
 - G. Town of Mayfield Planning Board – ADK Harley Davidson – Site Plan Review at 116 Bellen Road
 - H. Town of Mayfield Planning Board – OB1 Insurance Change in use for an Office along NY-30A
2. Activities Report
3. Tourism Report
4. Colleen Ioele-DeCristofaro – Discussion of real estate sales within Fulton County

1. CALL THE MEETING TO ORDER:

The meeting was called to order at 8:42 am followed by the pledge of allegiance.

2. APPROVAL OF THE PREVIOUS MEETING MINUTES:

MOTION: To approve the minutes of the April 16, 2024 meeting.

MADE BY: Sheila Perry

SECONDED: Frank Lauria

VOTE: Unanimous

3. NYS GENERAL MUNICIPAL LAW SECTION 239-M:

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 Northampton Planning Board – YDTD8, LLC – Special Use Permit for a Boat Storage and Office at 1180 NYS-30:

YDTD8, LLC is seeking to construct an 11,000 SF commercial boat and RV storage facility and office space on NYS Route 30 (Tax Map Parcel No. 59.1-1-4.1) which is approximately 119+/- acres in size. The project is located within the Town’s Resource Conservation Zoning District as well as the Adirondack Park’s Resource Management Land Use Area.

The applicant met with the Town of Northampton for a Conceptual Review before going to the Planning Board May 1, 2024. The Pre-application meeting determined that the application would require a Special Use Permit that also includes a Site Plan Review.

DISCUSSION: Mr. Enfield stated that the real estate office of Henkle & McCoy will have the office site, which despite the mixed use component the code enforcement office listed it as Boat Storage. He also stated that the Adirondack Park Agency has visited the site and the building may be shifting 50’ to mitigate wetlands.

Vice Chairman James Anderson indicated that screening along NYS-30 should be included onto the Site Plan.

PLANNING BOARD ACTION:

Does the Planning Board wish to recommend a Disapproval, Approval, Approval with Modifications, Offer no recommendation, to the following General Municipal Law §239 Referral?

MOTION: To recommend that the Town of Northampton Planning Board Approved the Special Use Permit for a Boat Storage at 1180 NYS-30 with screening along NY-30.

MADE BY: John Kessler

SECONDED: Colleen Ioele-DeCristofaro

VOTE: Unanimous

C. City of Gloversville Common Council – Tobacco Retailer Local Law:

The City of Gloversville is looking to enact a Tobacco Retailer Law within its City Code. It would also be amending the Zoning within the Commercial (C-1) Zoning District. For several weeks a committee made up of Mayor Vincent DeSantis; Dave Fox, City Building Inspector; Jenni Mazur, City Clerk; Amanda Rose, City Attorney; Michael Garavelli, City Police Captain; Melissa Perry, Confidential Secretary; Bonnie Peck, Glove City Coalition Director; Krista Peterson, Glove City Coalition Community Engagement Coordinator for Advancing Tobacco Free Communities in Hamilton, Fulton, and Montgomery Counties, and Aaron Enfield, Fulton County Senior Planner met to draft a law.

The bill was introduced to the Common Council and per General Municipal City Code; an amendment to the City’s Zoning Code will need to be referred to the Planning Board for a recommendation. A Public Hearing has been scheduled for Tuesday, May 28, 2024.

DISCUSSION:

Mr. Enfield gave an overview of the law indicating the rise in tobacco and vaping usage within the Gloversville Schools. He indicated that should a tobacco retailer get caught selling cigarettes underage they would no longer be able to sell cigarettes in their establishment anymore.

James Anderson indicated that the City’s law should include language related to cannabis.

Planning Board members had a back and forth conversation and agreed that cannabis be included into the recommendation.

PLANNING BOARD ACTION:

Does the Planning Board wish to recommend a Disapproval, Approval, Approval with Modifications, Offer no recommendation, to the following General Municipal Law §239 Referral?

MOTION: To recommend that the City of Gloversville Common Council approve the Tobacco Retailer Law with consideration of adding cannabis into the local law.

MADE BY: Peter Goderie

SECONDED: Jay Pierz

VOTE: 8 in favor, 0 opposed, 1 abstain (Anderson)

D. Town of Perth Planning Board – King FC Properties – Site Plan Review for a Retail Store (Grab-n-Go Deli) at 4207 NY-30:

Firas Chaabani would like to reuse 4207 State Highway 30 (Tax Map Parcel No. 166.4-1-21) which is approximately .78+/- acres in size. The applicant would like to establish a Retail Store (Grab-and-Go Deli) which will not have any customer seating. The site is a 1060 sq. ft. space that was previously occupied by a Baby Boutique.

The applicant has indicated minor renovations to the exterior entrance, which include the following: (1) New Sign to be added to the currently sign post, (2) New slab to be flush with interior with a ¼” max threshold, (3) Two (2) ADA Parking Signs, (4) Gravel Parking lot markers within the gravel and signage, (5) Expanding concrete walk between the two commercial businesses, (6) Landscaping to the right of the door, (7) New 3’-0”W Main Entry Door, (8) Trash and Recycle Bins and Used oil Recycling (located behind the Hobby Shop), and (8) Walk-In freezer behind the building.

The proposed project is located within the Commercial-Residential Zoning District and a Retail Store is an allowed use under Site Plan Review. Per the Town’s Zoning Ordinance, a Retail Store is defined as an “establishment engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

There are no wetlands on the property and there are no properties within Fulton County Agriculture District.

DISCUSSION:

Vice Chairman Anderson indicated that the entrance on NY-30 should be narrows as there would be traffic implications.

Ms. Perry agreed with Mr. Anderson citing that the increased traffic during the summer months would have negative regional effects on NYS-30.

Mr. Pierz recommended that the spaces in the front be eliminated as it would make it easy for cars to back out onto NYS-30.

PLANNING BOARD ACTION:

Does the Planning Board wish to recommend a Disapproval, Approval, Approval with Modifications, Offer no recommendation, to the following General Municipal Law §239 Referral?

MOTION: For the Town of Perth Planning Board to approve the project with consideration being given to narrow entrance on NYS-30 with possibilities of repositioning the parking spaces at front of building.

MADE BY: James Anderson
SECONDED: Dave Rackmyre, Jr.
VOTE: Unanimous

E. Town of Caroga Planning Board – Kim Walker – Site Plan for a Commercial Use – Retail (Farm Stand) at 3124 State Highway 29A:

Kim Walker would like to reuse an existing building for a Farm Stand at 3124 State Highway 29A (Tax Map Parcel No. 83.11-7-7) which is approximately 42.84+/- acres in size. Hours of operation would be 8:00 am – 10:00 pm seven days a week.

The applicant will be selling ice, veggies, meats, baked goods (from a licensed kitchen), milk, eggs, and bread.

The property is within an R 1.5 zoning district and a Commercial Use can be defined as “any land use or structure involving the sale or rental or distribution of goods, services or commodities, either retail or wholesale, or the provision of recreational facilities or activities for a fee.” Retail within the Commercial Use is defined as “A use or structure that provides goods and/or services directly to consumers where said goods and/or services are available for immediate purchase and removal.” The project is an allowed use under Site Plan Review. The project is also in the Hamlet Land-Use Classification of the Adirondack Park Agency.

PLANNING BOARD ACTION:

Does the Planning Board wish to recommend a Disapproval, Approval, Approval with Modifications, Offer no recommendation, to the following General Municipal Law §239 Referral?

MOTION: For the Town of Caroga Planning board to approve the Site Plan for a Farm Stand along NYS-29A and for the applicant to consider adding their parcel into Fulton County Agricultural District #1.

MADE BY: Dave Rackmyre, Jr.
SECONDED: Walt Fitzgerald
VOTE: Unanimous

F. Town of Johnstown Planning Board – Site Plan Review for a Financial Institution (Wells Fargo Advisors) at 198 Second Avenue:

Wells Fargo is leasing a building at 198 Second Avenue (Tax Map Parcel No. 134.20-15-16) that is approximately 1.168+/- acres in size. The applicant is looking to have a change of use from a restaurant (Dunkin' Donuts) to a banking institution.

The property is within the C-2 Commercial Zoning District. Per the Town of Johnstown 2011 Zoning Ordinance, a Bank, Savings or Loan Institution can be defined as a “financial institution that is open to the public and engaged in deposit banking, and that performs closely related functions such as making loans, investments, and fiduciary activities.”

DISCUSSION:

Planning Board members did not see the change of use as having any regional implications.

Vice Chairman Anderson pointed out that the entrance along Second Avenue should be narrowed as there has been a history of traffic issues in the past.

PLANNING BOARD ACTION:

Does the Planning Board wish to recommend a Disapproval, Approval, Approval with Modifications, Offer no recommendation, to the following General Municipal Law §239 Referral?

MOTION: For the Town of Johnstown Planning Board to approve Well Fargo’s Site Plan at 198 Second and for the entrance along Second Ave be narrowed to mitigate traffic issues.

MADE BY: James Anderson
SECONDED: Sheila Perry
VOTE: Unanimous

G. Town of Mayfield Planning Board – Tire Shredder LLC- Site Plan Review for a Retail or Service Establishment (Adirondack Harley Davidson) – Site Plan Review at 116 Bellen Road:

Tire Shredder LLC 116 Bellen Road (Tax Map Parcel No. 152.-6-6.2) that is approximately 9.309+/- acres in size. The owner of Adirondack Harley Davidson would like to put a 5,000 sq. ft. addition to the south side of the building. In addition to the building expansion, the project will consist of a new silt fence, moving of the propane tanks, new parking spaces, three (3) lighting wall packs on the eastern side of the addition, transforming impervious paved parking for a grass island, relocations of lighting poles, bollards to be removed, sewer / septic to be removed and / or relocated, propane tanks to be removed and

/ or replaced. As of 2019 the property is within the Vail Mills Sewer District and is not need a septic system anymore.

There are some NYSDEC Wetlands on the parcel and there are no parcels within Fulton County Agricultural District #1 within 500’.

The parcel is within the Resource Hub Zoning District. Per the Town of Mayfield 2017 Zoning Ordinance, a Retail or Service Establishment is “a use or structure, not otherwise described in this Law, that provides goods and/or services directly to consumers where said goods and/or services are available for immediate purchase and removal. The project is also in the Vail Mills Development Area.

PLANNING BOARD ACTION:

Does the Planning Board wish to recommend a Disapproval, Approval, Approval with Modifications, Offer no recommendation, to the following General Municipal Law §239 Referral?

MOTION: Citing no regional concerns, the Fulton County Planning Board offers no recommendation to this project.

MADE BY: Jay Pierz

SECONDED: Colleen Ioele-DeCristofaro

VOTE: 7 in favor, 0 opposed, 2 abstain (Kessler, Moore)

H. Town of Mayfield Planning Board – OB1 Insurance Change in use for an Office along NY-30A:

Michael O’Brien owns 2241 State Highway (Tax Map Parcel No.) which is approximately .514+/- acres in size. The applicant would like a change in use, wherein the pole barn would be the primary structure, where it would be renovated into the growing OB1 Insurance Company, and the current building would serve as the accessory structure.

There are no NYSDEC Wetlands on the parcel and there are no parcels within Fulton County Agricultural District #1 within 500’.

A portion of the project falls within the Village of Mayfield. However, Code Enforcement Officer Damon Curley indicated that the Town of Mayfield can serve as a Lead Agency for this project.

The parcel is within the Resource Hub Zoning District. Per the Town of Mayfield 2017 Zoning Ordinance, an Office is defined as “a business, office or agency providing service to the general public that is clerical or professional in nature. Typical examples would be: Lawyers, Doctors, Accountants, Insurance Agencies, Real Estate Offices or other businesses providing similar services that are not listed otherwise in this document.”

DISCUSSION:

Mr. Enfield indicated that there have been concerns with the local Planning Board related to septic systems as there is not expansion area. He also indicated the property owner plans to connect to Sewer District #5 when allowed, end of 2024 to early 2025.

PLANNING BOARD ACTION:

Does the Planning Board wish to recommend a Disapproval, Approval, Approval with Modifications, or Offer no recommendation, to the following General Municipal Law §239 Referral?

MOTION: For the Town of Mayfield Planning Board to approve OB1 Insurance Company's Site Plan for an Office along NY-30 with the recommendation that the new assessor structure stay vacant until the parcel is connected to Sewer District #5 given the septic constraints of the parcel.

MADE BY: James Anderson
SECONDED: Peter Goderie
VOTE: 7 in favor, 0 opposed, 2 abstain (Kessler, Moore)

4. Colleen Ioele-DeCristofaro – Discussion of Real Estate Sales within Fulton County:

As a real estate agent for Howard Hanna, Ms. Ioele-DeCristofaro was asked to provide information to the Fulton County Planning Board on real estate in Fulton County and the greater Capital Region. Data was initially given to the Fulton County Planning Department for a presentation at the University of Albany (SUNY) on the an overview of the County. In doing data analysis Chairman Rackmyre agreed to have her give an overview and to educate the Planning Board.

DISCUSSION:

Ms. Ioele-DeCristofaro indicated that the Capital Region (Albany, Schenectady, Saratoga, Fulton Montgomery, Southern Herkimer, and Warren Counties) prices have gone up 40% over the past year due to the lack of inventory, with not many homes being constructed since 2010. She indicated that in April 2023 the Average Sale was \$250k with Pending Sale being \$255k. In April of 2024, the Average Sale was \$409k with a Pending Sale of \$204K.

Ms. Ioele-DeCristofaro stated that the increase of prices within Fulton County are mainly associated with property sales around bodies of water, mainly the Great Sacandaga Lake.

5. Activities Report:

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. 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.

DISCUSSION:

Mr. Moore inquired on the Sewer Line proposal along NYS-30 to the Town of Amsterdam.

Mr. Enfield stated that the County is looking at the feasibility of putting sewer from Vails Mills to the Fulton-Montgomery County border. He indicated that the lack of sewer and transmission lines makes it prime for solar development, which has been dominating the NY-30 landscape and making it difficult for development of residential and commercial projects.

Mr. Enfield stated that Supervisor Fagan likes the idea and letters have gone out to property owners. He also stated that Department of Health has been briefed on this proposal.

Vice Chairman Anderson inquired on what is being done with the WWII Plane at the Fulton County Airport.

Mr. Enfield mentioned he was not sure and would inquire about it.

6. Tourism Report:

Each month, the County Tourism Coordinator puts together an Activities Report for the Economic Development and Environment Committee of the Fulton County Board of Supervisors. To give County Planning Board members an idea of the types of work being done by the County Tourism Bureau, the Tourism Report is included on the Board's monthly Agenda.

7. Other Business:

Fulton County Planning Department:

Mr. Enfield stated that Wednesday, October 2, 2024, there will be an Adirondack Park Land Use Training at SUNY Fulton Montgomery from 4:00 pm – 7:00 pm. He indicated a possible collaboration with Hudson River Black River Regulating District.

8. Close of Meeting:

MOTION:	To close the meeting at 10:20 am
MADE BY:	James Anderson
SECONDED:	Colleen Ioele-DeCristofaro
VOTE:	Unanimous