



**FULTON COUNTY PLANNING BOARD MONTHLY MEETING**

**TUESDAY, SEPTEMBER 17, 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)  
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:
  - Town of Ephratah Planning Board – Bohler Engineering – Site Plan Review for Retail Store (Dollar General) at 110 NYS Route 67 (171.5-3-3)
  - City of Gloversville Planning Board – NY Cannabis LLC – Site Plan Review for a Retail Service Establishment (The Ganja Palace) at 47 South Main Street (149.6-15-32)
  - Town of Northampton Planning Board – Fulton County – Site Plan Review for a Cultural Facility (Great Sacandaga Lake Discovery Center) at 606 County Highway 30 (31.2-1-10)
2. Administrative Recommendation
  - Remove Moratoria from Fulton County Planning Board Review under NYS GML 239-m.
3. Activities Report
4. Tourism Report
5. Other Business

**1. CALL THE MEETING TO ORDER:**

The meeting was called to order at 8:45 am followed by the pledge of allegiance.

**2. APPROVAL OF THE PREVIOUS MEETING MINUTES:**

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

MADE BY: Jay Pierz  
SECONDED: Colleen Ioele-DeCristofaro  
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 Ephratah Planning Board – Bohler Engineering – Site Plan Review for Retail Store (Dollar General) at 110 NYS Route 67 (171.5-3-3)**

Background:

Bohler Engineering, on behalf of Primax Properties has submitted a Site Plan application for a proposed 10,640 SF retail store to be located at 110 NYS Route 67 in the Town of Ephratah (Tax Parcel Number 171.5-3-3) which is approximately 3.62+/- acres in size.

At one point the Town had Zoning but was removed. This is the first Site Plan to come before the Town of Ephratah Planning Board.

***2013 Town of Ephratah Comprehensive Plan:***

A key component of the Comprehensive Plan would be locating a gas station/convenience store in the Town of Ephratah. At present, residents and businesses in the Town have to travel long distances to obtain fuel and basic food items. Locating a gas station/convenience store in the Town would make it easier on residents and businesses and make the Town of Ephratah a more desirable place to live and do business.

It is the vision of this Comprehensive Plan that a gas station/convenience store be located in one of the following areas:

1. Town Center: located along New York State Route 29 between NYS Route 10 heading south and NYS Route 10 heading north. Town Center will be a focal point of activity in the Town and will feature a mixture and variety of uses for residents and visitors alike including but not limited to:
  - o Gas Station, Convenience Store, Town Hall, Post Office, Farmer’s Market etc.
2. One of the three (3) Hamlet areas in the Town (*Ephratah*, Garoga, and Lasselsville)
  - o NYS Route 10 and NYS Route 67 Intersection
3. East side of NYS Route 10 north of NYS Route 29

The Town of Ephratah should work with realtors and developers to find and market potential sites in the Town for the development of a new gas station/convenience store. Representatives from regional and national convenience store chains should be contacted and encouraged to consider locating one of their convenience stores/gas stations in the Town of Ephratah. This aggressive marketing campaign is necessary to ensure that this vision of the Comprehensive Plan is achieved.

**DISCUSSION:**

After a back and forth discussion the Planning Board felt as though they should stay out of the project.

Chairman Rackmyre, Jr. indicated that it will increase property taxes for the municipality.

**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:**

Recognizing that Bohler Engineering’s Site Plan for Retail Store (Dollar General) at 110 NYS Route 67 with the Town of Ephratah will not adverse regional impacts, the Fulton County Planning Board offers no recommendation.

MADE BY: John Kessler  
SECONDED: Peter Goderie  
VOTE: Unanimous

**B. City of Gloversville Planning Board – NY Cannabis LLC – Site Plan Review for a Retail Service Establishment (The Ganja Palace) at 47 South Main Street (149.6-15-32)**

Background:

NY Cannabis Dispensary LLC would like to repurpose one of the storefronts at 47 South Main Street (SBL 149.6-15-32) to set up a cannabis dispensary. The applicant was approved by the New York State Office of Cannabis Management (OCM) on May 13, 2024 license number OCM-RETL-24-000089. A certificate of Licensure, LLC Filing Receipt from NYS has been included.

The project is located within the Commercial (C-1) Zoning District Zoning District, Downtown Overlay District, and Historic District, and is an allowed use under Site Plan Review. Per the City’s Zoning Ordinance, a Retail Service Establishment is an allowed use under Site Plan Review. A Retail Service Establishment can be defined as “Establishments engaged in the selling or rental of goods or merchandise and rendering services incidental to the sale of such goods.”

DISCUSSION:

Chairman Rackmyre, Jr. inquired on what oversight the Office of Cannabis Management (OCM) had to say on the proposed project.

Mr. Enfield stated that when visiting locations, the Office regulates the entire operation. He also stated that in visiting locations in Albany and Amsterdam, prior to entering, your license is scanned.

Mr. Enfield mentioned that, OCM had received an application and approved the license for use of the proposed location. He stated that in reaching out to the Office, they indicated they did not partake in the State Environmental Quality Review Act, and left it up to the local municipality to handle any environmental concerns.

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: Recognizing that the City of Gloversville’s Site Plan project for a Retail Service Establishment (NY Cannabis, LLC) will not have any regional impacts, the Fulton County Planning Board offered to provide no recommendation.

MADE BY: Jerry Moore  
SECONDED: Jay Pierz  
VOTE: 8 approve, 0 oppose, 1 abstain (Anderson)

**C. Fulton County – Site Plan Review for a Cultural Facility (Great Sacandaga Lake Discovery Center) at 606 State Highway 30:**

Background:

Fulton County is looking to construct the Great Sacandaga Lake Discovery Center at 606 State Highway 30 (SBL 31.2-1-10) which is approximately 38.213+/- acres in size. This project is an initiative to

continue to bring to light both the history of the communities and lands that were eliminated by the making of the Great Sacandaga Lake and the engineering marvel that was undertaken to construct the Conklingville Dam and eventual flooding of the Sacandaga River Valley to create the reservoir as we know it today through the development of a regional tourism destination "in the Land of the Waving Grass".

Project includes the construction of a 10,000+/- SF single-story facility that will provide educational display areas, historian research rooms, a student educational lab, administrative office space and a 36-seat theatre.

There is planned parking for 23 vehicles, and 6 parking places for Recreational Vehicles (RV), boat trailers or bus is also being accommodated for. Expansion for additional parking is available.

Additional outdoor facilities include onsite hiking interpretive trails and a scenic overlook with a possible fire tower. A proposed re-route of the Northville-Lake Placid Trail (NPT) is also being proposed with 9 designated parking places that will provide additional parking outside of the Village of Northville's Waterfront Park where the official NPT Trailhead is located. (See Site Plan and Schematic Design).

A designated pedestrian crosswalk is proposed over NYS Route 30 from the project site connecting to an existing sidewalk along the North side of Bridge Street leading into the Village of Northville. A key component of this project's location is within walking distance of an established commercial downtown, the Village of Northville.

There will be no kitchen facility as part of this project.

The Great Sacandaga Lake Discovery Center will be a public facility that will provide educational space for various groups to include at a minimum: (1) Local Historian (Research); (2) Great Sacandaga Lake Fisheries Federation; (3) School District Educational Space; (4) Hudson-River Black River Regulating District

*"GSL Discovery Center" is a dynamic hub nestled on the shores of the breathtaking Great Sacandaga Lake, inviting visitors to embark on an enriching journey through the region's rich history, natural wonders, and cultural heritage. This state-of-the-art facility serves as a gateway to exploration, offering immersive exhibits, engaging educational programs, and captivating displays that illuminate the stories of the lake, its surrounding communities, and the diverse ecosystems that call this area home.*

*Step inside and discover a world of discovery and learning, where interactive exhibits bring the past to life and inspire a deeper appreciation for the land and its inhabitants. Delve into the fascinating history of the lake, from its origins and construction to its significance in shaping the local landscape and economy. Explore exhibits highlighting the area's unique flora and fauna, showcasing the beauty and biodiversity of this pristine environment.*

*With a focus on promoting environmental stewardship and sustainable tourism, GSL Discovery Center offers visitors the opportunity to connect with nature through guided hikes, wildlife viewing excursions, and educational workshops. Take in panoramic views of the lake and surrounding wilderness from the center's scenic overlook, providing the perfect backdrop for reflection and inspiration.*

*Whether you're a history buff, a nature enthusiast, or simply seeking a memorable adventure, GSL Discovery Center invites you to embark on a journey of discovery and exploration unlike any other.*

*Come immerse yourself in the wonders of Great Sacandaga Lake and experience the magic of this hidden gem nestled in the heart of the Adirondacks.*

DISCUSSION:

Mr. Lauria indicated that, as a Supervisor, he has been supportive of the project since the beginning and is glad to see it coming to fruition.

Vice Chairman Anderson indicated that it is a waste of taxpayer money.

Mr. Enfield stated that monies have come by to build this out through grants, ARPA, and tobacco settlement.

Vice Chairman Anderson reminded Mr. Enfield that those funding streams are taxpayer dollars.

Mr. Moore expressed traffic concerns, especially those looking to walk from the site to the Village of Northville.

Mr. Enfield indicated that coordination with the NYS Department of Transportation would be necessary.

Mr. Kessler inquired if solar panels would be put on the building or site to offset the operational costs.

Mr. Pierz indicated this would increase cross-promotional tourism from around the county and beyond and thought this would be beneficial.

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 approve the Great Sacandaga Lake Discovery Center With the stipulation that the project be fully funded before construction and have a revenue source to fund and offset operating expenses.

MADE BY: Peter Goderie

SECONDED: Jay Pierz

VOTE: 7 in favor, 1 oppose (Anderson), 1 abstain (Supervisor Lauria)

**4. Recommendation on Removing Moratoria from review under GML 239-m with F.C.P.B.**

Background:

A moratorium is a local enactment that suspends a landowner's right to obtain development approvals while the local government considers changes to its regulations. Before enacting a moratorium, local officials should be aware of the circumstances in which a moratorium is the most appropriate action for a local government to take.

DISCUSSION:

Mr. Enfield stated that in recent years many communities have adopted moratoriums to deal with renewable energy issues and other land use concerns. These have little to no regional impacts and the County Planning Board will review the final actions before the moratorium is lifted with a legislative action on behalf of the community.

Mr. Enfield also indicated that moratoriums tend to be a pause on a specific law so the municipality will make changes and municipalities do not tend to refer to the County Planning Board until he specifically mentions it to the municipality.

Chairman Rackmyre, Jr. mentioned that it would be best not to remove them from review of the County Planning Board.

After a back and forth conversation, the Planning Board agreed it would be best to keep.

**MOTION:** To keep review of moratoria pursuant of GML 239-m under review with the Fulton County Planning Board.

**MADE BY:** Dave Rackmyre, Jr.

**SECONDED:** John Kessler

**VOTE:** Unanimous

**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 stated in reading the minutes he discovered the expected cost on the sewer is lower and what was previously expected and that the sewer will be finished by later 2024 or early 2025 for Phase I.

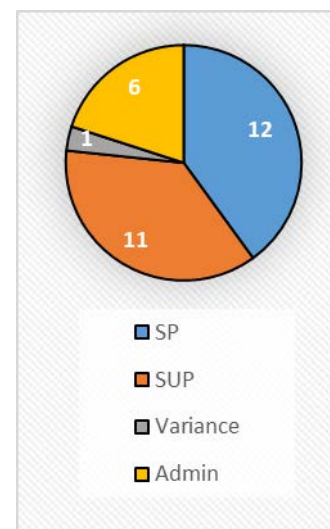
**6. Tourism Report:**

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. 239-m Review to date:**

	2024*	2023	2022	2021	2020	2019	2018	2017
C-Gloversville	7	7	2	3	3	3	4	
C-Johnstown	2	3	3			3	5	1
T-Bleecker								
T-Broadalbin	1		2	1	2	1	3	2
T-Caroga	3	5	1	4	5		2	
T-Eprahtah	1							
T-Johnstown	8	9	6	2	5	5	4	4
T-Mayfield	3	4	1	1		5	4	1
T-Northampton	2			1				1
T-Oppenheim		1				1		2
T-Perth	2	4	1	3	3	3	3	2
T-Stratford								
V-Broadalbin								
V-Mayfield								1
V-Northville						2		1
<b>Total</b>	<b>30</b>	<b>34</b>	<b>16</b>	<b>15</b>	<b>18</b>	<b>23</b>	<b>25</b>	<b>15</b>

\*as of 9/17/2024



DISCUSSION:

Mr. Enfield gave a brief overview as where referrals are to date from the municipalities throughout the county.

8. Updates:

Chairman:

Mr. Rackymre Jr. indicated there will be another 239-m referral for a Town Hall in Oppenheim as the municipality found another location to construct one with ARPA funding.

Fulton County Planning Department:

Mr. Enfield reminded the Planning Board that the APA Training Wednesday, October 2, 2024

9. Close of Meeting:

MOTION: To close the meeting at 9:55 am.

MADE BY: Peter Goderie

SECONDED: James Anderson

VOTE: Unanimous