



FULTON COUNTY PLANNING BOARD MONTHLY MEETING

TUESDAY, NOVEMBER 19, 2024

8:45 AM

1 EAST MONTGOMERY STREET, JOHNSTOWN, NY 12095

MEETING NOTES

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)
- Peter Goderie (City of Johnstown & Farmer in Town of Perth and Mayfield)
- 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 Johnstown Planning Board – National Grid – Special Use Permit for substation upgrade along Johnson Ave.
 - Town of Mayfield Planning Board – Chris Longo – Site Plan for Multi-Family Dwelling (Mayfield Vistas) at 2364 NY-30.
 - Town of Mayfield Planning Board – Sunset Bay – Special Use Permit for an RV Park City of Johnstown Common Council – Rezoning of 605 S. Comrie Ave. (NY– 30A).
 - Town of Perth Town Board – Moratorium on Commercial Solar.
 - Expansion along NY-30 and Paradise Point Road.
 - Town of Broadalbin Town Board – Solar Law
 - Town of Broadalbin Town Board - Battery Energy Storage Moratorium.
2. Activities Report
3. Tourism Report
4. 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 October 2024 minutes

MADE BY: Sheila Perry

SECONDED: Jay Pierz

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 Johnstown Planning Board – National Grid – Special Use Permit for substation upgrade along Johnson Avenue:

Background:

National Grid is looking to upgrade the Meco Substation at 477 Johnson Avenue, also known as 913318 County Highway 122 (SBL: 148.-1-34). The applicant is a public utility and the work includes the installation of new electrical assets, including transformers, circuit switches, disconnect switches, breakers, cap banks, reactors, and bus scheme replacement, relocation, and addition.

The station yard and fence will be extended to the west to support the relocation and installation of electrical equipment. The proposed fence has an overall height of 9’ above finishing grade including 1’ of security barbed wire. The fence will be located outside of the facility’s front, rear, and side yards.

New lighting fixtures on the proposed new lightning masts and A-Frame line structures are also proposed. New lighting fixtures will be installed in the substation yard and directed towards the center of the station at various angles.

While there is no definition of Public Utility/Use with the Zoning Code, it is an allowed use within the Residential 2 (R-2) Zoning District under Site Plan Review.

MOTION: Recognizing no regional impacts could occur from National Grid’s Substation Upgrade, the Fulton County Planning Board offers no recommendation to the Town of Johnstown Planning Board.

MADE BY: Dave Rackmyre, Jr.
SECONDED: Frank Lauria
VOTE: Unanimous

B. Town of Mayfield Planning Board – Chris Longo – Site Plan for Multi-Family Dwelling (Mayfield Vistas) at 2364 NY-30:

Background:

Chris Longo owns 2364 State Highway 30 (SBL 104.-1-12) at the corner of Jackson Summit Road which is approximately 13.634+/- acres in size. He is seeking to construct 36 dwelling units. There is 66 parking spaces, 6 of which are ADA compliant as well as a covered garage. The multi-family dwellings will have a porch on the second floor.

The property is located within the Resource Hub Zoning District and a Multi-Family Dwelling is allowed use within the Town of Mayfield under Site Plan Review. A Multiple Family Dwelling is defined as “a building or portion thereof designed for year- round occupancy and containing separate dwelling units for three or more families living independently of each other, including apartment houses, town houses.”

The property is also located with Adirondack Park and is classified as a low intensity per the Adirondack Park Agency. In July 2022, the Town Board co-sponsored that that property that would allow for changing from Low Intensity to Hamlet classification should Public Sewer be available.

DISCUSSION:

The Planning Board expressed concerns with an entrance onto NY-30 and felt that all traffic should be mitigated to Jackson Summit. They mentioned adding two entrances, with one for entrance and one for exit.

Chairman Rackmyre, Jr. indicated that due to all the potential growth within the Town, that the corner be considered for a stop light. He stated by doing so would make the traffic onto Jackson Summit more doable.

Mr. Fitzgerald indicated that it would be a nice idea to have pedestrian access, but suggested that currently, there is nowhere for it to connect at the current moment.

Vice Chairman Anderson stated it would be a good idea to add more screening onto NYS-30. Subsequently, he stated that it would be a good idea for the project to come back once issues with sewer and water and the scope of the project is flushed out.

The Planning Board agreed with Vice Chairman Anderson.

MOTION: To recommend that the Town of Mayfield Planning Board approve Chris Longo's project to construct 36 dwelling units at the corner of NY-30 and Jackson Summit Road with the following modifications:

1. The curb cut along NY-30 be removed and two (2) curb cuts be created along Jackson Summit Road, one for an entrance and one for an exit;
2. Area reserved for potential sidewalk;
3. Given potential growth with the sewer extension up NY-30, the intersection of Jackson Summit Road and NY-30 may be a good location for a traffic light in the future;
4. Screening between NY-30 and Mayfield Vistas be considered.; and
5. Once the project is just about finalized, as there are some unknowns currently, the Planning Board would like to see the project again.

MADE BY: Walter Fitzgerald
SECONDED: James Anderson
VOTE: 6 in favor, 0 opposed, 2 abstain (Kessler, Moore)

C. Town of Mayfield Planning Board – Sunset Bay – Special Use Permit for an RV Park Expansion along NY-30 and Paradise Point Road:

Background:

Sunset Bay RV Park, LLC is proposing to expand its RV Park along NYS Route 30 (Tax Map Parcel Nos. 88.-4-18, 88.-4-37.12 and 38.-4-21). The current Park has 299 sites, a water treatment plant, a wastewater treatment plant, a marina with docks, an office building and a community building. The proposal will be to include an entrance along NYS-30, where a curb cut is currently located.

The properties are within the Mixed-Use and Agricultural 2 Zoning Districts and an RV Park / Campground is an allowed use within both Zoning Districts. According to the Town of Mayfield 2017 Zoning Ordinance, a RV Park/ Campground is defined as “any parcel of land which is planned or improved for the placement of 3 or more RVs or 3 or more campsites for tents or any other similar form of outdoor accommodations, which are used as temporary living quarters.

The project is within the Adirondack Park and classified under the Moderate Intensity Use of the Adirondack Park Agency.

There are parcels within 500' that are enrolled into Fulton County Agricultural District #1, and no wetlands have been identified on the identified parcels.

DISCUSSION:

Vice Chairman Anderson indicated that the traffic onto NYS-30 would certainly increase, despite it not going onto Paradise Point Road, some additions may need occur such as a turn lane.

Several Planning Board members pointed out the scenic byway and that current screening along NY-30 should stay in tact.

MOTION:

The Fulton County Planning Board recommends that the Town of Mayfield Approve the Sunset Bay RV Park Expansion, specifically as the project will eventually take the current septic system offline and move all sewage which could potentially go into the Great Sacandaga Lake, increasing invasive species and move it into Fulton County Sewer District #5. However, the Planning Board offered the following modifications:

1. As new traffic will be relegated off Paradise Point Road and onto NY-30, a turn lane onto both sides of the road should be established; and
2. As the area of NY-30 is a scenic byway, the area should stay screened with the natural landscape.

MADE BY: James Anderson
SECONDED: Sheila Perry
VOTE: 6 in favor, 0 opposed, 2 abstain (Kessler, Moore)

D. City of Johnstown Common Council – Rezoning of 605 S. Comrie Ave. (NY- 30A):

Background:

The City of Johnstown received a recommendation from the Planning Board from B&L Family Development LLC. They wish to rezone their parcel along the NY-30A Corridor. It is currently zoned Industrial and they wish to rezone it as C2 – Arterial Commercial. There are a variety of wetlands on the property which would prohibit industrial uses, and the property would be better suited, and is currently used for more commercial ventures.

DISCUSSION:

Vice Chairman Anderson indicated that the City might not want to spot zone and should look into other parcels nearby.

MOTION:

The Fulton County Planning Board does not object to the rezoning and recommends that it occur, which will boost commercial activity along the NY-30A Corridor. However, the Planning Board felt that the City of Johnstown Common Council may want to look at neighboring parcels along Union Avenue currently zoned as Industrial that may want to be amended into C-2 District; recognizing that parcels along NY-29 are also within the C-2 Commercial Arterial Zoning District.

MADE BY: James Anderson
SECONDED: Jay Pierz
VOTE: Unanimous

E. Town of Perth Town Board – Moratorium on Commercial Solar:

Background:

The Town of Perth Town Board is looking to enact a 6-month moratorium, which will be referred to as Local Law Imposing a Moratorium on Commercial Solar.

In receiving clarification from Town Attorney Carmel Greco, he indicated that the moratorium would also be addressing Battery Energy Storage Systems (BESS) and Wind Turbines, as the Town does not have any laws for them.

The Town passed a 6-month moratorium on BESS in 2024; however, no work was done on the law.

MOTION: Recommending that no regional impacts could occur with the Town of Perth Town Board enacting a 6-month moratorium on Commercial Solar, which also includes Wind and Battery Storage, the Fulton County Planning Board offers no recommendation.

MADE BY: Jerry Moore
SECONDED: Sheila Perry
VOTE: Unanimous

F. Town of Broadalbin Town Board – Solar Law:

Background:

The Town of Broadalbin Planning Board and Town Board have been working collectively on a Solar Energy Facilities Law for several years.

This is the first time that Broadalbin has a Solar Law.

DISCUSSION:

Ms. Perry indicated that she has attended Planning Board meetings since leaving as supervisor of the Town of Broadalbin. She indicated that the Town brought in a community member from Rotterdam who has offered advice to them. Ms. Perry stated that the individual is not a professional but a person who has read up on solar development due to increased projects within their Town.

Mr. Kessler questioned the Decommissioning Plan and wondered if it included language for new ownership.

MOTION: The Fulton County Planning Board recommends that the Town of Broadalbin Town Board approve their Solar Law with the following modification:

1. That language be added to law indicating that when a new owner takes over the lease or ownership of the solar array, and does not notify the Town Clerk, Code Enforcement Officer, and Fulton County Office of Real Property, that a daily fine be enacted, determined by the Town Board.

MADE BY: James Anderson

SECONDED: Walter Fitzgerald
VOTE: Unanimous

G. Town of Broadalbin Town Board - Battery Energy Storage Moratorium:

Background:

Earlier in the Fall of 2024, the Town of Broadalbin Town Board enacted a Battery Energy Storage Moratorium, however, pursuant of General Municipal Law, it was not sent to the Fulton County Planning Board.

MOTION: To remind the Town of Broadalbin Town Board that pursuant to General Municipal Law Section 239-m, moratoriums need to be reviewed by a County Planning Board.

MADE BY: Dave Rackmyre, Jr.
SECONDED: John Kessler
VOTE: Unanimous

4. 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.

Mr. Moore indicated that work on the sewer is going very well and the extension is already on County Route 349.

Mr. Moore stated that in reading the report that construction for the Great Sacandaga Lake Discovery Center will start in the spring of 2025.

5. 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.

DISCUSSION:

Mr. Moore stated that the revenue from tourism seemed to be a bit high and wanted to know where the data came from.

Vice Chairman Anderson stated that given the rest of the data in Ms. Kolbe presented made sense.

Ms. Perry stated that the Sunflower Festival has been seeing an increase visiting. Subsequently, she stated that the upstate NY Tech Triangle will see increase visitors to the county.

6. Updates:

Chairman:

Chairman Rackmyre, Jr. indicated that he and Mr. Enfield attended the FEMA meeting earlier in the month and has a public comment period. He asked Mr. Enfield to send the link to the Board should they wish to comment on it.

Fulton County Planning Department:

Mr. Enfield indicated that the Town of Mayfield would be sending over a Battery Storage Law in December.

Mr. Enfield indicated that the Saratoga Conference would occur in early February.

Planning Board members Sheila Perry, Frank Lauria, James Anderson, and Dave Rackmyre, Jr. indicated their interest in attending.

7. Close of Meeting:

MOTION: To close the meeting at 10:08 am

MADE BY: James Anderson

SECONDED: Sheila Perry

VOTE: Unanimous