



**FULTON COUNTY PLANNING BOARD MONTHLY MEETING**

**TUESDAY, DECEMBER 17, 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)
- 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
- X Carla Kolbe, Tourism Coordinator, Fulton County Visitor’s Bureau

**AGENDA:**

1. 239 Reviews:
  - Town of Johnstown Town Board – Local Law to Repealing Section 84-19 and amending Article 15 Definitions related to Mobile Homes outside of Mobile Home Parks
  - Town of Mayfield Planning Board – Brian Showers – Site Plan for a Retail Establishment (Shed Family and Farm) at 3721 NY-30 (152.-6-3)
  - Town of Mayfield Town Board – Battery Energy Storage Systems Local Law
2. Topics for Fulton Montgomery Planning and Zoning Night
3. Carla Kolbe, Tourism Coordinator, Fulton County Visitor’s Bureau
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 November 2024 minutes

MADE BY: Jay Pierz

SECONDED: Sheila Perry

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 Town Board – Local Law to Repealing Section 84-19 and amending Article 15 Definitions related to Mobile Homes outside of Mobile Home Parks**

Background:

Within the Town of Johnstown Zoning Ordinance there are considerations for Manufactured homes outside of Manufactured Home Parks.

For the past 48 months, there has been an uptick in manufactured homes coming to the Town’s Planning Board, and has been brought to the attention of Code Enforcement that changes in NYS on the review of manufactured homes have made the review easier for municipalities byway of New York State Executive Law, Article 21-B, Title 2.<sup>1</sup> In 2015, NYS amended its specifications on manufactured homes. It states that a “manufactured home that is affixed to a permanent foundation and conforms with the identical development specification and standards, including general aesthetic and architectural standards, applicable to conventional, site-built single-family dwellings in the residential district in which the manufactured home is to be sited, shall be deemed to be a conforming single-family dwelling for purposes of the applicable local zoning law or ordinance.”

Title 2 defines a “single-family dwelling” as “a building designed as a one-family residence and used or occupied, or intended to be used or occupied as the home or residence of one or more persons maintaining a household.” It also uses the phrase “identical development specifications and standards”, and the phrase has been defined to include “access, building setback distance, enclosures and vehicle parking space”

This came as a recommendation from the Planning board due to the following reasons:

1. The Town is in the process of receiving a Pro-Housing designation by NYS Homes and Community Renewal;
2. Manufactured homes, through the construction process off sight, typically have a robust Quality Assurance (QA) which ensures they meet the Manufactured Home Construction and Safety Standards (HUD Code);
3. 2015’s NYS Executive Law, Article 21-B Title B indicated that manufactured homes that conform to identical development standards should be deemed conforming single-family dwellings for purposes of local zoning; and
4. It will ease the bureaucratic red tape for constructing a home on a buildable lot within the Town.

DISCUSSION:

The Planning Board discussed what qualifies as a mobile home.

Ms. Ioele-DeCristofaro indicated that no vendor would lend to any mobile home before 1976.

Ms. Perry indicated that the Town of Broadalbin Local Law had an age restriction of 15 years for moving mobile homes.

Chairman Rackmyre, Jr. stated that Town of Oppenheim has a law with an age restriction of 20 years.

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<sup>1</sup> [municipal-regulation-of-manufactured-housing.pdf](#)

Mr. Fitzgerald mentioned that the Planning Board was thinking too much into it.

Mr. Goderie inquired if this would include Farm Worker Housing.

Mr. Enfield stated that it does not. Subsequently, he stated that the Town is looking to become a Pro-Housing Community.

Chairman Rackmyre, Jr. indicated that Ag. Buildings are exempt would need a permit.

MOTION: To recommend that the Town of Johnstown Town Board approve appealing Section 84-19 and amending Article 15 Definition related to Mobile Homes outside of Mobile Home Parks with the following modifications:

1. While mobile homes are considered the same as single-family homes, they are much easier to move than stick built. An age restriction of 20 years from the date of manufacturing should be placed similarly should a mobile home be moved to a different buildable lot. A similar provision is within the Town of Oppenheim and the Town of Broadalbin.

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

**B. Town of Mayfield Planning Board – Brian Showers – Site Plan for a Retail Establishment (Shed Family and Farm) at 3721 NY-30 (152.-6-3):**

Background:

Property Owner Brian Showers is looking to lease his property at 3721 State Highway 30 (SBL 152.-6-3) which is approximately .82+/- acres in size. He is looking to rent out his property to Shed Family & Farm, a business that sells prefab sheds. No water is slated to be used and a porta-potty will be used for employees. The applicant will be open by appointment only and will have 1 to 2 staff members on an as-needed basis, potentially longer hours during the warmer seasons.

The project is located within the Resource Hub and a Retail or service Establishment is an allowed use under Site Plan Review. A Retail or Service Establishment can be defined as “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.

MOTION: The Fulton County Planning Board recognizes that no regional impacts could occur from Brian Shower’s project to establish a Retail Establishment (Shed Family and Farm) at 3721 NY-30 and offers no recommendation to the Town of Mayfield Planning Board.

MADE BY: Dave Rackmyre, Jr.  
SECONDED: Walter Fitzgerald  
VOTE: 7 in favor, 0 opposed, 2 abstain (Kessler, Moore)

**C. Town of Mayfield Town Board – Battery Energy Storage Systems Local Law:**

Background:

Over the past year, the Town of Mayfield has been working on establishing a Local Law related to Battery Storage. The committee included Town Board members, Planning Board members, and members of the community, such as the fire department. While there are no active applications within the Town, the Town would like to be proactive instead of reactive on this type of renewable energy.

**DISCUSSION:**

Chairman Rackmyre, Jr. stated that there should be a turnaround (Hammerhead) in front of the BESS in Section 10.

Mr. Enfield pointed out that is a typical request Planning Boards will ask on solar projects.

Chairman Rackmyre, Jr. stated there is no height for fencing and should be at a minimum of 8’ in height. Subsequently, he mentioned that there should be limited access for entering and exiting the battery storage facility.

Vice Chairman Anderson mentioned that screening provisions that is put into language for solar should be included in the local law.

**MOTION:**

To recommend that the Town of Mayfield Town Board approve their Local Law related to Battery Energy Storage Systems (BESS) with the following modifications:

1. Section 10 should have a turnaround in front of the BESS system for emergency service vehicles. This language is found in many local laws pertaining to solar arrays.
2. Fencing height with slates should be at a minimum of 8’ in height
3. There should be limited access security for entering and exiting the BESS facility
4. Screening should be listed in the local law, similar to what the Fulton County Planning Board gives to other renewable energy projects:
  - a. The Landscaping Plan should include a mix of Norway Spruce, White Spruce, White Pine, Nigra Arborvitae, Balsam Fir, Blue Hills Spruce, Beech, and Red Maple. Varieties to be avoided are Blue Spruce, Douglas Fir, and Sugar Maple as they are prone to more diseases as well as being very site/soil selective. The plantings all must be at least 8’ in height at the time of planting.
  - b. Plantings for residents along Route 30 should be made at intervals of not more than 10’ on center by planting them in one (1) consecutive row or two (2) staggered rows so that the plantings maintain the 10’ separation. The plantings all must be at least 8’ in height at the time of planting.
  - c. If applicable, plantings must be provided along the access driveway in order to soften the appearance of the utility poles.

MADE BY:  
SECONDED:  
VOTE:

Dave Rackmyre, Jr.  
Colleen Ioele-DeCristofaro  
7 in favor, 0 opposed, 2 abstain (Kessler, Moore)

**4. Fulton Montgomery Planning and Zoning Night – April 9, 2025**

Mr. Enfield stated that Wednesday, April 9, 2025, is the confirmed date for the night at FMCC. He stated that NYSERDA would be speaking. He also mentioned that NYSDEC has been asked to speak related to the updated wetlands.

**5. Carla Kolbe, Tourism Coordinator, Fulton County Visitor’s Bureau:**

**DISCUSSION:**

Ms. Kolbe gave a brief background on her prior experience and how those factors have been working into her current job. She indicated that he position while to notify the immediate public of tourism within the county, she is also focused on extending tourism initiatives outside the county. She mentioned some ways that this is accomplished is Cooperative Marketing funding through I LOVE NY and advertising diversity looking at those interested in fishing, hiking, boating, baseball, agritourism etc...

Ms. Kolbe indicated that given the tourism region, Fulton County is in (Albany-Saratoga) our county can be overlooked. She mentioned she is looking to change that.

Ms. Kolbe indicated that from an international perspective, Germany is the most visited country in Fulton County, focusing on the Caroga-Wheelerville Trails area. Subsequently, as she oversees the Fulton County Visitors Bureau, those from Israel make up the most visited to the building.

She indicated that since COVID-19, there has been a change in perception and that it has been easier to talk with farmers, citing the farm-to-table tour will be expanded.

Mr. Kessler and Mr. Moore both brought up bicycling as a benefit to tourism within the county.

Ms. Kolbe stated that businesses to aid in this can be as simple as putting bike racks in front to appear more multi-modal friendly.

Ms. Kolbe indicated that she is working with Samantha Hall-Saladino on tourism related to America250.

**6. Updates:**

**Chairman:**

Mr. Rackmyre, Jr. indicated that FEMA’s flood plain maps should be ready by the end of 2026 and that anybody would be able to access them online.

Mr. Rackmyre, Jr. mentioned the Saratoga Planning Conference is February 5, 2025 and the County can pay for registration for non-municipal Planning Members.

**Fulton County Planning Department:**

Mr. Enfield reminded Planning Board members that elections will be held next month.

Mr. Enfield pointed out that the Annual Report will be done for the January Meeting.

**7. Close of Meeting:**

MOTION: To close the meeting at 10:22 am

MADE BY: John Kessler

SECONDED: Peter Goderie

VOTE: Unanimous