

Fulton County Planning Board

1 East Montgomery Street
Johnstown, New York 12095
Telephone: (518) 736-5660
Fax: (518) 762-4597

Dave Rackmyre, Jr.
Chairman

James Anderson
Vice Chairman

March 21, 2024

Ms. Carrie Allen
Clerk
City of Johnstown
Post Office Box 160
33-41 East Main Street
Johnstown, NY 12095

Re: General Municipal Law Section 239-m
City of Johnstown Common Council – City of Johnstown 2024 Comprehensive Plan

Dear Ms. Allen:

During its March 19, 2024 meeting, the Fulton County Planning Board, in accordance with §239-m of New York State General Municipal Law, reviewed the City's 2024 Comprehensive Plan. At that time, the Planning Board recommended that the project be approved. Additionally, they recommended that at a minimum, the following items should be updated in the City's proposed 2024 Comprehensive Plan:

1. Chapter II – City Profile (Page 5 – 9)
 - Data has not been updated to reflect 2010 and 2020 Census Data
2. Chapter IV – Parks, Recreation and Open Space (Page 16)
 - The plan indicates Alliance Leather to be demolished and removed, which was also indicated in the 2008 plan. Since the 2008 Comprehensive Plan, Alliance Leather has been demolished.
3. Chapter IV – Parks, Recreation and Open Space (Page 16)
 - The July 10, 2007 “Proposed City Center Park Layout” key is very difficult to read.
4. Chapter V – Housing (Pages 19 – 24)
 - Data has not been updated to reflect 2010 and 2020 Census Data.
5. Chapter V – Housing (Page 23)
 - Under Recommendation 6, the City indicates “seek[ing] the assistance and expertise of the Fulton County Economic Development Corporation...” That organization has not existed since 2012, and now goes by the Fulton County Center for Regional Growth (FCCRG).

6. Chapter VII – Economy (Page 29)

- The Comprehensive Plan notes new businesses such as Finkles, Univar, Exel, and Catalyst International NY, LLC. All four (4) companies no longer exist within the City of Johnstown.

7. Under a Fulton County Planning Services Agreement, the City of Johnstown (in addition to every municipality within the County) can receive ten (10) FREE hours of Planning Services each calendar year. Should the City of Johnstown wish to utilize these hours, please contact Scott Henze, Fulton County Planning and Tourism Director at 518-736-5660 or planning@fultoncountyny.gov.

If you have any questions regarding the Planning Board's deliberations on this application or its recommendation, please feel free to contact me at 518-736-5660.

Regards,



Aaron Enfield
Senior Planner

Cc: County Planning Board (e-mail)
Frank Lauria, Alternate (e-mail)
City of Johnstown Common Council (e-mail)
Michael Albanese, City Attorney (e-mail)

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Re: General Municipal Law Section 239-m
City of Johnstown Common Council – Amendments to the City's Zoning Ordinance

Dear Ms. Allen:

During its March 19, 2024 meeting, the Fulton County Planning Board, in accordance with §239-m of New York State General Municipal Law, reviewed the City's 2024 Comprehensive Plan. At that time, the Planning Board recommended that the project be approved, with the following recommendation:

- The Fulton County Planning Board recommended that in addition to Solar Farms as a Prohibited Land Use, the City of Johnstown consider Battery Energy Storage Systems (BESS) to be prohibited as well. Furthermore, they recommended that a Moratorium be enacted beforehand. Enacting a Moratorium would show that the City of Johnstown did its due diligence and reviewed the Comprehensive Plan, Zoning Ordinance, and other city-wide documents. Should the prohibited use be changed in a Court of Law, the City will have documentation to back up its reasoning. Please note that a Moratorium would need to be referred to the Fulton County Planning Board before final action has been made.

Per our phone conversation on March 20, 2024, you indicated that the City did enact a moratorium to look at solar, however, it never came to the Fulton County Planning Board for a 239-m review. Please see the attached documentation from the NYS Department of State Division of Local Government Services on Land Use Moratoria indicating the necessity of this referral for municipalities.

If you have any questions regarding the Planning Board's deliberations on this application or its recommendation, please feel free to contact me at 518-736-5660.

Regards,



Aaron Enfield
Senior Planner

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Frank Lauria, Alternate (e-mail)
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Michael Albanese, City Attorney (e-mail)