

**TOWN OF PERTH PLANNING BOARD  
JANUARY 23, 2023  
6:00 P.M.  
PERTH TOWN HALL**

**MEETING NOTES**

**PRESENT:**

**RON CETNAR, CHAIRMAN  
DIANE CONARD  
TREVOR GILDAY  
BOB GORDON  
TRACY GUTOWSKI**

**AARON ENFIELD, FULTON COUNTY SENIOR PLANNER**

**I. CALL MEETING TO ORDER:**

The meeting was called to order at 6:02 p.m.

**II. APPROVE MINUTES OF LAST REGULAR MEETING:**

MOTION: To approve the minutes to the December 12, 2022.

MADE BY: Trevor Gilday

SECONDED: Tracy Gutowski

VOTE: 5 in favor, 0 opposed

**III. CELIA STREIFERT – PUBLIC HEARING – MINOR SUBDIVISION AT 298 SMITH ROAD:**

**A. Background:**

Celia Streifert owns a piece of property at 298 Smith Road in the Town of Perth (Tax Map Parcel No. 166.-1-8-2). The existing property is approximately 23.85+/- acres. The applicants would like to subdivide the parcel into four (4) lots, with the following acreages:

Lot 1 7.25+/- acres

Lot 2 6.53+/- acres

Lot 3 6.52+/- acres

Lot 4 4.37+/- acres

The subdivision plat shows wetlands that are under the jurisdiction of the U.S. Army Corp of Engineers. The New York State Department of Environmental Conservation Environmental Resource Mapper indicates also that there may be State wetlands on the property.

**B. December 12, 2022 meeting:**

During the December 12, 2022 meeting, the Town of Perth Planning Board started its review of Celia Streifert's application for a minor Subdivision at 298 Smith Road within the Town of Perth. At that

time, the Planning Board asked that the following information be provided on the final plat prior to the public hearing:

1. Indicate where the existing well is located and where the proposed wells will be located.

STATUS: Provided

DISCUSSION:

Planning Board Member Tracy Gutowski inquired on why the septic system to the existing home was not on the Subdivision plat? She expressed concern that it may be too close to the well.

Luke Richardson, Project Surveyor with Environmental Design Partnership (EDP), stated that he would update the plat to indicate where the current septic system is located.

Planning Board Chairman Ron Cetnar asked why there was not a lot setback and a location for the proposed house on each of the parcels?

Planning Board Member Treavor Gilday mentioned that Fulton County Planning Department Consultant Sean Geraghty indicated that should the parcel not be developed for many years and the setbacks change, that could potentially cause confusion to the developer.

Chairman Cetnar agreed that the setback listed would cause confusion, but mentioned he would like to see where a proposed house might be located, as previous Subdivision plats have had this.

Planning Board Member Bob Gordon indicated that he was okay with moving forward with this project with the septic system and potential location for three (3) homes for the subdivided parcels.

After a brief discussion, Planning Board Members agreed this would be helpful on the final plat.

#### C. State Environmental Quality Review:

During its December 12, 2022 meeting, the Town of Perth Planning Board proposed that it serve as the Lead Agency for the purpose of issuing a determination of significance under SEQR for Celia Streifert's application for a Minor Subdivision at 298 Smith Road. Each Involved Agency was given twenty-five (25) calendar days to respond to the Planning Board's proposal to serve as the Lead Agency or to comment on the proposed action itself. To date, the Planning Board has received the following comment(s):

##### **NYS Department of Environmental Conservation:**

In a letter dated December 15, 2022, the New York State Department of Environmental Conservation (NYSDEC) agreed that the Town of Perth should serve as the Lead Agency for this project. NYSDOH noted that:

1. Disturbance of one or more acres of total land will require a SPDES General Permit for Storm Water Discharges.

##### **NYS Department of Health:**

In a letter dated January 5, 2023, the New York State Department of Health (NYSDOH) concurred that the Town of Perth Planning Board serve as Lead Agency. Additionally, NYSDOH stated that:

1. The applicant's project is not considered a NYS Realty Subdivision as defined by NYS Public Health Law Article 11, Section 1115 and therefore does not require review and approval by NYSDOH.

MOTION: Declaring the Town of Perth Planning Board to serve as the Lead Agency for the purpose of issuing a determination of significance for Celia Streifert's application for a Minor Subdivision at 298 Smith Road.

MADE BY: Bob Gordon  
SECONDED: Diane Conrad  
VOTE: 5 in favor, 0 opposed

FURTHER DISCUSSION: There was a consensus between Planning Board Members that this project would not have any environmental impacts.

MOTION: Authorizing the filing of a Negative Declaration under SEQR for Celia Streifert's application for a Minor Subdivision at 298 Smith Road in the Town of Perth since:

1. The Town of Perth Planning Board coordinated SEQR with the NYS Department of Health (NYSDOH), the NYS Department of Environmental Conservation (NYSDEC), and the U.S. Army Corps of Engineers (USACE).
2. The applicant has sufficient acreage available to create a building lot.
3. There will be no traffic implications resulting from the proposed action.
4. Public utilities are readily available to service the building lot.

MADE BY: Bob Gordon  
SECONDED: Treavor Gilday  
VOTE: 5 in favor, 0 opposed

D. Public Hearing:

1. The public hearing was opened at 6:11 p.m.
2. Speakers:

*There was no one to speak on Celia Streifert's application for a Minor Subdivision at 298 Smith Road.*

3. The public hearing was closed at 6:12 p.m.

E. Planning Board Action:

In accordance with Article V of the Town of Perth Subdivision Regulations, the Planning Board, within sixty-two (62) days after the public hearing on the subdivision plat for a minor subdivision, shall by resolution, conditionally approve, with or without modification, disapprove or grant final approval of the proposed subdivision plat. Consequently, does the Planning Board wish to issue its final decision on the Sobkowich's subdivision application at this time?

MOTION: To conditionally approve Celia Streifert's application for a Minor Subdivision at 298 Smith Road within the Town of Perth with the stipulation that the current septic system and proposed location for the 3 homes be placed on the final plat.

MADE BY: Bob Gordon  
SECONDED: Treavor Gilday  
VOTE: 5 in favor, 0 opposed

#### **IV. OTHER BUSINESS:**

##### **A. Planning Board Chairman:**

###### **Next Meeting**

Chairman Cetnar indicated that due to President's Day in February, the next meeting will be held on Monday, February 27, 2023, at 6:00 p.m.

###### **Training in Saratoga Springs**

Chairman Cetnar indicated that Treavor Gilday, Diane Conrad, and himself are signed up to attend the all-day training at the City of Saratoga Springs Civic Center.

###### **Copies of Zoning, Subdivision Documents, and Comprehensive Plan**

Chairman Cetnar inquired if the Planning Board had copies of the Town's Comprehensive Plan, Zoning Ordinance and Subdivision? Several Planning Board members indicated they did not.

Mr. Enfield stated he would email copies over to the Planning Board. Subsequently, he stated that should printed copies be wanted that Planning Board members should contact Chairman Cetnar.

###### **Comprehensive Plan Update**

Chairman Cetnar indicated that the Town of Perth's Comprehensive Plan is ten (10) years old and the Town might want to consider an update. He mentioned that the previous update lasted two (2) years and went parcel by parcel looking at their use. Mr. Cetnar stated he did not think a Comprehensive Plan Update would take that long.

Mr. Enfield stated that he will speak with Fulton County Planning Director Scott Henze on the matter, who will need to speak with Town of Perth Supervisor Greg Fagan. Subsequently, he mentioned that the Fulton County Planning Department will be busy this year on the Fulton County Agricultural and Farmland Protection Plan, as well as the Great Sacandaga Lake History Museum and Visitor Center, and unsure how much time the department would be able to allocate.

###### **Winstanley Enterprises**

Chairman Cetnar inquired on how the sale of Tryon Tech Park was progressing.

Mr. Enfield stated that he did not speak with Jim Mraz, Fulton County IDA Executive Director, and mentioned the December meeting stated that the sale would be finalized by Q1 2023.

###### **Lot Line Adjustments**

Chairman Cetnar indicated that there is a provision in the Town Code that can exempt the Planning Board from reviewing Lot Line Adjustments.

There was a back-and-forth conversation between Planning Board members and indicated that they wish to review Lot Lines.

Mr. Gilday (who also works as the Code Enforcement Officer for Town of Galway) stated that Galway Town Code allows an exemption from Planning Board review if two parcels are being joined.

Mr. Enfield stated he would speak with Town Code Enforcer Mark Concilla on the matter. Subsequently, he stated that this would eventually need to go before the Town Board for a vote should the Planning Board wish to pursue this matter.

B. Fulton County Planning Department:

**FMCC Training**

Mr. Enfield stated that in-person training at Fulton Montgomery Community College (FMCC) will occur in the evening on Thursday, March 23, 2023. Subsequently, he indicated that he was confirming the topics with the NYS Department of State Division of Local Government Services.

**February Meeting**

Mr. Enfield indicated that Town of Perth Code Enforcement Officer Mark Concilla indicated that a Solar Farm will be on the agenda for next month. He stated that, in the past, the Planning Board has requested that Town Attorney Carm Greco be present at meetings, and asked if he should extend the invite to him?

Planning Board Members unanimously agreed that Town Attorney Greco should be present next month.

**V. CLOSE OF THE MEETING:**

MOTION: To close the meeting at 6:48 p.m.

MADE BY: Bob Gordon

SECONDED: Treavor Gilday

VOTE: 5 in favor, 0 opposed