



## M E M O R A N D U M

**TO:** Terry Martino  
**FROM:** Brian Grisi  
**DATE:** February 6, 2012  
**RE:** Local Government Services Program Report,  
January 2012

### **I. Program Highlights**

#### **A. Approved Local Land Use Programs**

- **Westport** - Agency planning staff met with the Town of Westport supervisor and code enforcement officer to discuss two large scale projects in the town and initiatives the town plans to undertake in the coming year. Staff also discussed several other land use projects pending before the local planning and zoning boards.
- **Willsboro** - Agency planning staff met with the Town of Willsboro planning board and code enforcement officer. Agency staff presented information for the Board to consider when revising its zoning, subdivision, and on-wastewater laws. The presentation included information on the required elements for the town's agency-approved local land use program. Staff also offered suggestions on provisions that can provide more flexibility to the program, provide improved and updated land use tools, and that will create a more understandable and user-friendly document. The presentation resulted in a good discussion of the process and ways Agency staff can continue to work with the town during this process. Initially, staff will provide examples of local laws, land use tools, and approaches that have been successful in similar communities. The town has administered an Agency-approved local land use program since 1996.

**B. Outreach**

- **Adirondack Park Local Government Day Conference** - The planning committee for the Adirondack Park local government day conference met on January 19th to discuss the conference agenda. The conference is the result of collaboration by the Adirondack Park Agency, Adirondack Association of Towns and Villages, Adirondack Park Local Government Review Board, Department of State, Department of Environmental Conservation and Empire State Development. This year's Conference will have a track with a special focus on the efforts of the North Country Regional Economic Development Council. It will discuss economic development strategies for the entire Adirondack Park and the identification and promotion of projects that will benefit small rural economies, infrastructure and entrepreneurial initiatives. The conference is scheduled for March 20th and 21st in Lake Placid, NY.
- **Ticonderoga** - Agency planning staff met with Justin Woods, the new president and CEO of the Ticonderoga Revitalization Alliance. The meeting served to acquaint Mr. Woods with the Adirondack Park Agency and to offer assistance in land use planning needs of the community.
- **Lake George Watershed Coalition Meeting** - Agency planning staff attended the Lake George Watershed Coalition project review and oversight subcommittee meeting in Bolton, Warren County, NY. The committee discussed agenda items for an upcoming forum on the establishment of new stormwater basins and maintenance of existing stormwater basins that serve to protect the waters of Lake George.
- **Department of Labor's National Emergency Grant Program** - Agency staff distributed information on the NYS Department of Labor's National Emergency Grant program to town supervisors and village mayors in the affected counties. The grant provides funding for municipalities to hire temporary workers to assist in recovery of damages caused by Hurricane Irene and Tropical Storm Lee, and to assist with humanitarian efforts to aid the community. The Agency's electronic addressing system provided the DOL information to the appropriate municipal officials in a timely and efficient manner.

- **Local Officials Contact Information Annual Update** - Planning staff contacted town and village clerks to request updated contact information for municipal officials. The annual update insures the agency maintains an accurate database of local officials and provides correct contact information for both regulatory and informational purposes. The contact information is used by all divisions at the agency and is available to other State agencies as requested.

## II. Referrals from Towns with Approved Local Land Use Programs

### A. Amendments

- **Bolton** - The Town of Bolton continues to work on a revised zoning law. It will be a complete repeal and replacement of the existing local law. Town recently sought information on the community housing bill and its implications for local zoning laws. Status: Unchanged from prior month.
- **Day** - The Town of Day completed a working draft to revise portions of its zoning and subdivision laws. Agency staff reviewed the documents and provided informal comments on the drafts in December 2011. Status: Unchanged from prior month.
- **Horicon** - The Town of Horicon submitted a draft zoning law and revisions to its existing subdivision law for informal review. The changes to the zoning law will result in a complete repeal and replacement of the existing law. Status: Agency staff will review the document in the coming month.
- **Queensbury** - The Town of Queensbury submitted an amendment for review. The amendment provides authority and sets standard for alternate members of the planning board and the zoning board of appeals to participate in decision making roles. Status: Agency staff reviewed the proposed amendment in accordance with Section 807 of the APA Act and Section 582.5 of the Rules and Regulations and recommends. Staff determined the amendment to be a minor administrative change and will seek the concurrence of the Agency Chair and Local Government Services Committee Chair for the approval to provide a timely response to the town.

- **Willsboro** - The Town of Willsboro is finalizing its comprehensive plan and started discussions with Agency staff on revisions to its zoning law. Status: Planning staff met with the town planning board and code enforcement officer to discuss the process to revise and update the current town zoning law.

## **B. Variances (3)**

- **Bolton (1)** - Staff received one variance referred by the Town.
  - Project [LGV2012-0001] involved the addition to an existing non-conforming single family dwelling. Relief was required from the Town rear, side front and shoreline setbacks in addition to changes to an existing non-conforming structure. The existing structure is located ±47 feet from the shoreline of Trout Lake at its closest point. The proposed additions will not encroach on the existing non-conforming shoreline setback. The variance referral record provided an assessment of difficulty, alternatives, and environmental impacts to land and water quality. Agency staff concurred with the Zoning Board of Appeals determination and no further Agency action is required for this variance.
- **Queensbury (2)** - Staff reviewed two variances referred by the Town.
  - Project [LGV2012-0002] involved the expansion of an existing deck by 42 square feet. The deck is proposed to be 22-feet from the shoreline. Relief was required from the Town side and 50-foot shoreline setback and for expansion of a non-conforming structure. The ZBA record indicated the applicant agreed remove a patio which is located 14 feet from the shoreline. In addition, the ZBA has deferred to the Planning Board the vegetative planting requirements for the project. Agency staff concurred with the Zoning Board of Appeals determination and no further Agency action is required for this variance.
  - Project [LGV2012-0003] involved the merger of three adjacent parcels and subsequently subdividing them into eight lots. Relief was required from the Town road frontage, density, lot width, lot size, setbacks, permeability for some of the lots. No further review

of this variance was required since the project did not vary the applicable standards of the Adirondack Park Agency Act however the applicant was advised to get an Agency jurisdictional determination to ensure compliance with wetland protections.

**III. Correspondence and Consultations** - Local Government Service staff responded to 52 inquires on land use issues from 12 towns or villages during the month. A brief description of the information requested follows.

- **Caroga** - Staff provided the town with information for a proposed co-location project involving an existing cellular tower.
- **Elizabethtown** - Staff provided the town with information on land use planning and offered to assist the planning board in community planning initiatives.
- **Fulton County Planning Department** - Staff provided follow-up information to county planning staff on a draft comprehensive plan in the Park.
- **Hague** - Staff provided the town with jurisdiction information on a subdivision that involved wetlands; a boundary line adjustment involving a shoreline lot; and the importance for landowners to request Agency jurisdictional determinations for projects.
- **Horicon** - Staff provided the town with jurisdiction information on an existing campground.
- **Lake George** - Staff provided the town with information regarding permitting a municipal co-location project on an existing cellular tower; jurisdictional information for a proposed tourist attraction project and regarding "one-time" temporary tourist attraction events.
- **Queensbury** - Staff provided the town with jurisdiction information on a proposed tourist attraction project.
- **Willsboro** - Staff provided examples of land use control laws that address with "un-wanted" and nuisance uses.