



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

**TO:** Terry Martino  
**FROM:** Brian Grisi  
**DATE:** March 5, 2012  
**RE:** Local Government Services Program Report,  
February 2012

**I. Program Highlights**

**A. Approved Local Land Use Programs**

- **Caroga** - Agency staff provided comments to town and county officials on a draft Comprehensive Plan developed for the Town of Caroga. The Plan is prepared with assistance from the Fulton County Planning Department.
- **Horicon** - Agency staff provided informal comments to Town of Horicon officials on proposed revised zoning and subdivision laws for the town board to consider at an upcoming meeting.
- **Queensbury** - The Town of Queensbury submitted an amendment for review. The amendment provided authority and set standards for alternate members of the planning board and the zoning board of appeals to participate in decision making roles. Planning staff in consultation with legal staff reviewed the amendment and determined it to be a minor administrative change. The Agency reviewed the proposed amendment in accordance with Section 807 of the APA Act and Section 582.5 of the Rules and Regulations and approved this minor amendment with the concurrence of the Agency Chair and Local Government Services Committee Chair.

**B. Outreach**

- **Adirondack Park Local Government Day Conference** - The planning committee for the Adirondack Park local

government day conference met on February 16th 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.

- **The Great Sacandaga Lake Advisory Council** - Planning staff represented the Agency at the quarterly GSLAC meeting. Agenda items included the fishing access pier, funding, and the annual report presented by NYS DEC. The Council provides recommendations from The Great Sacandaga Lake community to the Regulating District and acts as an advisory group in reviewing District initiatives prior to implementation on the lake with a focus to improve communications.

## **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 initial drafts in December 2011. Status: Staff responded to several inquires on specific provisions of the zoning law.
- **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 reviewed the documents and provided informal comments to town officials for the town board to consider at an upcoming meeting.

- **Queensbury** - The Town of Queensbury submitted an amendment for review. The amendment provided authority and set standards for alternate members of the planning board and the zoning board of appeals to participate in decision making roles. Planning staff in consultation with legal staff reviewed the amendment and determined it to be a minor administrative change. Status: The Agency reviewed the proposed amendment in accordance with Section 807 of the APA Act and Section 582.5 of the Rules and Regulations and approved this minor amendment with the concurrence of the Agency Chair and Local Government Services Committee Chair.
- **Willsboro** - The Town of Willsboro is finalizing its comprehensive plan and started discussions with Agency staff on revisions to its zoning law. Status: Staff provided examples of zoning laws and provisions used by similar communities to address specific land use issues the town is planning to revise.

#### **B. Variances (4)**

- **Bolton (3)** - Staff received three variances referred by the Town.
  - Project [LGV2012-0004] involved the removal of an existing nonconforming single family dwelling and replacement with a new single family dwelling in the existing footprint. The proposed project included a 650 square foot addition to be located outside of the Town 75-foot shoreline setback and which would be connected via an enclosed walkway to the dwelling. Relief was required from the Town side and shoreline setbacks and for alterations to non-conforming single family dwelling. It was noted that the ZBA conditioned the variance upon implementation of stormwater management plan and use of non-reflective glass with built-in shades. Agency staff concurred with the Zoning Board of Appeals determination and no further Agency action is required for this variance.

- o Project [LGV2012-0005] involved the after-the-fact approval for two retaining walls that were constructed following the construction of replacement single family dwelling. Relief was required from the Town 75-foot shoreline setback. No further Agency review was required as the project did not vary the applicable standards of the Adirondack Park Agency Act.
- o Project [LGV2012-0006] involved the construction of a 12 x 12 foot roof over an existing patio. Relief was required from the Town 75-foot shoreline setback and for alterations to a non-conforming structure. No further Agency review was required for this variance since the project was located outside of the statutory 50-foot shoreline setback and did not vary the applicable standards of the Adirondack Park Agency Act.
- **Chester (1)** - Staff received one variance referred by the Town.
  - o Project [LGV2012-0007] involved the construction of a 14 x 16 foot garage. Relief was required from the Town side yard setback. No further review of this variance was required since the project does not involve provisions of the Adirondack Park Agency Act.

### III. Correspondence and Consultations

- **Bolton** - Staff assisted the town with an administrative procedure involving the town's approved local land use plan.
- **Chester** - Staff discussed administrative procedures involving the town's approved local land use plan with the newly appointed zoning clerk. Staff also provided information on an Agency issued permit involving a river's project and variance.
- **Day** - Staff provided the town with jurisdictional information on wind generating towers and measuring heights of such structures.
- **Elizabethtown** - Staff discussed a comprehensive planning initiative by the town and offered assistance to help with the project.
- **Essex** - Staff provided jurisdiction information on a commercial use project and discussed potential revisions to the town zoning law.

- **Hague** - Staff provided the town with jurisdictional information on a subdivision.
- **Lake George** - Staff provided the town with information on updating its land use laws and its Agency-approved local land use program. Staff followed up by providing examples of zoning laws and provisions used by similar communities to address signs and on-site wastewater systems.
- **Queensbury** - Staff provided the town with Agency jurisdiction information on a tourist attraction use.
- **Westport** - Staff discussed incorporating more specific land use requirements to address shoreline development on Lake Champlain into the town's approved local land use program.

**VI. Summary Table**

<b>Summary of Local Planning Unit Program Accomplishments February 2012</b>			
<b>Reportable Items</b>	<b>Municipalities</b>		<b>Total</b>
	<b>ALLUP</b>	<b>Other</b>	
Town/Village/Counties consulted	7	5	12
Land use regulations consulted/reviewed	2		2
ALLUP Amendments approved	1	--	1
ALLUP Variances reviewed	4	--	4
Comprehensive Plans reviewed	1		1
Meetings with town officials			0
Responded to land use planning inquiries	33	14	14
Planning & Zoning Board actions reviewed	17		17
Training & Workshops			0
Intra-Agency local planning assistance	2		2
<i>Notes: ALLUP - APA approved local land use program</i>			