



M E M O R A N D U M

TO: Terry Martino
FROM: Brian Grisi
DATE: May 7, 2012
RE: Local Government Services Program Report,
April 2012

I. Program Highlights

A. Approved Local Land Use Program

- **Chesterfield** - Agency planning staff Brian Grisi and Special Assistant for Economic Affairs Dan Kelleher met with the Town of Chesterfield Supervisor on April 12, 2012. The meeting served to introduce Mr. Kelleher to the Supervisor, to discuss the Town's approved local land use program, and the two industrial parks the Town developed. The Town has administered an Agency-approved local land use program since 2002.
- **Lake George** - Agency planning staff met with the Town of Lake George Supervisor, Councilwoman and Code Enforcement Officer on April 10, 2012. Town officials plan to make revisions to the Town's zoning and subdivision laws and possibly changes to the configuration of some zoning districts. The meeting provided an opportunity to discuss the changes early in the process, offer suggestions and alternatives for consideration and provide guidance on the process to amend the Town's local land use program. Staff will continue to work with Town officials and will provide examples of local laws, land use tools, grant opportunities and approaches that have been successful in similar communities. The Town has administered an Agency-approved local land use program since 1978.

B. Outreach

- **Hamlets 3** - Agency planning staff met with the committee overseeing the Hamlet 3 Smart Growth project. "Hamlets 3" was awarded funding under a Smart Growth grant from NYS DEC in 2011. The project utilizes Smart Growth principles to define how Adirondack communities can plan for hamlet expansion and the redevelopment of under-used properties within existing hamlets. The meeting served to help identify Adirondack communities that could benefit for the land use planning and training provided by the project.
- **Low Impact Development Conference** - Agency planning staff attended the Low Impact Development Conference in Lake George on April 25th. The conference was presented by The Fund for Lake George and featured several presenters who described techniques and strategies designed to minimize impacts to the water quality from new and existing development appropriate for the Lake George basin.

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. Status: Staff met with the Town's consultant and the draft is expected be delivered for informal review in the near future.
- **Colton** - The Town of Colton is completing a working draft to revise portions of its zoning and subdivision laws. Staff discussed the review of approved local land use program amendments and will coordinate the review process with town officials. 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: A revised draft was submitted to the Agency for informal review in April and staff are reviewing the documents.

- **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. Agency staff reviewed the documents and provided informal comments to town officials in February. Status: A revised draft was submitted to the Agency for informal review in April and staff are reviewing the documents.
- **Willsboro** - The Town of Willsboro is finalizing its comprehensive plan and started discussions with Agency staff on revisions to its zoning law. Staff provided examples of zoning laws and provisions used by similar communities to address specific land use issues the town is planning to revise. Status: Unchanged from prior month.
- **Westport** - The Town of Westport submitted a draft zoning law and revisions to its existing subdivision law for informal review in April. The changes to the zoning law will result in a complete repeal and replacement of the existing zoning law. Planning staff have worked with town officials to ensure the changes accord with the approved local land use program. Status: Agency staff are reviewing the documents.

B. Variances (9)

- **Bolton (2)** - Staff received two variances referred by the Town involving the same parcel.
 - Project [LV2012-0015 & 0016] involved the construction of a new single family dwelling and a boundary line adjustment. Relief was required from the Town 75-foot shoreline setback, 35-foot structure height, number of garage bays and for changes to a non-conforming structure. In addition relief was required from lot width requirement for the boundary line adjustment. It was noted that the applicant received variances for construction of a similar single family dwelling in 2009 and for a boundary line adjustment in 2005 that were not undertaken. Agency staff offered no comments on the Town issued variance, however there was concern over the finished structure height and the ZBA and the

applicant were advised via enclosure of the 'Agency Structure Height Flyer'.

- **Chester (1)** - Staff received one variance referred by the Town.
 - Project [LV2012-0025] involved the installation of a septic system in order to accommodate a proposed replacement single family dwelling. Relief was required from the Town 200-foot setback requirement for wastewater systems from the shoreline, separation distance to steep slopes and vertical separation to bedrock for the absorption field. The Town Board conditioned the variance upon the proposed single family dwelling having no more than three bedrooms. Based on the information presented in the record the Agency respected the findings of the local Board of Health and no further review of the variance was required.

- **Day (2)** - Staff received two variances from the Town, one of which was denied by the Town [LV2012-0018].
 - Project [LV2012-0017] involved the extension of a variance granted in July 2011. Relief was required from the Town front and back yard setbacks. Based on the information presented in the record, no further Agency review of this variance was required since the project did not involve provisions of the Act.

- **Hague (1)** - Staff received one variance referred by the Town.
 - Project [LV2012-0009] involved the construction of a 1,267 square foot addition to an existing nonconforming single family dwelling. A 199 square foot portion of the addition was proposed to be located within the 50-foot shoreline setback. Relief was required from the Town shoreline setback and for alterations to a non-conforming single family dwelling. The existing dwelling is located 19-feet from the shoreline at its closest point. Staff found that the ZBA made appropriate findings and conditions on the variance and no further Agency review of the variance was required.

- **Horicon (1)** - Staff received one variance referred by the Town.
 - Project [LV2012-0022] involved the replacement of an existing non-conforming mobile home with a new single

family dwelling. Relief was required from the Town 150-foot shoreline setback. The existing mobile home is 30-feet from the shoreline of the Schroon River and the proposed dwelling will be located 45-feet from the shoreline. Based on the information presented in the record the Agency respected the findings of the ZBA and no further review of this variance was required.

- **Queensbury (1)** - Staff received one variance referred by the Town.
Project [LV2012-0020] involved a boundary line adjustment of an existing non-conforming 0.560 acre lot, in order to allow for the placement of a boatlift. Relief was required from the Town minimum lot size. No further review of this variance was required since the project did not otherwise create any opportunity for new principal buildings.

- **Willsboro (1)** - Staff received one variance referred by the Town.
 - o Project [LV2012-0019] involved the construction of a 32 x 40 foot garage. Relief was required from the Town restriction on the placement of a garage in the front yard. No further Agency review of this variance was required since the project did not involve provisions of the Act.

III. Correspondence and Consultations

- **Bolton** - Staff provided advisory comments on a local variance application involving a shoreline setback area.

- **Caroga** - Staff provided information to the Town on a prior agency issued permit for a subdivision and for a wetland issue involving a Town road. Staff also provided the Town with advisory comments on a local variance application involving a shoreline setback area.

- **Chester** - Staff responded to concerns over a potential violation in the Town and referred the issue to appropriate staff for action.

- **Essex** - Staff provided the Town with a table of all projects that received an agency permit for use by Town

officials involved in local project review and for future planning purposes.

- **Hague** - Staff provided the Town with guidance on subdivision regulations for a parcel spilt by a road and a shoreline project involving the Lake George Park Commission. Staff also provided guidance on a possible zoning district change involving the town center district.
- **Horicon** - Staff provided the Town with advisory comments on a local variance application involving a shoreline setback area and potential wetland impacts.
- **Lake George** - Staff provided information to the Town on a prior Agency issued permit for a campground and comments for planning board review for a class A regional subdivision under review by the agency.
- **Lake Luzerne** - Staff provided information to the Town about the procedures for reviewing large-scale projects.
- **Stony Creek** - Staff provided the Town with informal comments on the latest iteration of the proposed Stony Creek Hamlet Revitalization Plan.
- **Ticonderoga** - Staff provided the Town with information on sign regulations.
- **Tupper Lake** - Staff provided the Town with informal comments on proposed local zoning map changes within the Town.
- **Willsboro** - Staff provided the Town with guidance on a retaining wall project proposed in a river area.

VI. Summary Table

Summary of Local Planning Unit Program Accomplishments April 2012			
Reportable Items	Municipalities		Total
	ALLUP	Other	
Town/Village/Counties consulted	10	7	17
Land use regulations consulted/reviewed	3	1	4
ALLUP Amendments approved		--	0
ALLUP Variances reviewed	9	--	9
Comprehensive Plans reviewed		1	1
Meetings with town officials	2	0	2
Responded to land use planning inquiries	29	11	40
Planning & Zoning Board actions reviewed	21		21
Training & Workshops provided			0
Intra-Agency local planning assistance	4	3	7
<i>Notes: ALLUP denotes "APA approved local land use program"</i>			

BFG:REB:lhb

cc: James Connolly
 Robyn Burgess