



M E M O R A N D U M

TO: Terry Martino
FROM: Brian Grisi
DATE: August 6, 2012
RE: Local Government Services Program Report,
July 2012

I. Program Highlights

A. Approved Local Land Use Program

- **Chester** - Agency planning staff met with the Town of Chester Code Enforcement Officer and Zoning Clerk to discuss the town's agency-approved local land use program, several proposed projects within the town and a draft reformatted version of the Town Zoning Law. Staff also met with the Town Supervisor who gave a tour of the newly installed solar photovoltaic panels which are providing electricity for the municipal building.
- **Chesterfield** - Agency staff met with the Town of Chesterfield Supervisor to discuss a process to provide verification for lending institutions for the issuance of Class B regional projects by the town in accordance with its agency-approved local land use program. The process plans to incorporate a standard letter from the agency that describes the transfer of Class B jurisdiction to the town together with a copy of the agency's jurisdictional determination that a subdivision is a Class B project and a copy of the town's zoning approval of the project. When packaged together, the documents should provide assurance to lending institutions that the subdivision is lawfully approved. This should prevent the need each individual purchaser of a lot within a subdivision to request an agency jurisdictional determination thus reducing the number of requests for agency transactions and provide a quick process for lot purchasers to receive official documentation.

- **Johnsburg** - Agency planning staff met with the Town of Johnsburg Supervisor and Zoning Clerk to discuss the town's Agency-approved local land use program, several proposed amendment to the programs and the referral of locally granted variances by the town's Zoning Board of Appeal.
- **Lake George** - Agency planning staff met with the Town of Lake George Code Enforcement Officer and Zoning Clerk to discuss the town's agency-approved local land use program and several proposed projects within the town.

B. Outreach

- **Adirondack Association of Towns and Villages** - Agency planning staff met with the AATV Executive Director to discuss plans for the 2013 Adirondack Park Local Government Day Conference.
- **Common Ground Alliance Forum** - Agency planning staff attended the 6th Annual Common Ground Alliance forum in Long Lake.
- **Department of State** - Agency planning staff are working with the NYS DOS to provide training sessions for planning and zoning boards.
- **Lewis** - Agency planning staff met with the consultant working with the Town of Lewis to prepare the town's first Comprehensive Plan. The plan will provide a smart growth expansion framework to guide growth of land use and development. Agency staff offered support and GIS mapping resources to assist with the project. The Town of Lewis received funding for the project through a DEC Smart Growth grant in 2010.

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. Staff met with the town's consultant in April and the draft is expected be delivered for informal review in the near future. Status: Unchanged from prior month.

- **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 submitted revisions to its zoning and subdivision laws for formal Agency review and approval. The town is scheduling a public hearing in August in order to provide opportunities seasonal residents to attend. Status: Staff are preparing review documents in coordination with town officials for presentation to the Agency Board.
- **Horicon** - The Town of Horicon continues to work on revisions to its zoning and subdivision laws. 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 and received a revised draft for informal review in April. Status: Staff provided informal review comments and suggestions to town officials in May and additional comment in June.
- **Johnsburg** - The Town of Johnsburg and Agency staff began preliminary discussion on proposed amendments to the Town's zoning law. The revisions include changes to the wetland acreage set-aside requirement for calculating potential principal building in a proposed subdivision and a boundary line adjustment provision. Several other provisions are also being considered.
- **Willsboro** - The Town of Willsboro is finalizing its comprehensive plan and continued 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 considering revising. Status: Staff received a copy of a proposed revised sanitary ordinance for informal review.
- **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

B. Variances (7)

- **Bolton (2)** - Staff received two variances referred by the Town.
 - Project [LV2012-0044] involved the removal of an existing non-conforming single family dwelling and replacement with a new, slightly larger single family dwelling utilizing the existing footprint. The dwelling to be removed is located ±11-feet from the shoreline and the proposed dwelling will not be any closer to the shoreline. Relief was required from the Town shoreline, front and side yard setbacks and for alterations to an existing non-conforming structure. It was noted that the applicant's property is 0.25 acres and 70-feet at its widest point. It was also noted that the ZBA conditioned the variance upon the new structure to be no closer than what existed and minor stormwater improvements. No further review was required for this variance as the ZBA made adequate findings in the record and the new structure was no closer to the shoreline than what currently exists.
 - Project [LV2012-0045] involved the construction of a patio, spa, reflecting pool, stairs and reconstruct retaining walls adjacent to an existing non-conforming single family dwelling. The proposed patio would be 62-feet from the shoreline at its closest point. Relief was required from the Town 75-foot shoreline setback, structure length requirement and for alterations to a non-conforming structure. The parcel located in a Moderate Intensity Use where the Agency Act requires a shoreline structure setback of 50-feet. No further Agency review is required for this variance since the project does not vary the applicable standards of the Adirondack Park Agency Act.

- **Horicon (1)** - Staff received one variance referred by the Town.
 - Project [LGV2012-0043] involved the construction of a 66-foot tall climbing tower. Relief was required from the Town maximum height of 40-feet. The proposal is a Class A regional project and requires a permit from the Adirondack Park Agency.

- **Queensbury (2)** - Staff received two variances referred by the Town.
 - Project [LV2012-0041] involved the replacement of an existing U-dock with new flat-roof boathouse. Relief was required from the Town side yard setbacks. No further review of this variance was required since the project did not vary provisions of the Act.
 - Project [LV2012-0042] involved the modification of previous variance for a commercial use and after-the-fact approval for the installation of 665 square foot patio with access deck and stairs as well as installation of a 6-foot tall, 112-foot long stockade fence. Relief is required from the Town side setback and for after-the-fact expansion of a nonconforming structure. No further Agency review of this variance was required since the project did not involve provisions of the Adirondack Park Agency Act.

- **Willsboro (2)** - Staff received two variances referred by the Town.
 - Project [LV2012-0046] involved the replacement of a mobile home that has been removed with a new 980 square foot manufactured (mobile) home on an existing 1.5 acre lot. Relief was required from the Town front and rear yard setbacks and minimum lot size. No further Agency review of this variance is required since the project does not vary provisions of the Adirondack Park Agency Act.
 - Project [LV2012-0047] involved the removal of an existing non-conforming single family dwelling and replacement with a new single family dwelling. Relief was required from the Town side yard setback for shoreline lots. The existing dwelling is within the Town and Agency's 75-foot shoreline setback. The proposed new dwelling will be moved outside of the 75-foot shoreline setback. It was noted that the applicant's parcel is subject to Agency permit P92-0185 and they would need to comply with conditions contained in that permit. No further Agency review was required for this variance since the project does not vary provisions of the Adirondack Park Agency Act.

III. Correspondence and Consultations

- **Arietta** - Staff assisted town officials with issues relating to the town's zoning code.
- **Caroga** - Staff provided the town with guidance on its Comprehensive Planning process and guidance on a cantilevered structure.
- **Chester** - Staff provided the town with guidance for a proposed boathouse reconstruction, a proposed project in a river area, a water quality issue and information on variance referral.
- **Chesterfield** - Staff provided the town with jurisdictional information on a large subdivision.
- **Day** - Staff are coordinating with town official on the revised zoning laws amendments and SEQRA actions.
- **Hague** - Staff provided the town with guidance on a marina project within the town and information on the conversion of existing commercial use to a residential use.
- **Hamlets 3** - Staff worked with the consultants on identifying towns for a pilot planning project.
- **Horicon** - Staff discussed the status of the town's zoning revisions and provided an action list for the approval process.
- **Lake George** - Staff continue to consult with town officials on a proposed project involving a dock.
- **Lake George Village** - Staff provided the town with jurisdictional information for two proposed projects that are planned to be over 40-feet tall.
- **Mayfield** - Staff provided the town with guidance for a proposed project in a wetland area.
- **Queensbury** - Staff provided the town with advisory comments for a variance involving a proposed boathouse reconstruction.

- **Willsboro** - Staff provided the town with guidance on a proposed variance application involving a shoreline structure. Staff also provided guidance on a prior Agency permit and its relation to the applicant's lot.

VI. Summary Table

Summary of Local Planning Unit Program Accomplishments - July 2012				
Reportable Items	Municipalities		Total	Year to Date
	ALLUP	Other		
Town/Village/Counties consulted	11	2	13	90
Land use regulations consulted/reviewed	4	0	4	21
ALLUP Amendments approved	0	--	0	2
ALLUP Variances reviewed	7	--	7	36
Comprehensive Plans reviewed	2	0	2	6
Meetings with town officials	4	2	6	17
Responded to land use planning inquiries	30	2	32	195
Planning & Zoning Board actions reviewed	14	0	14	104
Training & Workshops provided	0	0	0	3
Intra-Agency local planning assistance	8	0	8	49
Inter-Agency Coordination	3	--	3	24
<i>Notes: "ALLUP" denotes "APA-approved local land use program"</i>				

BFG:REB:lhb

cc: James Connolly
 Robyn Burgess