



M E M O R A N D U M

TO: Terry Martino
FROM: Brian Grisi
DATE: December 5, 2012
RE: Local Government Services Program Report,
November 2012

I. Program Highlights

A. Approved Local Land Use Program

- **Willsboro** - Agency planning staff met with the Town of Willsboro Supervisor, zoning officials and several committee members to discuss options for drafting a new zoning law that will replace and amend the Town's Agency-approved local land use program.
- **Willsboro** - Agency planning staff met with the Town of Willsboro Planning Board, Code Enforcement Office and members of the Zoning Board of Appeals to provide training for drafting a new zoning law and incorporating required components for an agency-approved local land use program.

B. Outreach

- **Adirondack Park Local Government Day Conference** - Agency planning staff met with the planning committee for the 16th annual Adirondack Park Local Government Day Conference. This is the first of several planning sessions to organize and set an agenda for the conference. The meeting brought together Agency Commissioners, local government leaders and APA staff to set a theme for the conference and identify Adirondack issues to present and discuss at the conference. The conference will be held on Wednesday-Thursday, April 24-25, 2013 in Lake Placid.

- **Garden Club of Lake Placid** - Agency planning staff member, Brian Grisi, presented a program on the Adirondack Park Agency, its mission and responsibilities, to the Garden Club of Lake Placid at its annual meeting.
- **Lake George Inter-Agency Meeting** - Agency staff convened a meeting of staff from DEC, DOS, Lake George Park Commission (LGPC) and Lake George Watershed Coalition to discuss coordination of various projects in and around Lake George. The meeting provided an opportunity for Dave Wick, the new Executive Director of the Lake George Park Commission to meet staff from the other agencies. Department of State provides major funding for Lake George projects through the Lake George Watershed Coalition. Funded projects include lake monitoring, non-point source control projects and nuisance aquatic species monitoring and control. Discussion items included the status of LGPC project for Asian Clam control; the status of a draft LGPC proposal for boat washing stations; DEC's assessment of possible nitrogen removal requirements at the Lake George village wastewater treatment plant; an update on DOS funded projects; and the status of development projects which DEC and APA are reviewing for subdivision and stormwater permits. APA staff reported on the development of an APA general wetlands permit for use on Asian Clam control. The group will be meeting quarterly to discuss issues of mutual concern.

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 to 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 received Agency approval in September for its revised zoning and subdivision laws as part of the Town's approved local land use program. Status: The Town adopted the new zoning and subdivision laws and filed the laws with the NYS Department of State in November.
- **Hague** - Agency planning and legal staff began working with Town officials to amend the Town's zoning ordinance to effectively deal with shoreline projects on the east shore of Lake George. The Town of Hague eastern Town boundary extends to the mean high water mark on the eastern shoreline of Lake George. Projects originating in the upland adjacent Towns of Dresden and Putnam that involve in-water components, within the Town of Hague, are not addressed in the existing Town of Hague Zoning Ordinance. Status: Unchanged from prior month.
- **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 formal and informal comments to Town officials over the past year. Staff met with the Town Board in September to review a few remaining issues and to discuss the amendment approval process for the Town's Agency-approved local land use program. Status: Unchanged from prior month.
- **Johnsburg** - The Town of Johnsburg and Agency staff began preliminary discussion on proposed updates to amend the Town's zoning law. The revisions include changes to the wetland acreage set-aside requirement for calculating potential principal buildings in a proposed subdivision and a boundary line adjustment provision. Several other provisions are also being considered. Status: Unchanged from prior month.
- **Lake George** - The Town of Lake George submitted a draft amendment that addresses the display of temporary signs for informal review. Staff offered suggestions to clarify the proposed amendment and the Town is working with its attorney to revise the proposal. Status: Unchanged from prior month.

The Town of Lake George also is working to update its sanitary law and revise portions of its zoning law. Staff

offered suggestions and support to assist with the process.

- **Willsboro** - Town officials are drafting a revised zoning law to amend the Town's Agency-approved local land use program. Staff have provided guidance and examples for the Town to consider in drafting the new document. Status: Staff met with Town officials twice in November to discuss options for drafting a new zoning law and to provide training on effective zoning laws.

The Town of Willsboro submitted a draft sanitary law for informal review. Staff provided review comments on the proposed local law. Status: Staff are convening an internal meeting to discuss Agency policy relating to standards and requirements to be contained in Adirondack Park Local Land Use Program Sanitary Laws.

- **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. Staff provided informal review comments and suggestions to Town officials in May and met with Town officials to review the proposed zoning law amendment in June. Status: Unchanged from prior month.

B. Variances (8)

- **Bolton (1)** - Staff received one variance referred by the Town.
 - o Project [LV2012-0086] involved the removal of an existing ±162 square foot sunroom attached to an existing non-conforming single family dwelling and replacement with a new year-round room in the same footprint. Relief was required from the Town 75-foot shoreline setback and for alterations to an existing non-conforming structure. The parcel is in lands classified as Moderate Intensity Use by the Agency, which requires a 50-foot shoreline setback. It is noted that the existing non-conforming single family dwelling is ±50-feet from the shoreline at its closest point and the proposed room would be ±70-feet from the shoreline at its closest point. No further Agency review was required for this variance since the project was outside of the Agency's statutory 50-foot setback.

- **Hague (2)** - Staff received two variances referred by the Town.
 - Project [LV2012-0054] involved the construction of a one and half story garage with a carport. Relief was required from the Town rear and sideline setbacks. No further Agency review of this variance was required since the project did not involve provisions of the Adirondack Park Agency Act.
 - Project [LV2012-0078] involved the construction of a second story addition to an existing non-conforming single family dwelling. Relief was required from the Town frontline setback, greater than 25% expansion and for alterations to a non-conforming structure. The existing dwelling is 15-feet from Jenkins Brook, which is a non-navigable stream. It was noted that the overall footprint of the structure would decrease as the applicant will be removing an existing non-conforming deck. No further Agency review was required since the stream is non-navigable and the project did not otherwise involve provisions of the Adirondack Park Agency Act.

- **Johnsburg (1)** - Staff received one variance referred by the Town.
 - Project [LV2012-0087] involved the construction of a 26 x 30 foot garage addition to an existing firehouse garage. Relief was required from the Town front setbacks. No further Agency review of this variance was required since the project did not involve provisions of the Adirondack Park Agency Act.

- **Willsboro (4)** - Staff reviewed four variances referred by the Town.
 - Project [LV2012-0088] involved the removal of an existing non-conforming single family dwelling and replacement with a new single family dwelling having a footprint of 1840 square feet. Relief was required from the Town minimum lot size. The existing non-conforming dwelling is entirely within the 50-foot shoreline setback and the proposed dwelling would be ±50-feet from the shoreline at its closest point. The record noted that there was a new septic system installed a few years ago. No further review of this variance was required since the project did not vary provisions of the Adirondack Park Agency Act.
 - Project [LV2012-0090] involved the construction of a dry laid stone retaining wall to control ongoing

erosion issues. Relief was required from the Town shoreline setback. No further review of this variance was required as the retaining wall is necessary to control an on-going erosion issue caused by past storms and high water on Lake Champlain.

- o Project [LV2012-0091] involved the construction of a dry laid stone retaining wall to control ongoing erosion issues. Relief was required from the Town shoreline setback. No further review of this variance was required as the retaining wall is necessary to control an on-going erosion issue caused by past storms and high water on Lake Champlain.
- o Project [LV2012-0092] involved the modification of a previously granted variance authorizing the construction of a garage. No action was necessary for this variance as variances issued in a Hamlet land use area are not required to be referred to the Agency.

III. Correspondence and Consultations

- **Caroga** - Staff provided the Town with information for fulfilling SEQRA review on it draft Comprehensive Plan
- **Chester** - Staff provided the Town jurisdictional information on a retaining wall and explanation of a jurisdictional letter.
- **Chesterfield** - Staff provided the Town jurisdictional information on a subdivision that involves substandard size lots but which met the overall intensity guidelines for the parcel and for a proposed commercial project in an agricultural district.
- **Hague** - Staff provided the Town with advisory comments on a local variance application involving a prior Town variance that granted a subdivision into sites; a court decision that granted an easement to a parcel which created another land-locked parcel; and information for addressing the extended time period for which a travel trailer can be used on a site.
- **Horicon** - Staff provided the Town jurisdictional information on a proposed project involving a preexisting 'cabin colony' with a main lodge building; and information for a parcel split between two adjacent towns.
- **Lake George** - Staff provided the Town jurisdictional information on a proposed waterline in the lake.

- **Queensbury** - Staff provide guidance about a proposed boathouse project in the Town.
- **Westport** - Staff provided the Town with information on a prior shoreline subdivision currently involved in a settlement arrangement for a zoning enforcement action, and for a subdivision of an agricultural parcel.

VI. Summary Table

Summary of Local Planning Unit Program Accomplishments November 2012				
Reportable Items	Municipalities		Total	Year to Date
	ALLUP	Other		
Town/Village/Counties consulted	13	0	26	155
Land use regulations consulted/reviewed	4	0	7	42
ALLUP Amendments approved	0	--	0	2
ALLUP Variances reviewed	8	--	8	73
Comprehensive Plans reviewed	1	0	1	12
Meetings with town officials	5	0	5	30
Responded to land use planning inquiries	37	0	37	327
Planning & Zoning Board actions reviewed	33	0	33	204
Training & Workshops provided	1	0	1	4
Intra-Agency local planning assistance	13	1	14	95
Inter-Agency Coordination	8	--	8	38
<i>Notes: "ALLUP" denotes "APA-approved local land use program"</i>				

BFG:REB:lhb

cc: James Connolly
 Robyn Burgess