



M E M O R A N D U M

TO: Terry Martino
FROM: Brian Grisi
DATE: December 31, 2012
RE: Local Government Services Program Report,
December 2012

I. Program Highlights

A. Approved Local Land Use Program

- **Bolton** - Agency planning staff met with the Town of Bolton Supervisor and NYS DEC Staff at the site of a proposed municipal waterfront project on Lake George to assess potential impacts from the project.

B. Outreach

- **Adirondack Association of Towns and Villages** - Agency staff attended the annual Adirondack Association of Towns and Villages meeting in Lake George on December 3, 2012. The meeting included an interactive workshop with NYS DEC Senior Staff, a presentation on the Northern Forest Council, and an update on the Asian Clam and other invasive species programs.
- **Adirondack Park Local Government Day Conference** - Agency planning staff met with the planning committee for the 16th annual Adirondack Park Local Government Day Conference on December 13, 2012. The meeting brings together Agency Commissioners, local government leaders and APA staff to set a theme for the conference and identify Adirondack issues to be presented and discussed at the conference. The conference will be held on Wednesday-Thursday, April 24-25, 2013 in Lake Placid.
- **Adirondack Partnership** - Agency planning staff attended the Adirondack Partnership meeting in Lake George on December 3, 2012. The Partnership was awarded an Adirondack Park

Community Smart Growth grant through the NYS DEC for the development of an Adirondack Park Economic Development Strategy. The meeting focused on the strategy that will utilize Smart Growth Principles to develop an action plan for improving the economic conditions among all 103 communities that comprise the Adirondack Park

- **Great Sacandaga Lake Advisory Council** -- Agency planning staff Robyn Burgess represented the Agency at the Great Sacandaga Lake Advisory Council meeting on December 7, 2012 in Edinburg (Saratoga County). The Council addressed water quality monitoring efforts and funding opportunities to preserve and protect the water quality of the lake. The meeting included presentations by Darrin Fresh Water Institute and Adirondack Watershed Institute Aquatics Division at Paul Smith's College. In addition the Council discussed the viability of a proposed fishing pier that was planned to be constructed using material from the demolition of the old Batchellerville Bridge and concluded the project would not be practical.
- **Hamlets 3, Phase 2** - Agency planning and economic staff met with the Advisory Committee of phase 2 of the Hamlets 3: Planning for Smart Growth and Expansion of Hamlets in the Adirondack Park project. The goal of the project, which is being funded through a NYS DEC smart growth grant, is to introduce the Hamlets 3 expansion model, developed in phase 1, to additional Park communities and to train local government officials on hamlet revitalization processes. The Agency will provide support to the project through its planning and economic services units.

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.

- **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 Washington County Towns of Dresden and Putnam that involve in-water components, within the Warren County 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: Staff discussed the review process with the town supervisor and will meet with the town board in the near future.
- **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.

- **Lake George Village** - The Village of Lake George is considering an amendment to allow 6-story buildings that could be 65 or 70-feet tall in a zoning district along Canada Street. Staff have discussed the proposal with the Village's planning consultant and emphasized the importance for the proposed amendment to include information that such a project would be an APA Class A regional project and would require an APA permit. The amendment, if approved, would eliminate the need for a variance from village zoning law. Staff will continue to address the proposal with village officials.
- **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. 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. Status: Unchanged from prior month.

The Town of Willsboro submitted a draft sanitary law for informal review. Staff provided review comments on the proposed local law. Status: Staff convened an internal meeting to discuss Agency policy relating to standards and requirements to be contained in ALLUP Sanitary Laws and will provide suggestions to supplement the town's submittal.

- **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 (6)

- **Bolton (2)** - Staff received one variance referred by the Town.
 - Project [LV2012-0093] involved the construction of an 8.5 x 17 foot addition to an existing 8 x 12 foot non-conforming storage building. Relief was required from the Town 75-foot shoreline setback, side and front setbacks and for alterations to an existing non-conforming structure. The existing structure is 42-feet from the shoreline at its closest point and the proposed addition will be 40-feet from the shoreline. No further review was required for this variance as the ZBA made adequate findings in the record.
 - Project [LV2012-0095] involved the amendment of a previously approved variance [Town V12-14, APA LV2012-0044] to allow for an increase in chimney height, changes to the roof line, addition of a 1.5 foot bump out to the proposed kitchen and moving the structure 1.5 feet further from the lake. Relief was required from the Town 75-foot shoreline setback, side and front setbacks and for alterations to an existing nonconforming structure. The existing single family dwelling is 10-feet from the shoreline at its closest point and the proposed new single family dwelling will be 11.5-feet from the shoreline. 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.

- **Caroga (1)** - Staff reviewed one variance from the Town.
 - Project [LV2012-0100] involved the removal of an existing non-conforming 1365 square foot single family dwelling and replacement with a new 1955 square foot single family dwelling in the same general location. Relief was required from the Town 75-foot shoreline and side-yard setbacks. The removed structure was 13-feet from the shoreline at its closest point and the proposed structure will be 14-feet from the shoreline. The ZBA conditioned the variance upon the applicant moving the structure 15-feet further from the shoreline. No further review was required for this variance as the ZBA made adequate findings in the record and the new structure was moved so that it would be further than what currently exists.

- **Queensbury (3)** - Staff reviewed four variances referred by the Town.
 - Project [LV2012-0094] involved the construction of a 523 square foot addition to an existing 4,596 square foot single family dwelling. In addition, the applicant proposed to raise the roof height from 21-feet to 28-feet in order to renovate the existing second story. Relief was required from the Town shoreline and side setbacks and for expansion of a non-conforming structure. The existing dwelling is ±38-feet from the shoreline and the proposed addition is entirely outside of the 50-foot shoreline setback. It was noted that the septic system was certified in September 2012. No further review was required for this variance as the ZBA made adequate findings in the record and the addition is outside of the shoreline setback.
 - Project [LV2012-0094] involved the renovation of an existing 544 square foot boathouse, resulting in a new 450 square foot boathouse. Relief was required from the Town side setback. No further Agency review was required for this variance since the project did not vary the applicable standards of the Adirondack Park Agency Act.
 - Project [LV2012-0098] involved the expansion of an existing 5,546 square foot single family dwelling by 1,422 square feet with a two-story addition. Relief was required from the Town maximum 28-foot height restriction and for expansion of a non-conforming structure. The existing and proposed height of the dwelling is ±36 feet. No further Agency review of this variance was required since the project did not involve provisions of the Adirondack Park Agency Act.

III. Correspondence and Consultations

- **Bolton** - staff conferred with town officials on a proposed municipal dock project in Lake George
- **Caroga** - staff provided the town additional information on the SEQR process for the town's draft Comprehension Plan.
- **Chester** - staff provided the town guidance on an application of the accessory apartment provision in the local law and the occurrence of multiple principal buildings on the same parcel.

- **Hague** - staff provided the town information on SEQR training opportunities for local officials.
- **Lake George** - staff received information updated on a proposed tourist attraction and provided guidance on the jurisdictional considerations of a Class A regional project. Staff also provided information on a prior permit for a tourist accommodation and for an APA General Permit for a wetland project.
- **Minerva** - staff provided the town procedural guidance on a proposed Planning Board action for a APA Class A regional Project involving a cell tower.
- **Thurman** - staff provided the town jurisdictional information on proposed development on a lot within the designated river area of the Hudson River.
- **Warrensburg** - staff provided jurisdictional information on a proposed 'complete street' planning initiative.
- **Willsboro** - Staff provided town officials with information on junk laws.

VI. Summary Table

Summary of Local Planning Unit Program Accomplishments December 2012				
Reportable Items	Municipalities		Total	Year to Date
	ALLUP	Other		
Towns/Villages/Counties consulted	10	5	15	170
Land use regulations consulted/reviewed	3	0	10	42
ALLUP amendments approved	0	--	0	2
ALLUP variances reviewed	6	--	6	100
Comprehensive Plans reviewed	0	0	0	12
Meetings with town officials	4	2	6	36
Responded to land use planning inquiries	38	4	42	368
Planning & Zoning Board actions reviewed	30	0	28	234
Training & Workshops provided	0	0	0	4
Intra-Agency local planning assistance	23	6	29	124
Inter-Agency Coordination	--	--	12	50
<i>"ALLUP" denotes "APA-approved local land use program"</i>				

BFG:REB:lhb
 cc: James Connolly
 Robyn Burgess