



M E M O R A N D U M

TO: Terry Martino
FROM: Brian Grisi
DATE: March 4, 2013
RE: Local Government Services Program Report,
February 2013

I. Program Highlights

A. Approved Local Land Use Program

- **Horicon** - Staff provided the Town review comments on its proposed draft zoning law that addressed statutory issues and that provided suggestions and alternate text to improve consistency and provide clarification. Staff had a productive meeting with the Town board in a public session on February 8th to discuss the staff comments.
- **Queensbury** - The Town of Queensbury submitted an amendment to its zoning district map. The amendments did not involve lands, administration or enforcement within the Adirondack Park or affect provisions required by the Town's Agency-approved local land use program. As such, staff determined the amendments would not require formal approval by the Agency.

B. Outreach

- **Adirondack Park Local Government Day Conference** - Agency local planning staff met with the planning committee for the 16th annual Adirondack Park Local Government Day Conference on February 14, 2013. The meeting served to develop the agenda and discussion points for the conference.

Agency planning staff distributed the preliminary agenda for the conference with registration material to local officials on February 27, 2013.

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 couple of years. 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 provided the Town review comments on a new draft of the zoning law that addressed statutory issues and that provided suggestions and alternate text to improve consistency and provide clarification. Staff had a productive meeting with the Town board in a public session on February 8th to discuss the staff comments. The Town is revising the document based on the public meeting and a new draft is expected later this spring.

- **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. Status: Staff received a draft sanitary law and a draft stormwater law for informal review.

- **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. Status: Unchanged from prior month.
- **Queensbury** - The Town of Queensbury submitted an amendment to its zoning district map. The amendments did not involve lands, administration or enforcement within the Adirondack Park or affect provisions required by the Town's Agency-approved local land use program. As such, staff determined the amendments would not require formal approval by the Agency.
- **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. Staff convened an internal meeting to discuss Agency policy relating to standards and requirements to be contained in ALLUP Sanitary Laws. Staff provided suggestions to supplement the Town's submittal. 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. 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 (3)

- **Caroga (1)** - Staff reviewed one variance from the Town.
 - Project [LV2013-0008] involved after-the-fact approval for a 173 square foot woodshed constructed too close to the property line. Relief was required from the Town side-yard setback. No further Agency review of this variance was required since the project does not involve provisions of the Adirondack Park Agency Act.
- **Chesterfield (1)** - Staff reviewed one variance from the Town.
 - Project [LV2013-0007] involved the creation of an 18-lot subdivision on a 22.7 acre parcel. Relief was required from the Town minimum lot size for 17 lots. No further Agency review of this variance is required since the project does not vary provisions of the Adirondack Park Agency Act provided that: 1) lot 18 is designated to have no principal building rights and the overall intensity guidelines are not exceeded; 2) the subdivision is reviewed by the Planning Board and approved as a Class B regional project; and 3) any of the documents filed with the County Clerk's office for the creation of lot 18 include the restriction that

describes the parcel as a "nonbuilding lot" without any principal building rights.

- **Queensbury (1)** - Staff reviewed one variance referred by the Town.
 - Project [LV2013-0009] involved the construction of a 1,143 square foot two-story 3-car garage. Relief was required from the Town 16-foot accessory height, maximum floor-area-ratio, minimum percent permeability and rear setback. No further Agency 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 provided jurisdictional information to the Town on a revised footprint for a proposed structure within the shoreline setback area and the density calculation for a conversion use.
- **Caroga** - staff discussed administration of Town's approved local land use program in the temporary absence of a code enforcement office and offered assistance with any issues that arise. Staff provided information on a variance project involving an accessory structure and the expansion of a structure within the shoreline setback area.
- **Chesterfield** - staff provided jurisdictional information to the Town on a proposed substandard sized lot and the subdivision requirement for a parcel divided by a road.
- **Day** - staff provided information to the Town for its upcoming presentation to the Agency.
- **Edinburg** - staff provided jurisdictional information to the Town on a proposed commercial use and the need to account for the overall intensity guidelines; and provided land use considerations for the installation of solar panels.
- **Fine** - staff provided a large format land use map of the Town for use by the Town's Code Enforcement Office.
- **Hague** - staff provided jurisdictional information to the Town on a marina; a Class B regional project involving the planning board approval of a 5-lot subdivision; the use of temporary banners for events; the allowances for a fence within the shoreline setback area; a potential building

height issue; and information on a prior Agency issued permit.

- **Horicon** - staff provided guidance to the Town on a proposed retaining wall to provide shoreline stabilization and a dock proposal.
- **Johnsburg** - staff provided guidance to the Town for a parcel divided by a road.
- **Lake George** - staff provided information to the Town on the review of two Class A regional projects: 1) involving a dock and associated wetlands; and 2) involving planning board action on a tourist attraction.
- **Lake George Park Commission** - staff provided the commission with information regarding a 1974 Agency permit.
- **Northampton** - staff discussed the benefit of having applicants submit a jurisdictional inquiry form to the Agency for proposed projects
- **Piercefield** - staff provided a large format land use map of the town for use by the Town's Code Enforcement Office.
- **Queensbury** - staff discussed administration of Town's approved local land use program with the new Town supervisor and offered assistance with any issue that arise.
- **Warren County** - staff provided information to the county on subdivision requirements contained in the Town of Johnsburg's local land use program as it relates to recording requirements at the county clerk office.
- **Westport** - staff provided information to the Town on a new water bottling facility.
- **Willsboro** - staff provided information on a Class A regional project.

VI. Summary Table

Summary of Local Planning Unit Program Accomplishments February 2013				
Reportable Items	Municipalities		Month Total	Year to Date
	ALLUP	Other		
Towns/Villages/Counties consulted	13	6	19	35
Land use regulations consulted/reviewed	2	0	2	4
ALLUP amendments approved	0	--	0	0
ALLUP variances reviewed	3	--	3	8
Comprehensive Plans reviewed	0	1	1	1
Meetings with town officials	1	1	2	4
Responded to land use planning inquiries	49	6	55	84
Planning & Zoning Board actions reviewed	26	0	26	54
Training & Workshops provided	0	0	0	1
Intra-Agency local planning assistance	7	8	15	26
Inter-Agency Coordination	--	--	8	14
Other Regional Organizations	--	--	8	20
<i>"ALLUP" denotes "APA-approved local land use program"</i>				

BFG:REB:lhb
 cc: James Connolly
 Robyn Burgess