



M E M O R A N D U M

TO: Terry Martino
FROM: Brian Grisi
DATE: April 1, 2013
RE: Local Government Services Program Report,
March 2013

I. Program Highlights

A. Approved Local Land Use Program

- **Town of Lake George** - Agency planning staff met with the Town of Lake George new Director of Planning and Zoning on March 21, 2013. The meeting served to discuss planning and zoning initiatives in the Town and to acquaint the director with the Town's Agency-approved local land use program.
- **Queensbury** - The Town of Queensbury submitted an amendment to its zoning law to define a new term for "microbrewery" and revise the definition for "tavern." 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.
- **Village of Lake George** - Agency planning staff met with Village Mayor, and Zoning Attorney and planning consultants on March 21, 2013. The meeting focused on the proposed zoning law change to allow buildings greater than 40-feet tall in the downtown district. Staff will continue to work with village officials on the proposed amendment to the Village's APA-approved local land use program.

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 March 15, 2013. The meeting served to develop the agenda and discussion points for the conference.
- **Adirondack Partnership** - Agency local planning and economic staff attended a meeting of the Adirondack Partnership. The meeting was attended by local economic developers, local government officials, NYS DEC, and planning consultants to discuss the commencement of the Adirondack Economic Development Plan, a project funded through an NYS DEC Smart Growth Grant and a NYS DOS Waterfront Revitalization Grant. The Agency will assist the initiative as it moves forward.
- **Northern Adirondack Code Enforcement Officers Association Training** - Agency staff from the Planning, Regulatory Programs, Legal and RASS units staffed an information booth at the Northern Adirondack Code Enforcement Officers Educational Conference in Lake Placid held March 4 - 7, 2013. The four-day event brought together 230 Code Enforcement Officers (CEOs) from towns and villages throughout the North Country. Thirteen APA staff, taking shifts throughout the event, were available to meet with the CEOs and answer a variety of questions involving APA process and procedures, land use planning and resource analyses. In all, staff had 98 contacts with CEOs from 27 Adirondack towns and villages and 8 surrounding municipalities during the conference.

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 and the draft is expected to be received 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's eastern boundary extends to the mean high water mark on the eastern shoreline of Lake George. Projects originating in the upland area adjacent to 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 law. The changes to the zoning law will result in a complete repeal and replacement of the existing law. Agency staff have provided formal and informal review comments and met with Town officials on several occasions to discuss issues related to the local law and the Town's Agency-approved local land use program. Status: Staff continue to work with Town officials and to provide review comments as requested on specific provisions of the law, to address statutory issues, and to provide suggestions and alternate text to improve consistency and provide clarification for the document.

The Town of Horicon submitted a revised draft subdivision law for informal review. Status: Staff began review of the document.

- **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 submitted a draft amendment to update its sanitary law and stormwater law for informal review. Status: Local planning staff and RASS staff provided review comments and suggestions to Town officials.

- **Lake George Village** - The Village of Lake George is considering an amendment to allow 6-story buildings, up to 72-feet tall in a zoning district along Canada Street. The proposal would eliminate the requirement from the village zoning law for a variance for buildings greater than 40-feet tall. The amendment, if approved, would eliminate the need for a variance from village zoning law. A new, greater than 40-foot tall building would still require an APA Class A regional permit. Status: Local planning staff met with the Mayor, and Village zoning attorney and planning consultants to discuss the proposed amendment and process for Agency review and approval in accordance with the Village's APA-approved local land use program.
- **Queensbury** - The Town of Queensbury submitted an amendment to its zoning law to define a new term for "microbrewery" and revise the definition for "tavern." It also set special standards for taverns, set review requirements for each use, and added both uses as allowed uses to the CI zoning district. The CI zoning district is located outside of the Adirondack Park. Since the proposed change will involve uses on lands that are located entirely outside of the Adirondack Park, the amendment did not involve lands, administration or enforcement within the Adirondack Park or 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 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 Town officials review comments on the proposed local law to supplement the Town's submittal. Staff also convened an internal meeting to discuss Agency policy relating to standards and requirements contained in ALLUP Sanitary Laws. 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. 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 and met with Town officials to review the proposed zoning law amendment. Status: Unchanged from prior month.

B. Variances (4)

- **Bolton (1)** - Staff reviewed one variance from the Town.
 - Project [LV2013-0010] involved changes to the Sagbolt PUD. No further review of this variance was required as the property is in a Hamlet land use area and subject to conditions of Agency Permit P82-0071 and subsequent amendments.
- **Chester (1)** - Staff reviewed one variance from the Town.
 - Project [LV2013-0013] involved the installation of a new septic system in order to replace an existing failed system. Relief was required from the Town 100-foot separation distance to a shallow well and from the 100-foot setback requirements from a pond and stream. The variance was referred by the Town Board acting as the local Board of Health. Based on the information presented in the record the Agency respected the findings of the local Board of Health and no further review of this variance was required.
- **Indian Lake (1)** - Staff received one variance referred by the Town.
 - Project [LV2013-0012] involves the construction of a six foot deck on the shoreline side of a non-conforming single family dwelling. This variance has been referred to legal for further review.

- **Willsboro (1)** - Staff reviewed one variance from the Town.
 - Project [LV2013-0016] involved the construction of a 24 x 24 foot addition to an existing single family dwelling. Relief was required from the Town side yard setbacks. It is noted that the ZBA conditioned the variance upon installation of a new septic system to accommodate three bedrooms. No further Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.

III. Correspondence and Consultations

- **Bolton** - Staff provided the Town information on a prior Agency permit and advisory opinions on a variance application.
- **Caroga** - Staff provided guidance to the new code enforcement officer on referral requirements of an Agency-approved local land use program, jurisdiction information for a residential wind turbine and a porch reconstruction within the shoreline setback area.
- **Essex County Planning Office** - Staff offered to work with the planning department to arrange training program for local officials on SEQR when the new procedures become effective.
- **Hague** - Staff provided the Town information for the conversion of a tourist accommodation to individual dwelling units.
- **Horicon** - Staff provided the Town information on small commercial uses and responded to several inquiries in regards to proposed zoning regulations.
- **Lake George Village** - Staff provided the Village with information on APA review of projects involving building greater than 40-feet tall.
- **Lake George** - Staff provided the Town information on projects involving APA jurisdiction.
- **Newcomb** - Staff provided the Town information for a subdivision involving an APA Class A regional project.

- **Putman** - Staff provide information for a subdivision into sites involving contractual back lot access to a shoreline.
- **Ticonderoga** - Staff provided the Town information on APA review of local zoning considerations and offered to meet with Town officials to provide an overview of the Agency's regional planning role and interaction with local zoning initiatives.
- **Westport** - Staff provided the Town information on an Agency jurisdiction letter.
- **Willsboro** - Staff provided the Town information on travel trailers.

VI. Summary Table

Summary of Local Planning Unit Program Accomplishments March 2013				
Reportable Items	Municipalities		Month Total	Year to Date
	ALLUP	Other		
Towns/Villages/Counties consulted	14	4	18	53
Land use regulations consulted/reviewed	5	0	5	9
ALLUP amendments approved	0	--	0	0
ALLUP variances reviewed	4	--	4	12
Comprehensive Plans reviewed	0	0	0	1
Meetings with town officials	2	3	5	9
Responded to land use planning inquiries	30	7	37	121
Planning & Zoning Board actions reviewed	32	0	32	86
Training & Workshops provided	0	1	1	2
Intra-Agency local planning assistance	15	5	20	46
Inter-Agency Coordination	--	--	11	26
Other Regional Organizations	--	--	10	30
<i>"ALLUP" denotes "APA-approved local land use program"</i>				