



M E M O R A N D U M

TO: Terry Martino
FROM: Brian Grisi
DATE: June 3, 2013
RE: Local Government Services Program Report,
May 2013

I. Program Highlights

A. Approved Local Land Use Program

- **Arietta** - Agency planning staff provided initial review comments on the Town of Arietta's draft revised zoning law to Town officials and its consultant. Staff are continuing to coordinate review with the Town. The Town has administered an Agency-approved local land use program since 1983.
- **Chesterfield** - Agency planning staff met with the Town of Chesterfield Town Supervisor on May 22, 2013 to review the Town's Agency-approved local land use program. Staff discussed the program administration and conferred on projects before the planning and zoning boards. The Town has administered an Agency-approved local land use program since 2002.

B. Outreach

- Agency planning staff attended the Low Impact Development Conference in Lake George on May 2, 2013. The conference was presented by The Fund for Lake George and featured several presenters who described techniques and strategies designed to minimize impacts to the water quality from new and existing development that are appropriate for use in the Lake George basin. The conference participants included municipal officials and design consultants and contractors.

II. Referrals from Towns with Approved Local Land Use Programs

A. Amendments

- **Arietta** - The Town of Arietta submitted a draft revised zoning law for informal review. It will be a complete repeal and replacement of the existing local law. Staff provided initial review comments on the draft to Town officials and its consultant. Staff are continuing to coordinate review with the town and respond to inquiries as the review process proceeds.
- **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 recently conferred with Town officials on the revision process. A new consultant was hired to complete the revised zoning law and Agency staff have begun discussions with the consultant and Town officials to advance the draft zoning law. 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 submitted a draft revised zoning law for informal review. The changes will result in a near-complete repeal and replacement of the existing law. Agency staff met with the Town Board on two occasions to discuss issues related to the local law and the Town's Agency-approved local land use program.

Status: The Town continues to work on revisions to its zoning law and Agency staff continue to provide formal and informal review comments as needed on specific provisions of the law.

The Town of Horicon submitted a revised draft subdivision law for informal review. Staff provided informal review comments on the draft law to the Town. 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. Staff recently spoke with the supervisor and will arrange to meet with Town officials to re-engage the amendment process. 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. The revision includes widespread application of "enhanced treatment" systems for on-site wastewater. This would be the first widespread application of this technology in the Park. Local planning staff and RASS staff provided review comments and suggestions to Town officials on the proposed draft. Status: Unchanged from prior month.

- **Lake George Village** - The Village of Lake George submitted a draft amendment for informal review that would create the "Canada Street Maximum Height Overlay District." The amendment would allow buildings up to 52-foot tall in 4-stories and 72-foot tall in 6-stories. The amendment also includes associated provisions and revisions to address streetscape, parking and architectural issues. The amendment, if approved, would eliminate the need for a height variance from village

zoning law, however a new, greater than 40-foot tall building would still require an APA Class A regional permit. Local planning staff met with the Mayor, Village Zoning Attorney and planning consultants to discuss the proposed amendment and the process for Agency review and approval in accordance with the Village's APA-approved local land use program. The Village held a public informational meeting on the proposal in April. Status: Staff are reviewing and preparing comments for the Village on the draft amendment.

- **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: The Town hired a consulting firm to assist in drafting the new law.

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 (9)

- **Bolton (3)** - Staff received three variances from the Town.
 - o Project [LV2013-0023] involved after-the-fact relief for the replacement of a porch and patio with a larger porch and patio that was constructed 41-feet from the shoreline of stream. Relief was required from the Town 100-foot shoreline setback. No further Agency review was required since the stream is non-navigable and

therefore the project did not involve provisions of the Act.

- Project [LV2013-0024] involved changes to a PUD to replace a proposed 5-unit townhouse with a 3-unit townhouse and install a stormwater infiltration device. The applicant required relief to amend an approved PUD and for installation of stormwater infiltration within 100-feet of Lake George. No further Agency review was required for this variance; however, the applicant must comply with the conditions of Adirondack Park Agency Permits P2013-0037, P82-0071 and its amendments.
- Project [LV2013-0025] involved changes to an approved PUD in a Hamlet land use area. No action was required for this variance.
- **Caroga (2)** - Staff received two variances referred by the Town.
 - Project [LV2013-0030] involved after-the-fact approval to allow a ±173 square foot woodshed to remain within the side-yard setback. Relief was required from the Town side yard setbacks and for maximum lot coverage. This was a re-hearing of a previously granted variance for the same project [LV2013-0008] which was based on erroneous zoning district information. The ZBA conditioned the variance to require the shed be moved 10-feet from the property line. No further Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.
 - Project [LV2013-0031] involved the construction of an attached garage to an existing single family dwelling. Relief was required from the Town front and side yard setbacks. No further Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.
- **Chesterfield (2)** - Staff received two variances referred by the Town.
 - Project [LV2013-0028] involved after-the-fact approval for a single family dwelling that was constructed too close to the property line. No action was required for this variance as the parcel is in Hamlet.
 - Project [LV2013-0029] involved the construction of a garage. Relief was required from the Town side-yard setbacks. No further Agency review is required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.

- **Newcomb (1)** - Staff reviewed one variance from the Town.
 - Project [LV2013-0027] involved a proposed two-lot subdivision of a ±3.26 acre parcel containing two preexisting single family dwellings. The subdivision will result in each existing single family dwelling allocated an individual lot. Relief was required from the Town side and front setbacks. No further Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.

- **Queensbury (1)** - Staff reviewed one variance from the Town.
 - Project [LV2013-0026] involved the demolition of an existing 1,607 square foot single family dwelling and replacement with a new 1,478 square foot single family dwelling. In addition, the project also involved upgrading the septic system and installation of stormwater management. Relief was required from the Town minimum side and shoreline setbacks, the Town maximum allowable floor area ratio, maximum height restriction and permeability. The existing dwelling is ±31.6 feet from the shoreline and the proposed finished dwelling has been conditioned by the ZBA to be moved 5-feet further back to be ±36.6 feet from the shoreline. The project also proposed to replace existing non-conforming wood decks, patios and driveway with permeable pavers. No further review of this variance was required as the record was adequate and supported the ZBA's decision.

III. Correspondence and Consultations

- **Arietta** - Staff responded to the Town's consultant regarding proposed amendments to their zoning code regarding boathouses and shoreline variances.

- **Caroga** - Staff provided the Town jurisdictional information on principal building intensity in a zoning district where many of the dwellings are in non-conformance with the minimum lot size and shoreline structure setbacks; jurisdictional information for a proposed dredge of lake bottom; and information on docks.

- **Chester** - Staff provided the Town jurisdictional information for a proposed single family dwelling on a lawful lot within a designated river corridor and where

significant wetlands are present, and a proposed project for a falconry farm.

- **Chesterfield** - Staff provided the Town administrative information regarding variances referred by the Town, and jurisdictional information on a "mother-in-law apartment" and a "family" campground.
- **Hague** - Staff provided the Town jurisdictional information for a Class B regional project involving site plan review for a shoreline tourist accommodation.
- **Horicon** - Staff provided the Town administrative information for addressing projects involving wetlands, advisory comments on a local variance application involving a proposed shoreline structure, and jurisdictional information for shoreline building and structure setbacks, the expansion of a dock, expansion of an existing campground, and allowed uses in a travel trailer park.
- **Indian Lake** - Staff provided the Town with advisory comments on a local variance application involving an expansion of a shoreline structure.
- **Johnsburg** - Staff provided the Town jurisdictional information on a proposed subdivision project, and the conversion of travel trailers to single family dwellings.
- **Putnam** - Staff provided information on the implementation of stormwater management requirements.
- **Willsboro** - Staff provided the Town administrative information regarding variances referred by the Town and jurisdiction information for a subdivision involving wetlands.

VI. Summary Table

Summary of Local Planning Unit Program Accomplishments April 2013				
Reportable Items	Municipalities		Month Total	Year to Date
	ALLUP	Other		
Towns/Villages/Counties consulted	14	2	16	83
Land use regulations consulted/reviewed	3	0	3	15
ALLUP amendments approved	0	--	0	0
ALLUP variances reviewed	9	--	9	27
ALLUP variances reversed	0	--	0	1
Comprehensive Plans reviewed	0	0	0	1
Meetings with town officials	1	0	1	11
Responded to land use planning inquiries	40	4	44	204
Planning & Zoning Board actions reviewed	35	0	35	149
Training & Workshops provided	0	0	0	4
Intra-Agency local planning assistance	10	2	12	71
Inter-Agency Coordination	--	--	1	40
Other Regional Organizations	--	--	2	46
<i>"ALLUP" denotes "APA-approved local land use program"</i>				

BFG:REB:lhb
 cc: James Connolly
 Robyn Burgess