



M E M O R A N D U M

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

I. Program Highlights

A. Approved Local Land Use Program

- **Bolton** - Agency planning and legal staff met with the Town of Bolton Town Supervisor, Planning Board Chairwoman and consultants to discuss Agency staff review comments on the Town's proposed new zoning law. The Town has administered an Agency-approved local land use program since 1980.
- **Colton** - Agency planning staff met with the Town of Colton Town Supervisor to discuss the Town's Agency-approved local land use program, its administration, and to confer on other Town planning and development initiatives. The Town is working to complete a proposed new zoning law amendment that will repeal and replace the existing law and will require APA approval. The Town has administered an Agency-approved local land use program since 1982.
- **Lake George** - On October 2, 2013 Agency planning staff met with the Town of Lake George Director of Planning and Zoning to discuss several proposed amendments to the Town's Agency-approved local land use program. Staff discussed the amendment review and approval processes and the SEQRA requirements. The Town has administered an Agency-approved local land use program since 2007.
- **Lake George Village** - On October 2, 2013 Agency planning staff met with the Village of Lake George Zoning Clerk to discuss several proposed projects that will exceed 40-feet tall. The projects will require both local and APA approvals. The Town has administered an Agency-approved local land use program since 1985.

B. Outreach

- **Franklin County** - Agency planning and economic staff provided a written response to a request from consultants for Franklin County regarding its consideration and feasibility study to establish a county planning office.
- **Rural Communities Broadband Roundtable** - Agency planning staff and Special Assistant for Economic Affairs attended a Rural Communities Broadband Roundtable at The Wild Center in Tupper Lake. The program was presented by AdkAction.org, the New York State Broadband Program Office, USDA Rural Development, and The Wild Center. The program assisted local officials to better understand how broadband can revitalize their communities and how they can access broadband. Discussions included a progress report on the rollout of rural broadband in the North Country, rural success stories, and available funding for Distance Learning and Community Connect initiatives.

II. Referrals from Towns with Approved Local Land Use Programs

A. Amendments

- **Arietta** - The Town of Arietta submitted a second draft version of the revised Town zoning law for informal review. It is a complete repeal and replacement of the existing local law. Agency planning and legal staff reviewed the revised document and provided comments to the Town in August. Status: Unchanged from prior month.
- **Bolton** - The Town of Bolton submitted a new draft version of its zoning law in September for informal review. It is a complete repeal and replacement of the existing local law. Status: Agency planning staff provided review comments to the Town and with Agency legal staff, met with Town officials and consultants to discuss review comments.
- **Colton** - The Town of Colton is completing a working draft to revise its zoning and subdivision laws. Status: Staff met with the Town Supervisor to review the status of the program amendment.
- **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 several occasions to discuss issues related to the local law and the Town's Agency-approved local land use program. 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. Status: Unchanged from prior month.

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 submitted draft amendments for informal review and a notice of Lead Agency for SEQR to which the Agency agreed with the Town's determination to be lead SEQR agency and to act as an "Involved Agency" in the review. The Town proposes to revise the definition of "lot;" create a simplified process for a minor boundary line adjustment; allow the inclusion of wetland acreage in calculating overall intensity for new subdivisions; and modify the number of copies of application materials required. Status: Unchanged from prior month.
- **Lake George** - The Town of Lake George submitted several new and revised draft amendments for informal review. Chapter 134 - Sewage and Chapter 135 - Erosion, Sedimentation, and Stormwater have been revised to include APA staff review comments from last Spring; new proposed amendments on Tree Removal and Land Clearing, several revised definitions, and Chapter 180 - Consolidated Health regulations were also received for review. Status: Staff met with the Director of Planning and Zoning to discuss the proposed amendments and are

actively reviewing them with the intent to provide comments to the Town next month.

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.

- **Willsboro** - Town officials are drafting a revised zoning law to amend the Town's Agency-approved local land use program. Staff provided guidance and examples for the Town to consider in drafting the new document and met with Town officials on several occasions to discuss options for a new zoning law and to provide training on effective zoning laws. Staff also provided introductory comments to the Town's consultant. 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 program 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 and met with Town officials to review the proposed zoning law amendment. Status: Unchanged from prior month.

B. Variances (9)

- **Bolton (2)** - Staff reviewed two variances from the Town.
 - Project [LV2013-0083] involved after-the-fact approval to allow a patio and retaining walls constructed in 2010 to remain, 17-feet from the shoreline. Relief was required from the Town 100-foot shoreline setback, 30-foot side setback and for alterations to a non-conforming structure. It was noted, that the existing non-conforming cabin; to which the patio and walls are

attached, is 14-feet from the shoreline at its closest point. Relief was required from the Town maximum lot coverage and lot line setbacks. No further Agency review of the variance was required since the ZBA made adequate findings.

- o Project [LV2013-0084] involved the addition of a shed roof over existing garage doors and a roof over the rear entry door on an existing single family dwelling. Relief was required for alterations to an existing nonconforming structure, as the existing dwelling is within the 75-foot shoreline setback. It was noted that proposed additions are outside of the shoreline setback. No further Agency review was required for this variance since the project did not vary provisions of the Adirondack Park Agency Act.
- **Horicon (3)** - Staff reviewed three variances from the Town.
 - o Project [LV2013-0063] involved the installation of a safety fence on top of an existing retaining wall. Relief was required from the Town shoreline and side setbacks. The Agency took no action on this Town-issued variance.
 - o Project [LV2013-0074] involved a tear-down rebuild and expansion of an existing non-conforming single family dwelling. Relief was required from the Town shoreline setback. The Agency took no action on this Town-issued variance.
 - o Project [LV2013-0078] involved after-the-fact approval for a 3 x 33 foot walkway with railings addition to an existing non-conforming single family dwelling. Relief was required from the Town shoreline setback. The Agency took no action on this Town-issued variance.
- **Indian Lake (1)** - Staff reviewed one variance from the Town.
 - o Project [LV2013-0082] involved the construction of a 40 x 30 foot garage. Relief was required from the Town front yard (ROW) setback. It was note that the ZBA conditioned the variance upon adequate drainage so as not to adversely affect the neighbor's property. No further Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.
- **Queensbury (3)** - Staff reviewed three variances from the Town.

- o Project [LV2013-0079] involved the construction of a 787 square foot addition and alteration to 351 square feet of an existing non-conforming single family dwelling. Relief was required from the Town yard setback, permeability requirements and for alterations to a non-conforming structure. No further Agency review of this variance was required since the project did not involve provisions of the Adirondack Park Agency Act.
- o Project [LV2013-0065] involved the construction of a 1600 square foot addition to an existing single family dwelling. Relief was required from the Town shoreline setback and for alterations to an existing non-conforming structure. The Agency took no action on this Town-issued variance.
- o Project [LV2013-0085] involved the construction of a 24 x 24 foot garage. Relief was required from the Town side setbacks. No further Agency review was required since the project is in an area designated Hamlet on the Adirondack Park Land Use and Development Map.

III. Correspondence and Consultations

- **Bolton** - Staff provided the Town information for a parcel located in two zoning districts.
- **Caroga** - Staff provided the Town advisory information for an enforcement matter involving a shoreline structure, information for a parcel located in two zoning districts, the removal and replacement of a mobile home, upgrade modifications of an existing cell tower, and a court-order fence within the shoreline setback area.
- **Chester** - Staff provided the Town jurisdictional information for a proposed project involving back-lot contractual lake access, and resource information regarding shoreline erosion controls.
- **Chesterfield** - Staff provided the Town jurisdictional information for a proposed subdivision involving a pre-1973 dwelling with an agriculture use, and for a subdivision into sites whose landowner now requests a formal subdivision of the parcel into two lots.
- **Edinburg** - Staff provided the Town permitting information for a proposed subdivision of a previously permitted

subdivision and jurisdictional information on a guest cottage.

- **Hague** - Staff provided the Town jurisdictional information for a project involving travel trailers and campground uses, the replacement of a mobile home, and a proposed boundary line adjustment adjacent to a Wilderness area.
- **Horicon** - Staff provided the Town jurisdictional information for the dumping of yard waste in a wetland area and for the seasonal rental of single family dwellings,
- **Johnsburg** - Staff provided the Town jurisdictional information for a project currently under review by the Agency.
- **Putnam** - Staff provided the Town documents of planning initiatives from the 1980's which were on file in the Agency's local government services planning library.
- **Tupper Lake** - Staff was requested by Town official to review Town zoning documents for consistency with the APA land use and development plan considerations. Staff provided review maps that were compiled in a review several years ago and offered to meet with Town officials to reengage those discussions.
- **Village of Lake George** - Staff provided the Village jurisdictional information regarding a proposed height expansion of an existing tourist accommodation.
- **Willsboro** - Staff provided the Town with advisory comments on a local variance application involving a fence.

VI. Summary Table

Summary of Local Planning Unit Program Accomplishments October 2013				
Reportable Items	Municipalities		Month Total	Year to Date
	ALLUP	Other		
Towns/Villages/Counties consulted	14	4	18	151
Land use regulations consulted/reviewed	4	1	1	23
ALLUP amendments approved	0	--	0	0
ALLUP variances reviewed	9	--	9	86
ALLUP variances reversed	0	--	0	2
Comprehensive Plans reviewed	0	0	0	2
Meetings with Town officials	4	0	4	29
Responded to land use planning inquiries	59	9	68	453
Planning & Zoning Board actions reviewed	31	0	31	325
Training & Workshops provided	0	0	0	6
Intra-Agency local planning assistance	16	3	19	162
Inter-Agency Coordination	--	--	0	48
Other Regional Organizations	--	--	5	60
<i>"ALLUP" denotes "APA-approved local land use program"</i>				

BFG:REB:lhb
 cc: Robyn Burgess