



M E M O R A N D U M

TO: Terry Martino
FROM: Brian Grisi
DATE: December 2, 2013
RE: Local Government Services Program Report,
November 2013

I. Program Highlights

A. Approved Local Land Use Program

- **Day** - Agency planning staff met with the Town of Day Town Supervisor and Code Enforcement Officer to review the Town's Agency-approved local land use program, its administration, and to confer on projects before the planning and zoning boards. The Town has administered an Agency-approved local land use program since 1992.
- **Edinburg** - Agency planning staff met with the Town of Edinburg Town Supervisor and Code Enforcement Officer to review the Town's Agency-approved local land use program, its administration, and to confer on projects before the planning and zoning boards. The Town has administered an Agency-approved local land use program since 1996.

B. Outreach

- **Chester, Queensbury, Ticonderoga and Warrensburg** - Agency planning staff met with planning board members representing the Towns of Chester, Queensbury, Ticonderoga and Warrensburg. Staff discussed the Agency approved local land use program and potential alternatives for those towns without an existing program to gain greater local control for the review of development projects.
- **North Elba** - Agency planning staff met with the chairman of the Town of North Elba Community Development Board. The Board is seeking staff review of its new draft Comprehensive Plan for the Town and Village of Lake Placid.

- **Northampton** - On November 19, 2013, Agency planning staff met with the Town of Northampton Code Enforcement Officer. At the request of the CEO, staff prepared a large-format map of the Town zoning districts with the underlying APA land use areas displayed. The map will serve as tool for the CEO and applicants to explain the relationship of local zoning and APA regional land use controls.
- **Adirondack Park Local Government Day Conference** - Agency planning staff met with the planning committee for the 17th annual Adirondack Park Local Government Day Conference. The meeting brought together Agency Commissioners, local government leaders and APA and DEC staff to begin planning for the conference event. The conference will be held on Wednesday-Thursday, April 9-10, 2014 in Lake Placid.
- **Hamlets 3 Phase 2** - Agency planning staff participated with the consulting team and municipal partners for wrap-up meeting of the Hamlets 3 Phase 2 project. The Hamlets 3 Phase 2 projects worked with four municipalities, the Towns of Caroga, Indian Lake, Jay and Long Lake, to identify strategic design projects that could improve the communities' economic situations. Hamlets 3 Phase 2 was a NYSDEC Adirondack Smart Growth-funded project.
- **Staff Training on ALLUPs** - Local Government Services staff provided training to APA staff from all divisions on the Agency's approval local land use programs.
- **Election Results** - Agency planning staff compiled the election results for town supervisor races in the Park for distribution to Agency staff.

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. Agency planning staff provided review

comments to the Town in October and with Agency legal staff, met with Town officials and consultants to discuss review comments. Status: Unchanged from prior month.

- **Colton** - The Town of Colton is completing a working draft to revise its zoning and subdivision laws. Staff met with the Town Supervisor in October to review the status of the program amendment. Status: Unchanged from prior month.
- **Edinburg** - The Town of Edinburg submitted two draft amendments for informal review. The proposed local laws: a Right to Farm Law provided clarification of the existing Town ordinances and required notice to persons making application for local permits; and a Moratorium of Ground-Based Solar Applications. Agency determined the local laws were administrative and did not otherwise alter the existing land use controls or the Town's APA-approved local land use program. The local laws did not require formal approval by the Agency.
- **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. Staff met with the Director of Planning and Zoning in October to discuss the proposed amendments. Status: Staff provided the Town informal comments on some of the amendments and sought clarification on others.

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.

C. Variances (5)

- **Horicon (1)** - Staff reviewed one variance from the Town.
 - Project [LV2013-0086] involved a resubmittal of a previously reversed variance [LV2013-0022]. The current proposal is for the construction of a 16 x 19 foot screened porch attached to an existing non-conforming single family dwelling. Relief was required from the Town 50-foot shoreline setback. The existing dwelling is 35-feet from the shoreline of Brant Lake and the proposed porch would be 35-feet from the shoreline at its closest point. The current proposal granted improvements that were no closer to the lake than the location of the existing development. Agency staff respected the efforts of the Zoning Board of Appeals and took action on the variance referral.
- **Indian Lake (1)** - Staff reviewed one variance from the Town.
 - Project [LV2013-0087] involved the removal of a 16 x 36 for garage and replacement with a new 30 x 32 foot garage. Relief was required from the Town side yard setback. No further Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.
- **Johnsburg (1)** - Staff reviewed one variance from the Town.
 - Project [LV2013-0080] involved the construction of an emergency squad building (public/semi-public building). Relief was required from the Town allowable uses in the overlay district. The project is also a Class A

project [P2013-0215] under review by the Agency. No action was taken on the variance referral.

- **Willsboro (2)** - Staff reviewed two variances referred by the Town.
 - Project [LV2013-0090] involved the installation of a replacement septic system. Relief was required from the 100-foot shoreline setback for septic systems. Agency staff respected the efforts of the Zoning Board of Appeals and took action on the variance referral.
 - Project [LV2013-0091] involved the renewal of a previously granted variance [LV2010-0048] for the construction of a 1000 square foot guest cottage. Relief was required for the placement of an accessory structure in the front yard. No further Agency review was required for this variance since the project did not vary provisions of the Adirondack Park Agency Act.

III. Correspondence and Consultations

- **Bolton** - Staff provided the Town jurisdictional information regarding amendments to the Towns zoning code and a past APA enforcement case.
- **Day** - Staff provided the Town review considerations for a Class B project involving the reestablishment of a commercial use.
- **Dresden** - Staff provided the jurisdictional information for a proposed boat dock.
- **Edinburg** - Staff provided the Town advisory information for proposed zoning amendments and information for an Agency action regarding a proposed sand and grave extraction.
- **Hague** - Staff provided the Town with an advisory opinion for a proposed variance involving shoreline structures.
- **Horicon** - Staff provided the Town jurisdictional information regarding the placement of multiple dwelling units on one parcel, a small waste disposal area, a rental unit, a hunting and fishing cabin, a vendor truck, and required density for a subdivision and the status of Agency review for the Town's zoning amendments.

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- **Johnsburg** - Staff provided the Town information on the status of project currently in review by Agency staff.
- **Lake George** - Staff provided the Town information on the Agency review status of its zoning amendments.
- **Northampton** - Staff provided the Town with a large paper map and pdf map of the Town's zoning districts.
- **Queensbury** - Staff provided the Town information on a proposed town highway project in the proximity of a wetland.
- **Village of Lake George** - Staff provided the Village jurisdictional information for a shoreline project.
- **Westport** - Staff provided the Town information on the Agency review status of its zoning amendments.
- **Willsboro** - Staff provided the Town jurisdictional information regarding the construction of a hunting and fishing cabin and for a proposed development of a lawfully pre-existing, non-conforming lot.

VI. Summary Table

| Summary of Local Planning Unit Program Accomplishments November 2013 | | | | |
|---|-----------------------|--------------|------------------------|-----------------------------|
| Reportable Items | Municipalities | | Month Total | Year to Date |
| | ALLUP | Other | | |
| Towns/Villages/Counties consulted | 13 | 8 | 21 | 172 |
| Land use regulations consulted/reviewed | 8 | 0 | 8 | 35 |
| ALLUP amendments approved | 0 | -- | 0 | 0 |
| ALLUP variances reviewed | 5 | -- | 5 | 91 |
| ALLUP variances reversed | 0 | -- | 0 | 2 |
| Comprehensive Plans reviewed | 0 | 1 | 1 | 3 |
| Meetings with Town officials | 4 | 9 | 13 | 42 |
| Responded to land use planning inquiries | 38 | 8 | 46 | 499 |
| Planning & Zoning Board actions reviewed | 32 | 0 | 32 | 357 |
| Training & Workshops provided | 0 | 1 | 0 | 7 |
| Intra-Agency local planning assistance | 18 | 2 | 20 | 182 |
| Inter-Agency Coordination | -- | -- | 7 | 55 |
| Other Regional Organizations | -- | -- | 5 | 65 |
| <i>"ALLUP" denotes "APA-approved local land use program"</i> | | | | |

BFG:REB:lhb
 cc: Robyn Burgess