



**M E M O R A N D U M**

**TO:** Terry Martino  
**FROM:** Brian Grisi  
**DATE:** February 3, 2014  
**RE:** Local Government Services Program Report,  
January 2014

**I. Program Highlights**

**A. Approved Local Land Use Program**

- **Bolton** - Agency planning staff provided review comments on the Draft Town of Bolton Local Waterfront Revitalization Plan. The Plan sets forth a program for the Town's natural, public, and developed waterfront resources and seeks to provide a balance of environmental, recreational, and economic development actions. The LWRP is funded through a grant by the New York State Department of State under Title II of the Environmental Protection Fund.
- **Westport** - Agency planning staff met with the Town of Westport 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**

- **Adirondack Park Local Government Day Conference** - Agency planning staff continue to plan for the 17th annual Adirondack Park Local Government Day Conference. The conference will be held on Wednesday-Thursday, April 9-10, 2014 in Lake Placid. Noteworthy meetings on planning for the conference during the month include the following:

- **Adirondack Association of Towns and Villages Executive Board** - Agency planning staff met with Executive Board meeting to discuss topics to be presented at the LGD conference.
- **Regional Office of Sustainable Tourism (ROOST)** - Agency planning staff met with the staff of ROOST to discuss the Excellence Awards Contest for the Best Adirondack Events. The contest will showcase Adirondack events with awards presented at the LGD conference.
- **Adirondack Regional Tourism Council (ARTC)** - Agency planning staff met with the staff of ARTC to discuss criteria for the Excellence Awards Contest for the Best Adirondack Events.
- **Annual Update of Local Government Officials** - Agency planning staff contacted town and village clerks to request updated contact information for municipal officials in the Park. The annual request ensures the Agency maintains an accurate database of local officials and correct contact information for distribution of regulatory and informational materials. The contact information is used by all divisions at the Agency.
- **Webb** - Agency planning staff met with the Town of Webb Code Enforcement Officer to discuss the Agency approved local land use program and a potential alternative for those towns without an existing program.

## 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.
- **Caroga** - The Town of Caroga submitted several chapters of a revised zoning law for informal review. The Planning Board is working with the Fulton County Planning Office to prepare the documents. Status: Staff reviewed the documents and plan to meet with town officials next 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 is completing draft amendments to address temporary and transient uses and also to correct typographic errors in the existing zoning document. Status: Staff met with the Town Supervisor to discuss the process for approval of the program amendments.
  - **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: Staff met with retiring Town Supervisor and supervisor-elect to discuss reengaging the process.

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: Staff spoke with the Town Supervisor to discuss reengaging the process.
- **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 and provided informal comments on some of the amendments and sought clarification on others. Status: The Town held a public hearing on the amendments and is revising the draft amendments to incorporate public comments.

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: With direction from the newly elected supervisor, the town is seeking professional services to assist with the amendments.

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: The Town just submitted a draft PUD proposal that provides an innovative approach for Hamlet expansion.

## **B. Variances (3)**

- **Queensbury (3)** - Staff reviewed two variances from the Town.
  - Project [LV2013-0088] involved the installation of a cell tower. Relief was required from the allowable uses in the PUD district. The project is under review by the Agency as P2013-0174 and no action was taken on the variance.
  - Project [LV2014-0001] involved after-the-fact approval for the construction of a 120 square foot shed. Relief was required from the Town front and side setbacks and for permeability. The variance was conditioned by the ZBA upon the removal of the overhang on the shed that crossed the property line. No further review of this variance was required since the project did not involve provisions of the Act.
  - Project [LV2014-0002] involved the construction of a 2302 square foot single family dwelling with attached garage and a 2200 square foot detached garage. Relief was required from the Town maximum number of garages. No further review of this variance was required since the project did not involve provisions of the Act

### III. Correspondence and Consultations

- **Bolton** - Staff provided the Town with information regarding a referral of a Comprehensive Plan and advisory comments on a local variance application involving a lack of building density.
- **Caroga** - Staff provided the Town information on the amendment process for the Town's ALLUP.
- **Chesterfield** - Staff provided the Town jurisdictional information on a replacement for a pre-existing non-conforming shoreline dwelling.
- **Hague** - Staff provided the Town with advisory comments on a local variance application involving a shoreline structure, jurisdictional information for pre-existing shoreline development, and general information on time limits for local permits to expire.
- **Horicon** - Staff provided the Town jurisdictional information on proposed modifications to a shoreline structure.
- **Johnsburg** - Staff provided the Town information on the status of proposed zoning amendments, options for a proposed commercial project and information on a jurisdictional determination by the Agency.
- **Mayfield** - Staff provided the Town general information on approved local land use programs and offered to meet with Town officials to discuss the merit of an ALLUP.
- **Westport** - Staff provided the Town jurisdictional information for a proposed cell tower in Hamlet.
- **Willsboro** - Staff provided the Town with advisory comments on a local variance application involving a shoreline structure and a list of planning consultants.

**VI. Summary Table**

<b>Summary of Local Planning Unit Program Accomplishments January 2014</b>				
<b>Reportable Items</b>	<b>Municipalities</b>		<b>Month Total</b>	<b>Year to Date</b>
	<b>ALLUP</b>	<b>Other</b>		
Year to date accounting of the 103 Park municipalities consulted	11	1	--	12
Towns/Villages/Counties consulted in the reporting month	11	2	13	13
Land use regulations consulted/reviewed	5	0	5	5
ALLUP amendments approved	0	--	0	0
ALLUP variances reviewed	3	--	3	3
ALLUP variances reversed	0	--	0	0
Comprehensive Plans reviewed	1	0	1	1
Meetings with Town officials	3	1	4	4
Responded to land use planning inquiries	21	2	23	23
Planning & Zoning Board actions reviewed	28	0	28	28
Training & Workshops provided	0	0	0	0
Intra-Agency local planning assistance	10	2	12	12
Inter-Agency Coordination	--	--	4	4
Coordination with Other Regional Organizations	--	--	10	10
<i>ALLUP - denotes "APA-approved local land use program"</i>				

BFG:REB:lhb  
 cc: Robyn Burgess