



M E M O R A N D U M

TO: Terry Martino
FROM: Brian Grisi
DATE: April 1, 2014
RE: Local Government Services Program Report,
March 2014

I. Program Highlights

A. Approved Local Land Use Program

- **Caroga** - Agency planning staff met with the Town of Caroga Town Supervisor, Planning Board members, Code Enforcement Officer and the Fulton County Director of Planning to begin discussions on proposed revisions to the Town's zoning law which will be incorporated into the Town's Agency-approved local land use program. The Town has administered an Agency-approved local land use program since 1980.

B. Outreach

- **Lake George Watershed Coalition** - Agency planning staff attended the Lake George Watershed Coalition committee meeting in Queensbury, Warren County, NY. With direction from NYS Department of State, the committee reviewed past accomplishments and set goals for the Coalition in the coming year. Five State agencies were represented (APA, DEC, DOS, LGPC and LGWC) along with local elected leaders, representatives from regional planning commissions and interested organizations. The Coalition addresses key water quality issues in the Lake George basin, develops strategies and implements measures to protect and improve the waters of Lake George.
- **Northern Adirondack Code Enforcement Officers Association** - Agency staff from the Planning, Regulatory Programs, Legal and RASS divisions staffed an information booth at the Northern Adirondack Code Enforcement Officers

Educational Conference in Lake Placid on March 3 - 6, 2014. The four-day event brought together 230 Code Enforcement Officers (CEOs) from towns and villages throughout the North Country. Seventeen 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 116 contacts with CEOs from 38 Adirondack towns and villages and 24 surrounding municipalities and organizations during the conference.

- **Tug Hill Local Government Day Conference** - Agency planning staff attended the Tug HIL LGD annual conference in Watertown, NY on March 27th. The conference brings together local land use planning and zoning officials and consultants from throughout the region. The conference offers a wide range of training opportunities and discussions on pertinent zoning issues. It was attended by over 600 people.
- **Wilmington** - Agency program staff met with Town of Wilmington Supervisor, the Town's planning consultant, and NYS Department of State staff to discuss downtown revitalization, redevelopment and possible Hamlet expansion options. The Town has public water infrastructure, but does not have public sewer, which is typically required for a Hamlet expansion. The Town is considering establishing a septic maintenance district and other wastewater treatment technology that could address its lack of sewer infrastructure. The Town also sought input on siting opportunities for a hypothetical 50-room tourist accommodation to sever as an anchor and draw for the Town's commercial base.

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: Consultants for the Town are revising the document and have been seeking guidance from staff on elements of the approved local land use program requirements.
- **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 met with Town and county officials on March 6, 2014 to discuss provisions of the local land use program and possible zoning revisions.
 - **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. Staff provided informal review comments on specific provisions of the law and a comparison of the local zoning map to the APA Land Use and Development Plan Map. Status: Staff spoke with the supervisor about the process for the Agency review of the 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, are within the Warren County Town of Hague, and not addressed in the existing Town of Hague Zoning Ordinance. Status: Unchanged from prior month.
 - **Horicon** - The Town of Horicon submitted draft revised zoning and subdivision laws for informal review. The changes will result in a near-complete repeal and

replacement of the existing laws. Agency staff met with Town officials and provided formal and informal review comments as requested on specific provisions of the law. Agency planning staff met with Town of Horicon Town Supervisor, Town Clerk and Zoning Administrator to renew discussions on proposed local laws and specifically the review process, Town zoning issues versus APA Act requirements, and to determine a timeline for completing the process. Status: Staff are working on a review draft for the Town.

- **Johnsburg** - The Town of Johnsburg submitted draft amendments for informal review and a notice of Lead Agency for SEQR. The Agency agreed with the Town's determination to be lead SEQR agency and would 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 Town officials and provided informal comments on the amendments. The Town held a public hearing on the amendments in December and is revising the draft amendments to incorporate public comments. 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 and are looking forward to working with the newly elected supervisor. Status:

Consultants for the Town are revising the document and will be seeking guidance from staff on elements of the approved local land use program requirements.

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 (8)

- **Bolton (4)** - Staff reviewed three variances from the Town.
 - Project [LV2014-0016] involved a lot line adjustment. Relief was required from the Town 3-acre density. No further Agency review was required for this variance since the project was essentially a boundary line adjustment and there was no opportunity for additional principal buildings. However the project must comply with the conditions of Agency Jurisdictional Determination [J2013-07614A] modifying a prior proposal to construct a single family dwelling.
 - Project [LV2014-0018] involved the construction of three additional boat storage buildings on a 4.92 acre parcel. Relief was required from the Town density requirement of 20 acres for four commercial boat storage buildings. This variance was reversed by the Agency.
 - Project [LV2014-0022] involved after-the-fact-approval for the reconfiguration of a roof on an existing non-conforming single family dwelling. Relief was required from the side and shoreline setback and for alterations to a non-conforming structure. Based on the information presented in the record, the Agency respected the

findings of the ZBA and no further review of this variance was required.

- o Project [LV2014-0023] involved combining two lots that were previously subdivided and re-subdivide the 3.88 acre parcel into three lots (Lot 1: 1.02 acres, Lot 2: 1.03 acres and Lot 3: 1.83 acres). Relief is required from the Town 3.9 acre density (1.3 acres per lot). Based on the information presented in the record, the Agency respected the findings of the ZBA and no further review of this variance was required.

- o **Hague (2)** - Staff reviewed two variances from the Town.
 - o Project [LV2013-0003] involved the removal of an existing carport and replacement with a new two bay garage. Relief was required from the Town frontline setback. No further Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.
 - o Project [LV2013-0004] involved the construction of an addition to an existing non-conforming garage and removal of two existing sheds. Relief was required from the Town frontline setback. No further Agency review is required for this variance since the project does not involve provisions of the Adirondack Park Agency Act.

- o **Horicon (1)** - Staff reviewed one variance from the Town.
 - o Project [LV2014-0020] involved the reconfiguration of a driveway and associated retaining wall. Relief was required from the Town 50-foot roadway setback and 100-foot shoreline setback. Based on the information presented in the record, the Agency respected the findings of the ZBA and no further review of this variance was required.

- o **Indian Lake (1)** - Staff reviewed one variance from the Town.
 - o Project [LV2014-0021] involved the construction of an 8 x 10 foot lean-to. Relief was required from the Town 75-foot shoreline setback. No further Agency review was required for this referred Town issued variance; however, the proposed project is subject to APA permit P2008-0029B and the applicant will need to comply with conditions of the APA permit.

III. Correspondence and Consultations

- **Bolton** - Staff provided the Town with information regarding a referral of a variance for the approved program and zoning law amendments for addressing Class A/B projects.
- **Caroga** - Staff provided the Town jurisdictional information on a proposed rebuild that may exceed 40-feet in height.
- **Chester** - Staff provided the Town jurisdictional information for a project that requires site plan approval from the Town.
- **Chesterfield** - Staff provided the Town jurisdictional information on a proposed Class A subdivision with a proposed agriculture service use.
- **Edinburg** - Staff provided the Town information on amending its Agency-approved local land use plan.
- **Ellenburg** - Staff receive SEQR Lead Agency notice for a proposed local law to address cell towers.
- **Elizabethtown** - Staff provided the Town information for their draft comprehensive plan.
- **Horicon** - Staff provided the Town jurisdictional information for a proposed boardwalk in wetlands, information on project that require both an APA permit and a Town variance, and a multi-access dock.
- **Johnsburg** - Staff provided the Town information on amending its Agency-approved local land use plan.
- **Lake George** - Staff provided the Town jurisdictional information for a project within a designated river area
- **North Elba** - Staff provided the Town jurisdictional information for a proposed 'off-grid' cabin.
- **Willsboro** - Staff provided the Town jurisdictional information on a prior Agency issued permit involving a commercial use, a project involving shoreline stabilization, and a subdivision involving wetlands.

VI. Summary Table

Summary of Local Planning Unit Program Accomplishments March 2014				
Reportable Items	Municipalities		Month Total	Year to Date
	ALLUP	Other		
Year to date accounting of the 103 Park municipalities consulted	15	7	--	22
Towns/Villages/Counties consulted in the reporting month	12	5	17	47
Land use regulations consulted/reviewed	4	1	5	13
ALLUP amendments approved	0	--	0	0
ALLUP variances reviewed	8	--	8	21
ALLUP variances reversed	1	--	1	2
Comprehensive Plans reviewed	0	0	0	2
Meetings with Town officials	2	1	3	10
Responded to land use planning inquiries	33	8	41	117
Planning & Zoning Board actions reviewed	29	0	29	90
Training & Workshops provided	0	1	1	1
Intra-Agency local planning assistance	15	2	17	41
Inter-Agency Coordination	--	--	17	32
Coordination with Other Regional Organizations	--	--	20	47
<i>ALLUP - denotes "APA-approved local land use program"</i>				

BFG:REB:lhb
 cc: Robyn Burgess