



M E M O R A N D U M

TO: Terry Martino
FROM: Brian Grisi
DATE: April 30, 2014
RE: Local Government Services Program Report,
April 2014

I. Program Highlights

A. Approved Local Land Use Program

- **Bolton** - Agency planning and legal staff met with Town of Bolton Town Council, Town Zoning Administrator, and project representatives to discuss a proposed expansion of a commercial boat storage facility.
- **Chesterfield** - Agency planning staff met with Town of Chesterfield Town Supervisor 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 2002.

B. Outreach

- **Adirondack Park Local Government Day Conference** - The 17th Annual Adirondack Park Local Government Day Conference was held on April 9th and 10th, 2014 in Lake Placid, New York. Over 300 people attended the conference which focused on Adirondack Park economic development strategies and the promotion of projects that benefit rural economies. Assemblymen Marc Butler and Daniel Stec attended and provided support for the Park and its residents. The conference highlighted community projects from around the Park and included presentations on infrastructure, entrepreneurial initiatives and municipal energy management. Training workshops presented by the Department of State and other professionals provided valuable instruction, advice and CEO educational credits for local officials. In addition, the second annual Adirondack Park Excellence Competition recognized the "Best Community Events" in

eight categories for awards and two special recognition events. The conference was presented by the Adirondack Park Agency, Adirondack Association of Towns and Villages, Adirondack Park Local Government Review Board, Empire State Development Corporation, New York State Department of State, and the New York State Department of Environmental Conservation.

- **New York Planning Federation Conference** - Agency planning staff attended the NYPF annual conference in Saratoga Springs. The conference brings together local land use planning and zoning officials and consultants from throughout the State. The conference offers a wide range of training opportunities and discussions on pertinent zoning issues. It was attended by over 300 people.
- **Willsboro** - Agency planning and economic affairs staff met with Town of Willsboro Town Supervisor and their consultant to discuss marketing the commerce park, hamlet redevelopment, and infrastructure improvements.

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 last August. Status: The review is now reengaged and staff responded to several inquiries on provisions of the proposed local law.
- **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. Staff met with Town and County officials in March to discuss the requirements and provisions of an Agency-approved local land use program. Status: Staff responded to several inquiries on specific provisions of the proposed local law.

- **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. Staff spoke with the Town Supervisor to confer on the process for the Agency review of the amendments. 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, 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 are working on a review draft for the Town.
- **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. Consultants for the Town are drafting a revised document and have sought guidance from staff on elements of the approved local land use program requirements. 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: The Town submitted a draft PUD proposal that provides an innovative approach for Hamlet expansion.

B. Variances (8)

- **Indian Lake (1)** - Staff reviewed one variance from the Town.
 - Project [LV2014-0027] involved the replacement of a roof over a deck. Relief was required from the Town 75-foot shoreline setback. The Agency respected the findings of the ZBA and no further review of the variance was required.
- **Queensbury (3)** - Staff reviewed three variances from the Town.
 - Project [LV2013-0024] involved after-the-fact approval for the reconfiguration of the roof on a single family dwelling. Relief was required from the Town 50-foot shoreline setback. The Agency respected the findings of the ZBA and no further review of the variance was required.
 - Project [LV2013-0025] involved the construction of a 108 square foot bathroom addition to an existing 2152 square foot non-conforming single family dwelling. Relief was required from the Town 50-foot shoreline setback. The existing dwelling was ±15 feet from the shoreline of Lake George and the proposed addition would be to the rear of the dwelling and ±45-feet from the shoreline at its closest point. It was noted that the applicant would be upgrading the septic as part of the proposed project. The Agency respected the findings of the ZBA and no further review of this variance was required.
 - Project [LV2013-0026] involved the construction of a 2,162 square foot garage. Relief was required from the Town maximum (1) number of garages. No further Agency review was required for this variance since the project does not involve provisions of the Adirondack Park Agency Act.

- **Willsboro (4)** - Staff reviewed four variances from the Town.
 - Project [LV2013-0028] involved the construction of a 24 x 24 foot single family dwelling. Relief was required from the Town minimum lot size (40,000 square feet) and percentage lot coverage. It was noted that the parcel is pre-existing and lawful. No further Agency review was required for this variance since the project does not vary provisions of the Adirondack Park Agency Act.
 - Project [LV2013-0029] involved the construction of a 32 x 40 foot garage. Relief was required from the Town restriction on the placement of a garage in the front yard. It was noted that the proposal previously received a variance in 2012 [LV2012-0019] and the current proposal was for an extension to the Town 2-year time frame for the variance. No further Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.
 - Project [LV2013-0030] involved the installation of retaining walls with in-river structures to control erosion on the Boquet River. The project included a staircase to access a viewing area located in the Hamlet land use area portion of the project that is exempt to referral to the Agency by the Town's Agency-approved local land use program. The Resource Management land use area portion of the project included portions of the retaining wall and in-river structures. The ZBA considered the entire project, regardless of APA land use area, in its decision to grant relief from the Town shoreline setback. It was noted that the project is currently under review by the Agency as application P2014-0051.
 - Project [LV2013-0031] involved the removal of an existing non-conforming garage and replacement with a new garage. Relief was required from the Town restriction for the placement of a garage in the front yard. No further Agency review was required for this variance since the project does not involve provisions of the Adirondack Park Agency Act.

III. Correspondence and Consultations

- **Arietta** - Staff provided the Town with information about a pre-existing subdivision in the Town.

- **Bolton** - Staff provided the Town with advisory comments on a local variance application involving a semi-public building.
- **Caroga** - Staff provided the Town jurisdictional information on a marina, a structure greater than 39-feet tall, a home occupation, a boat house replacement and a used car dealership.
- **Chesterfield** - Staff provided the Town jurisdictional information for a mobile home replacement.
- **Horicon** - Staff provided the Town jurisdictional information for a boardwalk project involving wetlands, guidance on a pre-existing non-conforming structure, and advisory comments on a local variance application involving reconstruction of a structure within the shoreline setback area.
- **Johnsburg** - Staff provided the Town information on a public building proposed in a restricted zoning district.
- **Lewis** - Staff provided review comments on a proposed draft Town Comprehensive Plan.
- **Queensbury** - Staff provided the Town guidance for defining a recreational center in the Towns zoning law.
- **Willsboro** - Staff provided the Town with advisory comments on a local variance application involving shoreline structures.

VI. Summary Table

Summary of Local Planning Unit Program Accomplishments April 2014				
Reportable Items	Municipalities		Month Total	Year to Date
	ALLUP	Other		
Year to date accounting of the 103 Park municipalities consulted	15	9	--	24
Towns/Villages/Counties consulted in the reporting month	11	6	17	64
Land use regulations consulted/reviewed	3	0	3	16
ALLUP amendments approved	0	--	0	0
ALLUP variances reviewed	8	--	8	29
ALLUP variances reversed	0	--	0	2
Comprehensive Plans reviewed	0	1	1	3
Meetings with Town officials	3	1	4	15
Responded to land use planning inquiries	33	7	40	157
Planning & Zoning Board actions reviewed	28	0	28	118
Training & Workshops provided	3	1	4	5
Intra-Agency local planning assistance	9	0	9	50
Inter-Agency Coordination	--	--	11	43
Coordination with Other Regional Organizations	--	--	10	57
<i>ALLUP - denotes "APA-approved local land use program"</i>				

BFG:REB:DFK:lhb
 cc: Robyn Burgess