



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

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

**I. Program Highlights**

**A. Approved Local Land Use Programs**

- **Bolton** - Agency planning, Regulatory Programs, and RASS staff met on-site with applicants and their representatives to review a proposed expansion of a commercial use project that involved a prior Agency permit and locally approved area variance that was reversed by the Agency. The site visit provided guidance for allowable expansions provided by the Agency permit and alternatives for expansion without the need for a local variance.
- **Colton** - Agency planning staff will meet with Town of Colton officials to review the Town's Agency-approved local land use program and its administration. Staff also provided an updated large format map of the Town. The Town has administered an Agency-approved local land use program since 1982.
- **Willsboro** - Agency planning staff met with the Town of Willsboro new Code Enforcement Officer to discuss 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**

- **Inlet** - Agency planning staff met with Town of Inlet Town Supervisor, Town Board, Code Enforcement Officer and members of the Planning and Zoning Boards to discuss the

Town's interest in obtaining an Agency-approved local land use program.

- **Northville/Northampton** - Staff from the Agency's Economic Services and Planning divisions are collaborating with a workgroup from the Village of Northville and the Town of Northampton to develop an economic plan for the Hamlet areas of those municipalities. On May 16th, staff provided municipal officials from both communities with a proposed process for undertaking such an endeavor. On May 27th, a team of four Agency staff members from the two divisions met with the area's Community Collaboration Council to discuss the project and actions needed to move forward with the plan. Agency staff will continue to work with community representatives to draft the economic plan and then will work with the community to implement the plan's components.
- **Wilmington** - Agency planning staff met with Town of Wilmington Town Supervisor and the President of the ROOST - Regional Office of Sustainable Tourism, to discuss downtown revitalization, redevelopment and possible Hamlet expansion option. The meeting was held at the Supervisor's office where considerations for siting a hypothetical 50-room tourist accommodation to sever as an anchor and draw for the Town's commercial base were discussed. Also discussed was the potential for APA map amendments to augment the Town's vision for future planning initiatives.
- **Adirondack Research Consortium Conference** - Agency planning staff attended the Adirondack Research Consortium's 21st Annual Conference on the Adirondacks in Lake Placid, NY.
- **Lake George Watershed Coalition** - Agency planning staff attended the Lake George Watershed Coalition committee meeting in Bolton, NY. With direction from NYS Department of State, the committee 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.

- **Low Impact Development Conference** - Agency planning staff attended the Low Impact Development Conference in Lake George. The conference, presented by The Fund for Lake George, featured presenters who described techniques and strategies designed to minimize impacts to the water quality from new and existing development that are appropriate for use in the Lake George basin. The conference participants included municipal officials, design consultants and contractors.

## 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 continue to respond to new 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 continue to seek 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 provided the Town review comments on the proposed definition section proposed local law.
- **Colton** - The Town of Colton is completing a working draft to revise its zoning and subdivision laws. 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. In March, Agency planning staff met with Town of Horicon Town Supervisor, Town Clerk and Zoning Administrator to renew discussions on proposed local laws. Status: Staff continue to work 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: 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 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.
- **Queensbury** - The Town of Queensbury submitted several new and revised draft amendments for informal review. The revisions include changes to the zoning map and to the zoning law with changes to sections that affect areas both inside and beyond the Park boundary. Status: Staff are reviewing the revisions to see which portions affect in-Park lands and thus will require review and approval from the Agency.
- **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. The Town also submitted a draft PUD proposal that provides an innovative approach for Hamlet expansion. Status: Unchanged from prior month.

## **B. Variances (5)**

- **Caroga (1)** - Staff reviewed one variance from the Town.
  - Project [LV2014-0032 & J2014-0202] involved the construction of a 39 foot tall single family dwelling. Relief was required from the Town 35-foot maximum building height. No further Agency review was required for this variance since the project did not vary provisions of the Adirondack Park Agency Act.
  
- **Bolton (1)** - Staff reviewed one variance from the Town.
  - Project [LV2013-0033] involved the removal of an existing single family dwelling and garage and replacement with a new 2-story 4,076 square foot single family dwelling and 2-story 2,240 square foot garage. Relief was required from the Town 30-foot side setback for the dwelling and 75-foot shoreline setback for the garage. The garage was proposed to be ±49 feet from a stream. It was noted that as part of the project the septic system would be updated. No further Agency review was required since the stream was non-navigable and therefore did not involve provisions of the Adirondack Park Agency Act.
  
- **Hague (1)** - Staff reviewed one variance from the Town.
  - Project [LV2014-0011] involved the replacement of an existing non-conforming single family dwelling with a new single family dwelling. Relief was required from the Town percentage of lot coverage, frontline setback and for greater than 25% expansion of a non-conforming structure. No further Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.
  
- **Indian Lake (1)** - Staff reviewed one variance from the Town.
  - Project [LV2014-0035] involved the construction of a 13 x 36 foot porch addition to an existing non-conforming single family dwelling. Relief was required from the Town 75-foot shoreline setback. The existing dwelling was 72-feet from the shoreline at its closest point and

the proposed porch would not be any closer to the shoreline. The Agency respected the findings of the ZBA and no further review of this variance was required.

- **Willsboro (1)** - Staff reviewed one variance from the Town.
  - o Project [LV2014-0037] involved the stabilization of approximately 50-feet of shoreline with rip rap and replacement of wooden terracing with formed concrete terracing. Relief was required from the Town 75-foot shoreline setback. The Agency respected the findings of the ZBA and no further review of this variance was required.

### III. Correspondence and Consultations

- **Arietta** - Staff provided the Town jurisdictional information regarding a pre-existing subdivision and allowable principal buildings.
- **Caroga** - Staff provided the Town jurisdictional information for Class B regional project involving a commercial use, and the side yard setback for a proposed deck.
- **Chester** - Staff provided the Town information regarding the SEQOR requirements for variances, jurisdictional information for a large accessory building, and a re-build of a dwelling in a river area.
- **Day** - Staff provided the Town information regarding the referral process for locally approved variances.
- **Edinburg** - Staff provided the Town jurisdictional information for the re-development potential of a parcel.
- **Horicon** - Staff provided the Town jurisdictional information for a pre-existing subdivision, a retaining wall for shoreline stabilization, and a boardwalk over wetlands.
- **Johnsburg** - Staff provided the Town jurisdictional information for a proposed commercial use in Hamlet.
- **Lake George** - Staff provided the Town jurisdictional information for a proposed timber harvesting operation.

- **Willsboro** - Staff provided the Town advisory comments for a Class B regional project involving a single-family dwelling, and for measuring structure height.

**VI. Summary Table**

<b>Summary of Local Planning Unit Program Accomplishments May 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	17	10	--	27
Towns/Villages/Counties consulted in the reporting month	14	6	20	84
Land use regulations consulted/reviewed	4	0	4	20
ALLUP amendments approved	0	--	0	0
ALLUP variances reviewed	5	--	5	34
ALLUP variances reversed	0	--	0	2
Comprehensive Plans reviewed	0	1	1	4
Meetings with Town officials	6	5	11	26
Responded to land use planning inquiries	40	11	51	208
Planning & Zoning Board actions reviewed	31	0	31	149
Training & Workshops provided	0	0	0	5
Intra-Agency local planning assistance	7	0	7	57
Inter-Agency Coordination	--	--	4	47
Coordination with Other Regional Organizations	--	--	10	61
<i>ALLUP - denotes "APA-approved local land use program"</i>				

BFG:REB:lhb  
 cc: Robyn Burgess