



M E M O R A N D U M

TO: Brian Grisi

FROM: Robyn Burgess

DATE: July 3, 2014

RE: Town of Queensbury Local Land Use Program Amendment

The Town of Queensbury seeks Agency review and approval to amend its local land use program. The Town is proposing minor revisions to its Zoning Code and Zoning Map. The amendment was submitted for approval pursuant to the Town's Agency approved local land use program by Town Board Resolution 183-2014 dated May 19, 2014.

The Town of Queensbury has administered an Agency-approved local land use program since 1982. The zoning law underwent a complete repeal, replacement and approval in 2009. Several minor amendments have been approved in the past few years to correct or amend or otherwise clarify the repeal replacement in 2009.

Proposed Changes

The Town of Queensbury proposes to amend its Zoning Law, specifically to make changes to the following Sections: 179-2-010, 179-3-040, 179-4-090, 179-5-060, 179-7-060, 179-8-030, 179-8-040, 179-8-050, 179-9-070, 179-10-070, 179-14-040 and 179-16-120. The Town also proposes changes to Use Tables 2 & 3 and to amend their zoning map to change the zoning district for 7 parcels. The full text of the proposed amendments, including the updates to the zoning map and use tables are attached in the document entitled "Summer 2014 Town of Queensbury Proposed Amendments - June 13, 2014."

Staff Review and Comment

The Town of Queensbury received Agency approval for a complete repeal and replacement of the zoning law in 2009, and for revisions in 2010, 2011, 2012 and 2013. The current Town amendments seek to make minor changes detailed in the attached

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documents. Many of the current changes involve areas and uses that are outside of the Adirondack Park. The staff analysis herein does not address those revisions to the town law that solely affect provisions outside of the Adirondack Park.

Three parcels inside of the Adirondack Park, 266.3-1-79, 266.3-1-80 and 266.3-1-81, affected by the amendments are proposed to be changed from Moderate Density Residential (MDR) to Neighborhood Commercial (NC). These three parcels are in lands classified as Moderate Intensity Use. The uses allowed within the Neighborhood Commercial district are mainly commercial uses under the APA Act which are either Class A or B in Moderate Intensity Use. The review prescribed for those uses proposed in this district are consistent with those required by the APA Act. The change in zoning district would make an existing single family dwelling on parcel 266.3-1-80 non-conforming since it is not a listed use. This change is however the prerogative of the Town and does not impact APA jurisdiction.

The Town also removed ash trees from their recommended species list. This is in response to concern over the spread of the invasive species, the Emerald Ash Borer which has proved devastating to ash trees in recent years. The Town elected to proactively address the invasive species threat.

Summary

Agency staff concludes that the Town of Queensbury proposed Zoning Amendment is in accordance with the standards for an Agency-approved local land use program. Planning staff recommend Agency approval of the amendment.

REB:BFG:lhb

cc: Terry Martino
James Townsend
Paul VanCott