



M E M O R A N D U M

TO: Terry Martino
FROM: Brian Grisi
DATE: August 4, 2014
RE: Local Government Services Program Report,
June and July 2014

I. Program Highlights

A. Approved Local Land Use Programs

- **Arietta** - Agency planning staff met with the Town of Arietta Supervisor and newly appointed 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 1983.
- **Bolton** - Agency planning staff met on-site with an applicant and his representative to review a proposed expansion of a single family dwelling within a shoreline setback that involved a locally approved area variance which was reversed by the Agency. The site visit provided guidance for the landowner on alternatives that could achieve much of the benefit sought with less impact to the shoreline.
- **Caroga** - Agency planning staff met twice with the Town of Caroga new Code Enforcement Officer; first in June with the outgoing CEO, and next in July with the Town Clerk. Staff discussed the Town's Agency-approved local land use program, its administration, and projects before the planning and zoning boards. The Town has administered an Agency-approved local land use program since 1980.
- **Horicon** - Agency planning staff met with Town of Horicon Supervisor, Town Clerk and Code Enforcement Officer to discuss the Town's proposed new Zoning Law. The Town has

administered an Agency-approved local land use program since 1978.

- **Queensbury** - The Town of Queensbury submitted several new and revised draft amendments for Agency review and approval in June. The revisions included changes to the zoning map and to the zoning law with changes to sections that affect areas both inside and beyond the Park boundary. Staff completed its review and the Town submitted the final documents for formal Agency review and approval. The amendments were approved by the Agency at its July meeting.
- **Westport** - Agency planning staff met with the Town of Westport 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

- **Adirondack Association of Towns and Villages** - Agency local planning staff attended the Annual AATV General Membership meeting in Lake Placid in June.
- **Common Ground Alliance Forum** - Agency local planning staff attended the Annual Common Ground Alliance forum in Long Lake in July.
- **Lake George Watershed Coalition** - Agency local planning staff participated in the committee meeting in Bolton, NY. The Coalition committee includes representative from five State agencies (APA, DEC, DOS, LGPC and LGWC) along with local elected leaders, representatives from regional planning commissions, and interested organizations. The Coalition reviewed on-going and proposed projects that address key water quality issues in the Lake George basin designed to protect and improve the waters of Lake George.

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 met with the Town Supervisor and responded to new inquiries on provisions of the proposed local law.
- **Bolton** - The Town of Bolton submitted a new draft version of its zoning law last 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 and with Agency legal staff, met with Town officials and consultants to discuss review comments. 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. 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. 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 continue to provide guidance to the Town on specific elements of the 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.

- **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 on several occasions to discuss the proposed local laws. Status: Staff provided a review draft for the Town to consider in June.
- **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 Agency review and approval. 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 completed its review and the Town submitted the final documents for formal Agency review and

approval. The amendments were approved by the Agency at its July meeting.

- **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: Staff will meet with the Town's consultant in August to discuss the document.

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 (17)

- **Bolton (3)** - Staff reviewed three variances from the Town.
 - Project [LV2013-0034] involved the construction of a 10 x 22 square foot deck attached to an existing non-conforming single family dwelling 44± feet from the shoreline of Trout Lake. Relief was required from the Town 75-foot shoreline setback. The Agency reversed this variance.
 - Project [LV2013-0038] involved after the fact approval for the enclosure of a partial basement and 2 sets of stairs. Relief was required from the Town front and

shoreline setback and for alterations to a non-conforming structure.

- Project [LV2014-0050] involved the installation of solar panels on the roof of an existing non-conforming single family dwelling. The panels would be 6-8 inches above the current roofline on the south and west facing roofs. Relief was required from the Town side and 100-foot shoreline setback and for alterations to a non-conforming structure. The existing dwelling is 26-feet from the shoreline at its closest point. The Agency respected the findings of the ZBA and no further review of this variance was required.
- **Chester (2)** - Staff reviewed two variances from the Town.
 - Project [LV2014-0048] involved the construction of a 16 x 16 foot screened porch. Relief was required from the Town back and side line setbacks. No further Agency review was required for this variance since the project did not involve provisions of the Act.
 - Project [LV2014-0052] involved the replacement of a failing septic system with a new septic system. Relief was required from the Town 100-foot separation distance from two neighboring wells. The existing failed system was ±82-feet from one neighboring well and ±69-feet from the other well. The proposed new system would be ±86-feet from the first well and ±70-feet from the second. The Agency offered no comments on the town issued variance.
- **Edinburg (2)** - Staff reviewed two variances from the Town.
 - Project [LV2014-0051] involved the construction of a deck attached to an existing single family dwelling. Relief was required from the Town 10-foot side yard setback and 10-foot taking line setback. No further Agency review was required for the variance since the side yard and taking line setback variances granted did not involve provisions of the Adirondack Park Agency Act.
 - Project [LV2014-0054] involved the construction of an addition to an existing single family dwelling. Relief was required from the Town 25-foot road setback. No further Agency review was required for the variance since the project did not involve provisions of the Act.
- **Hague (1)** - Staff reviewed one variance from the Town.

- Project [LV2014-0039] involved the construction of an 8 x 10 foot shed. Relief was required from the Town frontline setback. No further Agency review was required for the variance since the project did not involve provisions of the Act.
- **Johnsburg (1)** - Staff reviewed one variance from the Town.
 - Project [LV2014-0053] involved the reconstruction of a non-conforming single family dwelling. Relief was required from the Town shoreline setback. This project was in Hamlet and not subject to review by the Agency.
- **Queensbury (4)** - Staff reviewed four variances from the Town.
 - Project [LV2014-0040] involved the construction of a 2,763 square foot single family dwelling. Relief was required from the Town 30-foot front setback. No further Agency review was required for this variance since the project did not involve provisions of the Act.
 - Project [LV2014-0041] involved the construction of a 250 square foot addition to an existing 1,647 square foot non-conforming single family dwelling. Relief was required from the Town front yard setback and for expansion of a nonconforming structure. No further Agency review was required for this variance since the project did not involve provisions of the Act.
 - Project [LV2014-0042] involved the construction of a single family dwelling and three garages. Relief was required from the Town maximum number of garages. No further Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.
 - Project [LV2014-0049] involved the renovation of an existing non-conforming 980 square foot single family dwelling by adding a 384 square foot loft area and conversion of an 8 x 24 square foot porch to interior living space within nearly the same bulk of the existing structure. Relief was required from the Town 50-foot shoreline setback, sideline setback and for expansion of a non-conforming structure. It was noted that the existing and proposed shoreline setback for the dwelling is 27-feet. The Agency respected the findings of the ZBA and no further review of this variance was required.

- **Willsboro (4)** - Staff reviewed four variances from the Town.
 - Project [LV2014-0044] involved Agency staff review of the above referenced variance determination has been completed. The applicant proposed to replace a 6 x 8 foot deck with a 20 x 8 foot deck. Relief was required from the Town front and side yard setbacks. No further Agency review was required for this variance since the project did not involve provisions of the Act.
 - Project [LV2014-0045] involved the construction of a 20 x 15 foot covered porch and 2 x 10 foot pergola attached to an existing single family dwelling. Relief was required from the Town side yard setback. No further Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.
 - Project [LV2014-0046] involved the alteration of an existing single family dwelling, including construction of a 4 x 8 foot kitchen extension and a 5 x 12 porch addition. The existing square footage of the existing structures on the property is 1780 square feet and with the proposed additions would be 1968 square feet. Relief was required from the Town maximum lot coverage. No further Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.
 - Project [LV2014-0047] involved the construction of an 80 square foot addition to a 200 square foot shed. Relief was required from the Town requirement prohibiting accessory structures within 10-feet of any lot line. No further Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.

III. Correspondence and Consultations

- **Arietta** - Staff provided the Town jurisdictional information regarding accessory uses, principal buildings, mobile home parks, and interpretation of zoning district boundaries. Staff also provided guidance on wetland jurisdiction and program administration.
- **Bellmont** - Staff provided the Town information for the Town's land use planning activities.
- **Caroga** - Staff provided the Town jurisdictional information on a retaining wall, sign laws, and docks.

- **Chester** - Staff provided the Town jurisdictional information on sign laws and a rivers project.
- **Chesterfield** - Staff provided the Town jurisdictional information on a proposed cell tower, a boundary line adjustment, and conditions of a prior variance approval.
- **Dannemora** - Staff provided the Town jurisdictional information on an accessory structure to a single family dwelling.
- **Day** - Staff provided the Town guidance on a Class B regional subdivision project and the administration of locally approved variances.
- **Edinburg** - Staff provided the Town jurisdictional information on a shoreline structure setback, an associated variance, a wetland subdivision, and an agricultural use.
- **Essex** - Staff provided the Town guidance on local regulations involving forestry uses.
- **Hague** - Staff provided the Town jurisdictional information on a pre-existing subdivision, and a shoreline motel re-use.
- **Horicon** - Staff provided the Town information on an Agency issued permit for a subdivision, a watershed improvement project, and a boathouse.
- **Indian Lake** - Staff provided the information on an existing subdivision involving shoreline access.
- **Johnsburg** - Staff provided the Town jurisdictional information for a project involving a residential on-site wastewater system, and a proposed bridge to replace a stream ford for an agricultural use.
- **Lake George** - Staff provided the Town jurisdictional information on a proposed project involving wetland.
- **Minerva** - Staff provided the Town guidance on addressing deed restrictions.

Memo to Terry Martino

August 4, 2014

Page 10

- **Putnam** - Staff provided the Town guidance on the review of a shoreline subdivision.
- **Queensbury** - Staff provided the Village information on review coordination for a Class A regional project.
- **Village of Lake George** - Staff provided the Village information on review coordination for a Class A regional project, and the reuse of an existing commercial building adjacent to a stream.
- **Westport** - Staff consulted with the Town on issues related to revising the Town Zoning Law and the distinction between a home occupation and a commercial use.
- **Willsboro** - Staff provided the Town jurisdictional information regarding agricultural uses, shoreline cutting restrictions, and wetland structure setbacks.

VI. Summary Table

Summary of Local Planning Unit Program Accomplishments June and July 2014				
Reportable Items	Municipalities		Month Total	Year to Date
	ALLUP	Other		
Towns/Villages/Counties consulted in the reporting month	16	5	21	105
Land use regulations consulted/reviewed	6	0	6	26
ALLUP amendments approved	2	--	2	2
ALLUP variances reviewed	17	--	17	51
ALLUP variances reversed	1	--	1	3
Comprehensive Plans reviewed	0	0	0	4
Meetings with Town officials	8	2	10	36
Responded to land use planning inquiries	72	6	78	286
Planning & Zoning Board actions reviewed	64	0	64	213
Training & Workshops provided	0	0	0	5
Intra-Agency local planning assistance	30	2	32	89
Inter-Agency Coordination	--	--	12	59
Coordination with Other Regional Organizations	--	--	10	71
	<u>Year to Date</u>			
Number of the 103 Park municipalities LGS staff have consulted with:	17	48	Total: 65	
<i>ALLUP - denotes "APA-approved local land use program"</i>				