



M E M O R A N D U M

TO: Terry Martino
FROM: Brian Grisi
DATE: September 2, 2014
RE: Local Government Services Program Report,
August 2014

I. Program Highlights

A. Approved Local Land Use Programs

- **Caroga** - Agency planning and enforcement staff met with the Town of Caroga Code Enforcement Officer to visit a potential Class A regional project involving a junkyard. Staff discussed the Agency's and Town's coordinated review authority of Class A projects. The Town has administered an Agency-approved local land use program since 1980.
- **Chester** - Agency planning staff met with the Town of Chester Supervisor and 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 2005.
- **Chesterfield** - Agency planning staff met with the Town of Chesterfield Supervisor to discuss the Town's Agency-approved local land use program, and how the dissolution of the Village of Keeseville will affect the program administration. The Town has administered an Agency-approved local land use program since 2002.
- **Colton** - Agency planning staff met with the Town of Colton Supervisor to discuss the Town's Agency-approved local land use program, its administration, and the proposed revisions to the Town's zoning law. The Town has administered an Agency-approved local land use program since 1982.
- **Johnsburg** - Agency planning staff met with the Town of Johnsburg Supervisor, Code Enforcement Officer and Zoning Clerk 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 2007.

- **Willsboro** - Agency planning staff met with the Town of Willsboro Code Enforcement Officer to visit two alleged shoreline cutting violations and to discuss the shared role for administrating and enforcing the Town's Agency-approved local land use program. The Town has administered an Agency-approved local land use program since 1996.
- **Willsboro** - Agency planning staff met with the consultant for Town of Willsboro to discuss the Town's Zoning Law revision and requirements for an Agency-approved local land use program. The amendment will be a complete repeal and replacement of the existing law. The Town has administered an Agency-approved local land use program since 1996
- **Willsboro** - Agency planning staff met with the Town of Willsboro Zoning Amendment Advisory Committee. The committee is charged with the preparation of a Draft Amended Town Zoning Ordinance and Zoning Map. The Town has administered an Agency-approved local land use program since 1996.

B. Outreach

- **Essex** - Agency planning staff met with the Town of Essex Planning Board Chair to discuss revisions to the Town's zoning laws that involved forestry uses, the clearing of land for development, and comparisons to APA provisions. This is a coordinated approach with DEC and APA staff and the town.
- **North County Regional Economic Development Council** - Agency planning staff attended the North County Regional Economic Development Council Executive and Public Sessions at SUNY Canton.

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 year. The review is now reengaged and staff recently met with the Town Supervisor to discuss the amendment. Status: 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 last year for informal review. It is a complete repeal and replacement of the existing local law. Agency planning and legal staff provided review comments to the Town and 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: Staff met with the Town Supervisor to discuss the status of the amendment.
 - **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 and provided a review draft for the Town to consider in June. Status: Staff continue to provide guidance to the Town on specific elements of the proposed local law.

- **Johnsburg** - The Town of Johnsburg submitted draft amendments for informal review and a notice of Lead Agency for SEQR. 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 met with the Town Supervisor to discuss the status of the amendment.
- **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 met with Town officials on several occasions to discuss options and program considerations for a new zoning law. Status: Staff met with the Town's consultant in early August to discuss structural program requirements and met with the Zoning Amendment Advisory Committee and consultant later in the month to continue discussions and provide guidance on the program.

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 (8)

- **Arietta (2)** - Staff reviewed two variances from the Town.
 - Project [LV2014-0056] involved the removal of an existing non-conforming dwelling and replaced it with a new single family dwelling. Relief was required from the Town 100-foot shoreline setback. The existing dwelling is 35-feet from the shoreline and the proposed dwelling would sit 65-feet from the shoreline at its closest point. The parcel is in lands classified as Moderate Intensity Use by the Agency where the APA statutory setback is 50-feet. No further Agency review was required for this variance since the project did not vary provisions of the Adirondack Park Agency Act.
 - Project [LV2014-0060] involved the construction of deck attached to an existing non-conforming single family dwelling. Relief was required from the shoreline setback. The Agency took no action on the variance.
- **Chester (1)** - Staff reviewed one variance referred by the Town.
 - Project [LV2014-0036] involved the construction of an 18 x 8 foot deck with stairs. Relief was required from the Town sideline setback. No further Agency review was required for this variance since the project did not vary provisions of the Adirondack Park Agency Act.
- **Day (1)** - Staff reviewed one variance referred by the Town.
 - Project [LV2014-0043] involved the construction of a 12 x 20 foot extension to an existing single family dwelling. Relief was required from the Town 20-foot property line setback. No further Agency review was

required for this variance since the project did not involve provisions of the Act.

- o **Edinburg (1)** - Staff reviewed one variance referred by the Town.
 - o Project [LV2014-0036] involved the construction of a deck attached to an existing single family dwelling. Relief was required from the Town front, side and HRBRRD "Taking Line" setbacks. No further Agency review is required for this variance since the project did not involve provisions of the Act.

- o **Horicon (2)** - Staff reviewed two variances referred by the Town.
 - o Project [LV2014-0061] involved the construction of a 22 square foot addition and a 144 square foot porch attached to an existing non-conforming single family dwelling. Relief was required from the Town shoreline setback. The existing dwelling is 17-feet from the shoreline at its closest point and the proposed porch addition would be 31-feet from the shoreline. The Agency found the findings of the ZBA appropriate and no further review of this variance was required.
 - o Project [LV2014-0059] involved the removal of an existing non-conforming single family dwelling and replacement with a new expanded single family dwelling utilizing the same footprint. The existing dwelling extends 1-foot past the mean high water mark. Relief was required from the Town shoreline setback. No further Agency review was required for this variance since the project did not vary provisions of the Act.

- o **Queensbury (1)** - Staff reviewed one variance from the Town.
 - o Project [LV2014-0063] involved the construction of a deck and installation of a pool. Relief was required from the Town prohibition against pools in the front yard and for expansion of a non-conforming structure. No further Agency review was required for this variance since the project did not involve provisions of the Act.

III. Correspondence and Consultations

- **Arietta** - Staff provided the Town jurisdictional information on what constitutes a principal building and the variance referral process for a Town with an approved program.

- **Bolton** - Staff provided the Town advisory comments on a proposed variance involving a structure within the shoreline setback area.
- **Caroga** - Staff provided the Town jurisdictional information on a proposed shoreline structure and replacement of an existing shoreline retaining wall.
- **Chester** - Staff provided the Town information for amending a prior APA permit, and jurisdictional information for a proposed hunting camp near a recreational river.
- **Chesterfield** - Staff provided the Town information on a prior issued variance for a single family dwelling and an alleged junkyard.
- **Day** - Staff Coordinated with the Zoning Board Chair regarding the referral of variances.
- **Fulton County** - Staff provided the information on the Agency regulations for structures within the shoreline setback area.
- **Edinburg** - Staff provided the Town guideline on a proposed agricultural use.
- **Essex** - Staff provided the guidance on proposed local zoning law involving forestry uses.
- **Fort Ann** - Staff provided guidance on the conversion of a seasonal camp to a single family dwelling.
- **Horicon** - Staff provided the Town guidance for roadway setbacks for in-water structures, and for dock and boathouse standards. Staff also provided jurisdictional information on a 3-lot subdivision.
- **Johnsburg** - Staff provided the Town information on a proposed bridge project and a variance referral.
- **Lake Luzerne** - Staff provided guidance on the expansion of a group camp.
- **Queensbury** - Staff provided information for an APA pre-application meeting for the expansion of a sand and gravel extraction project.
- **Village of Lake George** - Staff provided the Village guidance on zoning amendments for short-term rentals of single family dwellings.
- **Westport** - Staff provided the Town jurisdictional information for a project involving a home occupation.

- **Willsboro** - Staff provided the Town information for shoreline cutting standards and bank stabilization.

VI. Summary Table

Summary of Local Planning Unit Program Accomplishments August 2014				
Reportable Items	Municipalities		Month Total	Year to Date
	ALLUP	Other		
Towns/Villages/Counties consulted in the reporting month	16	5	21	126
Land use regulations consulted/reviewed	5	1	6	32
ALLUP amendments approved	0	--	0	2
ALLUP variances reviewed	8	--	8	59
ALLUP variances reversed	0	--	0	3
Comprehensive Plans reviewed	0	0	0	4
Meetings with Town officials	7	2	9	45
Responded to land use planning inquiries	54	9	63	349
Planning & Zoning Board actions reviewed	28	0	28	241
Training & Workshops provided	0	0	0	5
Intra-Agency local planning assistance	8	0	8	97
Inter-Agency Coordination	--	--	9	68
Coordination with Other Regional Organizations	--	--	2	73
	<u>Year to Date</u>			
Number of the 103 Park municipalities LGS staff have consulted with:	18	50	Total: 68	
<i>ALLUP - denotes "APA-approved local land use program"</i>				