



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

**TO:** Terry Martino  
**FROM:** Brian Grisi  
**DATE:** November 4, 2014  
**RE:** Local Government Services Program Report,  
October 2014

### **I. Program Highlights**

#### **A. Approved Local Land Use Programs**

- **Edinburg** - Agency planning and legal staff met with the Town of Edinburg Supervisor and Planning Committee to review revisions to the Town's Zoning Law in accordance with the Town's Agency-approved local land use program. The Town has administered an Agency-approved local land use program since 1996.
- **Edinburg** - Agency planning and legal staff together with the Director of Saratoga County Planning Office provided a training session for local officials including planning and zoning board members and the Code Enforcement Officer. The program featured information on SEQRA and considerations for the review of projects before the planning and zoning boards.
- **Day** - Agency planning staff met with the Town of Day 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.
- **Newcomb** -- Agency planning staff met with the Town of Newcomb 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 1993.

## **B. Outreach**

- **Future Generations Graduate School** - The Agency's local government planning team presented a program to students from the Future Generations Graduate School. The school hosts an international program for 22 students from 18 countries who are in their early to mid-professional careers as land use planners. APA staff presented information about the Adirondack Park, its history, and GIS services and applications for community land use planning.

## **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 in August. It will result in a complete repeal and replacement of the existing local law. Staff continue to provide guidance to the Town on specific elements of the proposed local law. Status: Unchanged from prior month.
- **Bolton** - The Town of Bolton submitted a new draft version of its zoning law last year for informal review. It will result in 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 document. Staff met with Town and County officials in March to discuss the requirements and provisions of an Agency-approved local land use program. Staff continue to provide guidance to the Town on specific elements of the proposed local law. Status: Unchanged from prior month.
- **Colton** - The Town of Colton is completing a working draft to revise its zoning and subdivision laws. Staff met with the Town Supervisor in August to discuss the status of the amendment. Status: Unchanged from prior month.

- **Edinburg** - The Town of Edinburg submitted a draft revised zoning and subdivision law for informal review in September. It addresses temporary and transient uses and also corrects typographic errors in the existing zoning document. Status: Staff provided review comments to the Town and met with the planning committee to discuss the amendments.
- **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 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. Staff continue to provide guidance on specific elements of the proposed local law. Status: Unchanged from prior month.
- **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. Staff met with the Town Supervisor in August to discuss the status of the amendment. 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.
- **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.

- **Willsboro** - The Town of Willsboro submitted a draft zoning law for informal review. It will result in a complete repeal and replacement of the existing law. Agency staff and Town officials have met on several occasions to discuss options and program considerations for a new law. Status: Staff are actively reviewing the document.

The Town of Willsboro also 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.

#### **B. Variances (3)**

- **Bolton (2)** - Staff reviewed two variances from the Town.
  - Project [LV2014-0079] involved the removal of an existing non-conforming single family dwelling and replacement with a new single family dwelling. Relief was required from the Town shoreline setback and for alterations to a non-conforming structure. The Agency took no action on the Town issued variance.
  - Project [LV2014-0082] involved the construction of additions to an existing non-conforming single family dwelling including a 10 x 20 square foot deck. Relief was required from the Town 75-foot shoreline setback for the construction of the deck and for side, front, and rear yard setbacks for the additions. A similar proposal was reversed by the Agency in June [LV2014-0034]. The new proposal reduced the size of the deck and included vegetative plantings for visual screening of the structure. The Agency respected the findings of the ZBA and no further review of this variance was required.
- **Horicon (1)** - Staff reviewed one variance referred by the Town.
  - Project [LV2014-0078] involved the construction of a less than 100 square foot deck 2-feet front the shoreline. Relief was required from the Town 75-foot

shoreline setback. No further Agency review was required for this variance since the project did not vary provisions of the Adirondack Park Agency Act.

### III. Correspondence and Consultations

- **Arietta** - Staff provided the Town information regarding the variance referral process to the Agency.
- **Bolton** - Staff provided the Town advisory comments on a proposed project that would require additional density.
- **Caroga** - Staff provided the Town information regarding the public hearing process for applications, for construction of a dock within the roadway setback, and the process for variance referrals to the Agency.
- **Chester** - Staff provided the Town jurisdictional information for a proposed boundary line adjustment and a shoreline cutting project.
- **Day** - Staff provided the Town jurisdictional information on a proposed subdivision.
- **Edinburg** - Staff provided the Town jurisdictional information regarding the application of density for a parcel located in two towns; and information on the septic requirements for the teardown-rebuild of a dwelling on the shoreline.
- **Essex** - Staff provided the Town suggestions for proposed local land use regulations involving forestry.
- **Horicon** - Staff provided the Town advisory comments on replacement of a septic system within the shoreline setback area.
- **Johnsburg** - Staff provided the Town jurisdictional information for a proposed guest cottage.
- **Lake George** - Staff provided the Town information for its "Complete Street" initiative for NYS Route 9.
- **Newcomb** - Staff provided the Town information on a proposed subdivision and for a septic system proposed for a hunting and fishing cabin.
- **Queensbury** - Staff provided the Town advisory comments on a proposed structure within the shoreline setback area.
- **Willsboro** - Staff provided the Town information on considerations for shoreline development.

**VI. Summary Table**

<b>Summary of Local Planning Unit Program Accomplishments October 2014</b>				
<b>Reportable Items</b>	<b>Municipalities</b>		<b>Month Total</b>	<b>Year to Date</b>
	<b>ALLUP</b>	<b>Other</b>		
Towns/Villages/Counties consulted in the reporting month	12	2	14	158
Land use regulations consulted/reviewed	4	1	5	43
ALLUP amendments approved	0	--	0	2
ALLUP variances reviewed	3	--	3	70
ALLUP variances reversed	0	--	0	3
Comprehensive Plans reviewed	0	0	0	4
Meetings with Town officials	4	0	4	53
Responded to land use planning inquiries	27	3	30	423
Planning & Zoning Board actions reviewed	26	0	26	294
Training & Workshops provided	1	1	2	9
Intra-Agency local planning assistance	9	3	12	123
Inter-Agency Coordination	--	--	3	72
Coordination with Other Regional Organizations	--	--	2	81
	<b><u>Year to Date</u></b>			
<b>Number of the 103 Park municipalities LGS staff have consulted with:</b>	<b>18</b>	<b>50</b>	<b>Total: 68</b>	
<i>ALLUP - denotes "APA-approved local land use program"</i>				

cc: Kathy Regan  
 Robyn Burgess