



**LEILANI CRAFTS ULRICH**  
Chairwoman

**TERRY MARTINO**  
Executive Director

March 3, 2016

November Agency Meeting  
Regulatory Programs Committee  
February 11, 2016  
REW:mlr

**MINUTES OF THE REGULATORY PROGRAMS COMMITTEE MEETING  
February 11, 2016**

The Committee meeting convened at approximately 2:25

**Regulatory Programs Committee Members Present**

Sherman Craig, Chair, Richard Booth, Dierdre Scozzafava, Dan Wilt and Karen Feldman.

**Other Members and Designees Present**

Robert Stegemann, Bradley Austin, Art Lussi, Dan Wilt

**Local Government Review Board**

Fred Monroe

**Agency Staff Present**

Terry Martino, James Townsend, Colleen Parker, Virginia Yamrick, Elizabeth Phillips, Devan Korn and Shaun LaLonde.

1. **Approval of December 2015 Draft Regulatory Programs Committee Minutes**

Motion was made by Mr. Wilt and seconded by Mr. Booth to approve the December minutes. The Committee vote was unanimous in favor of the motion with edits.

2. **Deputy Director (Regulatory Programs) Report** (Colleen Parker)

Ms. Parker reported on the monthly statistics in the Regulatory Program Division. Mr. Craig asked Ms. Parker to discuss pre-application A2015-109, a 20-lot subdivision in the Town of North Elba and Ms. Parker agreed to review the status of the preapp with the EPSs and get back to Mr. Craig. Mr. Monroe asked the status of P2016-2, a proposed 60 ft. emergency tower in Town of Warrensburg. Ms. Parker explained staff has been reviewing this project as a

preapplication A2015-65 since July 2015. The permit application was received by staff January 2016 and is now under formal review. Ms. Parker continued to update the Board on projects from the high profile. Ms. Parker highlighted preapplication A2015-104, Lake Flower Lodge, LLC. She stated that staff received a significant amount of information and plans she noted that key information needed to begin formal review has not yet been submitted. Ms. Parker stated staff continue to work with the applicants and their representative to gather the information needed to move the project to formal review.

Ms. Parker discussed the previously approved delegation of responsibility in 2015 which allows the Deputy Director of Regulatory Programs to approve certain variances in accordance with Part 576 of the Adirondack Park Agency Rules and Regulations. She stated that in staff's opinion, Variance request P2015-113, Terry Adkins request for a shoreline lot width variance, meets that criteria for delegation to the Deputy Director.

Ms. Parker presented a slide show on Variance P2015-113, Terry Adkins's request for a variance from the shoreline lot width restrictions for the construction of a single family dwelling with on-site wastewater treatment system on a 1.27±-acre parcel in an area designated as Rural Use on the Adirondack Park Land Use and Development Plan Map. The Adkins's lot has less than 150 feet of shoreline on Limekiln Lake. The minimum shoreline lot width under Executive Law §806 for each single family dwelling in Rural Use areas is 150 feet. Therefore, the applicant seeks an 84 ft. lot width variance from the 150-ft. lot width requirement to build a single family dwelling on a Rural Use lot with 66' of shoreline. Mr. Booth asked if the proposed lot was subdivided separately since 1973. Ms. Parker answered no, and explained the lot was part of a preexisting subdivision. She stated staff believes this variance request meets the criteria under the delegation of responsibility for approval by the Deputy Director as it involves only minor impacts. Ms. Parker explained the variance site is located on Parkhurst Road in the Town of Inlet, Hamilton County. The tax map number of the property is: Section 68.012 Block 2 Parcel 34.1.

Ms. Parker stated there is no way to avoid the need for a variance or to minimize the variance since there is no option to add more shoreline to the parcel. The proposed dwelling and wastewater treatment system will be located in compliance with the shoreline setback requirements. Ms. Parker stated that in staff's opinion, the consequences of denial of the variance to the applicant would outweigh the public purpose of the shoreline restriction. She noted the variance was noticed to all adjoining landowners as well as Town, County and Local Government Officials. She stated a public hearing was held January 25, 2016 and one comment letter was received in support of the variance. Ms. Parker noted the applicant and the Town of Inlet Code Enforcement Officer were the only two who attended the public hearing.

Ms. Parker said the Deputy Director is planning to authorize this variance under the delegation of responsibility.

Mr. Craig stated the Board is in agreement with the Deputy Director reviewing and authorizing the proposed variance under the Delegation of Responsibility.

3. P2006-228R2T (Virginia Yamrick) Angela Gannucci, Joan Clark, and Daniel Mittachione  
Town of Wells: Hamilton County  
Low Intensity Use

Ms. Yamrick presented a slide show describing the project site, and Agency jurisdiction. Ms. Yamrick said the applicants are seeking a second renewal for construction of a single family dwelling in a designated Recreational River area. Ms. Yamrick noted the applicant's siblings have been added as project applicants.

Ms. Yamrick stated there are no proposed changes to the original authorized permit.

Mr. Booth made the motion to move the permit to full Agency for approval, seconded by Mr. Wilt.

The Committee vote was unanimous in favor of the motion.

4. Old Business: None

5. New Business: None

Adjournment: The Regulatory Committee meeting adjourned at 3:00 pm.

Note: The PowerPoint presentations referred to herein are on file at the Agency. Copies are also available for inspection on request and can be viewed at

[http://nysapa.granicus.com/ViewPublisher.php?view\\_id=2](http://nysapa.granicus.com/ViewPublisher.php?view_id=2)