



SHERMAN CRAIG
Chairman

TERRY MARTINO
Executive Director

MEMORANDUM

TO: Terry Martino, Executive Director

FROM: Kathy Regan, Deputy Director, Planning

DATE: October 4, 2017

RE: Planning Division Report for July, August and September, 2017

This report reflects monthly activity of the State Land and other planning staff within the Division.

APSLMP CONSULTATIONS

UMP Development/Review

- Attended Saranac Lake Wild Forest UMP public meetings.
- Conducted a day of field work on Pitchoff Mountain in the Sentinel Range Wilderness as part of continuing review of the draft UMP for that area.
- Met with staff of DEC and ORDA to discuss potential UMP amendments for several ORDA venues including the Mount Van Hoevenberg Recreation Area, Whiteface Mountain Ski Center and Gore Mountain Ski Center.
- Discussed a potential UMP amendment to the Generic Campground UMP to allow for placement of boat-wash equipment storage sheds.
- Conducted two days of field work on Stillwater Reservoir in Independence River Wild Forest as part of review of the draft UMP for that area.

APA/DEC MOU Consultation

- Reviewed a JIF for paving and parking improvements to the Sunmount Facility in Tupper Lake.
- Reviewed State Land projects to reroute one trail in the Fulton Chain Lakes Wild Forest and another in Pigeon Lake Wilderness.
- Reviewed a State Land project to build a bridge over a stream in the Pigeon Lakes Wilderness.
- Reviewed State Land projects to improve and conduct various maintenance activities along three sections of Forest Preserve roads in the Independence River Wild Forest.

- Consulted with DEC staff of Region 6 concerning protecting a stream bank from being further undermined along a horse trail in the Otter Creek horse trail network.
- Consulted with DEC staff of Region 5 concerning bridge replacements in Blue Mountain Wild Forest.
- Reviewed a State Land project to re-construct and enlarge stream culvert in the Black River Wild Forest.
- Consulted with DEC staff of Region 5 regarding the construction of bridge in the SLWF and the application of the Minimum Requirements Approach for the Construction of Trail Bridges in Wild Forest Areas.

Permit Review

- Advised Regulatory Programs staff on DEC Conservation Easement considerations related to pre-app file A2017-0081.

State Land Violation

- Responded to a letter regarding the placement of a satellite dish on State lands. Provided the citizen with DEC contact information needed.
- Responded to a walk-in complaint regarding bike trail encroachment into a Wilderness area. Agency staff confirmed that no encroachment had occurred.

APSLMP REVISION

State Land Classification

- Prepared materials for the 2016/2017 State Land Classification Action.
- Met with DEC and NY State Police to discuss possible reclassification of a segment of Wild Forest to State Administrative Area.

Substantive Revision

- Attended a break-out group at the Common Ground Alliance meeting entitled “The Adirondack Park State Land Master Plan.” Participants discussed topics they feel should be addressed in future revisions of the APSLMP.

PARK POLICY AND PLANNING

Park-wide Recreation Planning

- Worked with DEC staff to draft guidance materials for the construction and maintenance of mountain bike trails on the Forest Preserve.
- Worked with DEC staff to draft guidance materials for the construction and maintenance of primitive tent sites on the Forest Preserve.
- Continued work with DEC staff and APA Board members on developing an appropriate, APSLMP-compliant methodology for assessing the carrying capacity of water bodies in the Park.
- Worked with the Department on developing GIS tool for assessing recreation impacts and managing data associated with recreation impacts.

- Conducted field work in the Hammond Pond Wild Forest to assess suitability for future mountain bike trails as outlined in the draft Management Guidance for Siting, Construction and maintenance of Singletrack Bike Trails on Forest Preserve.
- Conducted field work in the High Peaks Wilderness, Saranac Lakes Wild Forest, and Independence River Wild Forest as part of developing GIS tool for assessing recreation impacts and managing data associated with recreation impacts.

Easement Lands Planning

- Consulted with Region 5 DEC staff regarding road access in the Kushqua Tract and access to Debar Mountain Wild Forest lands.

Invasive Species Control

- Consulted with RASS on Hemlock Woolly Adelgid BMP update to the APA/DEC MOU.

Airspace

- Corresponded with the Department regarding FAA guidelines for airspace for private flights, including helicopters, and drones.

Training/Conferences

- Attended Common Ground Alliance conference.
- Attended the Inaugural New York Bicycle Coalition summit.
- Attended a meeting on the Champlain Adirondack Man and the Biosphere Reserve program.

ADMINISTRATION (State Land Staff)

Reporting

- Submitted weekly and monthly reports.

Agency Coordination/Efficiency

- Continued working with Regulatory Programs on streamlining the State Land Project Consultation form and the DEC General Wetlands Permit application and certification. Initiated discussions on possible modifications to the DEC General Wetlands Permit.

Training

- Completed on-line training modules mandated by the State.

Legal Support

- Provided administrative support for pending litigation.

HISTORIC PRESERVATION ACT REVIEW

- Reviewed proposed projects in the Towns of Black Brook and Bloomingdale

July - September State Land Tasks Summary

Task	Count	Year to Date
APSLMP Consultations	20	65
APSLMP Revision	3	9
Park Policy and Planning	12	43
Administration	15	33
Historic Preservation Act Review	2	8

GIS AGENCY PROGRAM ADMINISTRATION

Consultation

- Provided GIS parcel data analysis to APA Economic staff looking at ownership of parcels in the Town of Johnsbury, Warren County. Of the 1690 residential parcels, 833 parcels have the tax bill mailed to an address within the town while 857 are mailed outside of the town. Information is based on 2015 Warren County real property data. This information was compared with US Census statistics indicating there are 650 seasonally-owned homes in Johnsbury.

Data Management

- Began GIS data map accuracy improvements to the Adirondack portion of the Wild, Scenic, and Recreational Rivers System data. National Hydrography Data is being used to improve line work of river and stream shorelines. Area terminal boundaries and setbacks are being recalculated.
- Began planning improvements to state land action database to coordinate with GIS server
- Worked with DEC to evaluate use of ESRI's Survey123 application in coordination with DEC's current asset database as part of supporting asset condition information.
- Worked with ITS to facilitate information sharing and partnering between agencies utilizing ESRI programs.

Hardware/Software Management

- Programmed new visibility analysis tools in the Lookup System for staff visual assessment review. The tools provide simplified access to advanced GIS procedures. Tools include viewshed mapping within five miles of a user-entered point; observer to target line-of-sight visibility mapping; elevation profile mapping along a user-entered path; and determining the highest point of land within any

- Provided training and assistance to DEC staff regarding use of online GIS organizational accounts

GIS MAP PRODUCTION

- created a map showing land use classifications overlaid on the plans for a broadband project in the Town of North Hudson.

LUA BOUNDARY/BLUE LINE INQUIRY

- Provided consultant with detailed land use area boundaries for updated plans and review the plans for accuracy.

MAP AMENDMENTS REVIEW

- Reviewed a possible map amendment in Town of Ticonderoga related to the municipal airport

ADMINISTRATION (GIS STAFF)

- Attended Visual Impact Assessment training
- Attended GIS analysis training course

July-September GIS/Web Tasks Summary

Task	Count	Year To Date
GIS Agency Program Administration	22	54
GIS Map Production	36	75
LUA Boundary/Blue Line Inquiry	27	89
Map Amendments Review	3	11
State Land Classification/Reclassification Review	1	3
Web Administration/Content Management	10	22
Administrative Tasks	2	5

LOCAL GOVERNMENT SERVICES PROGRAM

Outreach

- **Indian Lake:** Met with the new Code Enforcement Officer to discuss the Town’s ALLUP.
- **Day:** Met with the Code Enforcement Officer to discuss the Town’s ALLUP.
- **Caroga:** Met with the Town Clerk to discuss the Town’s ALLUP.
- **Arietta:** Met with Town officials to discuss the Town’s ALLUP.
- **Indian Lake:** Met with Town officials to discuss the Town’s ALLUP.
- **Common Ground Alliance:** Attended the Common Ground Alliance in Old Forge, NY.
- **NYS DOS Planning Board Training:** Attended and assisted in a training held in Essex County by DOS.

- **Southern Adirondack Planning & Zoning Forum:** Co-presented with the Town regarding the Town of Horicon Zoning Law rewrite at the 5th Annual Forum in Lake George.

Correspondence and Consultations

- **Horicon:** Responded to questions from the Town regarding a pre-existing subdivision.
- **Chester:** Responded to the public regarding a proposed project in the Town.
- **Johnsburg:** Responded to the public regarding a proposed project in the Town.
- **Chesterfield:** Responded to questions from the Town regarding mobile homes.
- **Chesterfield:** Responded to questions from the Town regarding replacements in kind.
- **Indian Lake:** Responded to the public regarding the Town's ALLUP.
- **Chesterfield:** Responded to questions from the Town regarding Agricultural Uses.
- **Horicon:** Responded to questions from the Town regarding a proposed subdivision.
- **Chesterfield:** Responded to questions from the Town regarding a proposed subdivision.
- **Johnsburg:** Responded to the public regarding a proposed project in the Town.
- **Caroga:** Responded to questions from the Town regarding a proposed subdivision.
- **Chesterfield:** Responded to questions from the Town regarding a proposed subdivision.
- **Chester:** Responded to the public regarding a proposed camping project in the Town.
- **Chester:** Responded to the public regarding a prior Agency permit.
- **Hague:** Responded to questions from the Town regarding a proposed project.
- **Chesterfield:** Responded to questions from the Town regarding training for Planning Boards.
- **Chesterfield:** Responded to questions from the Town regarding home occupations.
- **Day:** Responded to questions from the Town regarding a proposed project.
- **Hague:** Responded to questions from the Town regarding the status of an Agency permit.
- **Day:** Responded to questions from the Town regarding a proposed campground expansion.
- **Arietta:** Responded to the public regarding a proposed subdivision in Resource Management.
- **Newcomb:** Responded to the public regarding a proposed airport.
- **Chesterfield:** Responded to questions from the Town regarding gift exemptions.
- **Caroga:** Responded to questions from the Town regarding a proposed project.
- **Horicon:** Responded to questions from the Town regarding a pre-existing subdivision and minimum lot sizes.

- **Colton:** Provided information regarding the variance referral process.
- **Chester:** Responded to the public regarding a prior Agency permit.
- **Westport:** Provided information to the Town regarding a 2006 Agency permit.
- **Westport:** Responded to questions from the Town regarding flagpoles.
- **Willsboro:** Responded to questions from the Town regarding guest cottages.
- **Chester:** Responded to questions from the Town regarding a proposed shoreline access lot.
- **Regulatory Programs:** Provided information regarding Willsboro's ALLUP.
- **Regulatory Programs:** provided information regarding Colton's ALLUP.
- **Regulatory Programs:** provided information regarding Hague's ALLUP.
- **Regulatory Programs:** provided information regarding Johnsbury's ALLUP.

Agency-approved Local Land Use Programs (ALLUPs)

Amendments (10 under review / 1 approved)

- **Arietta:** The Town has begun discussions regarding updating its subdivision regulations. Arietta became an ALLUP in 1983.
 - *Status:* Informal review process. It is expected that due to the extensive nature of these amendments that they will have to go before the Agency Board when complete. Staff has offered to assist the Town in this endeavor.
- **Bolton:** The Town has been working with a consultant for a full rewrite of its zoning code. Bolton became an ALLUP in 1980.
 - *Status:* Informal review process. It is expected that due to the extensive nature of these amendments that they will have to go before the Agency Board when complete. Staff has been notified by the Town's consultant that a revised version of the code is forthcoming.
- **Caroga:** The Town is currently in the process of rewriting its zoning code. The Town is working with the Fulton County Planning Office to prepare the document. Caroga became an ALLUP in 1980.
 - *Status:* Informal review process. It is expected that due to the extensive nature of these amendments that they will have to go before the Agency Board when complete. Agency staff continue to coordinate with the Town and County on incorporating revisions and comments into the revised code.
- **Chester:** The Town has begun preliminary discussion to address needed amendments to its zoning code. Chester became an ALLUP in 2005.
 - *Status:* Informal review process. Information is insufficient at this time to determine if these amendments will be required to go before the Agency Board.

- **Chesterfield:** The Town is currently in the process of revising its zoning code to incorporate portions of the former Village of Keeseville. The Village dissolved in 2015 and is now divided between the Town of AuSable and Chesterfield. Chesterfield became an ALLUP in 2002.
 - *Status:* Informal review process. Information is insufficient at this time to determine if these amendments will be required to go before the Agency Board. Staff has offered to meet with the Town to discuss steps for the amendment.

- **Horicon:** The Town has begun discussions regarding revisions to its sanitary code, last updated in 1979. In addition, the Town is considering amending portions of its recently updated zoning code. Horicon became an ALLUP in 1978.
 - *Status:* Informal review process. Information is insufficient at this time to determine if these amendments will be required to go before the Agency Board. Staff will assist the Town as necessary to help develop the revised code.

- **Johnsburg:** The Town has adopted a local law enacting a moratorium on all non-roof mounted solar energy systems (Resolution 98-17) at its meeting on June 20, 2017.
 - *Status:* This local law did not require Agency review.

- **Lake George:** The Town has begun discussions regarding revisions to its zoning code. Lake George became an ALLUP in 1978.
 - *Status:* Informal review process. Information is insufficient at this time to determine if these amendments will be required to go before the Agency Board. Staff will assist the Town as necessary to help develop the revised code.

- **Lake George:** The Town has adopted an amendment to their zoning code to address fracking in the Town.
 - *Status:* This amendment was approved by the Agency pursuant to the Del Res on August 18, 2017.

- **Newcomb:** The Town is proposing changes to several defined terms in its zoning code.
 - *Status:* Informal review process. Information is insufficient at this time to determine if these amendments will be required to go before the Agency Board.

Variances (24)

- **Bolton (3)**
 - Project [LV2017-0034] involved addition of a 12x21 foot deck with stairs on the shoreline side of an existing, non-conforming single family dwelling. Relief was required from the Town zoning code for deficient shoreline setback

- and to alter a non-conforming structure. The 30-day review period expired and a letter was sent confirming that the Town had completed its referral to the Agency as required.
- Project [LV2017-0062] involved raising the roof on an existing non-conforming single family dwelling and replacing/adding attached decks in addition to relocating an existing garage. Relief was required for the dwelling and decks from the Town shoreline setback and for alterations to a non-conforming structure. Relief was required for the garage from the Town front and side yard setbacks. ZBA approval was granted under the condition that the front deck *not* be included in this variance. The Agency deferred to the findings of the ZBA and no further review of the variance for the SFD was required. No further Agency review was required for the garage as that portion of the project did not involve provisions of the Act.
 - Project [LV2017-0061] involved raising the existing non-conforming single family dwelling by 6 feet to accommodate a garage and relocating an existing deck. Relief was required from the Town shoreline and side yard setbacks and for alterations to a non-conforming structure. The Agency deferred to the findings of the ZBA and no further review of the variance was required, however, it was noted that the applicant must contact the Agency prior to undertaking the project to determine if an Agency permit is required due to the appearance of wetlands.
- **Caroga (8)**
 - Project [LV2017-0036] involved construction of a 11.4-foot x 10-foot mudroom/entryway addition to an existing, non-conforming camp. Relief was required from the Town zoning code for expansion of a non-conforming shoreline structure and from the Town shoreline setback of 75 feet in the LF-2.5 zoning district. The 30-day review period expired and a letter was sent confirming that the Town had completed its referral to the Agency as required.
 - Project [LV2017-0038] involved construction of a 1766 square foot garage. Relief was required from the Town zoning ordinance for construction of an accessory use structure in the LF-2.5 district, from the Town maximum allowed lot coverage for that district and 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 [LV2017-0040] involved replacement of an existing, non-conforming SFD slightly further from the mean high water mark of East Caroga Lake. Relief was required from the Town side yard and shoreline setbacks as well as relief from the Town maximum percentage of lot coverage. The 30-day review period expired and a letter was sent confirming that the Town had completed its referral to the Agency as required.
 - Project [LV2017-0041] involved construction of a 576 square foot two-car garage/carport structure followed by removal of an existing 216 square foot garage structure. Relief was required from the Town zoning ordinance for construction of an accessory use structure in the LF-2.5 zoning district and from the Town maximum allowed lot coverage for that district. No further

- Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.
- Project [LV2017-0049] involved replacement of an existing SFD and raising the foundation to prevent flooding. Relief was required from the Town height limit for the new roofline. The 30-day review period expired and a letter was sent confirming that the Town had completed its referral to the Agency.
 - Project [LV2017-0050] involved relocating a single family dwelling 95-feet from the shoreline. Relief was required from the Town 20-foot side yard setback. No further Agency review was required for this variance since the project did not vary provisions of the Adirondack Park Agency Act.
 - Project [LV2017-0051] involved construction of an 8 x 10-foot addition to the non-shoreline side of an existing, non-conforming single family dwelling. Relief was required from the Town 75-foot shoreline building setback and for expansion of a non-conforming structure within the shoreline setback. The Agency deferred to the findings of the ZBA and no further review of this variance was required.
 - Project [LV2017-0065] involved construction of a 960 square foot pole barn. Relief was required from the Town zoning ordinance for construction of an accessory use structure in the R-10 District. No further Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.
- **Colton (1)**
 - Project [LV2017-0067] involved the subdivision of a 41.8-acre parcel into two parcels: Lot 1 to be ±35 acres and Lot 2 to be 5.12 acres. Relief was required from the Town Zoning Regulations for subdivision of land that does not meet the FMP district's minimum lot size criteria of 45 acres. The Agency offered no comments on the town issued variance; however, the landowner must obtain an Adirondack Park Agency permit prior to undertaking the project.
 - **Edinburg (1)**
 - Project [LV2017-0039] involved the addition of an attached deck to a dwelling currently under construction. Relief was required from the Town Land Ordinance which requires a ten-foot setback from the taking line of the HRBRRD. No further Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.
 - **Horicon (4)**
 - Project [LV2017-0033] involved an after-the-fact variance for placement of septic trenches within 100 feet of a well. Relief was required from the Town sanitary regulations for deficient separation distance between the well and the absorption field. No further Agency review was required for this variance as variances issued by a town with an Adirondack Park Agency-approved Local Land Use Program in a Hamlet land use area are not required to be referred to the Agency.

- Project [LV2017-0043] involved replacement of an existing failed septic system. Relief was required from the Town sanitary regulations for deficient separation distances from the absorption bed to drilled well and from the absorption bed to mean high water mark. The Agency deferred to the findings of the Town Board, acting as the Local BOH, and no further review of this variance was required.
 - Project [LV2017-0044] involved construction of a 28' x 36' garage located 65 feet from the shoreline. Relief was required from both the Town shoreline setback of 100 feet and from the APA shoreline setback of 75 feet. The 30-day review period expired and a letter was sent confirming that the Town had completed its referral to the Agency as required.
 - Project [LV2017-0060] involved replacement of an existing septic system with a new alternative system. Relief was required from the Town Sanitary Regulations for deficient property line and stream/drainage channel setbacks from the proposed absorption field. The Agency deferred to the findings of the Town Board acting as the Local BOH and no further review of this variance was required.
- **Johnsburg (2)**
 - Project [LV2017-0045] involved the replacement of an existing non-conforming single family dwelling with a new dwelling situated 5 feet further from the shoreline. Relief was required from the Town shoreline setback, front building setback and from the Town side yard setback. The Agency deferred to the findings of the ZBA and no further review of this variance was required.
 - Project [LV2017-0052] involved construction of a free standing 63 square foot sign associated with a convenience store/gas station. Relief was required from the Town zoning ordinance for construction of a sign greater than 15 square feet. No further review of this variance was required as the property lies in an area designated Hamlet on the Adirondack Park Land Use and Development Map and therefore not required to be referred to the Agency if located in a Town with an ALLUP.
- **Queensbury (5)**
 - Project [LV2017-0055] involved replacing a 500 gallon holding tank with two new 1,500 gallon holding tanks. Relief was required from the Town On-Site Sewage Disposal Ordinance for use of holding tanks and for placement of the new tanks within the property line setback. The Agency deferred to the findings of the Local Board of Health and no further review of this variance was required.
 - Project [LV2017-0056] involved construction of a new on-site wastewater treatment system. Relief was required from the Town On-Site Sewage Disposal Ordinance for deficient system side slope and deficient separation distances from the property line to leach bed and mound/basil. The Agency deferred to the findings of the Local BOH and no further review of this variance was required.

- Project [LV2017-0057] involved replacement of an on-site wastewater treatment system. Relief was required from the Town On-Site Sewage Disposal Ordinance for deficient separation distances from: pump tank to north property line, Clarus tank to north property line, force main from north property line, Clarus tank from dwelling, pump tank to dwelling and absorption field to well. The Agency deferred to the findings of the Local Board of Health and no further review of this variance was required.
- Project [LV2017-0058] involved relocation of an existing septic tank to accommodate a proposed addition to a dwelling. Relief was required from the Town On-Site Sewage Disposal Ordinance for placement of the septic tank 4 feet from the dwelling where a 10-foot setback is required. The Agency deferred to the findings of the Local BOH and no further review of this variance was required.
- Project [LV2017-0059] involved replacement of an existing on-site wastewater treatment system. Relief was required from the Town On-Site Sewage Disposal Ordinance for deficient separation distances from: absorption field to north property line, absorption field to east property line, septic tank to dwelling, and building sewer to south property line. The Agency deferred to the findings of the Local BOH and no further review of this variance was required.

Summary of Local July – September 2017				
Reportable Items	Municipalities		Report Total	Year to Date
	ALLUP	Other		
Land Use Regulations review/approved (note – reviewed total may include multiple reviews of same section or code)	10/1	0	10/1	27/3
ALLUP variances reviewed/reversed	24/0		24/0	64/1
Comprehensive Plans reviewed	0	0	0	1
Meetings with Town officials	5	0	5	14
Training & Workshops provided	1	0	1	6
Correspondence & Consultations	31	0	31	88
Intra-Agency local planning assistance	4	0	4	12
ALLUP – denotes “APA-approved Local Land Use Program”				