



ANDREW M. CUOMO
Governor

TERRY MARTINO
Executive Director

DRAFT MINUTES
LGS Committee
December 12, 2019
REB:ap

**Local Government Services
December 12, 2019**

The Local Government Services Committee convened at 11:45 a.m.

Local Government Services Committee Members Present:

Dan Wilt, Chair, William Thomas, Bradley Austin (ESD), Robert Stegemann (DEC), and Lynne Mahoney (DOS)

Other Members and Designees Present:

Art Lussi, John Ernst, and Dr. Chad Dawson

Local Government Review Board:

Gerald Delaney, Executive Director

Agency Staff Present:

Terry Martino, Executive Director, Christopher Cooper, Counsel, Robyn Burgess, Kathy Regan, Keith McKeever, and Annemarie Peer.

Town of Indian Lake Approved Local Land Use Program Amendment (Kate-Lyn Knight)

Ms. Knight began her presentation by explaining that this amendment is a repeal and replacement of the Town of Indian Lake's existing land use code. The main purpose of this code amendment is to bring it more in line with the Town's new comprehensive plan, which was adopted in 2017.

She then gave a brief description of the Town's history, layout, and landscape. She continued with a history of the Town's Local Land Use Program, which was the first Agency-approved Local Land Use Program (ALLUP) in 1977.

She reviewed the amendment process for ALLUPs, including the approval criteria, and the highlights of the amendment.

Ms. Knight went over the defined terms and uses including boathouses. The Town has updated its boathouse definition to bring it more in line with the Agency's definition. The Town's current definition, added to their code in 1991 and was more restrictive than the Agency's definition at that time. The existing and proposed code limits the height of boathouses at 16 feet as measured from the surface of the water. In 2010 the Agency set its maximum height limit at 15 feet as measured from the surface of the floor serving the boat berths. The Agency staff recommend that the phrase "as measured at the mean high water mark" be added to the supplementary regulations as a condition of amendment approval.

Ms. Knight then went over the Town's current use table showing the Resource Conservation District. The current and proposed use tables list single family dwellings as permitted by right in the Resource Conservation District. As a condition of the amendment approval, Agency staff recommended that a footnote be added to the use table that clarifies that a single-family dwelling in the Resource Conservation District is a Class B project.

The Town has also updated the layout of its dimensional standards table to be more user friendly. Both the current and proposed dimensional tables list "building shoreline setback" as a heading, however the defined term and that used by the Agency should be "shoreline structure setback." For this reason, Agency staff recommended that the dimensional table heading be amended to "shoreline structure setback" as a condition of amendment approval.

She stated that other updates to the Town ordinance are additions to the site plan review section and a new waivers and exceptions section under site plan review. Two sections were also added under special shoreline regulations: shoreline setbacks for structures and minimum lot widths for shoreline parcels.

Ms. Knight concluded her presentation by stating that the Town requested formal approval by the Agency on October 17, 2019. Agency staff concluded that the proposed amendments to the Town of Indian Lake's Zoning Ordinance, as revised in the document dated December 2, 2019, are in accordance with the requirements of their ALLUP.

Mr. Stegemann made a motion to approve the amendment. Mr. Austin seconded. All were in favor.

Old Business

None

New Business

None

The meeting adjourned at 12:05 p.m.