



Adirondack Park Agency

SHERMAN CRAIG
Chairman

TERRY MARTINO
Executive Director

MEMORANDUM

TO: Terry Martino, Executive Director

FROM: Kathy Regan, Deputy Director, Planning

DATE: March 1, 2018

RE: Planning Division Report for January and February 2018

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

APSLMP CONSULTATIONS

UMP Development/Review

- Reviewed amendments to the UMPs for Whiteface Mountain and Gore Mountain Ski Center Intensive Use Areas.
- Reviewed a proposed final draft of an amendment to the UMP for the Lake George Beach and Battlefield Park Intensive Use Area.
- Attended public hearings for the Whiteface Mountain and Gore Mountain ski area UMP amendments.
- Met with ORDA and DEC staff to discuss upcoming amendments to UMPs for Whiteface Mt. Ski Center, Gore Mt. Ski Center, and Mount Van Hoevenberg Recreation Area Intensive Use Areas.
- Met with DEC staff to discuss details of primitive tent sites in the Saranac Lakes Wild Forest.

APA/DEC MOU Consultation

- Reviewed a project proposal to provide Camp Colby, on Lake Colby, with a Saranac Lake village water-supply line.
- Consulted with DEC Region 6 staff regarding certain Primitive Corridors within the Pepperbox Wilderness Area and their classification history.
- Reviewed a project proposal for the construction of bog bridging in the Blue Ridge Wilderness.

- Reviewed a project proposal for the installation of a boat wash station at the Northampton Beach Campground Boat launch on Sacandaga Lake.

APSLMP REVISION

State Land Classification

- Prepared materials for 2016/2017 State Land Classification Action.
- Presented the FSEIS for the 2016/2017 Classification Action at the February Agency meeting.
- Prepared materials for 2016/2017 State Land Classification Action to be sent to Governor Cuomo.

Substantive Revision

- Drafted a DSEIS for an Amendment to the APSLMP involving clarification of the Travel Corridors classification category definition and basic guidelines and amendment of related provisions.

PARK POLICY AND PLANNING

Park-wide Recreation Planning

- Worked with DEC staff to respond to public comment on the draft guidance for the construction and maintenance of mountain bike trails on the Forest Preserve.
- Worked with DEC staff to draft guidance materials in response to public comment on the draft guidance for the construction and maintenance of mountain bike trails on the Forest Preserve.
- Worked with DEC staff to respond to public comment regarding Best Management Practices for Design and Layout of Primitive Tent Sites.
- Worked with DEC staff to draft guidance materials in response to public comment for the Best Management Practices for Design and Layout of Primitive Tent Sites.
- Conducted a site visit on McKenzie Mountain Wilderness to evaluate potential recreational opportunities.

Easement Lands Planning

- Worked with DEC and Agency staff to develop an improved understanding of how Section 814 of the APA Act applies to DEC road and trail development projects on Conservation Easement lands.

Other

- Attended the Forest Preserve Advisory Committee meeting on February 16th at the Five Rivers Environmental Education Center in Delmar.

ADMINISTRATION (State Land Staff)

Reporting

- Submitted weekly and monthly reports.
- Submitted materials from the Planning Division for the 2017 Annual Report.

Training

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

Legal Support

- Provided administrative support for pending litigation.

Other

- Presented at the Women in Conservation Advocacy and Policy workshop.

HISTORIC PRESERVATION ACT REVIEW

- Reviewed proposed amendment to the APSLMP for impact to historic resources.

January and February State Land Tasks Summary

Task	Count	Year to Date
APSLMP Consultations	12	12
APSLMP Revision	4	4
Park Policy and Planning	6	6
Administration	14	14
Historic Preservation Act Review	1	1

GIS AGENCY PROGRAM ADMINISTRATION

Consultation

- Provided guidance on Agency wetland coverytype data to the Wildlife Conservation Society.
- Attended the NYS GIS State Advisory Group Meeting in Albany on January 9th to learn about civil boundary, LiDAR, aerial imagery and other status updates significant to NY State agencies.
- Consulted with Agency Legal staff on several issues regarding descriptions of Designated Rivers in Appendix Q-6 to the Rules and Regulations.
- Provided APLUDP/SLMP data to the Planner for the Town and Village of Tupper Lake.
- Provided GIS resource information to the Agency's Economic Affairs Intern.
- Provided State Land Classification GIS data of Agency Board recommendations for all tracts, including Boreas, to DEC Lands and Forests staff.

Data Management

- Completed updated mapping of all Wild, Scenic, Recreational, and Study Rivers System setbacks, terminal boundaries, and water features using National Hydrography Data. Posted data to the Lookup System and to the Agency's online Adirondack Park Basemap.
- Updated land classification data to reflect Map Amendments 2017-01 and 2017-02.
- Created a geographic database of land classification changes and began populating the database with recent land classification changes.
- Created a geographic database to archive land use area boundaries that no longer exist due to map amendments or State land classification changes.
- Added two sets of 2017 aerial imagery to the Lookup System. The latest imagery is from September 2017 covering the entire park.

Hardware/Software Management

- Met via conference call several times with ITS staff to plan for the upgrade of the Agency's Microsoft SQL Server database management system software which stores Agency GIS data.
- Worked with ITS staff to monitor OS and GIS software patch status vulnerabilities.
- Provided Esri GIS software license usage report to ITS.
- Discussed plans for the upgrade of the Agency Lookup System with Agency Administration and ITS.

MAP AMENDMENTS REVIEW

- MA2017-01 documents were finalized.
- Prepared a series of maps for a landowner interested in pursuing a map amendment in Franklin County.

STATE LAND CLASSIFICATION/RECLASSIFICATION REVIEW

- Updated maps and statistics for the State Land Classification Package.
- Made minor edits to unclassified State land parcel to reflect more accurate survey map.

WEB ADMINISTRATION/CONTENT MANAGEMENT

- Posted the 2018 Monthly Meeting schedule.
- Posted Executive Order #169 Register to Vote content.
- Posted State Land Classification Package content.
- Posted updates to Telecommunication Inventory .
- Posted updates to the Agency FOIL page.

ADMINISTRATION (GIS STAFF)

January/February GIS/Web Tasks Summary

Task	Count	Year To Date
GIS Agency Program Administration	15	15
GIS Map Production	10	10
LUA Boundary/Blue Line Inquiry	22	22
Map Amendments Review	3	3
State Land Classification/Reclassification Review	102	102
Web Administration/Content Management	8	8
Administrative Tasks	8	8

LOCAL GOVERNMENT SERVICES PROGRAM

Outreach

- **Tupper Lake:** Met with the Town's consultant regarding the Town's zoning code re-write.

Correspondence and Consultations

- **Newcomb:** Responded to questions from the Town regarding a proposed project in Hamlet.
- **Village of Lake George:** Responded to questions from the Village regarding amendments to their subdivision code.
- **Caroga:** Provided information to the Town regarding their zoning code revisions.
- **Westport:** Responded to questions regarding a 2002 Jurisdictional Determination.
- **Hague:** Provided information regarding variance referrals.
- **Horicon:** Provided information regarding travel trailers.
- **Hague:** Responded to questions regarding expansion of an existing structure.
- **Indian Lake:** Provided the Town's consultant with information regarding zoning in the Adirondack Park.
- **Hague:** Responded to questions from the Town regarding SEQR.
- **Newcomb:** Responded to questions from the Town regarding tiny houses.
- **Horicon:** Responded to questions from the Town regarding docks and wetlands.
- **Horicon:** Responded to question regarding application for major project.
- **Newcomb:** Responded to question regarding re-locating Town salt shed.
- **Chesterfield:** Responded to question from supervisor regarding proposed subdivision.
- **Chester:** Responded to question about interpreting Town zoning code.
- **Chesterfield:** Responded to question from supervisor regarding a proposed project in an industrial park.
- **Day:** Provided information to the Town regarding the variance review process.

- **Horicon:** Provided information to the Town regarding vegetative cutting in a wetland.
- **Caroga:** Provided information to the Town regarding the amendment process.
- **Lake Luzerne:** Provided information to the public regarding campgrounds.
- **Regulatory Programs:** Provided information to staff regarding land use controls in Long Lake.
- **Jurisdiction:** Provided information to staff regarding a proposal in Arietta.

Agency-approved Local Land Use Programs (ALLUPs)

Amendments (8 under review / 0 approved)

- **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. Staff met with the Town committee that will be tasked with drafting amendments.
- **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 drafted a local law enacting a moratorium on all non-roof mounted solar energy systems and will be holding a public hearing on June 20, 2017.
 - *Status:* This proposed local law is not subject to review by the Agency.
- **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.
- **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 (17)

- **Bolton (1)**
 - Project [LV2018-0002] involved replacement of an existing, non-conforming single family dwelling with a new single family dwelling on approximately the same footprint with an additional breezeway and attached 3-car garage. Relief was required from the Town shoreline setback and from the Town height restriction. The Agency deferred to the findings of the ZBA and the condition that the structure be amended to 37 feet and no further review of this variance was required.
- **Chester (2)**
 - Project [LV2017-0094] involved the replacement of an existing on-site wastewater treatment system. Relief was required from the Town On-Site Wastewater Treatment Local Law for deficient setbacks. The Agency deferred to the findings of the Town Board, acting as the Local Board of Health, and no further review of this variance was required.
 - Project [LV2018-0004] involved replacement of an existing onsite wastewater treatment system. Relief was required from the Town On-Site Wastewater Treatment Local Law for insufficient separation distances from proposed

absorption field to stream and applicant's well and from proposed septic tank to applicant's well. The Agency deferred to the findings of the Town Board acting as the Local Board of Health and no further review of the variance was required.

- **Hague (4)**

- Project [LV2017-0081] involved the demolition and replacement of an existing, non-conforming SFD with an addition to the non-lakeshore side and replacement of an existing non-conforming retaining wall and fence. The Agency deferred to the findings of the ZBA and no further review of the variance was required.
- Project [LV2017-0075] involved the addition of a bedroom and expansion of an attached deck on an existing dwelling. Relief was required from the Town zoning ordinance for deficient shoreline setback. 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 [LV2017-0087] involved a two-lot subdivision. Relief was required from the Town for creation of an undersized lot. 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.
- Project [LV2017-0088] involved a lot line adjustment for two abutting parcels under the same ownership to accommodate a retaining wall on the northern parcel. Relief was required from the Town for increasing non-conformance on an already undersized lot. No further Agency review was required for the variance since the project met the criteria for a boundary line adjustment and did not create an opportunity for new principal buildings.

- **Horicon (4)**

- Project [LV2017-0089] involved removal of an existing walkway to the lake, expansion of an existing raised area at lakefront, installation of a new roadside retaining wall and a new walkway to the lake. Relief was required from the Town roadway and shoreline setbacks. 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 [LV2017-0042] involved replacement of a failing on-site wastewater treatment system with a Presby Advanced Enviro-Septic Treatment System. Relief was required from the Town sanitary regulations for deficient separation distance from the new system to the mean high-water mark of Schroon Lake. 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 [LV2017-0093] involved replacement of a failed septic system with an Elgin enhanced treatment unit. Relief was required from the Town sanitary regulations for deficient setbacks from septic tank to home and drilled well and from the proposed absorption bed to drilled well, wetland and mean high water of Brant Lake. The Agency offered no comments on the town issued variance; however, the project appeared to involve jurisdictional wetlands,

- constituting a Class A regional project and the landowner must obtain an Adirondack Park Agency permit prior to commencing the project.
- Project [LV2018-0003] involved the construction of a 15 x 38 foot covered patio addition to an existing non-conforming garage. Relief was required from the Town 150-foot shoreline setback in the Recreational Rivers District. This variance has been reversed by the Agency.
- **Johnsburg (1)**
 - Project [LV2018-0010] involved the addition of decks on both levels of an existing 2-story dwelling. Relief was required from the Town side yard setback. 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.
 - **Newcomb (1)**
 - Project [LV2018-0007] involved the renovation and expansion of a shed into a game room with half bath, storage loft, screened porch and front porch. Relief was required from the Town for exceeding the maximum height limit of an accessory structure and for deficient side and front yard setbacks. ZBA approval was conditioned upon the renovated structure not to include a full kitchen or be used as an auxiliary living area. No further Agency review was required for this variance since the project did not involve provisions of the Act.
 - **Queensbury (4)**
 - Project [LV2018-0001] involved construction of a residential addition to an existing single family dwelling and removal of an existing garage. Relief was required from the Town for deficient shoreline setback, stormwater device less than 100 feet from shoreline, and for expansion of a non-conforming dwelling. The 30-day review period expired and a letter was sent confirming that the Town had completed its referral to the Agency.
 - Project [LV2018-0005] involved construction of a 246 square foot addition and raising the roof on an existing single family dwelling as well as construction of a small entry deck. Relief was required from the Town for deficient property line setbacks, insufficient permeability, expansion of a non-conforming structure and insufficient Floor Area Ratio for that zoning district. No further Agency review was required for this variance since the project did not involve provisions of the Act.
 - Project [LV2018-0008] involved the expansion of an 8,400 square foot non-conforming private garage with an additional 2,304 square feet to house a fleet of collector vehicles. A use variance was required from the Town as construction of the addition to the private garage (accessory structure) is located on a parcel where a principal use does not exist. No further Agency review was required for this variance since the project did not involve provisions of the Adirondack Park Agency Act.

- Project [LV2018-0009] involved the expansion of an 8,400 square foot non-conforming private garage with an additional 2,304 square feet to house a fleet of collector vehicles. Relief was required from the Town for expansion of an existing private garage in excess of the maximum allowable square footage. No further Agency review of this variance was required since the project did not involve provisions of the Act.

Summary of Local Government Services Accomplishments January – February 2018				
Reportable Items	Municipalities		Period Total	Year to Date
	ALLUP	Other		
Land Use Regulations review/approved (note – reviewed total may include multiple reviews of same section or code)	8/0	0	8/0	8/0
ALLUP variances review/reversed	17/1		17/1	17/1
Comprehensive Plans reviewed	1	0	1	1
Meetings with Town officials	0	1	1	1
Training & Workshops provided	0	0	0	0
Correspondence & Consultations	19	1	20	20
Intra-Agency local planning assistance	2	2	4	4
ALLUP – denotes “APA-approved Local Land Use Program”				