



Adirondack Park Agency

KAREN FELDMAN
Acting Chair

TERRY MARTINO
Executive Director

August 28, 2018

Mr. Kenneth Coirin
Zoning Board Chair
Town of Caroga
PO Box 328
Caroga Lake, NY 12032

**Re: Town of Caroga Variance Z2018-06 (Dolen) Reversal
Determination (APA File LV2018-0061)**

Dear Mr. Coirin:

I am writing on behalf of the Adirondack Park Agency's August 1, 2018 receipt of the full record of the Zoning Board of Appeals (ZBA) grant of the Dolen variance (Application Z2018-06). The variance would have allowed construction of a 6 x 5.5-foot stairs attached to an existing non-conforming single-family dwelling 65.5 feet from the shoreline of East Caroga Lake. Please be advised that pursuant to Section 808(3) of the Adirondack Park Agency Act (APA Act), the Agency hereby reverses the ZBA's determination to grant the Dolen shoreline setback variance without prejudice to reconsideration of the matter by the ZBA. The rationale for this determination is set forth in the attached memorandum from Acting Agency Counsel Sarah Reynolds and Planning Director Kathy Regan.

The two-tier system provided in the APA Act authorizes the Town of Caroga administration of the shoreline setback provisions of the APA Act as part of its Agency-approved local land use program. The Town of Caroga Zoning Law [sec. 4.050] establishes a 75-foot shoreline setback for structures in excess of 100 square feet in the Lakefront Residential (LF-2.5) zoning district. The property is located in a Low Intensity Use land use area as designated by the Adirondack Park Land Use and Development Plan Map, where the statutory shoreline setback is also 75 feet. Therefore, the proposal requires a variance from the Town Zoning Law and the APA Act shoreline setback.

I encourage you to contact the Agency's local planning staff if you have any questions on this matter or on the Town's Agency-approved Local Land Use Program. The lakes and shorelines of the Town of Caroga are resources for which we share a responsibility

in providing effective administration of land use and development. I appreciate your volunteer service and how hard it can be to resolve these often difficult questions of rights and opportunities for development in the sensitive shoreline areas in your community.

Sincerely,

A handwritten signature in cursive script that reads "Terry Martino".

Terry Martino
Executive Director

TDM:sas

Enclosure

cc: James Selmsler, Supervisor, Town of Caroga
John Duesler, Code Enforcement Officer, Town of Caroga
Fred Monroe, Adirondack Park Local Government Review Board
Robyn Burgess, APA



Adirondack Park Agency

SHERMAN CRAIG
Chairman

TERRY MARTINO
Executive Director

July 25, 2018

Mr. Kenneth Coirin, Chair
Zoning Board of Appeals
Town of Caroga
PO Box 328
Caroga Lake, NY 12032

Re: **LV2018-0061**
Town Variance:
Variance Application: Dolen
Tax Map Number: 83.13-2-3

Dear Mr. Coirin:

The record presented and received by the Agency on July 23, 2018 does not contain the photograph(s) referred to on pages 5 and 6 of the July 12, 2018 ZBA Draft Minutes that reportedly show the previous porch, nor does it contain a colored version of the plot plan referred to on page 5 of the minutes as a "colored cartoon". The complete record is necessary for the Agency to fully evaluate the referred variance. The Agency statutory review period of 30-days for referred variances will not commence until the pertinent information is received for Agency review. If you have any questions regarding the suspension of Agency review or the need for additional information before an official decision can be rendered on this variance, please contact me.

Sincerely,



Robyn Burgess
Principal Adirondack Park
Local Planning Assistance Specialist

REB:KOK:ap

cc: John Duesler, Code Enforcement Officer, Town of Caroga (*via email*)
Linda Gilbert, Town Clerk, Town of Caroga (*via email*)