

## Regulatory Programs Division 2019 Annual Report

### **Strategic Planning Initiatives**

In 2019, as a result of Agency wide Strategic Planning initiatives, the Regulatory Programs Division instituted a variety of procedural improvements and revisions to permit applications and permit writing templates. Of note, Agency Enforcement staff joined the Regulatory Programs Division; combining the two divisions increased efficiency and consistency in reviewing all projects subject to Agency jurisdiction.

The Minor Permit Application and review process was revised and updated to facilitate Agency staff conducting site visits prior to issuing a notice of incomplete permit application. The format of Agency Permits was also improved to shorten permits with conditions highlighted and documenting resource findings and property information on separate forms.

### **Subdivision Projects**

Eighty-two Subdivision Permits were issued including 22 subdivision projects which approved 3 or more lots. Of note, Permit P2019-0023 authorized a 6-lot residential subdivision in the Town of Black Brook, with lots having access to Silver Lake. Permit P2018-0145 authorized a 4-lot subdivision on Rondaxe Lake in the Town of Webb, Herkimer County. In addition, approximately 5 subdivision authorizations were issued as part of new telecommunications projects involving lease of land to construct new towers.

### **Commercial Use Projects**

Twenty-nine commercial use permits were approved; 11 of which involved extending the term of and/or amending commercial sand and gravel extractions. Permit 2019-0033 authorized a new commercial laboratory (Ampersand Biotech, LLC) at the former Lake Clear School public use building in Harrietstown, Franklin County. Permit P2019-0010 authorized a commercial storage facility in the Town of Indian Lake, Hamilton County.

### **Emergency Action Projects**

Eight emergency certificates and one combined emergency certificate and authorization for projects undertaken by the Department of Transportation were issued. The projects were in response to the 2019 Halloween Storm. Heavy rainfall and historic flooding associated with the storm resulted in road collapse and washout along a portion of Route 8 and West Canada Creek in the Town of Ohio. The Department of Transportation responded by constructing a stone retaining wall to stabilize the roadway and prevent further washout into West Canada Creek. The emergency response enabled the roadway to remain open, ensuring access for emergency services and locals, as well as those visiting the region.

### **Renewable Energy Projects**

Agency staff continued to work with various renewable energy companies regarding pre-applications for new solar energy projects throughout the Adirondack Park, and 5 new pre-application files were initiated for possible solar projects in various Towns and land use classifications. In general, the proposals involve solar fields of approximately 2

MW capacity encompassing approximately 20-50± acres. Of note in 2019, the Agency created a new application form specifically for proposed large scale Solar Generation Facilities.

### **Variances**

The Agency issued four variances following required public hearings conducted for each variance. Three of these variances were issued for expansions of existing dwellings located within the shoreline setback. One Variance Order authorized trail enhancement projects at Frontier Town Campground, which included a foot bridge and stone stairway located within the shoreline setback. The Variance Committee, comprised of Agency staff and Board members, continued work to further improve Agency procedures regarding variance review and to update the Agency's variance application forms.

### **Telecommunication Projects**

Twenty-nine telecommunication approvals were issued. Approvals consisted of 2 permits, 11 General Permits, and 14 amendments (5 regular amendments, 7 amended General Permits, and 2 amended Orders). Two of the approvals involved public safety/emergency communications. 2019 telecommunications approvals included 8 new towers, 6 of which were horizontal co-locations next to existing towers (authorized by General Permit) and 2 of which were new towers on raw land sites. Further, of the 8 new towers, 6 were unconcealed towers and 2 were concealed as simulated trees. The remaining 21 telecommunications approvals in 2019 were General Permits and amendments issued for antenna replacements and co-locations on existing, free standing towers, buildings, fire towers, a water tank, and a smokestack.

### **Silvicultural Treatments**

Four permits for jurisdictional timber harvesting projects on private lands were issued. The projects were designed to meet specific silvicultural goals, based upon existing forest conditions, with the intent of creating favorable conditions for long-term forest health and timber value. Three of the project sites were within New York State Working Forest Conservation Easements, and all were subject to the standards of third-party forest certifications. Agency forestry staff also conducted compliance reviews on several previously issued permits for jurisdictional timber harvests, to insure the protections of the permit conditions were being followed.

### **State Agency Projects**

Five Section 814 Orders for projects undertaken on State Land by a NYS Agency were issued. Of note, P2019-0039 and amendments were issued to ORDA for upgrades and improvements at the Olympic Jumping Complex. Orders were also issued to New York State Department of Transportation (DOT) for road improvement projects and utility line upgrades and improvements within the State highway rights-of-way.