

**From:** [Regan, Kathleen D \(APA\)](#)  
**To:** [Link, Walter W \(APA\)](#)  
**Subject:** FW: comments to APA and LGPC on draft management plan and proposal for modular office building and visitor center  
**Date:** Monday, May 21, 2018 11:57:12 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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**From:** Karla W. Buettner [mailto:kwb@bpsrlaw.com]  
**Sent:** Monday, May 21, 2018 11:46 AM  
**To:** Regan, Kathleen D (APA) <Kathleen.Regan@apa.ny.gov>  
**Cc:** dave@lgpc.state.ny.us  
**Subject:** RE: comments to APA and LGPC on draft management plan and proposal for modular office building and visitor center

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Kathy

Here is the second comment, sent to you on May 4, 2018. Let me know if you need something else.

I am in the process of preparing the responses, but my question has been do I response to each individual or do I make one formal response? I haven't heard from DEC on this.

Yours,

Karla Williams Buettner, Esq.  
Bartlett, Pontiff, Stewart & Rhodes, P.C.  
One Washington Street, P.O. Box 2168  
Glens Falls, New York 12801  
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**From:** Karla W. Buettner  
**Sent:** Friday, May 4, 2018 10:15 AM  
**To:** 'Regan, Kathleen D (APA)' <Kathleen.Regan@apa.ny.gov>  
**Cc:** 'Dave Wick ([Dave@lgpc.state.ny.us](mailto:Dave@lgpc.state.ny.us))' <[Dave@lgpc.state.ny.us](mailto:Dave@lgpc.state.ny.us)>  
**Subject:** FW: comments to APA and LGPC on draft management plan and proposal for modular office building and visitor center

Kathy,

Here is a second comment.

Thank you for your help.

Yours,

Karla Williams Buettner, Esq.  
Bartlett, Pontiff, Stewart & Rhodes, P.C.  
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**From:** Lewis Steele [<mailto:lsteel@sover.net>]  
**Sent:** Thursday, May 03, 2018 8:25 PM  
**To:** Dave Wick  
**Subject:** comments to APA and LGPC on draft management plan and proposal for modular office building and visitor center

May 3, 2018

Dear APA and Lake George Park Commission –

I have read the April 26, 2018 article in the Glens Falls Post Star and also the proposed draft Lake George Battlefield Park unit management plan and am submitting comments on the draft management plan and the proposed project because of the following concerns.

I do not understand how the Lake George Park Commission can logically find no significant environmental impact under SEQRA which was reported in the newspaper article when, as noted in the draft management plan, the selected alternative requires the demolition of a 140 year old building which is a contributing resource to the Lake George Battlefield Park historic district. It seems that by definition there would be a significant environmental impact from the demolition of this structure. I would therefore request that this aspect of the determination process be reconsidered and further, that this matter be referred to and reviewed by the NYS Office of Parks, Recreation, and Historic Preservation for their input and thinking.

Additionally, none of the described alternatives in the draft management plan consider the alternative of appropriately renovating the existing historic building as well as constructing a new building of appropriate design and form adjacent and to the north of the existing structure such that the two resulting spaces would provide the needed space for the Lake George Park Commission Offices and the Visitor Interpretive Center. Such an alternative or alternatives should be considered before any final decision is made.

Another alternative that should be considered is adding to the existing building such as to provide the needed space for the proposed project. Any resulting structure should be designed in a fashion that does not affect the form and integrity of the existing structure and should be designed so as to complement and harmonize with the form and integrity of the existing structure. The NYS Office of Parks, Recreation and Historic Preservation should be consulted to determine the extent to which such an alternative is feasible. If it is, such an alternative should be considered before any final decision is made.

Further, the draft management plan references the Lake George Battlefield Park Historic district. However, the draft management plan provides no description of the elements of, and the historic resources within (other than that the building to be demolished is a contributing resource to that historic district) that historic district. The draft management plan's discussion of the proposed action and its alternatives should include a description of the elements of, and historic resources within, the Lake George Battlefield Park historic district and a discussion of what impacts (including visual and aesthetic) each considered alternative would have on the Lake George Battlefield Park historic district.

Finally, I would very much appreciate it if these comments would be provided to the APA, the Lake George Park Commission, and the NYS Office of Parks, Recreation, and Historic Preservation.

Lewis

Lewis Steele  
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Shushan, New York 12873  
Phone/Fax 518-854-9582  
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**From:** [Regan, Kathleen D \(APA\)](#)  
**To:** [Linck, Walter W \(APA\)](#)  
**Subject:** FW: UMP Amendment For New LGPC Office Building  
**Date:** Monday, May 21, 2018 11:25:01 AM  
**Attachments:** [image002.png](#)

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**From:** Karla W. Buettner [mailto:kwb@bpsrlaw.com]  
**Sent:** Thursday, May 03, 2018 2:28 PM  
**To:** Regan, Kathleen D (APA) <Kathleen.Regan@apa.ny.gov>  
**Cc:** dave@lgpc.state.ny.us; Reynolds, Sarah H (APA) <Sarah.Reynolds@apa.ny.gov>  
**Subject:** FW: UMP Amendment For New LGPC Office Building

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Kathleen,

Per the request of Sarah Reynolds, here is a comment the Commission received on the Draft UMP Amendment. I am in the process of preparing an official response, which I understand DEC wants to see as well. As you can see, most of the concerns have already been dealt with during the process, and Attorney Caffry is just unaware of them.

If you would like to chat, please contact me.

Yours,

Karla Williams Buettner, Esq.  
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**From:** John W. Caffry <[jcaffry@caffrylawoffice.com](mailto:jcaffry@caffrylawoffice.com)>  
**Sent:** Wednesday, May 2, 2018 10:55 AM  
**To:** [dwick@lgpc.state.ny.us](mailto:dwick@lgpc.state.ny.us)  
**Cc:** Karla W. Buettner <[kwb@bpsrlaw.com](mailto:kwb@bpsrlaw.com)>  
**Subject:** UMP Amendment For New LGPC Office Building

Dear Mr. Wick:

I have reviewed the February 2018 Initial Draft Amendment to the Lake George Beach and Battleground Park UMP for the construction of a new office for the LGPC. The Draft UMP has numerous legal and analytical deficiencies that should be remedied. The draft UMP:

1. Fails to recognize that the so-called Battleground Park is part of the state Forest Preserve and is protected by Article 14, Section 1 of the Constitution. [See](#) ECL Section 9-0101.
2. Does not analyze the plan's compliance with the Adirondack Park State Land Master Plan ("APSLMP"). UMP amendments are subject to the same requirements as new UMPs. [See](#) APSLMP p. 12. The unit is designated as an intensive use area/day use area. [See](#) APSLMP p. 117.
3. Is devoid of any discussion of the APA's role in approving UMPs for the Adirondack Forest Preserve. [See](#) DEC/APA MOU, last revised March 2010. In fact, so far as I can tell, this proposed amendment has not been submitted to APA for its review and approval, as required by APA Act Section 816.
4. Does not apply DEC Policy LF-91-2 ("Cutting, Removal or Destruction of Trees and Endangered, Threatened or Rare Plants on Forest Preserve Lands").
5. Proposes to "remove" 18 trees from the site. This would violate both Article 14 and DEC Policy LF-91-2. Any trees which are cut must be disposed of nearby on the Forest Preserve.
6. Does not assess ways to reduce the number of trees to be cut.
7. Vaguely discusses aesthetic impacts, but does not include a proper visual impact analysis to determine ways to avoid or minimize the visual impacts of the action on the battlefield and the lake. [See](#) DEC Policy DEP-00-2 ("Assessing and Mitigating Visual Impacts").
8. Vaguely discusses archeological and historic impacts, but does not include an analysis under Section 14.09 of the Parks, Recreation and Historic Preservation Law. Nor is there any indication that the SHPO was consulted, as required by law.
9. Is not in the usual format of a combined draft UMP amendment and draft SEQR EIS.

I hope that these deficiencies are remedied before any decisions are made on this project.

Thank you for the opportunity to comment on this proposed action.

Sincerely,

John W. Caffry

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