

**COVER SHEET  
and  
NOTICE OF COMPLETION  
of  
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT (DSEIS)  
MAP AMENDMENT 2019-01 (Town of Lake Luzerne)**

NAME OF LEAD AGENCY AND PREPARER OF DSEIS:

NYS Adirondack Park Agency  
Post Office Box 99  
Ray Brook, NY 12977

PROJECT LOCATION:

Town of Lake Luzerne  
Warren County

PROPOSED ACTION:

Amendment to the Official Adirondack Park Land Use and Development Plan Map in the Town of Lake Luzerne, Warren County (Map Amendment 2019-01) to reclassify approximately 105 acres pursuant to the Adirondack Park Agency Act, Section 805(2)(c)(1) from Rural Use to Moderate Intensity Use.

AGENCY CONTACT FOR INFORMATION AND/OR COPIES OF DSEIS:

Matthew Kendall  
Adirondack Park Agency  
Post Office Box 99  
Ray Brook, NY 12977 (518)891-4050

DATE OF ACCEPTANCE OF DSEIS BY LEAD AGENCY:

DATE OF PUBLIC HEARING ON PROPOSED MAP AMENDMENT:

DATE ON WHICH PUBLIC COMMENTS MUST BE RECEIVED BY LEAD AGENCY:

**Table of Contents**

Proposed Action..... 3

Purpose, Public Need and Benefits..... 3

Procedures under SEQRA ..... 3

Standards for Agency Decision ..... 3

Environmental Setting ..... 7

    Location ..... 7

    Existing Land Use and Development..... 10

    Soils..... 12

    Topography ..... 14

    Water Resources..... 16

    Wetlands..... 17

    Critical Environmental Areas ..... 17

    Biological Resources ..... 17

    Population Trends..... 19

Potential Impacts of the Action..... 19

Alternative Actions..... 22

Measures to Mitigate Potential Adverse Environmental Effects ..... 22

Studies, Reports and Other Data Sources ..... 23

### **Proposed Action**

The Town of Lake Luzerne has requested an amendment to the Official Adirondack Park Land Use and Development Plan Map to reclassify certain lands in the Town from Rural Use to Moderate Intensity Use. The requested area is approximately 105 acres in size and referred to in this document as the Proposed Map Amendment Area.

### **Purpose, Public Need and Benefits**

In their application submitted for the request, the Town of Lake Luzerne states that the land under consideration for the action reflects the same characteristics as the adjacent Moderate Intensity Use lands and the classification change would reflect the current usage. The Town also states that there would be an economic benefit to the Town from this reclassification action.

### **Procedures under SEQRA**

This Draft Supplemental Environmental Impact Statement (DSEIS) analyzes the environmental impacts which may result from Agency approval of this proposed map amendment. The Official Adirondack Park Land Use and Development Plan Map (the Map), identified in § 805(2)(a) of the APA Act, is the primary component of the Adirondack Park Land Use and Development Plan, which guides land use planning and development of private land in the Adirondack Park.

Pursuant to the State Environmental Quality Review Act (Environmental Conservation Law, Article 8) and APA Act §§ 805(2)(c)(1) and 805(2)(c)(2), the Agency has prepared this DSEIS, and will accept public comments, and hold a combined public hearing on both the proposed map amendment and the DSEIS, and incorporate all public comments into a Final Supplemental Impact Environmental Statement (FSEIS). The FSEIS will include the hearing summary, public comments, and the written analysis by Agency staff. The Agency must then decide (a) whether to accept the FSEIS and (b) whether to approve the map amendment request, deny the request, or approve an alternative.

### **Standards for Agency Decision**

The Agency's decision on a map amendment request is a legislative function based upon the application, public comment, FSEIS, and staff analysis. The public hearing is for informational purposes and is not conducted in an adversarial or quasi-judicial format. The burden rests with the applicants to justify the changes in land use area classification. Future map amendments may be made when new information is developed or when conditions which led to the original classification change.

Procedures and standards for the official map amendment process are found in:

- a) APA Act § 805;
- b) Adirondack Park Agency Rules and Regulations (9 NYCRR Subtitle Q) Part 583;
- c) Appendix Q-8 of the Adirondack Park Agency Rules and Regulations;
- d) Final Generic Environmental Impact Statement: The Process of Amending the Adirondack Park Land Use and Development Plan Map, August 1, 1979.

Section 805 (2) (c) (1) of the APA Act provides in pertinent part:

The Agency may make amendments to the Plan Map in the following manner:

*Any amendment to reclassify land from any land use area to any other land use area or areas, if the land involved is less than twenty-five hundred acres, after public hearing thereon and upon an affirmation vote of two-thirds of its members, at the request of any owner of record of the land involved or at the request of the legislative body of a local government.*

Section 805 (2) (c) (5) of the APA Act provides in pertinent part:

*Before making any plan map amendment...the Agency must find that the reclassification would accurately reflect the legislative findings and purposes of section eight hundred-one of this article and would be consistent with the land use and development plan, including the character description and purposes, policies and objectives of the land use area to which reclassification is proposed, taking into account such existing natural, resource, open space, public, economic and other land use factors and any comprehensive master plans adopted pursuant to the town or village law, as may reflect the relative development, amenability and limitations of the land in question. The Agency's determination shall be consistent with and reflect the regional nature of the land use and development plan and the regional scale and approach used in its preparation.*

The statutory “purposes, policies and objectives” and the “character descriptions” for the land use areas established by § 805 of the APA Act are shown on the Official Map and set out in Appendix B.

APA Regulation § 583.2 outlines additional criteria:

- a) *In considering map amendment requests, the agency will refer to the land use area classification determinants set out as Appendix Q-8 of these regulations and augmented by field inspection.*
- b) *The agency will not consider as relevant to its determination any private land development proposals or any enacted or proposed local land use controls.*

Land use area classification determinants from “Appendix Q-8” of APA Rules & Regulations are attached to this document as Appendix C. These land use area classification determinants define elements such as natural resource characteristics, existing development characteristics and public considerations and lay out land use implications for these characteristics.

The requested map amendment is examined in comparison to the statutory “purposes, policies and objectives” and the “character descriptions” for the proposed Hamlet classification, using the factual data which follow. It is these considerations which govern the Agency decision in this matter. Character descriptions, purposes, policies and objectives for land use areas (Appendix B of this document) are established by § 805 of the APA Act and summarized below.

*Resource Management* areas (shown as green on the Map) are those lands where the need to protect, manage and enhance forest, agricultural, recreational and open space resources is of paramount importance because of overriding natural resource and public considerations. Open space uses, including forest management, agriculture and recreational activities, are found throughout these areas. Many resource management areas are characterized by substantial acreages of one or more of the following: shallow soils, severe slopes, elevations of over twenty-five hundred feet, flood plains, proximity to designated or proposed wild or scenic rivers, wetlands, critical wildlife habitats or habitats of rare and endangered plant and animal species. Resource Management areas will allow for residential development on substantial acreages or in small clusters on carefully selected and well designed sites. The overall intensity guideline for Resource Management is 15 principal buildings per square mile, or 42.7 acres per principal building.

*Rural Use* areas (yellow on the Map) are characterized by substantial acreages of one or more of the following: fairly shallow soils, relatively severe slopes, significant ecotones, critical wildlife habitats, proximity to scenic vistas or key public lands. These areas are frequently remote from existing hamlet areas or are not readily accessible. Consequently, these areas are characterized by a low level of development that are generally compatible with the protection of the relatively intolerant natural resources and the preservation of open space. These areas and the resource management areas provide the essential open space atmosphere that characterizes the park. Residential and related development and uses should occur on large lots or in relatively small

clusters on carefully selected and well designed sites. The overall intensity guideline for Rural Use is 75 principal buildings per square mile, or 8.5 acres per principal building.

*Low Intensity Use* areas (orange on the Map) are areas that are readily accessible and in reasonable proximity to Hamlet. These areas are generally characterized by deep soils and moderate slopes, with no large acreages of critical biological importance. Where these areas are located near or adjacent to Hamlet, clustering development on the most developable portions of these areas makes possible a relatively high level of residential development and local services. It is anticipated that these areas will provide an orderly growth of housing development opportunities in the Park at an intensity level that will protect physical and biological resources. The overall intensity guideline for Low Intensity Use is 200 principal buildings per square mile, or 3.2 acres per principal building.

*Moderate Intensity Use* areas (red on the Map) are areas where the capability of natural resources and anticipated need for future development indicate that relatively intense development is possible, desirable and suitable. These areas are located near or adjacent to Hamlets to provide for reasonable expansion and along highways and accessible shorelines where existing development has established the character of the area. Moderate Intensity Use areas where relative intense development does not exist are characterized by deep soils on moderate slopes and readily accessible to Hamlets. The overall intensity guideline for Moderate Intensity Use is 500 principal buildings per square mile, or 1.3 acres per principal building.

*Hamlet* areas (brown on the Map) range from large, varied communities that contain a sizeable permanent, seasonal and transient populations with a great diversity of residential, commercial, tourist and industrial development and a high level of public services and facilities, to smaller, less varied communities with a lesser degree and diversity of development and a generally lower level of public services and facilities. Hamlet areas will serve as the service and growth centers in the park. They are intended to accommodate a large portion of the necessary and natural expansion of the park's housing, commercial and industrial activities. In these areas, a wide variety of housing, commercial, recreational, social and professional needs of the park's permanent, seasonal and transient populations will be met. The building intensities that may occur in such areas will allow a high and desirable level of public and institutional services to be economically feasible. Because a hamlet is concentrated in character and located in areas where existing development patterns indicate the demand for and viability of service and growth centers, these areas will discourage the haphazard location and dispersion of intense building development in the park's open space areas. These areas will continue to provide services to park residents and visitors and, in conjunction with other land use areas and activities on both private and public land, will provide a diversity of land uses that will satisfy the needs of a wide variety of people. The delineation of hamlet areas on the plan map is designed to provide reasonable

expansion areas for the existing hamlets, where the surrounding resources permit such expansion. Local government should take the initiative in suggesting appropriate expansions of the presently delineated hamlet boundaries, both prior to and at the time of enactment of local land use programs. There are no overall intensity guidelines for Hamlet Areas.

## Environmental Setting

### Location

The Proposed Map Amendment Area is located in the southeastern portion of the Adirondack Park, in the Town of Lake Luzerne. The Hamlet of Lake Luzerne lies approximately 5 miles southwest of the Proposed Map Amendment Area via NYS Route 9N. The Hamlet of Lake George is located approximately 5 miles northeast of the Proposed Map Amendment Area via NYS Route 9N. Figure 1 is a map showing the general location of the area under consideration for this action.

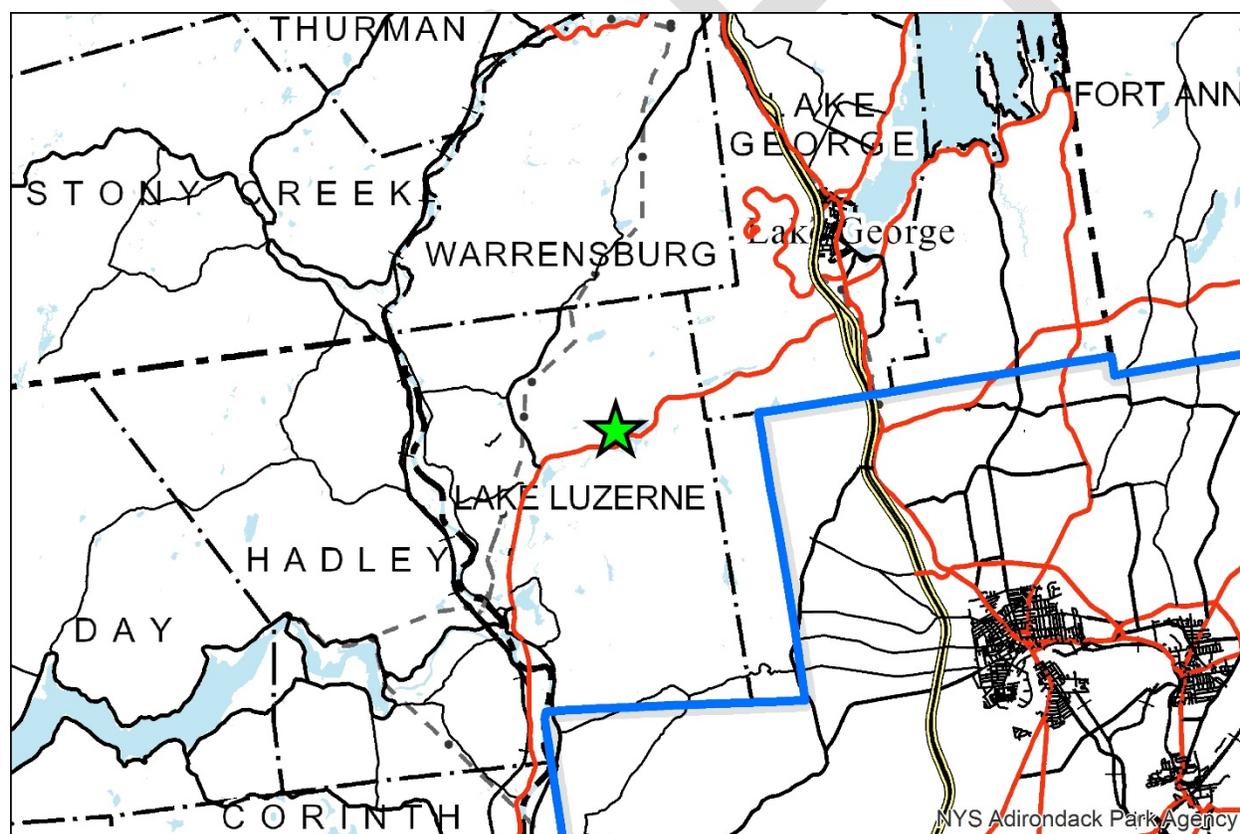


Figure 1. Map showing the general location of the Proposed Map Amendment Area.

### Adirondack Park Land Use and Development Plan Map

The Town of Lake Luzerne is approximately 25,282 acres in size, including water bodies. Table 1 shows the how the land is currently classified pursuant to the Official Adirondack Park Land Use and Development Plan map.

<b>Land Classification</b>	<b>Acreage</b>
Hamlet	513
Moderate Intensity Use <sup>1</sup>	4,613
Low Intensity	3,313
Rural Use <sup>1</sup>	11,424
Resource Management <sup>1</sup>	1,420
State Land	3,205
NYS State Conservation Easement	5,292

Table 1. Approximate acreage of land use classifications in the Town of Lake Luzerne.

<sup>1</sup> Approximately 5,292 acres of private lands in the Town of Lake Luzerne are under New York State conservation easements.

The Proposed Map Amendment Area is currently classified as Rural Use. It is bounded by Rural Use to the west and north. This Rural Use land use area is part of an approximately 18,000-acre Rural Use land use area that extends throughout the Town of Lake Luzerne and into neighboring Towns of Lake George, Queensbury, and Warrensburg. The Proposed Map Amendment Area is also bounded by Moderate Intensity Use on the east and south. This Moderate Intensity Use area is approximately 4,000 acres in size and stretches from the western boundary of the Town of Lake Luzerne to the eastern boundary of the Town, generally running along the NYS Route 9N corridor. Figures 2 and 3 are maps showing the Proposed Map Amendment Area with the current classifications on the Adirondack Park Land Use and Development Plan Map at two scales.

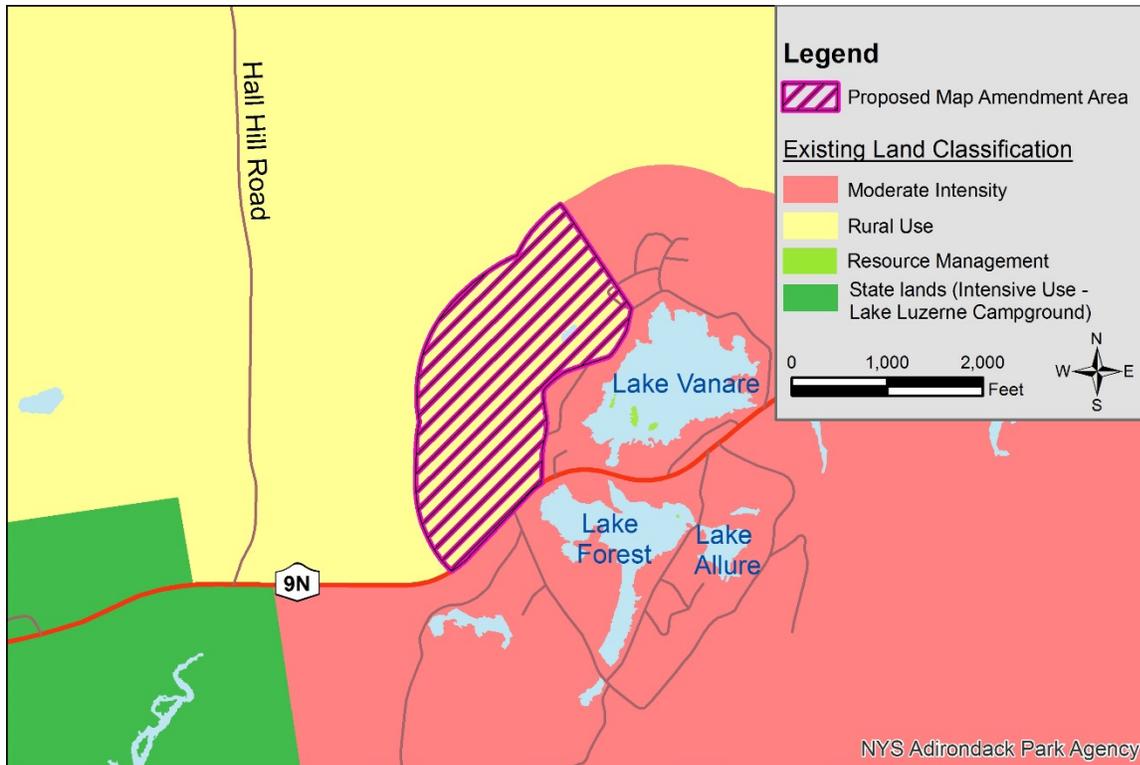


Figure 2. Map showing the Proposed Map Amendment Area and the current classification on the Adirondack Park Land Use and Development Plan Map and State Land Master Plan.

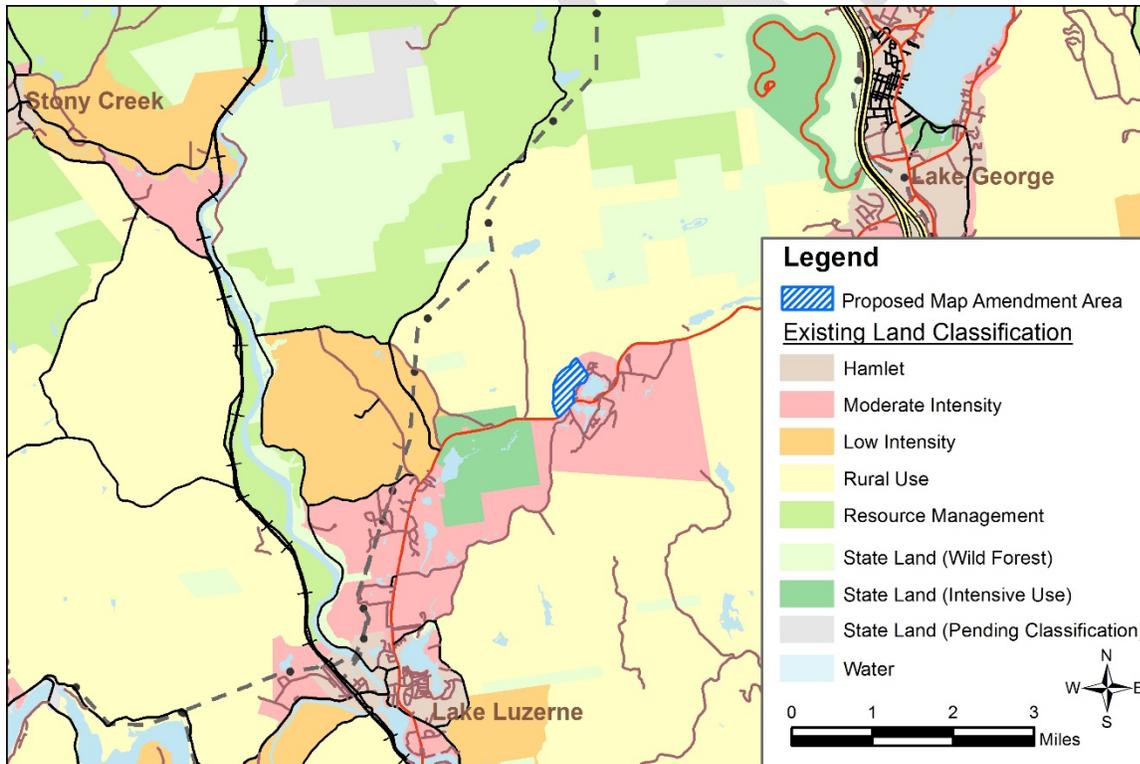


Figure 3. Map showing the Proposed Map Amendment Area and the current classification on the Adirondack Park Land Use and Development Plan Map and State Land Master Plan.

### Existing Land Use and Development

The Proposed Map Amendment Area has approximately 1,300 feet of road frontage along NYS Route 9N, a hard-surfaced State-maintained highway. NYS Route 9N intersects with Interstate 87 approximately 5 miles to the northeast. The Proposed Map Amendment Area also has approximately 2,300 feet of road frontage along Hidden Valley Road, a hard-surfaced town road that intersects with NYS Route 9N in two locations, forming a loop around Lake Vanare. Figure 4 is a map showing the roads in the vicinity of the Proposed Map Amendment Area.

There are no public sewer or water facilities available to Proposed Map Amendment Area. Electric and telephone lines run along NYS Route 9N and Hidden Valley Road.

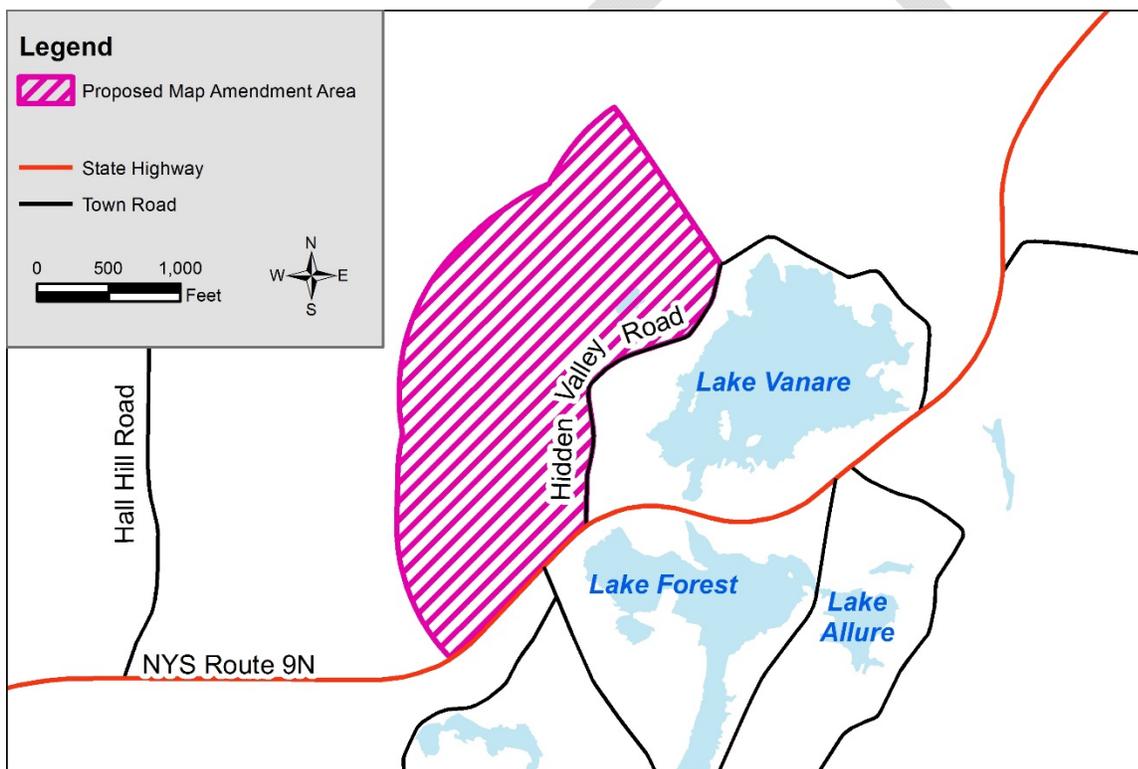


Figure 4. Map showing the roads in and around the Proposed Map Amendment Area.

Figure 5 shows the existing land use in and around the Proposed Map Amendment Area according to Warren County Office of Real Property Tax Service and New York State Office of Real Property Services (ORPS). According to data obtained from the County and ORPS, the requested map amendment area consists of all or a portion of three commercial parcels, three residential parcels, two recreation and entertainment parcels, five vacant parcels, and one private forest lands parcel. Table 2 contains a list of parcels within the Proposed Map Amendment Area, the acreage affected by the proposal, and existing use according to County tax parcel data.

Fire and rescue services are furnished by the Luzerne-Hadley Fire Department. Police protection is available from Warren County Sheriff Department and New York State Police, both located in Queensbury, approximately 14 miles from the Proposed Map Amendment Area.

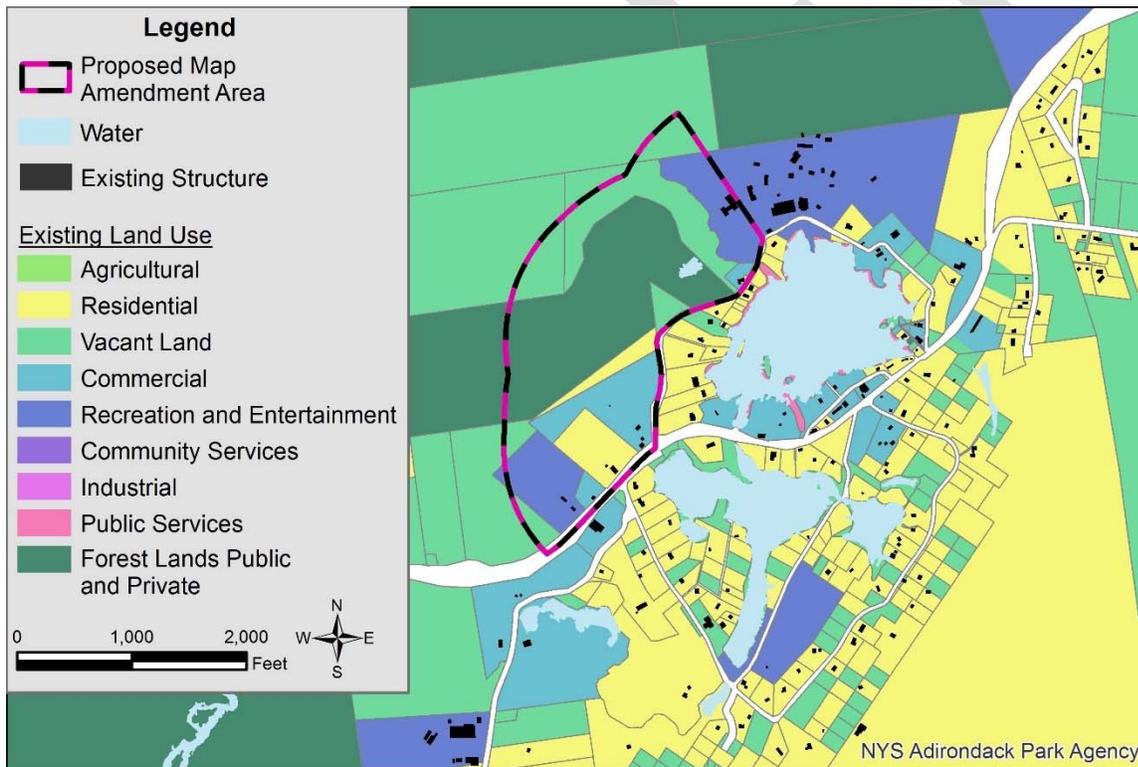


Figure 5. Map showing the existing land use according to the Warren County property tax map data for the Proposed Map Amendment Area and surrounding area.

<b>Lot</b>	<b>Acres within Map Amendment Area</b>	<b>Existing Land Use Category</b>	
286.-1-31.2	8.5*	Recreation & Entertainment	(Camping Facilities)
286.-1-30	3.0*	Vacant	(Residential Vacant Land Over 10 Acres)
286.-1-32	1.13	Commercial	(Camps, Cottages, Bungalows)
286.-1-33	5.78	Residential	(One Family Year-Round Residence)
286.-1-34	9.94	Commercial	(One Story Small Structure)
286.-1-35	2.77	Residential	(Seasonal Residence)
286.-1-18	40.1*	Private Wild and Forest Lands	(Private Wild and Forest Lands)
286.-1-36	1.65	Vacant	(Residential Vacant Land)
286.-1-14	4.5*	Vacant	(Residential Vacant Land Over 10 Acres)
286.-1-37	12.4*	Vacant	(Residential Vacant Land Over 10 Acres)
286.-1-38	0.5	Commercial	(Apartments)
286.7-1-1	0.02*	Residential	(One Family Year-Round Residence)
286.-1-39	8.4*	Recreation & Entertainment	(Camps)
286.-1-12	3.0*	Vacant	(Residential Vacant Land Over 10 Acres)

Table 2. List of parcels within the Proposed Map Amendment Area, acreage, and existing use according to County tax parcel data. \* Only a portion of these parcels area located within the Proposed Map Amendment Area.

### Soils

The United States Department of Agriculture, Natural Resource Conservation Service (NRCS), in its Soils Survey for Warren County, has identified eight soil map units within the Proposed Map Amendment Area. These soil map units are predominately comprised of Bice and Hinkley series, and Plainfield series which together make up 83% of the area. Figure 6 is a map showing the soil map data from the Soil Survey of Warren County, New York. Table 3 is a list of the soil map units in the Proposed Map Amendment Area, the acreage and percentages of each and their expected suitability for on-site wastewater treatment systems.

Bice series makes up approximately 45% if the area and consists of loamy till derived mainly from granite and gneiss with variable components of sandstone and shale. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. This soil is not flooded or ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet hydric criteria.

Hinkley series makes up 20% of the area and consists of sandy and gravelly glaciofluvial deposits derived principally from granite, gneiss, and schist. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is excessively drained. Water movement in the most restrictive layer is moderately high. This soil is not flooded or ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet hydric criteria.

Hinckley-Plainfield complex makes up 18% of the area and consists of approximately 45% Hinckley soils (see description above) and 35% Plainfield soils, with minor inclusions of other soil types. The Plainfield component consists of sandy glaciofluvial or deltaic deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is excessively drained. Water movement in the most restrictive layer is moderately high. This soil is not flooded or ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet hydric criteria.

One of the most important natural characteristics in determining the potential for development of land without access to public sewer treatment facilities are the types and depths of soils and their ability to accommodate construction and effectively treat on-site septic effluent. Under the correct conditions, dry, well-drained soils, such as sand and gravel deposits, result in dry basements and properly functioning septic systems. Approximately 73% of the Proposed Map Amendment area contains soils that are expected to pose few limitations for on-site wastewater treatment systems.

The Soil Survey mapped 13.7 acres of the Proposed Map Amendment Areas as water, which appears to be a seasonally ponded portion of a wetland. (see Wetlands section below).

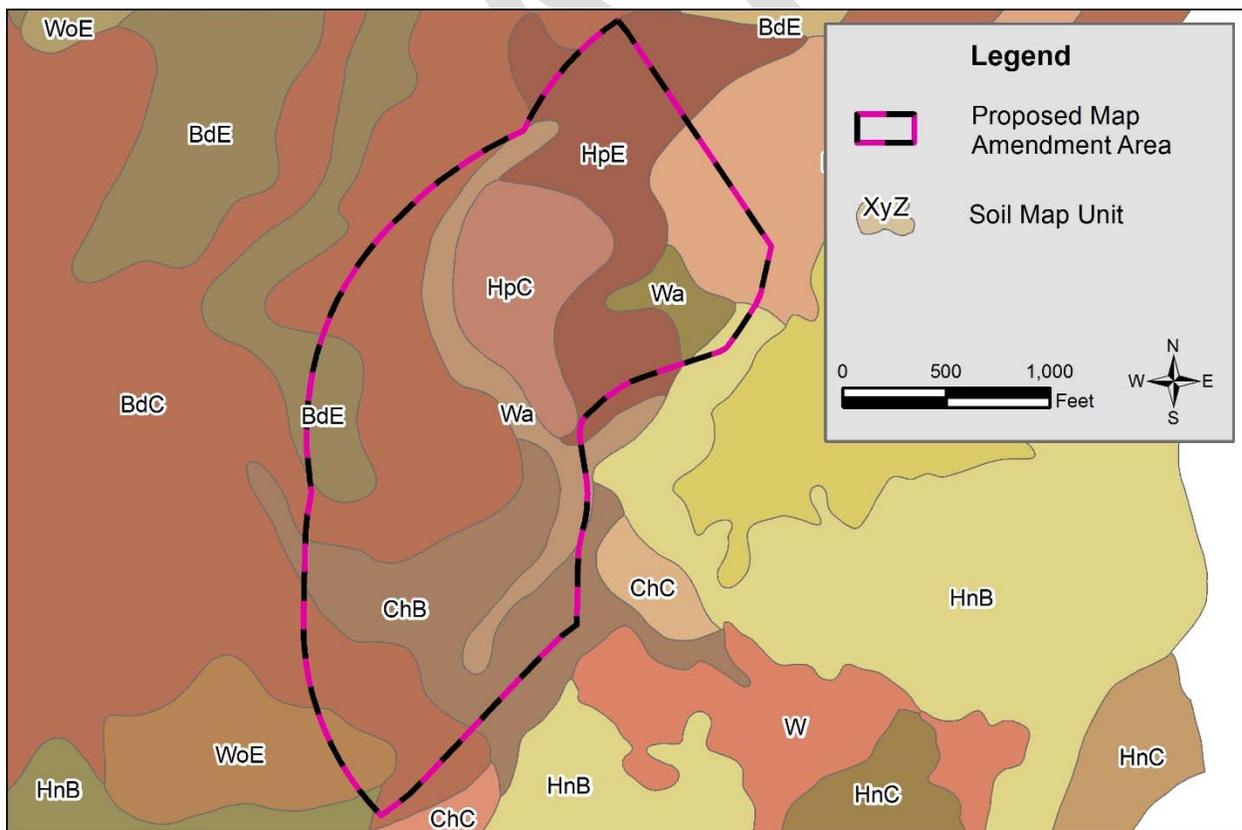


Figure 6. Map showing the Proposed Map Amendment Area and Warren County Soil Survey data.

Map Unit Symbol	Soil Map Unit Name	Expected Limitations for on-site wastewater treatment	Total Acres of in Proposed Amendment Area	% of Area
BdC	Bice very bouldery fine sandy loam, sloping	few	29.7	28%
BdE	Bice very bouldery fine sandy loam, steep	few	18.3	17%
HnC	Hinckley cobbly sandy loam, 8 to 15 percent slopes	few	18.2	17%
HpE	Hinckley-Plainfield complex, steep	severe	13.0	12%
Wa	Water	N/A	13.7	13%
HpC	Hinckley-Plainfield complex, sloping	few	6.6	6%
HnB	Hinckley cobbly sandy loam, 3 to 8 percent slopes	few	3.3	3%
ChB	Charlton fine sandy loam, 3 to 8 percent slopes	few	1.8	2%
WoE	Woodstock-Rock outcrop complex, steep	severe	0.6	1%

Table 3. Soils within the Proposed Map Amendment Area

Detailed soil mapping also provides slope categories for each soil map unit which represent the general slope throughout a particular soil map unit. This slope category may not reflect the actual slope for the portion of a soil map unit within the map amendment area area. Please refer to the discussion of Topography below for more detailed information on slopes.

### Topography

The topography of the Proposed Map Amendment Area consists primarily of low to moderate slopes, with 98% of the area containing slopes under 15%. Generally, slopes under 15% can support relatively intense level of development. Elevation in the Proposed Map Amendment Area ranges from approximately 720 feet to 840 feet above sea level, a gain of 120 feet. Figure 7 is a map showing the slopes in the area. Table 4 shows the acreage and percentages of each slope category with a description of the limitations posed by each slope category and implications for land use and development.

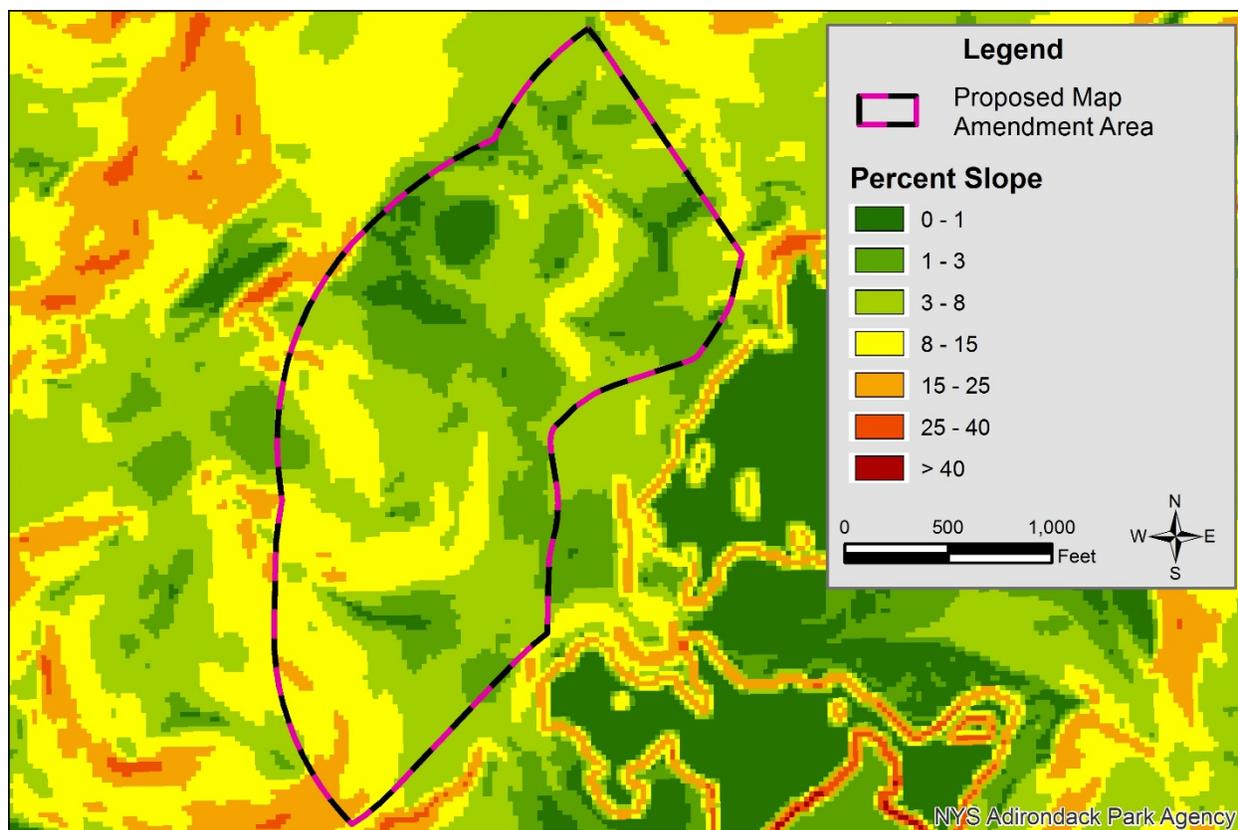


Figure 7. Slopes within the Proposed Map Amendment Area

Slope Range	Land Use Implications	Total Acres of in Proposed Amendment Area	% of Area
Low/Moderate Slopes (0-15%)	These slopes can be developed at a relatively intense level, so long as careful attention is given to the wide slope variability in this range. Construction or engineering practices that minimize erosion and siltation problems must be utilized on the steeper slopes in this range.	103	98%
Steep Slopes (16-25%)	These slopes present substantially the same environmental hazards relating to erosion, sewage disposal, siltation and construction problems as are found on severe slopes. However, if rigid standards are followed, some low intensity development can take place.	2	2%
Sever Slopes (25%+)	These slopes should not be developed. Development on these slopes presents serious environmental problems. Erosion rates are greatly accelerated. Accelerated erosion increases siltation. Septic systems will not function properly on these slopes. Development costs are likely to be massive because of the special engineering techniques that must be employed to ward off problems such as slipping and sliding. Proper grades for streets are difficult to attain and often can only be accomplished by large road cuts.	0	0%

Table 4. Slopes within the Proposed Map Amendment Area

### Water Resources

The major hydrological feature in the Proposed Map Amendment Area is an unnamed stream in the northern portion of the area. This stream is classified as a C(t) stream, which indicates that its best use is for fishing and it may support a trout population. Figure 8 is a map showing the location of this stream.

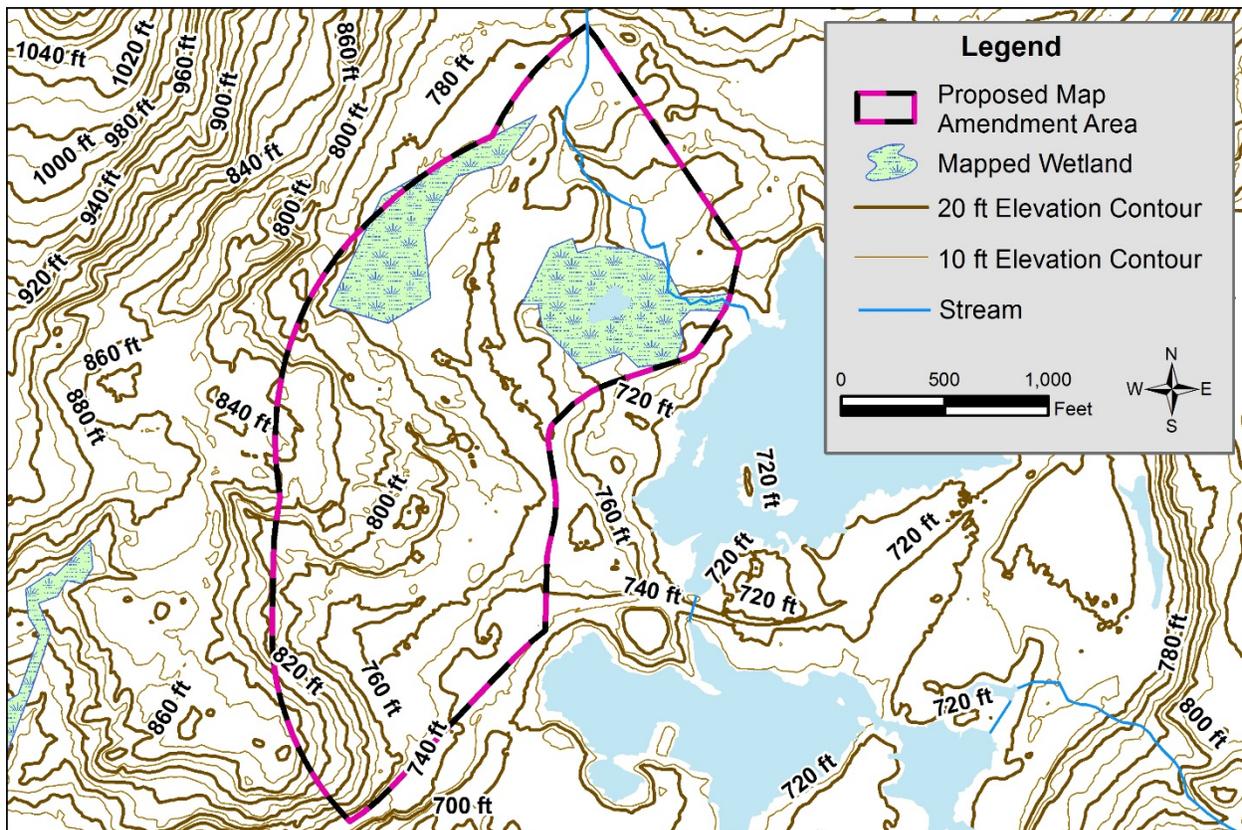


Figure 8. Map showing the Proposed Map Amendment Area, topography, wetlands mapped by aerial imagery interpretations, and waterbodies.

The Proposed Map Amendment Area is situated near the approximately 40-acre Lake Vanare and the approximately 25-acre Lake Forest. Lake Vanare is located approximately 200 feet down stream of the Proposed Map Amendment Area. The Proposed Map Amendment Area is also adjacent to a mapped aquifer. Figure 9 shows the Proposed Map Amendment Area and this aquifer.

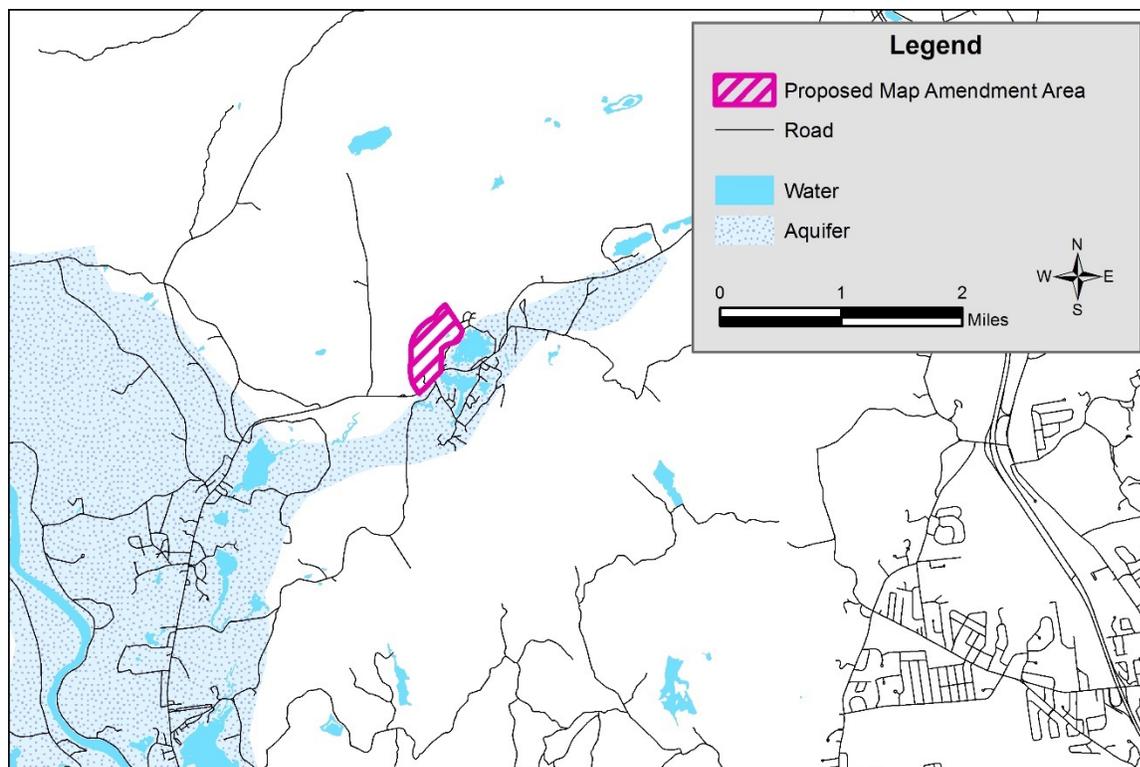


Figure 9. Map showing the Proposed Map Amendment Area and a mapped aquifer.

### Wetlands

Interpretation of recent aerial imagery indicates that there are two wetlands in the Proposed Map Amendment Area. The larger wetland area is approximately 8.5 acres in size and located along the unnamed classified stream. The second wetland is approximately 7 acres in size. Figure 8 shows the mapped wetlands in the Proposed Map Amendment Area.

### Critical Environmental Areas

Lands currently classified as Rural Use are within 150 feet of a State highway right-of-way and the two wetland areas are statutory Critical Environmental Areas (CEA) pursuant to the Adirondack Park Agency Act. A portion of the *Proposed Map Amendment Area* is within this highway CEA. These Critical Environmental Areas are not Critical Environmental Areas pursuant to 6 NYCRR 617.14(g). There are no highway CEA's for areas classified as Moderate Intensity Use, the proposed classification.

### Biological Resources

There are no known instances of rare threatened or endangered species in the Proposed Map Amendment Area. Approximately 80 acres of the area are within an 11,800-acre area identified "regionally important" forest block by the Wildlife Conservation Society (WCS). WCS identifies these areas due to their size (6,000 acres – 15,000 acres). This forest block is one of 115 regionally important forest blocks identified in the

Adirondack Park. Figure 10 shows the Proposed Map Amendment Areas on a map with these large forest blocks.

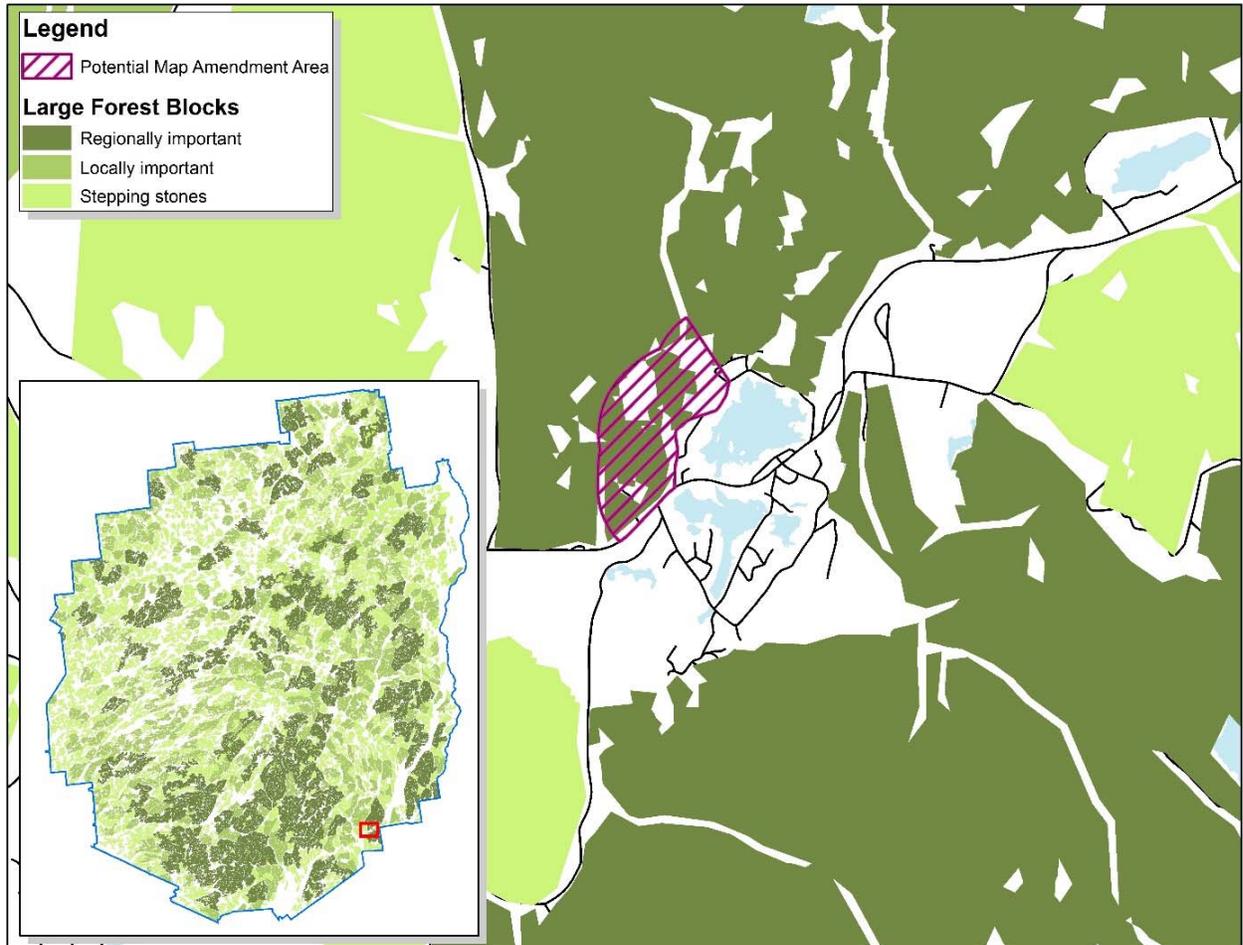


Figure 10. Map showing the Proposed Map Amendment Area and large forest blocks from the Wildlife Conservation Society.

### Population Trends

The population of the Town of Lake Luzerne was 3,374 in 2010, an increase of 155 persons (5%) since 2000. Table 5 compares population growth of the Town of Lake Luzerne in both absolute and percentage terms as compared to the five surrounding towns.

Town/Village	Year		Change from 2000-2010	
	2010	2000	Number	Percentage
Queensbury	27,901	25,441	2,460	10%
Corinth	6,531	5,985	546	9%
<b>Lake Luzerne</b>	<b>3,374</b>	<b>3,219</b>	<b>155</b>	<b>5%</b>
Hadley	2,048	1,971	77	4%
Lake George	3,515	3,578	-63	-2%
Warrensburg	4,094	4,255	--161	-4%

Table 5. Population Trends for Lake Luzerne and Surrounding Towns, ranked by rate of growth (Source: U.S. Census Bureau, 2010, 2000 Census)

### **Potential Impacts of the Action**

#### Impacts to flora and fauna

The proposed action to change to a less restrictive classification may lead to adverse impacts upon flora and fauna due to the potential increase in development adjacent to wetlands. An increase in development can lead to the degradation of habitat and disruption of wildlife movement patterns. The pollution of surface waters can also degrade wildlife habitat.

The proposed reclassification also has the potential to result in a loss of existing open space and natural vegetation, with associated adverse impacts upon wildlife. The area contains approximately 80 acres of an 11,900-acre forest block. Large forest blocks provide habitat to area-sensitive species and are more resilient to large-scale disturbances which maintain forest health over time. The proposed action will not authorize a specific development project but will allow a higher intensity of development. The magnitude of the future impacts is unknown at this time.

#### Impacts to water resources

The proposed action may lead to adverse impacts to surface and groundwater quality. This area contains a protected stream as classified by New York State Department of Environmental Conservation. Lake Vanare is located approximately 200 feet down

stream of the of the Proposed Map Amendment Area and the area is adjacent to a mapped aquifer.

The Proposed Map Amendment Area is not served by municipal sewer facilities. One of the most important natural characteristics in determining the potential for development of land without access to municipal sewer treatment facilities are the types and depths of soils and their ability to accommodate construction and effectively treat on-site wastewater. Under the correct conditions, dry, well-drained soils, such as sand deposits, on appropriate slopes typically result in properly functioning septic systems. Soils with shallow depth to the water table or bedrock do not have adequate depth to effectively treat septic effluent and can cause pollution to groundwater and/or nearby surface water. Approximately 77 acres, or 73% of the Proposed Map Amendment Area, are expected to have adequate soil and slope conditions to support on-site wastewater treatment systems.

Development at intensities permitted by Moderate Intensity Use can increase nutrient levels and contamination of adjacent waters. Excessive nutrients cause physical and biological change in waters which affect aquatic life.

Surface water resources could be affected by activities which tend to disturb and remove stabilizing vegetation resulting in increased runoff, soil erosion, and stream sedimentation. Erosion and sedimentation may destroy aquatic life, ruin spawning areas, and increase flooding potential. The magnitude of the impacts will depend on future development that would result from the proposed action, which is unknown at this time.

#### Adverse environmental impacts that cannot be avoided

Reclassification to a new land use area classification itself does not create environmental impacts. However, the development that could result may create impacts as outlined above and as specified in the FGEIS. Amendments which permit more development may lead to increased adverse environmental effects. However, the resource's tolerance and value determine the significance of these impacts. These effects can be mitigated by State and local permit requirements or mitigation measures identified in the discussion of alternatives.

#### Irreversible and irretrievable commitments of environmental resources

Subdivision of land to smaller lots and the creation of individual building sites is a commitment of land resources. An amendment to a less restrictive classification may facilitate such commitment of resources. To the extent that development occurs as a result of a map amendment, the consequent loss of forest and open space resources and degradation of water quality are the primary irreversible commitment of resources. These potential environmental impacts are described above.

### Growth-inducing aspects

The area is presently classified Rural Use on the Official Adirondack Park Land Use and Development Plan Map. As stated above, the statutory “overall intensity guidelines” for Resource Management allows one principal building for every 8.5 acres, while Moderate Intensity Use areas allows one principal building for every 1.3 acres. Therefore, the proposed amendment would allow a potential net increase in principal buildings within the map amendment area. (See Land Area and Population, for the current land use area acreage and census information for the Town of Lake Luzerne)

If the map amendment is approved, the change in land use classification will affect regulatory thresholds related to overall intensity guidelines and compatible uses as set forth in Section 805 of the Act. Potential for development criteria would also depend on whether an Agency permit is required pursuant to Section 810 of the Act, the number of lawfully pre-existing lots and structures and development privileges for such pre-existing lots based on Section 811 of the Act, and constraints resulting from environmental factors.

### Impacts of the proposed action on the use and conservation of energy

Increasing the number of allowable principal buildings in the amendment area will potentially increase energy use in proportion to the number, type, and energy efficiency of principal buildings actually built.

### Impacts of the proposed action on solid waste management

An increase in the number of principal buildings (see Growth-inducing Aspects) would lead to an increase in the amount of solid waste generated. Solid waste reduction/reuse/recycling programs could lessen disposal impacts.

### Impacts of the proposed action of historic resources

The proposed map amendment will not cause any change in the quality of “registered”, “eligible”, or “inventoried” properties for the purposes of implementing Section 14.09 of the New York State Historic Preservation Act of 1980.

## Alternative Actions

There are three alternative actions that could be considered:

### A. No Action

One alternative action is “no action” or denial of the request. The Agency may determine that the current classification is appropriate for the area under consideration for a map amendment. A failure to approve any change would preserve the present pattern of regulatory control. There would be no adverse or beneficial site changes in the reasonably foreseeable future.

### B. Alternative regional boundaries

The redefinition of the Proposed Map Amendment Areas along alternative regional boundaries could be employed. Alternative boundaries can be used to exclude areas that pose physical limitations for development or other concern. There are areas within Proposed Map Amendment Area that pose severe limitations for development, but these limiting features are not in locations where an alternative geographic configuration would be advantageous.

### C. Alternative classifications

The Proposed Map Amendment area is currently classified as Rural Use and the proposal is to reclassify it as Moderate Intensity Use. Low Intensity Use is an alternative, intermediate classification that could be considered. There are no Low intensity Use areas contiguous to proposed reclassification area. The Proposed Map Amendment Area is defined by regional boundaries and could possibly be reclassified as a separate Low Intensity Use area if it was determined that the area does not meet the criteria for Moderate Intensity Use but does meet the criteria for Low Intensity Use. However, this action would not accomplish the applicant’s objective of classifying this area consistent with the adjacent lands.

## Measures to Mitigate Potential Adverse Environmental Effects

### Application of Statutory Criteria

The statutory criteria for map amendments balance the various physical, biological, and public resource considerations and provide development opportunities in areas with tolerant resources, thereby protecting the public interest.

Sensitive or intolerant natural or public resources are generally found in the more restrictive land use areas (Rural Use and Resource Management). There the resources are protected by lower permitted densities, a greater possibility of projects being reviewed, and more rigorous shoreline setback and lot width standards. A greater number of development opportunities are provided in and around the Hamlet areas where services exist and in areas with natural resource characteristics (e.g., slight

slopes) are economically conducive to development. In these counterpoint areas lower development costs, higher permitted densities, and less strict standards guide development to these areas.

### **Studies, Reports and Other Data Sources**

- New York State Environmental Conservation Law, Articles 8 and 24; New York State Executive Law, Article 27
- Soil Survey for Warren County
- United States Geological Survey Topographic map (7.5' series; scale 1:24,000)
- Air Photo Inventory, Adirondack Park Agency
- New York Natural Heritage Database
- NYS Office of Real Property Services
- Warren County Digital Tax Parcel Data
- U. S. Census Bureau
- Adirondack Park Agency Geographic Information Systems Data
- Adirondack Park State Land Master Plan
- New York State Parks, Recreation and Historic Preservation National Register Internet Application
- NYS DEC Environmental Mapper
- Large Intact Forest Block GIS data, Wildlife Conservation Society