COVER SHEET
and
NOTICE OF COMPLETION
of
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT (DSEIS)
MAP AMENDMENT 2021-01 (Town of Warrensburg)

NAME OF LEAD AGENCY AND PREPARER OF DSEIS:

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

PROJECT LOCATION:

Town of Warrensburg
Warren County

PROPOSED ACTION:

Application for two Amendments to the Official Adirondack Park Land Use and Development Plan Map in the Town of Warrensburg, Warren County (Map Amendment 2021-01) pursuant to Section 805 (2) (c) (1) of the Adirondack Park Agency Act (Executive Law, Article 27). Area 1 is approximately 21.9 acres and currently classified as Low Intensity Use. Area 2 is approximately 65.9 acres in size and currently classified as Rural Use. The Town has requested that these two areas be reclassified as Hamlet.

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 PUBLIC HEARING ON PROPOSED MAP AMENDMENT:

DATE OF ACCEPTANCE OF DSEIS BY LEAD AGENCY:

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

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APPENDICES

PROPOSED ACTION

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PURPOSE, PUBLIC NEED AND BENEFITS

In their application, the Town states the availability of public water and sewer service, and proximity to existing Hamlet areas as the reason for the proposed changes.

PROCEDURES UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

This Draft Supplemental Environmental Impact Statement (DSEIS) analyzes the environmental impacts which may result from Agency approval of these proposed map amendments. The Official Adirondack Park Land Use and Development Plan Map (the Map), identified in § 805(2)(a) of the APA Act, is the underlying framework of the Adirondack Park Land Use and Development Plan, which guides land use planning and development of private land in the Adirondack Park. This DSEIS is a supplement to the Final Generic Environmental Impact Statement: The Process of Amending the Adirondack Park Land Use and Development Plan, adopted on August 1, 1979.

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 Environmental Impact 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 requests, deny the requests, or approve alternatives. The Agency will issue a separate decision for each requested amendment.

Pursuant to SEQRA, the Agency must compare the relative impacts of potential land use and development based on the existing land use classification with those of the proposed land use classification and “should consider the most intensive uses allowable under the proposed (change) to judge potential impacts.”

Standards for Agency Decision

The Agency's decision on a map amendment request is a legislative function based upon the application, public comment, the 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 applicant 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;[1]
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 (FGEIS).

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*

[1] Part 583 and Appendix Q-8 are found on the agency website: Adirondack Park Agency Laws, Regulations and Standards (ny.gov).

> *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 amendments are examined in comparison to the statutory "purposes, policies, and objectives" and the "character descriptions" for the proposed Hamlet classification, as well as in the context of the "land use area classification determinants," 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 section 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 relatively 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 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 requested map amendment areas are located in the Town of Warrensburg, in the southeastern portion of the Adirondack Park. Both areas are located adjacent to the existing Hamlet of Warrensburg. Figure 1 is a map showing the general location of the areas under consideration for this action.

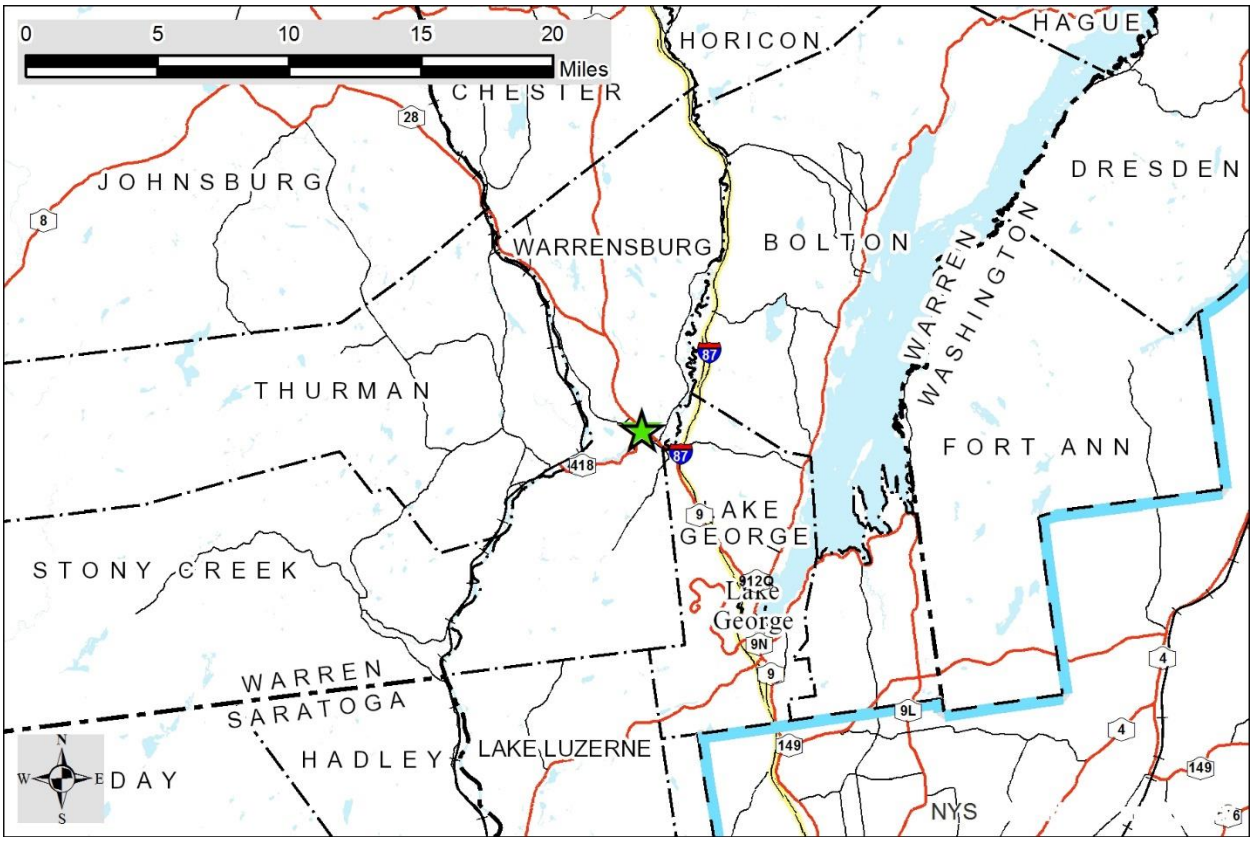

Figure 1. Map showing the general location of the proposed map amendment areas.

Adirondack Park Land Use and Development Plan Map

The Town of Warrensburg is approximately 41,375 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.

Land Classification	Acreage
Hamlet	1,547
Moderate Intensity Use	690
Low Intensity	2,035
Rural Use	17,537
Resource Management	11,671
State Land	6,807
NYS State Conservation Easement[1]	1,864

Table 1. Approximate acreage of land use classifications in the Town of Warrensburg.
[1] Approximately 1,864 acres of private lands in the Town of Warrensburg classified as Resource Management and Rural Use are under a New York State conservation easements.

Figure 2 is a map of the proposed map amendment areas with the current Adirondack Park Land Use and Development Plan Map at a scale that illustrates the existing Hamlet of Warrensburg. Figures 3 is a map depicting the proposed map amendment areas and the Adirondack Park Land Use and Development Plan Map at a smaller scale.

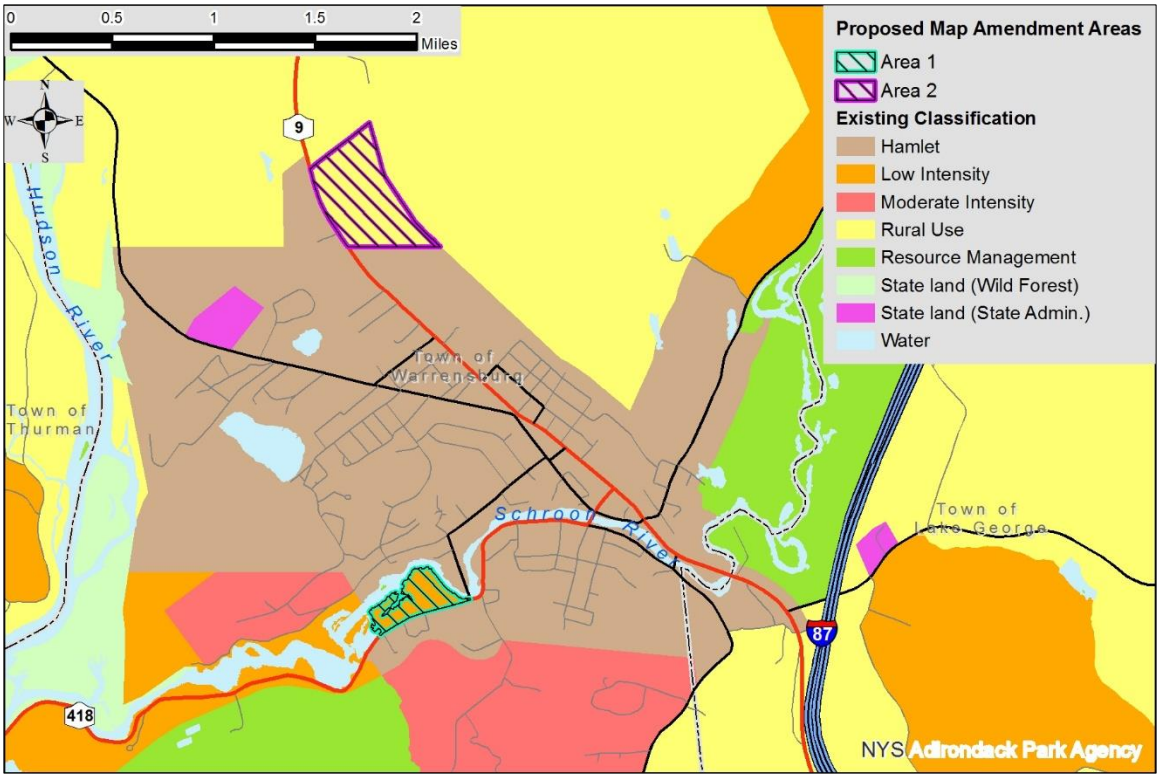

Figure 2. Map of the two proposed map amendment areas and the current classifications on the Adirondack Park Land Use and Development Plan Map and State Land Master Plan.

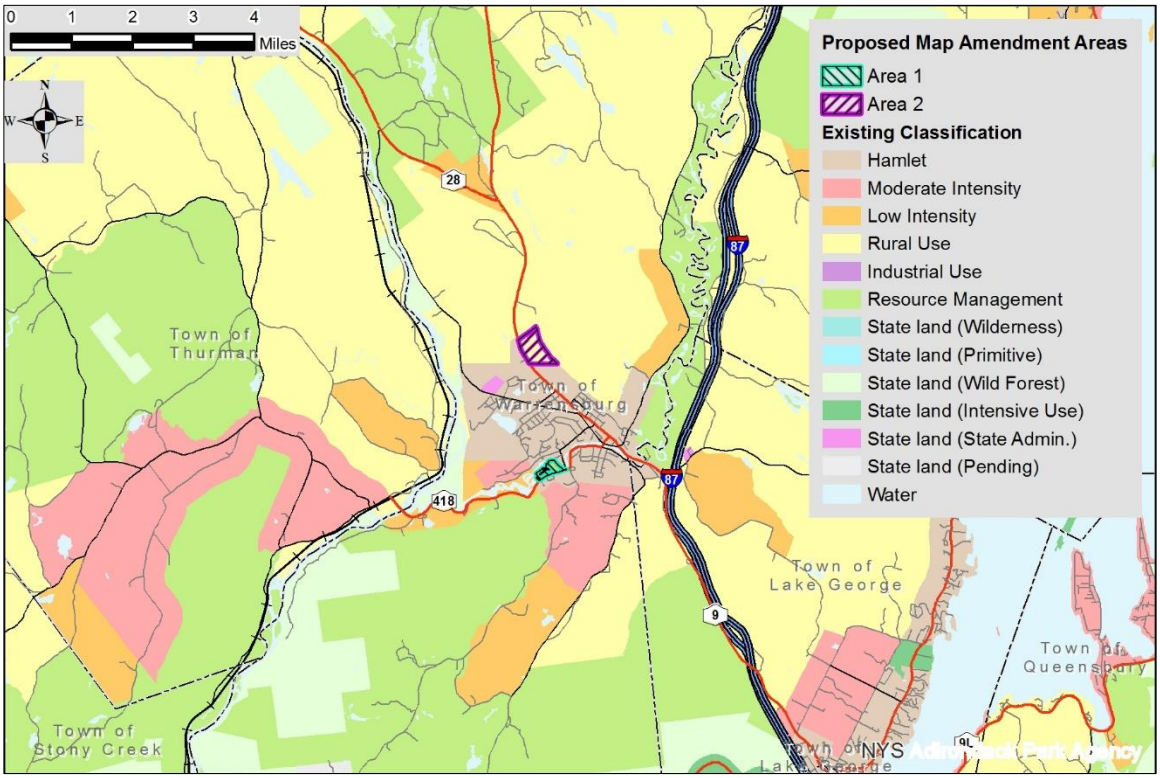

Figure 3. Map showing the two proposed map amendment areas and the current classification on the Adirondack Park Land Use and Development Plan Map and State Land Master Plan.

Community Services

The Hamlet of Warrensburg is approximately 1,547 acres in size and is an existing growth center offering a variety of services and facilities.

The Town of Warrensburg has municipal sewer and water facilities that serve areas in and around the Hamlet of Warrensburg, including portions of both areas under consideration.

The wastewater treatment plant for the Warrensburg Sewer District is located west of Area 1 along NYS Rt 418. The plant has a permitted capacity of 0.25 million gallons per day (MGD), and in 2020 received an average flow of 0.1312 MGD. Figure 4 shows the location of sewer mains and the sewer district in the vicinity of the two proposed map amendment areas.

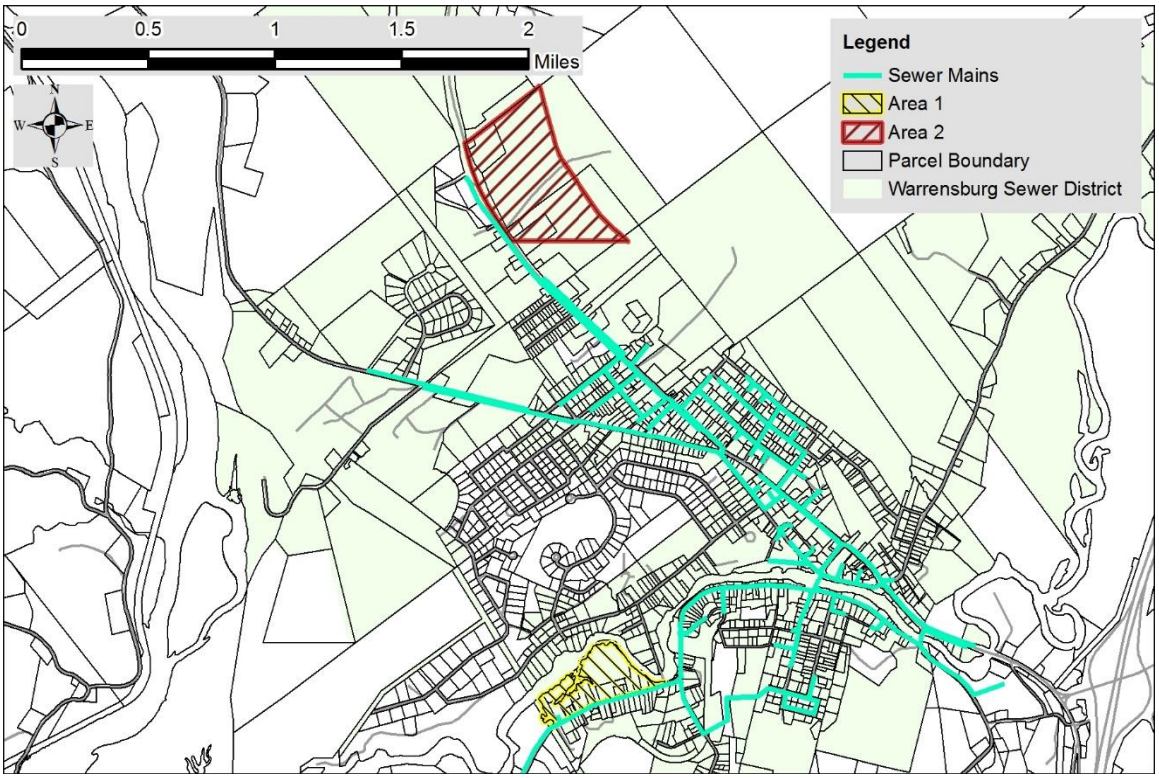

Figure 4. Map showing the proposed map amendment areas, sewer district and sewer mains.

The source of the Warrensburg Water District are multiple groundwater wells. Figure 5 shows the location of water mains and the water district in the vicinity of the two proposed map amendment areas.

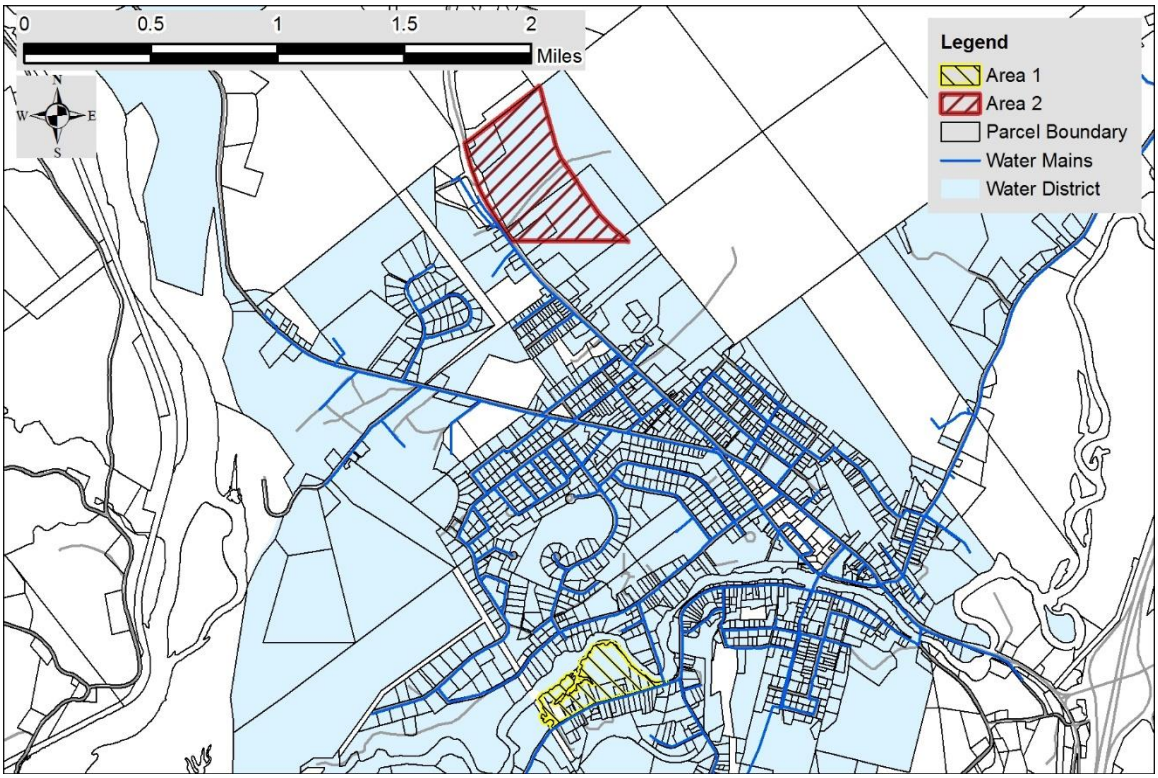

Figure 5. Map showing the proposed map amendment areas, water district and water mains.

Fire services are furnished by the Warrensburg Volunteer Fire Department and rescue services are furnished by the Warrensburg Emergency Medical Services.

Police protection is available from the Warren County Sheriff's Department and the New York State Police. Both organizations have facilities approximately 11 miles away in Chestertown and approximately 14 miles away in Queensbury.

AREA 1

Description

Area 1 is currently classified as Low Intensity Use. It is bounded by the lands currently classified as Hamlet to the east and south and by the Schroon River to the north. The lands to the west are currently classified as Low Intensity Use and would remain so under this proposal. The lands on the north side of the river, on the opposite shore from

Area 1, are currently classified as Hamlet. Area 1 is part of an approximately 270-acre Low Intensity Use Area that includes lands on both sides of the Schroon River extending west from Area 1, downstream to its confluence with the Hudson River. Figure 6 is a map showing Area 1 and the current classification on the Adirondack Park Land Use and Development Plan Map.

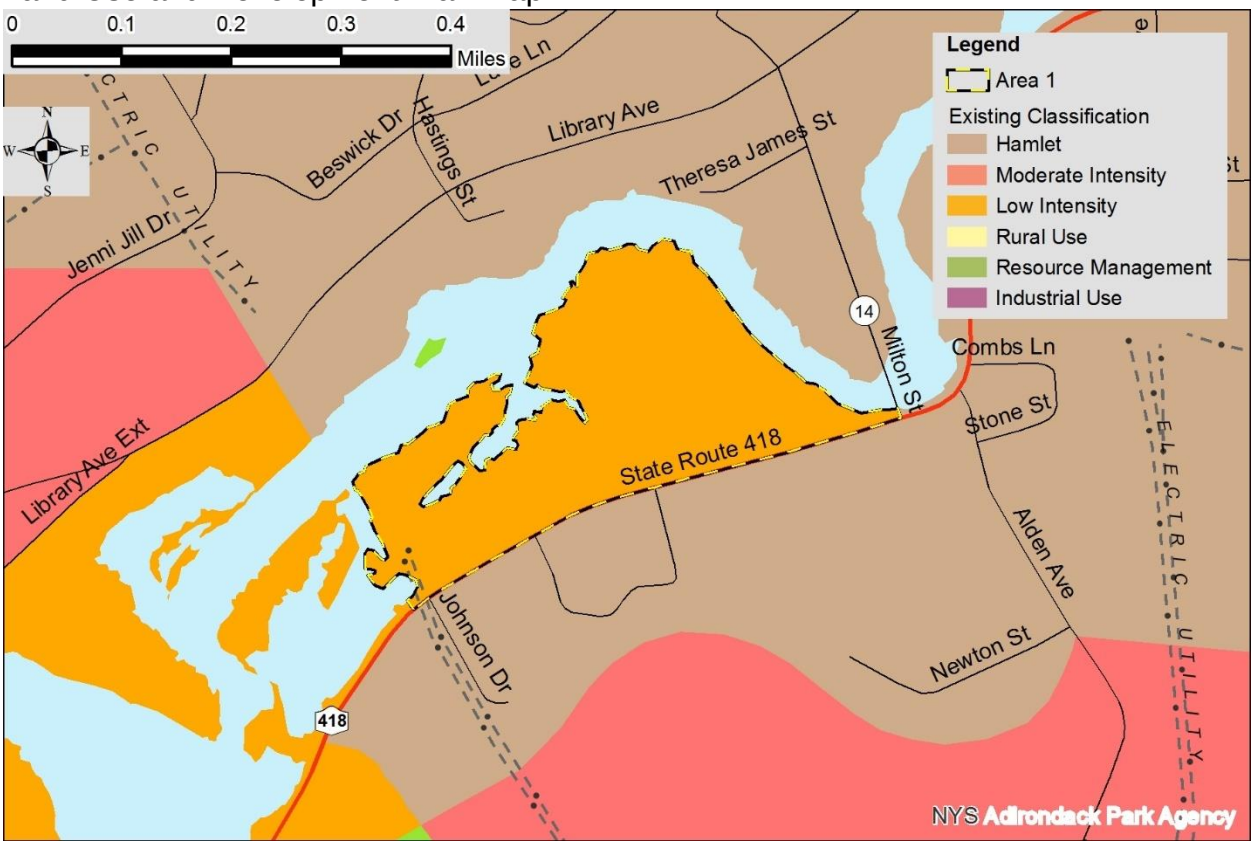

Figure 6. Map showing Area 1 and the current classification on the Adirondack Park Land Use and Development Plan Map.

Area 1 is approximately 21.9 acres in size and described as follows:

> Beginning at a point at the intersection of the centerlines of NYS Rt 418 and Milton Street; thence in a westerly direction along the centerline of NYS Rt 418 for a distance of approximately 1,800 feet to a point on the centerline of an electric transmission line; thence in a northerly direction along the centerline of the transmission line to a point on the shoreline of the Schroon River; thence in a northeasterly direction along the shoreline of the River to a point at the centerline of Milton Street; thence in a southeasterly direction along the centerline of Milton Street to the point of beginning.

Existing Land Use and Development

Area 1 has approximately 1,800 feet of road frontage along NYS Rt 418, also called River Street, which is a hard-surfaced State-maintained highway. This section of highway is part of the 40-mile Dude Ranch Trail Scenic Byway. The New York State Department of Transportation estimates that the Annual Average Daily Traffic for this road was 2,647 vehicles in 2019. NYS Rt 418 intersects with NYS Rt 9, approximately one mile east of Area 1 at a point that is approximately one mile from access to Interstate 87. There are no public roads within Area 1, but the area has several paved and gravel driveways and parking lots for the existing development in this area. Figure 7 is a map showing the roads in the vicinity of Area 1.

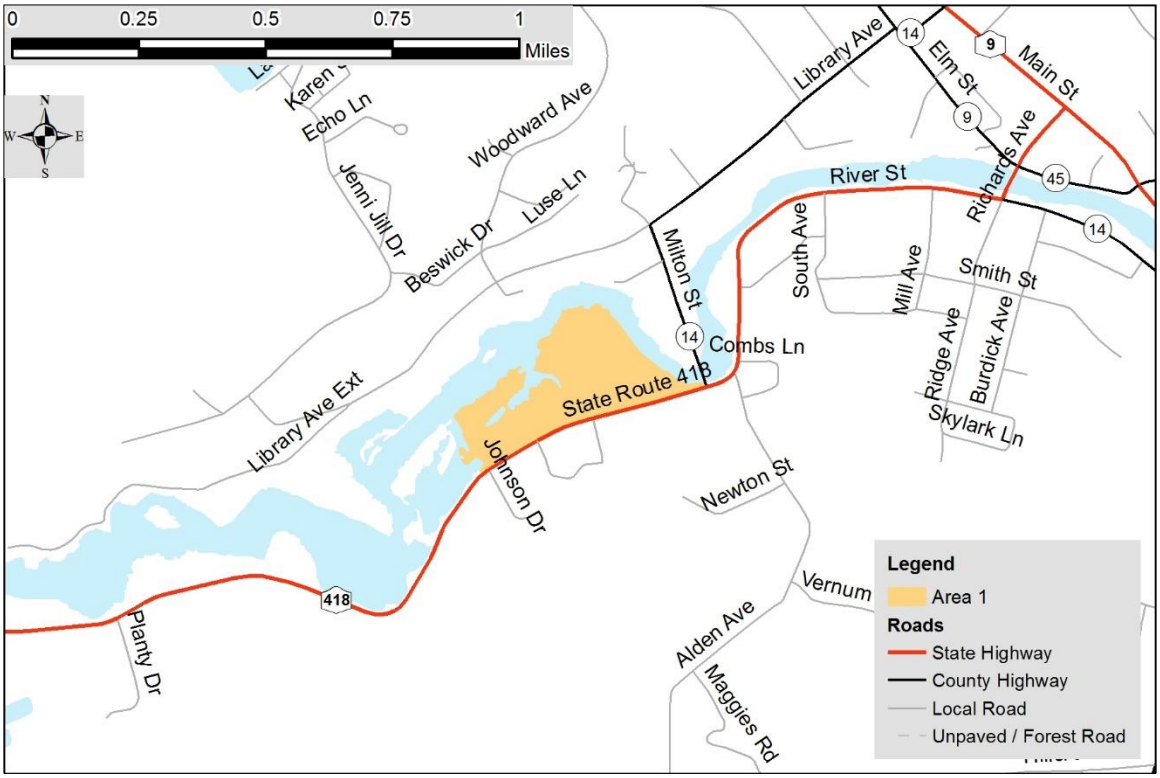

Figure 7. Map showing the roads in and around Area 1.

A sidewalk runs along the south side of NYS Rt 418 through this area. Public sewer and water mains are located along NYS Rt 418 and appear to serve all of the properties in this area. The sewer main located along Area 1 is a 15-inch gravity main, which flows to a pump station in the western end of Area 1 where it becomes a 10-inch forced main that flows west to the treatment plant. Figure 8 is a graphic showing Area 1 and the existing sewer district and locations of nearby sewer mains. Electric and telephone lines run along NYS Route 418. Both sides of this section of road have been intensely developed for over 100 years.

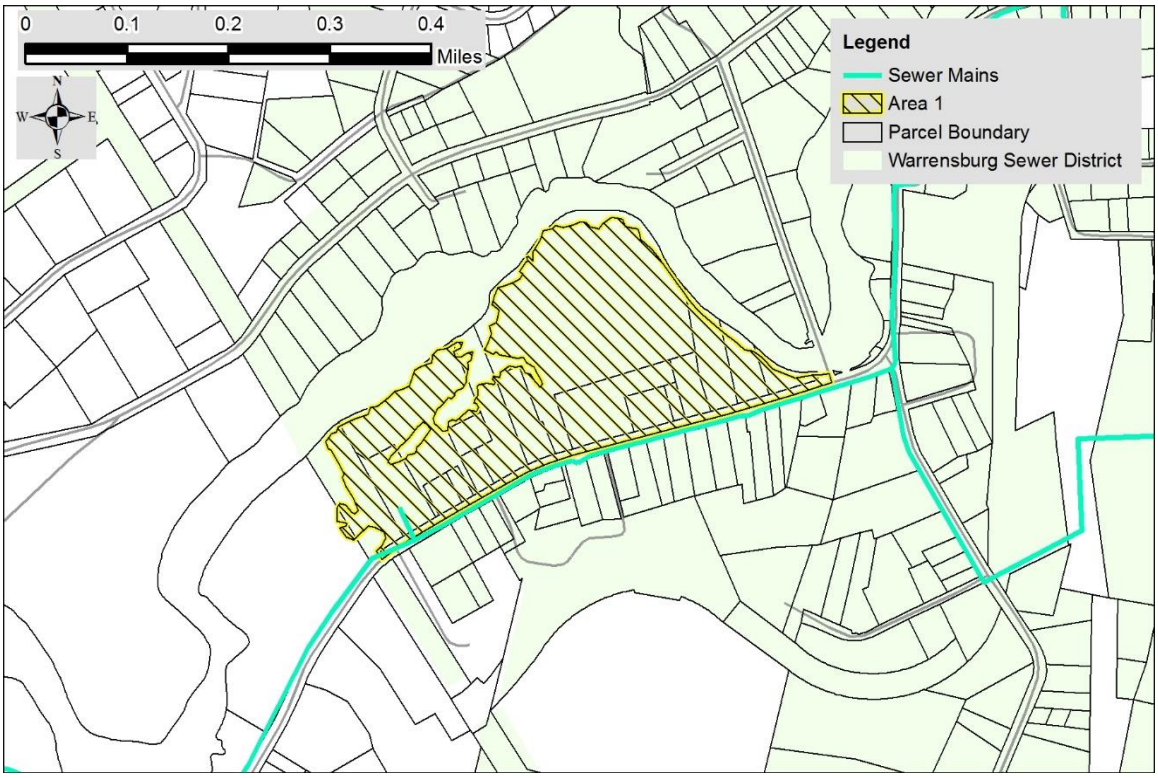

Figure 8. Sewer mains and sewer district in the vicinity of Area 1.

According to data obtained from Warren County as well as the New York State Office of Real Property Services (ORPS), the requested map amendment area consists of all or a portion of eleven residential parcels, two commercial parcels (an apartment and a bar), one community service parcel (a church), and three vacant parcels. Two of the three vacant parcels are owned by a utility company and contain an electric substation, transmission lines, and a sewer pump station. Figure 9 shows the existing land use in and around Area 1 according to the Warren County Office of Real Property Tax Service and ORPS. The map illustrates the approximate locations of existing structures in the vicinity. Table 2 contains a list of parcels within Area 1, the acreage of the parcels affected by the proposal, the total acreage of the parcels, and existing land uses according to County tax parcel data.

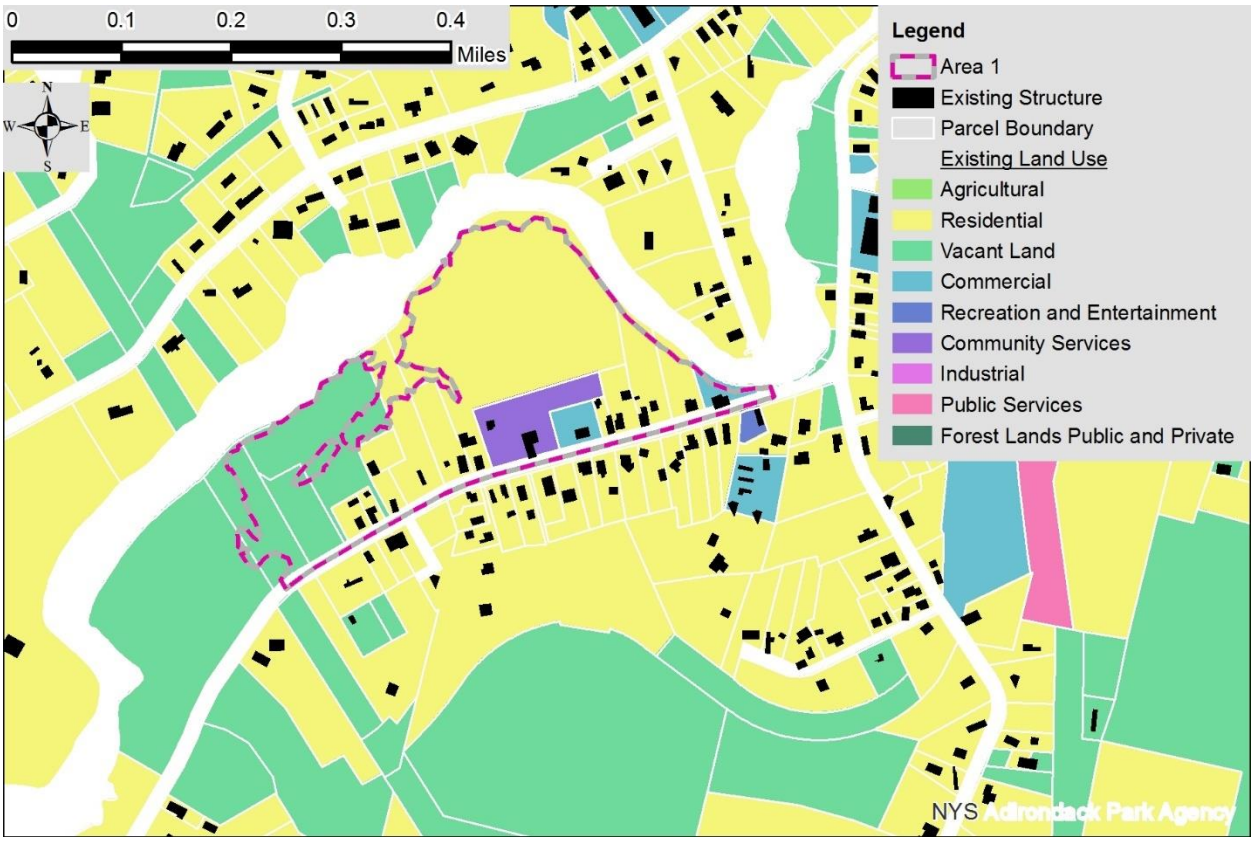

Figure 9. Map showing the existing land use according to the Warren County property tax map data for Area 1 and surrounding area.

Tax Map No.	Acres within Area 1	Total Parcel Acreage	Existing Land Use Category
210.20-5-34	0.4	0.4	Commercial
210.20-5-44	0.6	0.7	Residential
210.20-5-45	1.0	1.0	Residential
210.20-5-48	0.5	0.5	Residential
210.20-5-51	0.1	0.1	Residential
210.20-5-52	0.5	0.5	Commercial
210.20-5-56	1.7	1.7	Community Services
210.20-5-57.2	8.7	9.6	Residential
210.20-5-58	0.8	0.8	Residential
210.20-5-59	1.1	1.4	Residential
210.20-5-60	0.4	0.4	Residential
210.20-5-61	0.2	0.2	Residential
210.20-5-62	0.1	0.1	Residential
210.20-5-63	0.3	0.3	Residential
210.20-5-64	1.0	1.0	Vacant Land
210.20-5-65	3.0	3.3	Vacant Land
223.8-1-2	0.9	18.5	Vacant Land

Table 2. List of parcels within Area 1, acreage, and existing use according to County tax parcel data.

Soils

The United States Department of Agriculture, Natural Resource Conservation Service (NRCS), in its Soils Survey for Warren County, has identified three soil map units within Area 1. These soil map units are predominately comprised of Plainfield and Hinkley series, which together make up 87% of the area. Figure 10 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 Area 1, the acreage and percentages of each, and their expected suitability for on-site wastewater treatment systems.

Plainfield loamy sand, 3 to 8 percent slopes (Map Unit Symbol - PlB) makes up approximately 65% of Area 1. Approximately 75% of these soil map units consist of Plainfield soils, which are loamy till derived from 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.

Hinckley cobbly sandy loam, 3 to 8 percent slopes (Map Unit Symbol - HnB) makes up 22% of Area 1. Approximately 75% of these soil map units consist of Hinckley soils, which are 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.

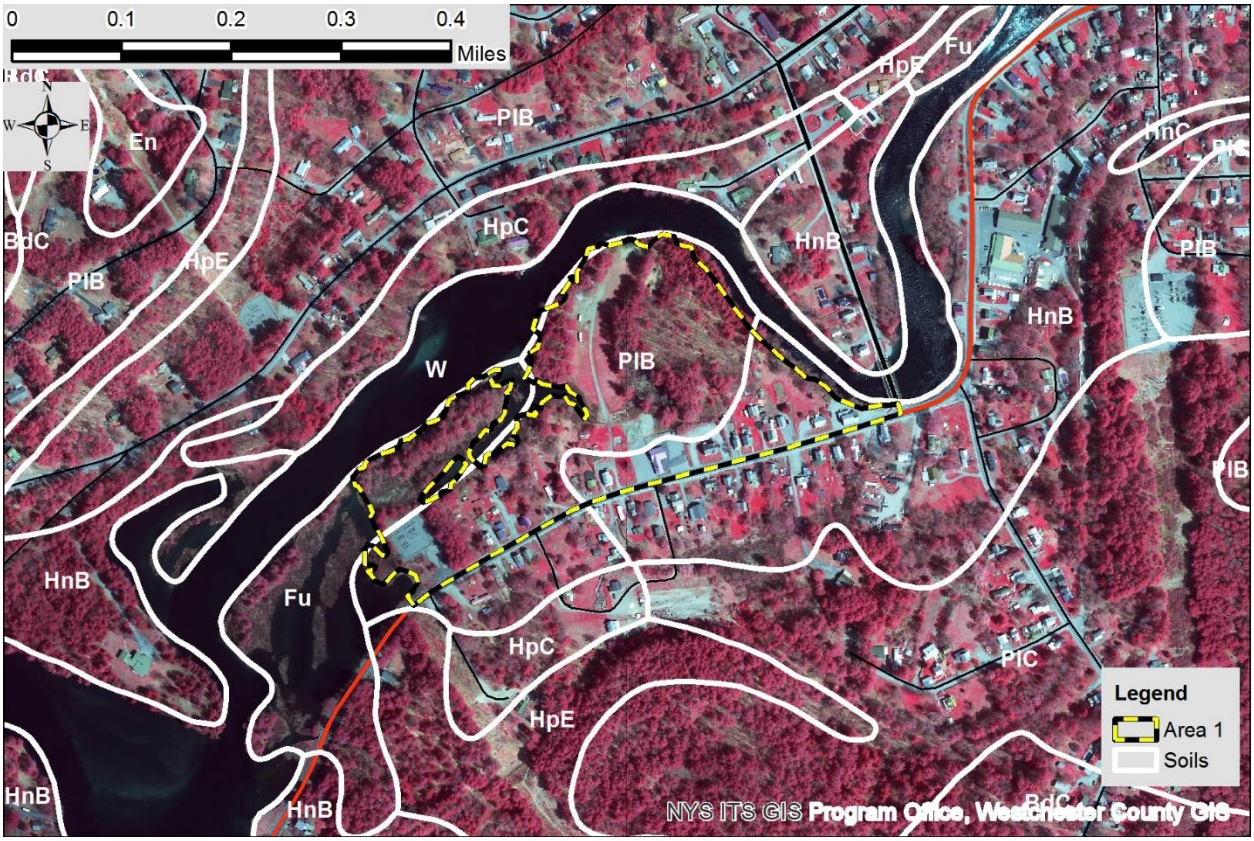

Figure 10. Map of Area 1 and Warren County Soil Survey data.

Map Unit Symbol	Soil Map Unit Name	Expected Limitations for on-site wastewater treatment	Total Acres of in Proposed Amendment Area	% of Area
PlB	Plainfield loamy sand, 3 to 8 percent slopes	few	14.9	65%
HnB	Hinckley cobbly sandy loam, 3 to 8 percent slopes	few	4.9	22%
Fu	Fluvaquents-Udifluvents complex, frequently flooded	severe	3	13%

Table 3. Soils within Area 1.

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. Please refer to the discussion of Topography below for more detailed information on slopes.

Topography

The topography in Area 1 consists primarily of low to moderate slopes, with 98% of the area containing slopes of 15% or less. Generally, slopes under 15% can support relatively intense levels of development. Elevation in Area 1 ranges from approximately 644 feet to 676 feet above sea level, a gain of 32 feet. Figure 11 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.

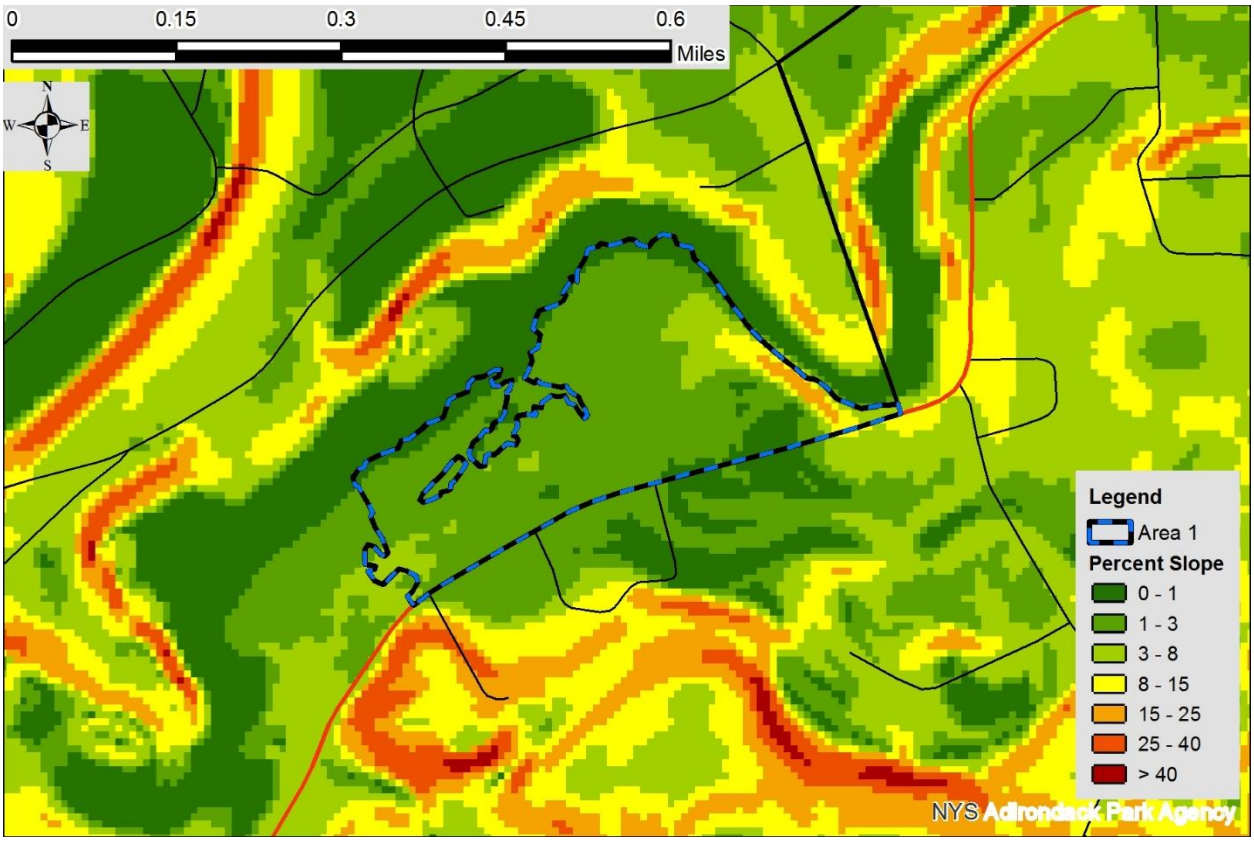

Figure 11. Slopes within Area 1.

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.	21.7	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.	0.4	2%
Severe 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 exorbitant 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 Area 1

Water Resources

The major hydrological feature in Area 1 is the Schroon River, which forms the northern boundary of this area. The Schroon River is classified as a Recreational River pursuant to the Wild, Scenic and Recreational River Systems Act (WSSRS Act) and as a C(t) waterbody by the Department of Environmental Conservation which indicates that its best use is for fishing and that it may support a trout population. There appears to be no significant flood hazard in Area 1, with no significant areas within the 100-year flood zone. There is also an unnamed stream that flows north, crossing under River Street through a culvert, and into the river. Figure 12 is a map showing the location of the river, streams, flood zones, and Value 2 wetlands in the vicinity of Area 1. Figure 13 shows Area 1 being located above a mapped principal aquifer. This aquifer, which was mapped at a 1:250,000 scale, is located below a large portion of the existing Hamlet lands to the east and segments of the Hudson and Schroon Rivers.

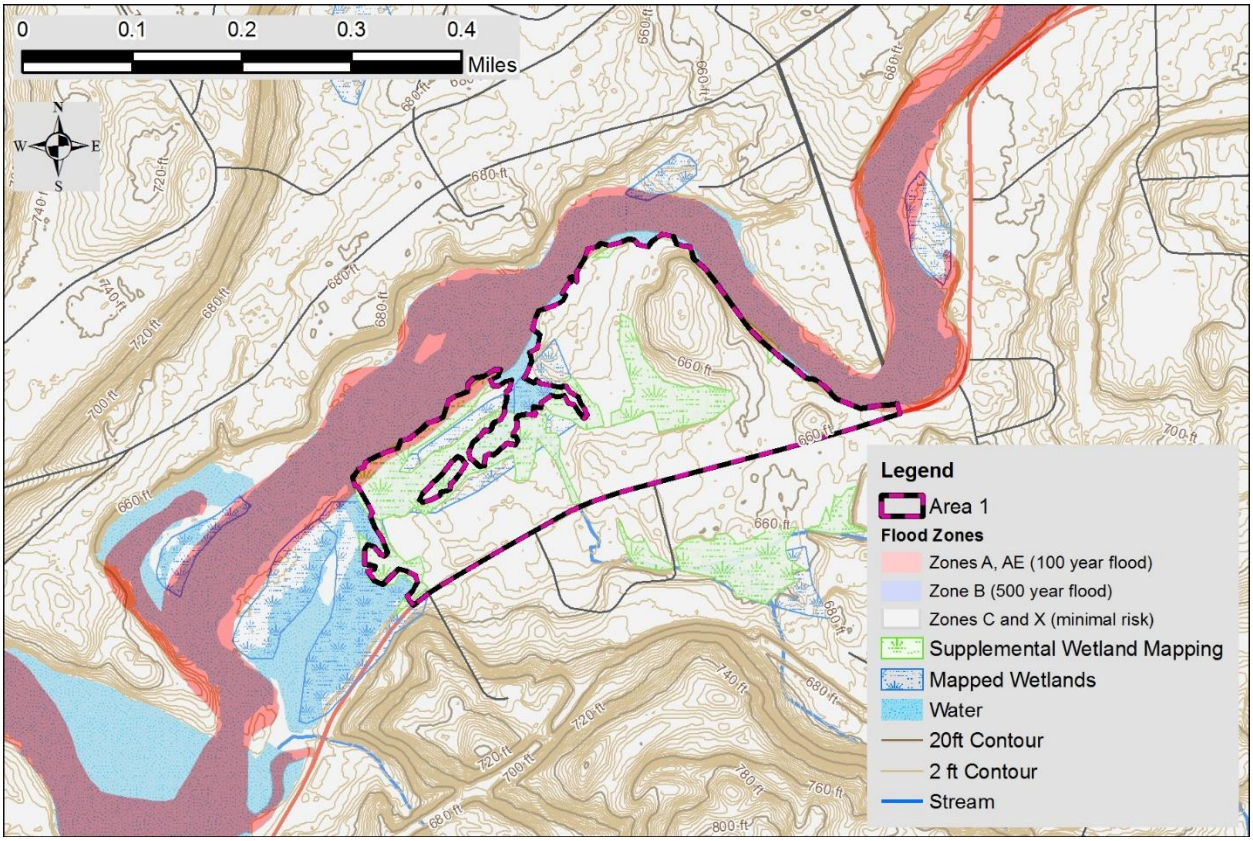

Figure 12. Map showing Area 1, topography, wetlands mapped by aerial imagery interpretations, and waterbodies.

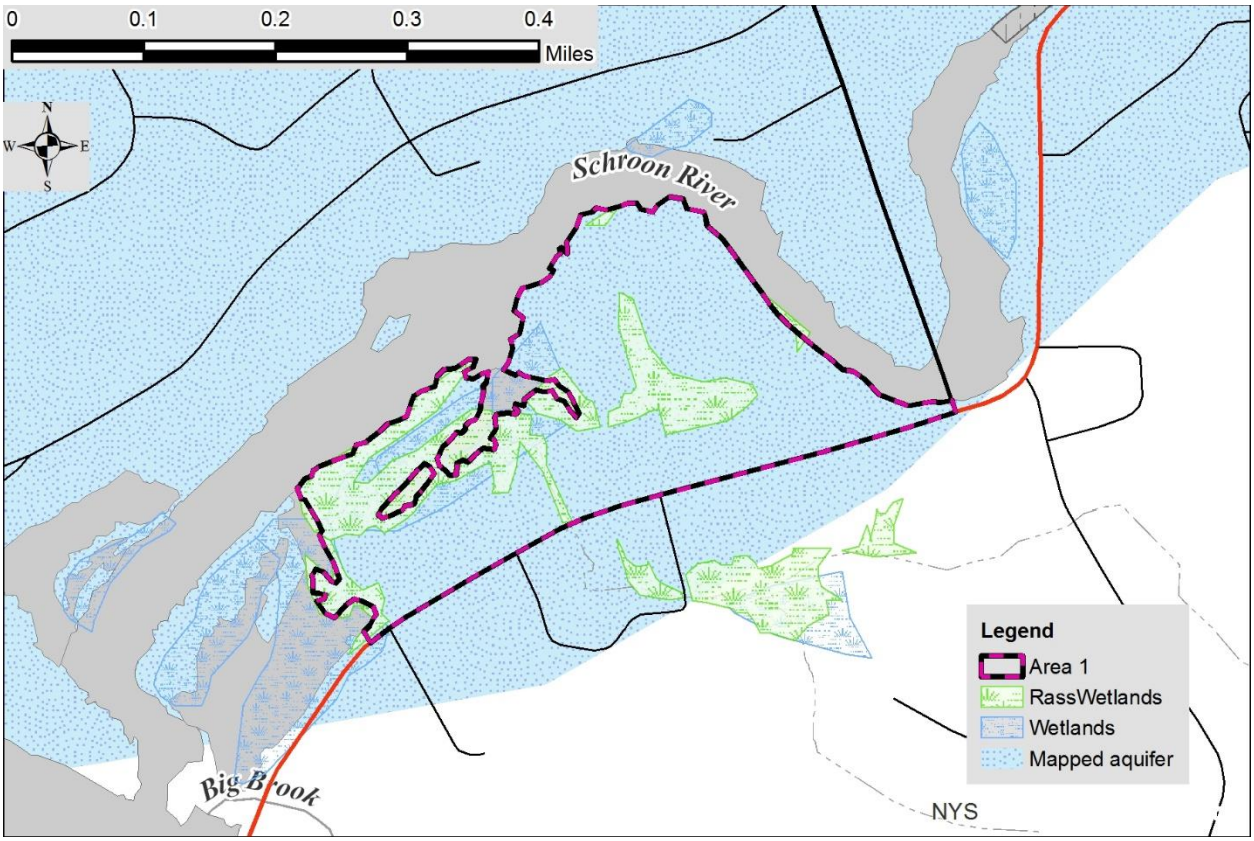

Figure 13. Map showing Area 1 and a mapped aquifer.

Wetlands

Interpretation of recent aerial imagery and high-resolution elevation data indicates that there are three distinct Value 2 wetlands in Area 1. The wetland areas total approximately 6.0 acres in size and are associated with the Schroon River and an unnamed stream. Figures 12 and 13 show the mapped wetlands in Area 1.

Critical Environmental Areas

The wetlands in Area 1 are statutory Critical Environmental Areas (CEAs) pursuant to the APA Agency Act. These are not Critical Environmental Areas pursuant to 6 NYCRR 617.14(g), which is a separate designation from CEAs under the APA Act, Executive Law § 810. Wetlands are a CEA in all land use area classifications.

Biological Resources

Approximately 40% of Area 1 consists of an urban-like landscape with residential and commercial uses with open maintained lawns, driveways, and parking lots. Approximately 35% of the area consists of wetlands and open water and approximately 25% of the area is forested.

There are no known instances of rare, threatened, or endangered species in Area 1.

Historic Resources

A portion of Area 1 is within the “Warrensburgh Historic District”. New York State Office of Parks, Recreation and Historic Preservation has reviewed the proposed map amendment and concluded that it would not have a negative impact on the historical resources.

AREA 2

Description

Area 2 is currently classified as Rural Use and is bounded by Hamlet to the south and west. It is part of a Rural Use area that includes over 16,000 acres of the Town of Warrensburg, extending into the neighboring Towns of Bolton, Chestertown, Horicon, Johnsburg, and Thurmond. Figure 14 is a map showing Area 2 and the current classification on the Adirondack Park Land Use and Development Plan Map.

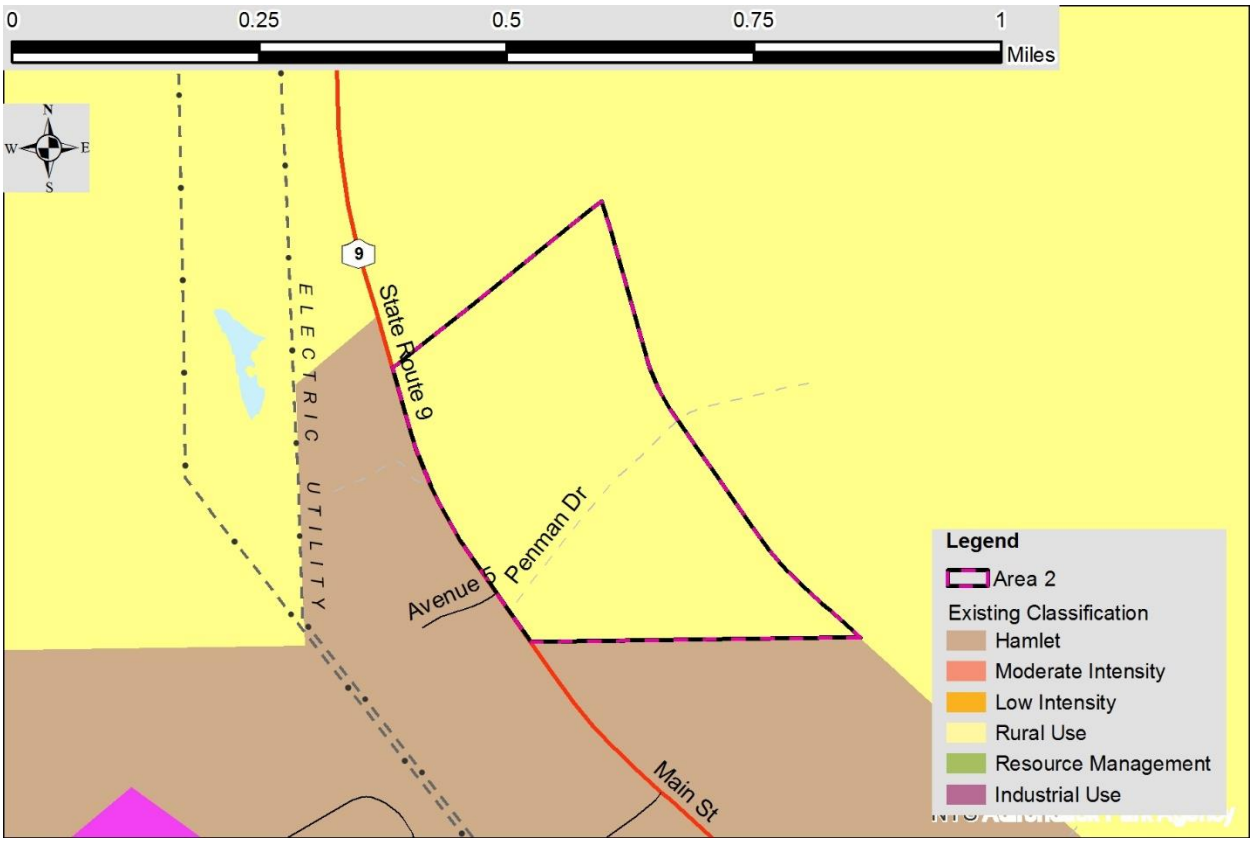

Figure 14. Map showing Area 2 and the current classification on the Adirondack Park Land Use and Development Plan Map.

Area 2 is approximately 65.9 acres in size and is described as follows:

> Beginning at a point at the intersection of the centerline of NYS Rt 9 and the boundary between Lots 42 and 49 of Hyde Township; thence in a northwesterly direction along the line between Lots 42 and 49 to a point that is one-quarter mile from the centerline of NYS Rt 9; thence in a southeasterly direction along a one-quarter mile setback from the centerline of NYS Rt 9 to a point on the existing Hamlet boundary; thence in due east direction along the existing Hamlet boundary to a point on the centerline of NYS Rt 9; thence in a northeasterly direction along the centerline of NYS Rt 9 to the point of beginning.

Existing Land Use and Development

Area 2 has approximately 1,700 feet of road frontage along NYS Rt 9, a hard-surfaced, State-maintained highway. This section of highway is part of the 150-mile Central Adirondack Trail Scenic Byway. The New York State Department of Transportation estimated the Annual Average Daily Traffic for this road was 4,382 vehicles in 2019. Access to Interstate 87 is approximately 2 miles south of the area via NYS Rt 9. There are no public roads in the interior of Area 2, but there appears to be a private forest road through the center of the area. Figure 15 is a map showing the roads in the vicinity of Area 2.

Figure 15. Map showing the roads in and around Area 2.

Public water and sewer mains are located along the west side of NYS Rt. 9, terminating at the entrance road to the industrial park. It appears that there are no structures in Area 2 that are currently connected to the public sewer system. There are currently no other structures in Area 2 along these mains. Figure 16 is graphic showing Area 2 and the existing sewer district and locations of nearby sewer mains. Electric and telephone lines run along NYS Route 9.

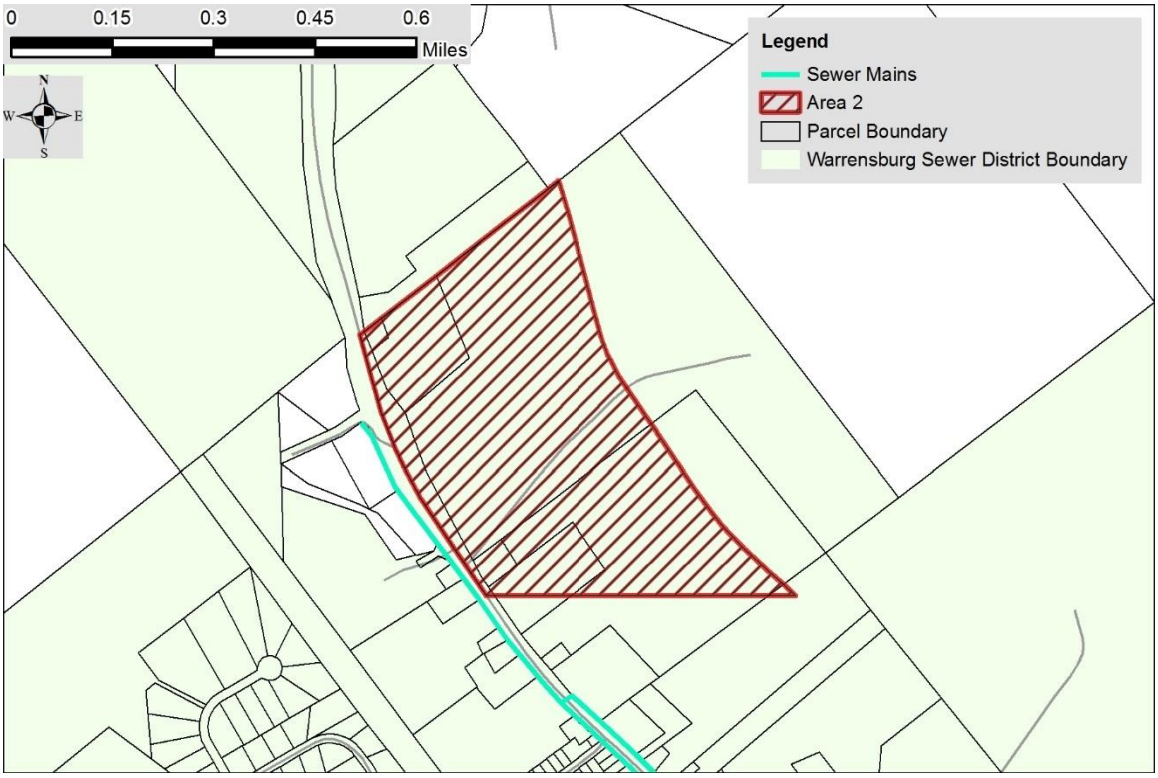

Figure 16. Sewer mains and sewer district in the vicinity of Area 1

Figure 17 shows the existing land use in and around Area 2 according to the Warren County Office of Real Property Tax Service and the New York State Office of Real Property Services (ORPS). According to data obtained from the County and ORPS, Area 2 consists of all or a portion of two commercial parcels, both motels, two residential parcels, two vacant parcels, and one private forest land parcel. Table 5 contains a list of parcels within Area 2, the acreage of each parcel within the proposed Area 2, the total acreage, and existing use according to County tax parcel data.

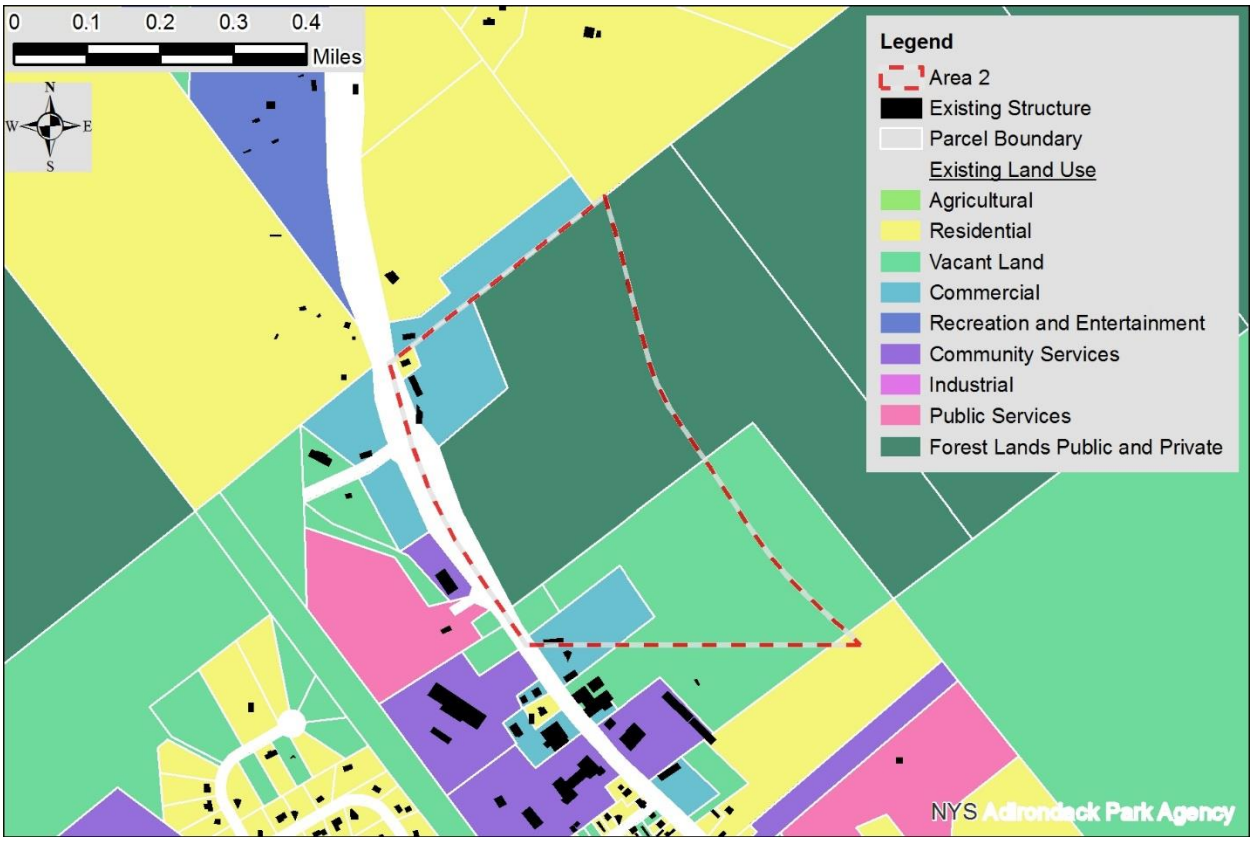

Figure 17. Map depicting the existing land use according to the Warren County property tax map data for Area 2 and surrounding area.

Tax Map No.	Acres within Area 2	Total Parcel Acreage	Existing Land Use Category
197.-1-26	31.8	73.0	Forest Lands Public and Private
197.-1-27	5.5	5.5	Commercial
197.-1-28	0.3	0.3	Residential
210.8-1-1	0.8	0.8	Vacant Land
210.8-1-2	3.4	4.5	Commercial
210.8-1-3	18.2	34.0	Vacant Land
210.8-1-9	0.1	13.7	Residential

Table 5. List of parcels within Area 2, acreage, and existing use according to County tax parcel data.

Soils

The United States Department of Agriculture, Natural Resource Conservation Service (NRCS), in its Soils Survey for Warren County, has identified six soil map units within Area 2. These soil map units are predominately comprised of Bice and Woodstock-Rock Outcrop, which together make up 97% of the area. Figure 18 is a map showing the soil map data from the Soil Survey of Warren County, New York. Table 6 is a list of the soil map units in Area 2, the acreage and percentages of each and their expected suitability for on-site wastewater treatment systems.

Bice very bouldery fine sandy loam, steep (Map Unit Symbol - BdE) and Bice very bouldery fine sandy loam, sloping (Map Unit Symbol - BdC) make up approximately 75% of Area 1. Approximately 75% of these soil map units consist of Bice soils, which are generally deep, well-drained soils found on hillsides and hill crests on uplands. Bice soils have a seasonal high water table at a depth of 6 feet or more. Bedrock is at a depth of 60 inches or more and the rate of water movement through the soil is moderate or moderately rapid. Approximately 30% of these map units contain other soils, some of which may be poorly drained, have a shallow depth to bedrock, or contain rock outcrops.

Woodstock-Rock outcrop complex, steep (Map Unit Symbol - WoE) and Woodstock-Rock outcrop complex, sloping (Map Unit Symbol - WoC) make up approximately 22% of Area 2. These map units consist of approximately 50-55% Woodstock soils and 20-30% rock outcrop, with inclusions of other soils. Woodstock soils are somewhat excessively drained. The Woodstock component of these soils is expected to have a depth to bedrock of 10-20 inches, and these map units can include large areas where the depth to bedrock is less than 10 inches. 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.

Portions of Area 2 are served by public sewer or are readily accessible to the existing main, but some portions of Area 2 are distant from existing mains and new development may rely on on-site wastewater treatment systems. One of the most important natural

characteristics in determining the potential for development on 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 78% of Area 2 contains soils with adequate depth and drainage to support on-site wastewater treatment systems with few limitations.

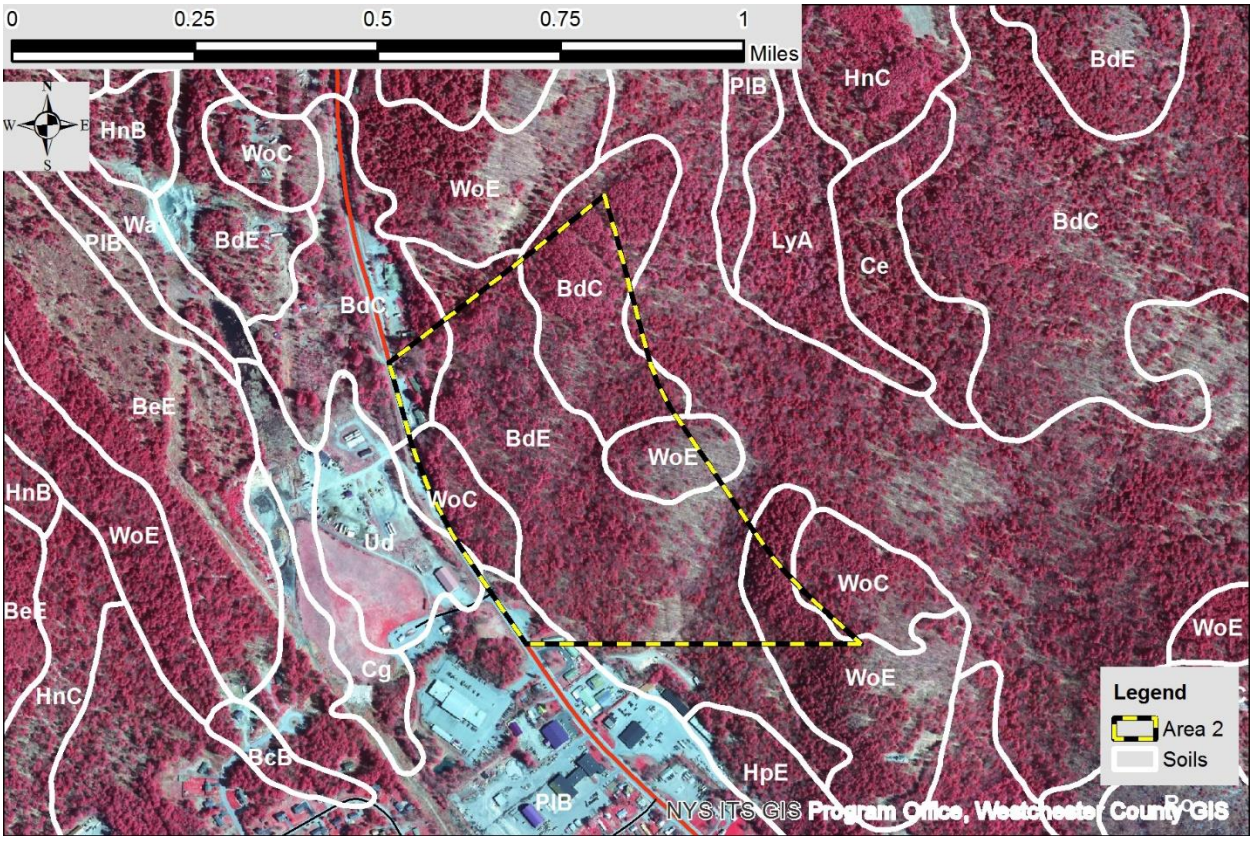

Figure 18. Map of Area 2 and Warren County Soil Survey data.

Map Unit Symbol	Soil Map Unit Name	Expected Limitations for on-site wastewater treatment	Total Acres of in Proposed Amendment Area	% of Area
BdE	Bice very bouldery fine sandy loam, steep	Few[1]	36.1	57%
BdC	Bice very bouldery fine sandy loam, sloping	Few	11.5	18%
WoE	Woodstock-Rock outcrop complex, steep	Severe	8.1	13%
WoC	Woodstock-Rock outcrop complex, sloping	Severe	5.8	9%
PlB	Plainfield loamy sand, 3 to 8 percent slopes	Few	1.6	3%
Ud	Udorthents, smoothed	Few	0.1	0%

Table 6. Soils within Area 2. [1]Expected limitations are based on soil characters including depth and drainage, not slope categories of the soil map unit.

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. Please refer to the discussion of Topography below for more detailed information on slopes.

Topography

Area 2 is generally west facing slopes at the toe of Hackensack mountain. The topography in the area varies from low and moderate slopes to areas with severe slopes. Approximately 54% of the area contains slopes of 15% or less, which can generally support relatively intense level of development. Approximately 34% of the area contains slopes of 15-25%, which present environmental hazards relating to erosion, sewage disposal, siltation, and construction problems. Approximately 12% of the area contains slopes greater than 25%, which present serious environmental hazards relating to erosion and sewage disposal and should not be developed.

Elevation in Area 2 ranges from approximately 784 feet to 1,154 feet above sea level, a gain of 370 feet. Figure 19 is a map showing the slopes in the area. Table 7 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.

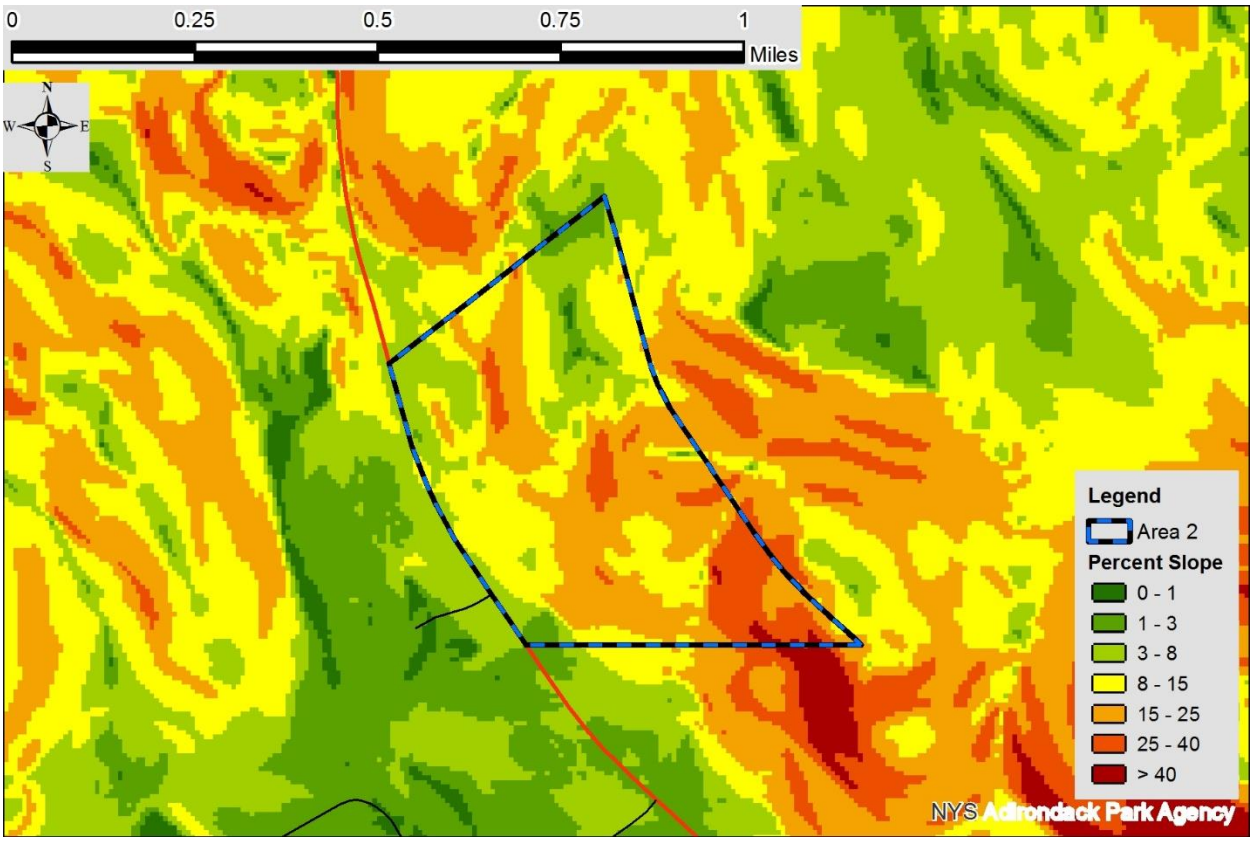

Figure 19. Slopes within Area 1.

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.	35.9	54%
Steep Slopes (15-25%)	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.	22.4	34%
Severe 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 exorbitant 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.	7.8	12%

Table 7. Slopes within Area 2.

Water Resources

There are no major hydrological features in Area 2. Figure 20 illustrates the topography, wetlands mapped by aerial imagery interpretations, and waterbodies in Area 2. Figure 21 shows Area 2 being located above a mapped principal aquifer. This aquifer, which was mapped at a 1:250,000 scale, is located below a large portion of the existing Hamlet lands to the south and segments of the Hudson and Schroon Rivers.

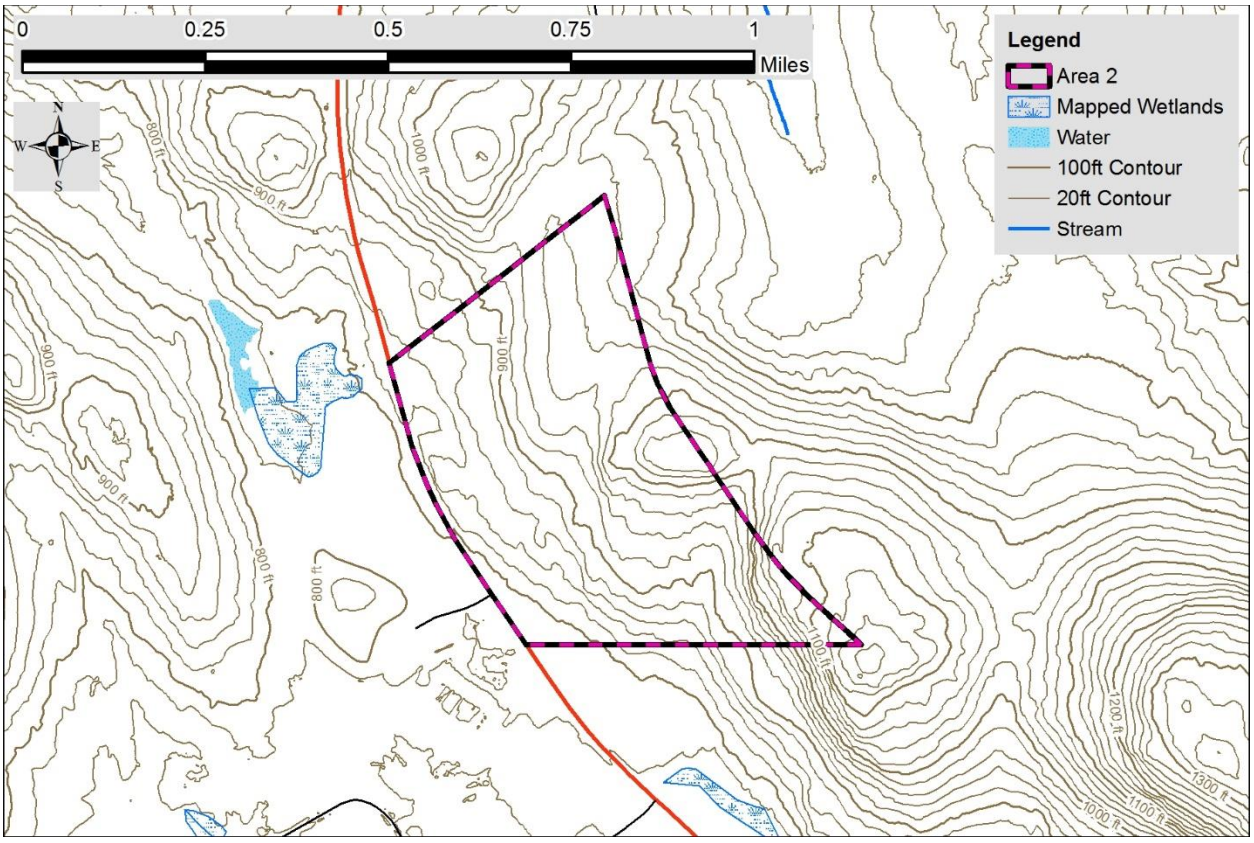

Figure 20. Map showing Area 2, topography, wetlands mapped by aerial imagery interpretations, and waterbodies.

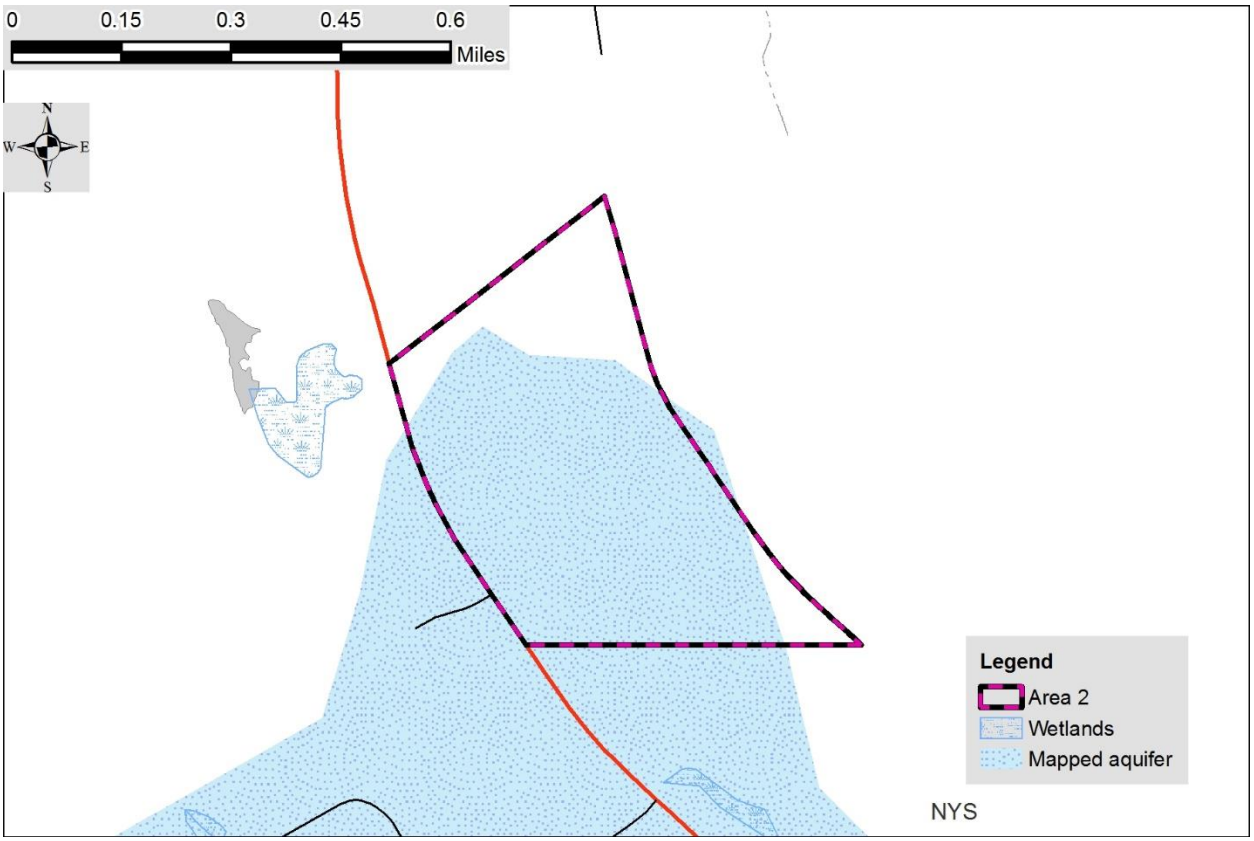

Figure 21. Map showing Area 1 and a mapped principal aquifer.

Wetlands

There are no mapped wetlands in Area 2. Figures 20 and 21 shows the mapped wetlands in the vicinity of Area 2.

Critical Environmental Areas

Lands classified as Rural Use within 150 feet of a State or Federal Highway is a statutory Critical Environmental Area (CEA) pursuant to the APA Agency Act. This is not a Critical Environmental Area pursuant to 6 NYCRR 617.14(g), which is a separate designation from CEAs under the APA Act, Executive Law § 810. There are no highway CEAs for areas classified as Hamlet, the proposed classification. Therefore, if the amendment was approved, it would result in a loss of the highway CEA on the east side of Rt. 9.

Biological Resources

New York Natural Heritage Program mapped a large area on the north and east sides of the Hamlet of Warrensburg where Purple Rock-cress (*Boechera grahamii*) has historically been observed. This mapped area covers the majority of Area 2. In New York, Purple Rock-cress has been found primarily in open areas of calcareous rock,

rocky slopes and outcrops, sandy soil in clearings, and open forests. The State conservation status rank for this species is S2S3, meaning it is considered very vulnerable, or vulnerable, to disappearing from New York, due to rarity or other factors. It is not protected at the Federal level and has a global conservation status rank on G5, meaning it is globally secure and common in the world.

Approximately 94% of Area 2 is covered with mixed upland forest.

Population Trends

The population of the Town of Warrensburg was 3,959 in 2020, a decrease of 135 persons (3.3%) since 2010. Table 8 compares population growth of the Town of Warrensburg in both absolute and percentage terms as compared to the eight surrounding towns.

	Year		Change from 2010-2020	
Town/Village	2020	2010	Number	Percentage
Horicon	1,471	1,389	82	5.9%
Lake George	3,502	3,515	-13	-0.4%
Stony Creek	758	767	-9	-1.2%
Warrensburg	**3,959**	**4,094**	**-135**	**-3.3%**
Lake Luzerne	3,079	3,347	-268	-8.0%
Chester	3,086	3,355	-269	-8.0%
Thurman	1,095	1,219	-124	-10.2%
Johnsburg	2,143	2,395	-252	-10.5%
Bolton	2,012	2,326	-314	-13.5%

Table 8. Population Trends for Warrensburg and surrounding towns, ranked by rate of growth (Source: U.S. Census Bureau, 2020, 2010 Census)

POTENTIAL IMPACTS OF THE ACTION

Pursuant to SEQRA, the Agency must compare the relative impacts of potential land use and development based on the existing land use classification with the relative impacts of potential land use under the proposed land use classification. The SEQR Handbook notes that the Agency "should consider the most intensive uses allowable under the proposed (change) to judge potential impacts."[2] Agency regulations further prevent the consideration of any local land use controls' impacts on potential development. 9 NYCRR 583.2 (b). As such, in the review of the any map amendment

[2] [2] NYS Department of Environmental Conservation SEQR Handbook (4th edition 2020) at 177, accessed 12/2/2021 at: https://www.dec.ny.gov/docs/permits_ej_operations_pdf/seqrhandbook.pdf.

request to Hamlet, the Agency must assume the potential impacts from the maximum intensity of development that could be undertaken without Agency regulatory review. However, under the SEQR regulations, this DSEIS "should address only those potential significant adverse environmental impacts that can be reasonably anticipated." 6 NYCRR § 617.9.

Hamlet areas do not have overall intensity guidelines and as such the amount and intensity of development can be high. Because the applicant is seeking the least restrictive land use classification, the Agency should at a minimum consider the maximum intensity of development allowable under the next least-restrictive land use classification, Moderate Intensity Use. Tables 9 and 10 below identify the maximum intensity of development under each Adirondack Park Land Use and Development Plan classification for Areas 1 and 2 respectively.

Maximum Allowable Density - Principal Buildings (PBs)				**Area 1 Acreage:**	**21.9**
	Acres per PB	Number of PBs	Single Family Dwellings (#)**	Commercial Use (S.F.)*	Hotel Rooms*
Resource Management	42.7	1.000	1	11,000	10
Rural Use	8.5	3.000	3	33,000	30
Low Intensity Use	3.2	7.000	7	77,000	70
Moderate Intensity Use	1.3	17.000	17	187,000	170
Hamlet	Unlimited	Unlimited	Unlimited** ***	Unlimited** ***	Unlimited** ***

Table 9: Maximum allowable density for Area 1 under different APLUDP classifications
*Requires an Agency Permit
**May Require an Agency Permit
***Projects over 100 Units Require an Agency Permit

Maximum Allowable Density - Principal Buildings (PBs)				**Area 2 Acreage:**	**65.9**
	Acres per PB	Number of PBs	Single Family Dwellings (#)**	Commercial Use (S.F.)*	Hotel Rooms*
Resource Management	42.7	2.000	2	22,000	20
Rural Use	8.5	8.000	8	88,000	80
Low Intensity Use	3.2	21.000	21	231,000	210
Moderate Intensity Use	1.3	51.000	51	561,000	510
Hamlet	Unlimited	Unlimited	Unlimited** ***	Unlimited** ***	Unlimited** ***

Table 10: Maximum allowable density for Area 2 under different APLUDP classifications
*Requires an Agency Permit
**May Require an Agency Permit
***Projects over 100 Units Require an Agency Permit

In Hamlet areas, an APA permit is only required for projects involving wetlands, development or subdivisions involving one hundred or more residential or hotel units, structures over forty feet in height (except agricultural use structures and residential antennas), airports, projects by agreement with the local government and authorized by local law, and projects involving a 25% increase of any of these uses or structures. APA Act § 810. Therefore, the range of allowable uses and development in Hamlet areas is extremely broad.

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 below. Amendments which permit more development may lead to increased adverse environmental effects. The resource's tolerance and value determine the significance of these impacts.

Growth-Inducing Aspects

Area 1

Area 1 is presently classified as Low Intensity Use on the Official Adirondack Park Land Use and Development Plan Map. As explained in the Standards for Agency Decision section, the statutory “overall intensity guidelines” for Low Intensity Use allows one principal building for every 3.2 acres while there are no overall intensity guidelines for Hamlet, the proposed classification. Therefore, the proposed amendment for Area 1 would allow a net increase in potential principal buildings within the map amendment area.

If the requested map amendment for Area 1 were approved, different Agency regulations that affect development potential would apply. A change in land use classification to Hamlet would affect regulatory thresholds and the statutory minimum shoreline setbacks and lot widths as set out in Section 806 of the Act, which varies by classification (see Table 11 below and Appendix B). There would be no overall intensity guidelines. Potential development intensity would also depend on whether an Agency permit is required pursuant to Section 810 of the Act, the Wild Scenic and Recreational River Systems Act (WSSRS Act), and the Freshwater Wetlands Act, as well as constraints resulting from environmental factors.

Table 11 summarizes the overall intensity guidelines, minimum shoreline lot widths, and minimum shoreline setback requirements for the current classification, proposed classification, and all intermediate classifications, recognizing that lands classified Low Intensity Use, Rural Use and Resource Management are also subject to regulations under the WSRRS Act while lands classified Hamlet and Moderate Intensity Use are not. The WSRRS Act regulations set out different minimum shoreline lot widths and minimum shoreline setbacks from those listed in Section 806 of the Act and prohibit uses that are not listed as compatible uses in Section 805 of the Act.

	Hamlet	Moderate Intensity Use	Low Intensity Use	Rural Use	Resource Management
Overall Intensity Guideline (Average Lot Size per Principal Building*)	No Overall Intensity Guidelines	1.3 acres	3.2 acres	8.5 acres	42.7 acres
Minimum Shoreline Lot Width	50 feet	100 feet	150 feet**	200 feet**	300 feet **
Minimum Shoreline Structure Setback*** (measured from Mean High Water)	50 feet	50 feet	150 feet**	150 feet**	150 feet**

Table 11. Summary of overall intensity guidelines, minimum shoreline lot widths and minimum shoreline setback regulation. *Section 802 (50)(e) of the APA Act provides that motel, hotel or similar tourist accommodation units or tourist cabins of less than 300 square feet constitute one-tenth of one principal building.
** Lands within Area 1 are adjacent to a Recreational River, and therefore would be subject to special regulations for lands classified as Low Intensity Use, Rural Use and Resource Management.
******* Under APA Regulations, existing structures within shoreline setbacks require a variance to expand, with the exception of minor expansions which are less than 250 square feet in the rear of the structure or an upward expansion of less than 2 feet.

Area 2

Area 2 is presently classified as Rural Use on the Official Adirondack Park Land Use and Development Plan Map. As explained in the Standards for Agency Decision section, the statutory overall intensity guidelines for Rural Use areas allows one principal building for every 8.5 acres, while there are no overall intensity guidelines for Hamlet, the proposed classification. Therefore, the proposed amendment for Area 2 would allow a net increase in potential principal buildings within the map amendment area.

If the requested map amendment for Area 2 were approved, different Agency regulations that affect development potential would apply. A change in land use classification to Hamlet would affect regulatory thresholds and eliminate the overall intensity guidelines. Potential development would depend on and constraints resulting from environmental factors as well as any local land use controls.

Impacts to Physical Resources

Impacts to physical resources include impacts to land, geological features, surface water and ground water. The FGEIS recognizes that amendments allowing a higher

density of development or changes in the shoreline restrictions may result in impacts to these resources.

Area 1

The requested map amendment for Area 1, if granted, could lead to adverse impacts to surface water and groundwater quality, including impacts to the Schroon River. Development at intensities permitted by Hamlet could increase runoff and associated non-point source pollution of waterbodies and wetlands. Such problems arise when precipitation runoff drains from the land into surface waters and wetlands. The volume of runoff from an area is determined by the amount of precipitation, the filtration characteristics related to soil type, vegetative cover, surface retention, and impervious surfaces. An increase in development of the areas would lead to an increase in surface runoff to the landscape and nearby wetlands due to the elimination of vegetative cover and the placement of man-made impervious surfaces. Stormwater discharge may introduce substances into waters resulting in increased nutrient levels and contamination of these waters. Excessive nutrients cause physical and biological change in waters which affect aquatic life. Additional development in Area 1 could also impact the wetlands' ability to store and dissipate floodwaters and protect the water quality of the Schroon River.

Area 2

The requested map amendment for Area 2, if granted, could lead to adverse impacts to surface water and groundwater quality on lands and waters downstream of Area 2. Development at intensities permitted by Hamlet could increase runoff and associated non-point source pollution of waterbodies and wetlands. Such problems arise when precipitation runoff drains from the land into surface waters and wetlands. The volume of runoff from an area is determined by the amount of precipitation, the filtration characteristics related to soil type, vegetative cover, surface retention, and impervious surfaces. An increase in development of the areas would lead to an increase in surface runoff to the landscape and nearby wetlands due to the elimination of vegetative cover and the placement of man-made impervious surfaces. Stormwater discharge may introduce substances into waters resulting in increased nutrient levels and contamination of these waters. Excessive nutrients cause physical and biological change in waters which affect aquatic life.

Area 2 is within the municipal sewer district but is outside of the current sewer service area. Some portions of the area are distant from existing mains and new development may rely on on-site wastewater treatment systems. 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 44% of Area 2 is expected to have adequate soil and slope conditions to support on-site wastewater treatment systems.

Impacts to Biological Resources

Impacts to biological resources include impacts to plants and animals. The FGEIS recognizes that amendments allowing a higher density of development, a change to the compatible use list, or changes in the shoreline restrictions may result in impacts to fish and wildlife habitat or rare or endangered plant species.

Area 1

The requested map amendment for Area 1, if granted, could lead to adverse impacts upon flora and fauna due to the potential increase in development adjacent to wetlands and loss of habitat. Reclassification of Area 1 to Hamlet may result in the potential increase in development adjacent to Value 2 wetlands. An increase in development can lead to the degradation of habitat, particularly from the introduction and spread of invasive species, and the disruption of wildlife movement patterns. The pollution of surface waters can also degrade wildlife habitat.

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. As noted in the discussion of Impacts to Water Resources, stormwater runoff can lead to excessive nutrients causing biological change in waters which affect aquatic life.

Area 2

The requested map amendment for Area 2, if granted, could lead to adverse impacts upon flora and fauna due to the loss of existing open space and natural vegetation and the introduction and spread of invasive species. Approximately 62 acres of Area 2 is forested. Large forested areas provide habitat to area-sensitive species and are more resilient to large-scale disturbances which maintain forest health over time.

Purple Rock-cress (Boechera grahamii) has historically been observed in an area that covers the majority of Area 2. The State conservation status rank for Purple Rock-cress is S2S3, meaning it is considered very vulnerable, or vulnerable, to disappearing from New York. The species is not protected at the Federal level and has a global

conservation status rank on G5, meaning it is globally secure and common in the world. Increased development in Area 2 may lead to the removal of this species from the area.

Impacts on Community and Area Character

The proposed action could potentially create a demand for additional community services (e.g., schools, police and fire) by allowing for increased residential density and commercial or industrial development.

The character of an area is determined by the types and intensity of use, and physical setting. A map amendment to Hamlet can change the character on an area by eliminating the overall intensity guidelines and changing the shoreline restrictions and compatible uses list. Impacts may be positive when changes in land use area occur which better reflect the character of an area. Impacts may be undesirable when a change in land use by permits development not in keeping with the character of an area.

Area 1

Area 1 is currently similar in character to much of the existing Hamlet area. Increasing the potential intensity of development to that allowed under the Hamlet classification is unlikely to result in significant alteration of the character of this area, despite the area being on a scenic byway.

Area 2

Increasing the potential intensity of development to that allowed under the Hamlet classification could result in a significant alteration of the undeveloped character of Area 2 and extend sprawl development patterns along what is currently a highway CEA. If the area is intensely developed with a Hamlet classification, the development could be inconsistent with the natural landscape currently existing in the area. The highway CEA would be eliminated if the area was reclassified as Hamlet.

Impact on Transportation

The proposed action may result in a change to existing transportation systems.

The proposed actions may result in the construction of large paved parking areas, alter the present pattern of movement of people or goods, and extend sprawl development patterns outside the existing hamlet center leading to more vehicle miles travelled.

Impacts on Scenic Resources

Regarding scenic or aesthetic resources, the FGEIS provides the following guidance:

> Changes in the permitted density at buildout may increase the visibility of buildings or associated uses in areas of scenic quality, including areas near vistas, travel corridors, or points of intensive public visitation. In addition to the impacts from an increased level of development, sensitive visual resources may be adversely impacted by changes in the shoreline restrictions, project review thresholds, and compatible uses list.
>
> In any event the significance of the environmental impacts depend on the scenic resource's qualities and the degree to which the qualities are reduced or diminished by development. Unusual scenic resources are among the most sensitive and are of high importance to the economic base which is supported by tourism.

FGEIS at 23.

The proposed amendment areas are visible from publicly accessible vantage points, including two State highways that are both designated scenic byways. Area 1 is also visible from the Schroon River, which is a Recreational River. The magnitude of the impacts will depend on future development that would result from the proposed action.

Both areas would be visible to motorists, including residents commuting to and from work and visitors engaged in recreation or tourism. The proposed action could conceivably result in a diminishment of the public enjoyment and appreciation of the scenic and aesthetic resources present.

Travel corridors play an important role in establishing the park image to the majority of park users. Unscreened development within these areas would be detrimental to the open-space character of the park and the Land Use Classification Determinants note that “the allowable intensity of development should not be allowed to substantially alter the present character of these travel corridors.” 9 NYCRR Appendix Q-8.

Area 1

Eliminating the overall intensity guidelines and changing shoreline restrictions, project review thresholds, and the compatible uses list may increase the visibility of buildings or associated uses in areas of scenic quality of the NYS Rt 418 travel corridor, as well as the shoreline of the Schroon River.

Area 2

Potential unscreened development in the presently undeveloped sections of Area 2 along NYS Route 9 would be detrimental to the character of the park. The extension of

sprawl development along the corridor may also erode the opportunity for a gateway of natural landscape into the Warrensburg hamlet from the North.

Impact on Adjacent Properties – Noise, Odor and Light

SEQR regulations, in the Full EAF Part 2 form, require an identification of potential impacts from noise, odor, and light. 6 NYCRR §617.20, Appendix A.[3]

Both of the proposed amendments would result in the lands being classified as Hamlet, eliminating the overall intensity guidelines and changing regulatory thresholds for further review by the Adirondack Park Agency. The proposed action may result in additional noise, including the possibility of blasting from mining or large-scale commercial construction within 1,500 feet of a residence. The predominant low levels of noise from existing undeveloped or residential areas could change dramatically if the action leads to an increase in commercial or industrial uses in these areas. Both fauna and nearby residential use could be affected by noise from commercial or industrial uses themselves and from additional traffic serving these uses.

The change in classification could result in routine odors for more than one hour per day. Potential sources of odors and air pollution could come from commercial or industrial uses, residential uses if wood is used as a heating source, or from an increase in traffic serving these uses.

The proposed map amendments could result in an increase of light shining onto adjoining properties and an increase in sky-glow brighter than existing area conditions.

If the map amendments are approved and these areas are developed to their maximum allowable intensity, the proposed action may result in an increase in noise, odors, or outdoor lighting affecting adjacent properties.

Area 1

Area 1 is located between the Schroon River and State Highway 418, which is part of the Dude Ranch Trail Scenic Byway. The area is developed with residential and commercial buildings, an electric substation, transmission lines, and a sewer pump station. Adjacent properties on the other side of the state highway, across the river and to the north are classified as Hamlet and are intensely developed. The lands immediately to the west are classified as Low Intensity Use and are undeveloped.

The residential, commercial and industrial uses presently in the area may emit light and sound. It is conceivable that additional land uses in Area 1 resulting from a Hamlet classification could create an increase in noise, odor and light. Those impacts could be experienced by adjacent landowners and the public using the state highway or the

[3] Accessed online at 6 NYCRR Part 617 - State Environmental Quality Review on December 7, 2021.

Schroon River, but the extent of those impacts cannot be precisely anticipated or determined.

Area 2

Area 2 is located on a section of NYS Route 9 designated as the Central Adirondack Trail Scenic Byway. As described above, an average of 4,382 vehicles per day traveled past this area in 2019. Area 2 consists of all or a portion of two commercial parcels, both motels, two residential parcels, two vacant parcels, and one private forest land parcel. As described above, approximately 62 acres of Area 2 is forested.

Adjacent lands across State Highway 9 are classified as Hamlet and include a DOT facility, a transfer station, and an industrial park. Lands to the south on the same (east) side of Route 9 are classified as Hamlet and are developed with commercial and residential buildings. Lands to the north and east are classified Rural Use and are primarily forested and residential. Although there may already be noise, odors, and light from the existing uses in Area 2 and the surrounding area, the requested map amendment could result in an increase of those impacts on adjacent properties.

Impact on Open Space and Recreation

The Adirondack Park Agency Act sets forth open space protection as one of the key areas of state interest. Recognition of the presence of open space issues when contemplating map amendments will further the application of the statutory criteria by the Agency. Open space resources may be related to visibility, especially as seen from vistas or travel corridors (roads, streams, lakes, or hiking trails).

Open space is frequently important for its own sake in areas where natural forces predominate. Moreover, natural area open space values are of greater importance when associated with special features such as free flowing streams or diverse wildlife habitats. These special features add to the unique character of an area, enhancing the contribution of that particular open space to the character of the Park.

Large open space areas are essential for the preservation of large wildlife species (including deer, bear, or currently extirpated species). These species require a large range area to survive without maintenance by man. High quality water resources are critical for the survival of trout, and related species are associated with very low levels of human occupancy and use within the watersheds. The concept of open space as a resource characteristic worthy of protection is inherent in the scheme of channeling development away from Resource Management and Rural Use areas. In these areas, open space resources are protected by limiting the level of permitted development, and where development is allowed, by encouraging clustering of buildings to protect more sensitive areas.

If the maximum development was pursued under a Hamlet classification, it could result in significant changes to open space and an impairment of natural functions, or "ecosystem services," provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, and wildlife habitat. Development could also result in the loss or diminution of future recreational resources.

Area 1

Reclassifying Area 1 as Hamlet could have an adverse impact on open space resources. The shoreline of the Schroon River has limited development and increased densities in proximity to the shoreline may have impacts related to habitat loss or degradation and visual impacts to a designated recreational river. The Town of Warrensburg is developing a boat hand-launch site and portage for canoes and kayaks on the Schroon River approximately one mile from this location, which may increase recreational use of the river in this area.

Area 2

Reclassifying Area 2 as Hamlet could have a negative impact on open space resources. A large portion of Area 2 is currently undeveloped and much of the eastern side of Route 9 includes undeveloped forest with rock outcrops. Area 2's large open space areas are important for large wildlife species which require a large range area to survive without maintenance by man.

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

Increasing the number of allowable principal buildings in the amendment areas would likely increase energy use in proportion to the number, type, and energy efficiency of principal buildings actually built.

Area 1

Area 1 already contains moderately-dense development patterns immediately adjacent to the Hamlet area. Further infill development within this area supports existing infrastructure patterns and may induce less new vehicle miles travelled (VMT) and associated transportation energy use than would occur if new development was sited in an undeveloped area.

Area 2

Area 2 is a linear extension of the Hamlet into a largely undeveloped area. New development in this area may extend strip development that encourages and induces more VMT than infill development in the Hamlet would and thus encourage further use of energy for transportation.

Impacts on Climate Change

SEQRA regulations require this DSEIS include “measures to avoid or reduce both an action's impacts on climate change and associated impacts due to the effects of climate change such as sea level rise and flooding.” For most Hamlet land use area projects, the Agency lacks the regulatory authority to regulate and mitigate for new development’s impacts on climate change as well as associated impacts.

Area 1

As noted above, Area 1 is an existing developed area immediately adjacent to the Hamlet land use area. Infill development within this area supports existing infrastructure patterns and may induce less new VMT and transportation energy use, along with the associated greenhouse gas emissions (GHG), than would occur if new development took place in an undeveloped area. As noted above, erosion and sedimentation may increase flooding potential in Area 1, which could be exacerbated by the impacts of climate change.

Area 2

In contrast to Area 1, Area 2 is a linear extension of the Hamlet into a primarily undeveloped area. New development in this area may extend strip development that encourages and induces more VMT and associated GHG emissions than infill development inside the existing Hamlet land use area would.

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 from both areas. Solid waste reduction/reuse/recycling programs could lessen disposal impacts.

Impacts of the Proposed Action on Historic Resources

For purposes of SEQRA, the environment is defined to include “objects of historic or aesthetic significance.” This DSEIS must address any relevant and significant impacts on historic resources.

Area 1

A portion of Area 1 is within the “Warrensburgh Historic District.” The New York State Office of Parks, Recreation and Historic Preservation has reviewed the proposed map amendment and concluded that it would not have a negative impact on the historical resources. Approval of the requested amendment would eliminate density restrictions for the Area 1 and may make the demolition and replacement of existing structures with larger and more densely-developed buildings more economically feasible.

Area 2

There were no listed or eligible historic resources identified in Area 2.

Irreversible and Irretrievable Commitments of Environmental Resources

Subdivision of land into smaller lots and the creation of individual building sites is a commitment of land resources. An amendment to a less restrictive classification may facilitate a further commitment of such resources over what is currently allowable. To the extent that development occurs as a result of a map amendment, the consequent loss of forest and open space resources, impacts to visual character, the elimination of one designated highway CEA, and potential degradation of water quality are the primary irreversible commitments of resources. These potential environmental impacts are described above and summarized below:

Area 1:

1. Degradation of water quality and ecological function of the Schroon River and its associated wetlands resulting from stormwater runoff, non-point source pollution, and erosion. Ecological function change could involve impacts to stormwater storage, nutrient cycling, and changes in habitat/species composition;
2. Impairment of wetland functions related to flood mitigation;
3. Impacts to wildlife habitat in and around wetlands;
4. Potential introduction of additional invasive species;
5. Increased visual impacts on the Schroon River, a designated Recreational River; and
6. Financial incentive to remove and replace structures in the Warrensburgh Historic District.

Area 2:

1. Degradation and loss of habitat that is currently part of a large forested area;
2. Potential introduction of invasive species;
3. Reduction in undeveloped open space on the shoulder of Hackensack Mountain that could potentially be used for recreation in the future;
4. Substantial change to community character;
5. Loss of habitat for a rare species, the Purple Rock-cress;
6. The elimination of a highway CEA on the east side of Route 9;
7. Impacts to visual character of a State highway including the change in character from an undeveloped area to one of intense development;
8. Impacts to existing features including rock outcrops; and
9. Increase in sprawl development and associated greenhouse gas emissions.

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. Statutory criteria for map amendments can be 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 (FGEIS).

The Potential Impacts of the Action section of this document evaluates in detail the potential consequences of the proposal as they relate to the APA Act and its associated regulations. The Land Use Area Classification Determinants enumerated in 9 NYCRR Appendix Q-8 note important site characteristics that determine the classification of land. The analyses below discuss relevant key determinants as they relate to each amendment Area.

Area 1

Area 1 is bound on the north by a designated recreational river and on the south by a scenic byway. The site is largely served by sewer and has intense development along the road corridor. Area 1 contains very few steep slopes and is in close proximity to existing communities, which are considerations that the Classification Determinants prescribe for “highly intense development.” Notably, the Classification Determinants do not specifically mention recreational rivers.

However, approximately 27% of Area 1 is covered in Value 2 wetlands, and to the extent that some of these wetlands contain grasses and have free interchange of water with the Schroon River, the Classification Determinants state that these areas should not be developed. However, under the APA Act and the Freshwater Wetlands Act, any new land use and development or subdivision involving wetlands requires an Agency permit, even with a Hamlet classification, which would be expected to avoid, minimize, and mitigate any impacts to wetlands. In addition, the WSRRS Act would require a permit for stream improvement structures or modification of or disturbance of the course, bed, or bank of the river, unless the activity requires a permit from DEC.

Area 2

Area 2 is a predominantly undeveloped area directly adjacent to the northern boundary of Warrensburg's hamlet and across the street from an existing hamlet area that was authorized by map amendment in 1996 (MA1996-06). Area 2 includes 1,700 feet of frontage on New York State Rt 9, a highway CEA and part of the Adirondack Trail Scenic Byway. Approximately 94% of the Area is covered by undeveloped upland forest and is part of a larger forest network. Approximately 46% of the site contains steep slopes and about 5% of the area contains rock outcroppings. Purple Rock-cress (Boechera grahamii) has historically been observed in an area that covers the majority of Area 2. The State conservation status rank for Purple Rock-cress is S2S3, meaning it is considered very vulnerable, or vulnerable, to disappearing from New York. The species is not protected at the Federal level and has a global conservation status rank on G5, meaning it is globally secure and common in the world. The Area is entirely located in a municipal sewer district and sewer mains run along most of the adjacent highway.

The Classification Determinants state that areas in close proximity to existing communities and those that are served by municipal sewer should be classified to allow highly intense development. However, the Classification Determinants also state that the "the allowable intensity of development should not be allowed to substantially alter the present character" of "undeveloped areas adjacent to and within sight of public highways." Additionally, the Determinants note that areas with unique physical features, such as outcroppings, should be developed at "extremely low intensities and in such a manner that the unique features are not altered." Finally, the Determinants note that areas containing rare plant communities should not be developed.

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.

If Area 2 is classified as Hamlet, the Agency has limited authority to mitigate any impacts of that classification.

ALTERNATIVE ACTIONS

There are three categories of alternative actions that can be considered: no action, alternative regional boundaries, and alternative classifications. The Agency will issue a separate decision for each of the two areas under consideration.

Area 1

A. No Action

One alternative action for Area 1 is “no action,” or denial of the request. The Agency may determine that the current classification, Low Intensity Use, is appropriate for Area 1. 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 Area 1 along alternative regional boundaries could be employed. Alternative boundaries can be used to exclude areas that pose physical limitations for development or other concerns. There are areas within Area 1 that pose severe limitations for development, including areas with a significant amount of wetlands. However, due to its small size and the configuration of the area, there are no alternative boundaries that would include the most suitable areas while excluding these wetlands.

C. Alternative classifications

Area 1 is currently classified as Low Intensity Use. The proposal is to reclassify the area as Hamlet. Moderate Intensity Use is an alternative intermediate classification that could be considered. There are no Moderate Intensity Use areas contiguous to Area 1, but the area is defined by regional boundaries and could possibly be reclassified as a separate Moderate Intensity Use area if it was determined that the area does not meet the criteria for Hamlet but does meet the criteria for Moderate Intensity Use. Impacts to the area would be limited by the density guidelines and shoreline restrictions shown above in Tables 9, 10 and 11 and APA permitting jurisdiction as set out in APA Act § 810 and shown on the Jurisdiction Summary Chart found at: https://www.apa.ny.gov/Documents/Laws_Regs/HotalingTable.htm.

Area 2

A. No Action

One alternative action for Area 2 is “no action,” or denial of the request. The Agency may determine that the current classification, Rural Use, is appropriate for Area 2. 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 Area 2 along alternative regional boundaries could be employed. Alternative boundaries can be used to exclude areas that pose physical limitations for development or other concerns. There are areas within Area 2 that pose severe limitations for development due to steep slopes and shallow soils, however these are not in locations where an alternative geographic configuration would be advantageous. However, due to the size of Area 2, there are several alternative boundaries that could be used.

One example of an alternative regional boundary that could be employed would be to use a one-quarter mile setback from the boundary between Lots 42 and 49 of Hyde Township, which is the northern boundary of Area 2. In this alternative, Alternative Area 2a, is approximately 24.1 acres in size and shown in Figure 22. While Alternative Area 2a does not avoid steep slopes, it does avoid some of the areas of shallow soils and rock outcrop, including those visible from NYS Rt 9. It also excludes the existing development in the northern portion of Area 2, and the much of the undeveloped portions of Area 2 that are visible from the road. This alternative would largely preserve the existing highway CEA on the east side of Rt 9 and reduce visual impacts along a state highway.

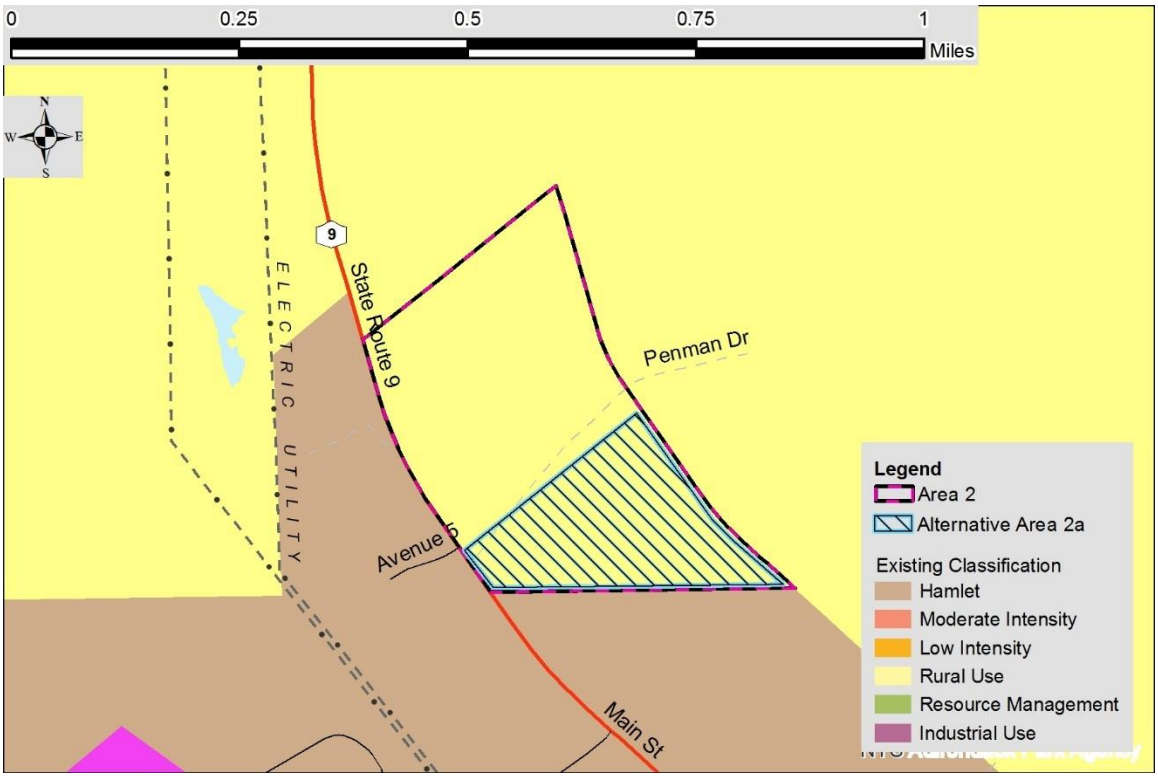

Figure 22. Map showing Alternate Area 2a, which is one potential alternative that uses alternative regional boundaries. .

Other potential alternative regional boundaries include reducing the size of Area 2 or Alternative Area 2a by using a one-tenth mile (528 feet) setback from NYS Rt 9, instead of a one-quarter mile (1,320 feet) setback. Using a smaller setback from the road as an alternative boundary could increase strip development by encouraging development along the highway without increasing the potential density for future back lot development further from the road.

C. Alternative classifications

Area 2 is currently classified as Rural Use. The proposal is to reclassify the area as Hamlet, so Low Intensity Use and Moderate Intensity Use are alternative intermediate classifications that could be considered for this area. There are no Low Intensity Use or Moderate Intensity Use areas contiguous to Area 2, but the area is defined by regional boundaries and could possibly be reclassified as a separate Low Intensity Use or Moderate Intensity Use area if it was determined that the area does not meet the criteria for Hamlet but does meet the criteria for one of these intermediate classifications. Impacts to the area would be limited by the density guidelines shown above in Tables 9, 10 and 11 and APA permitting jurisdiction as set out in APA Act § 810 and shown on the Jurisdiction Summary Chart found at: https://www.apa.ny.gov/Documents/Laws_Regs/HotalingTable.htm.

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 GIS Data: Digital Tax Parcel Data, Warrensburg Sewer Districts, and Flood Zones
- 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
- NYS DOT Traffic Data Viewer
- Large Intact Forest Block GIS data, Wildlife Conservation Society
- Town of Warrensburg Waterfront Revitalization Strategy & Comprehensive Plan