COVER SHEET
and
NOTICE OF COMPLETION
of
FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT (FSEIS)
MAP AMENDMENT 2025-01 (Reed)

NAME OF LEAD AGENCY AND PREPARER OF FSEIS:

NYS Adirondack Park Agency
Post Office Box 99
1133 NYS Route 86
Ray Brook, NY 12977

PROJECT LOCATION:

Town of Lake Luzerne
Warren County

PROPOSED ACTION:

Review of two requests by a landowner to amend the official Adirondack Park Land Use and Development Plan Map (Plan Map) in the Town of Lake Luzerne, Warren County, pursuant to Section 805(2)(c)(1) of the Adirondack Park Agency Act (Executive Law, Article 27), by reclassifying approximately 11.8 acres of Rural Use land to Moderate Intensity Use (Area 1) and approximately 56.5 acres of Rural Use land to Low Intensity Use (Area 2). The APA is required to review such requests and has expanded the applicant's request to be consistent with the regional nature of the Plan Map. This is a Type I action pursuant to SEQRA and APA regulations.

AGENCY CONTACT FOR INFORMATION AND/OR COPIES OF FSEIS:

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

DATE OF DSEIS ACCEPTANCE: **October 9, 2025**

DATE OF PUBLIC HEARING: **November 6, 2025**

DATE BY WHICH PUBLIC COMMENTS WERE RECEIVED: **November 17, 2025**

DATE OF ACCEPTANCE OF FSEIS BY LEAD AGENCY: **January XX, 2026**

Acronym Table

Acronym	Full Title
APA	Adirondack Park Agency
APLUDP	Adirondack Park Land Use and Development Plan
CEA	Critical Environmental Area
DEC	Department of Environmental Conservation
DSEIS	Draft Supplemental Environmental Impact Statement
FEAF	Full Environmental Assessment Form
FGEIS	Final Generic Environmental Impact Statement – The Process of Amending the Adirondack Park Private Land Use and Development Plan Map
FSEIS	Final Supplemental Environmental Impact Statement
GIS	Geographic Information Systems
NLCD	National Land Cover Database
NRCS	Natural Resource Conservation Service
NYCRR	New York Codes, Rules, and Regulations
NYNHP	New York Natural Heritage Program
NYS	New York State
OIGs	Overall Intensity Guidelines
ORPS	Office of Real Property Services
PB	Principal Building
SEQRA	State Environmental Quality Review Act
USGS	United States Geological Survey
WCS	Wildlife Conservation Society

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SUMMARY

This Final Supplemental Environmental Impact Statement (FSEIS) identifies environmental, social, and economic impacts that would result if the proposed action, an amendment to the official Adirondack Park Land Use and Development Plan (Plan Map) were approved. It describes the process that the Adirondack Park Agency (APA or Agency) has taken to comply with all legal requirements including issuance of a DSEIS and notice of completion, the public comment period and the public hearing held by the Agency.

More specifically, this FSEIS identifies the standards for the Agency's decision and described the areas in the Plan Map; details the environmental setting of the requested area and describes of how Agency staff expanded the land area requested by the applicant to conform to regional in scale approach; identifies and describes the impacts to natural resources within the proposed map amendment areas including soils, topography, water resources, wetlands, critical environmental areas, disadvantaged communities, biological resources, and population trends; discusses the review criteria pursuant to the APA Act, specifically how the land use area determinants used by the Agency when reviewing map amendment proposals mitigate potential environmental impacts; and explains alternatives to the proposed action and the Agency's preferred alternative is the "no action" alternative, or denial of the request.

PROPOSED ACTION

Pursuant to Section 805(2)(c)(1) of the APA Act (Executive Law, Article 27), the proposed action involves consideration of two requests by a landowner to amend the official Adirondack Park Land Use and Development Plan Map (Plan Map) in the Town of Lake Luzerne, Warren County. The requested map amendment areas, as shown in Figure 1, are two unconnected portions of one 93.3-acre parcel that the applicant proposes to be reclassified in the following manner:

Area 1. Rural Use to Moderate Intensity Use; 11.8+/- acres

Area 2. Rural Use to Low Intensity Use; 56.5+/- acres

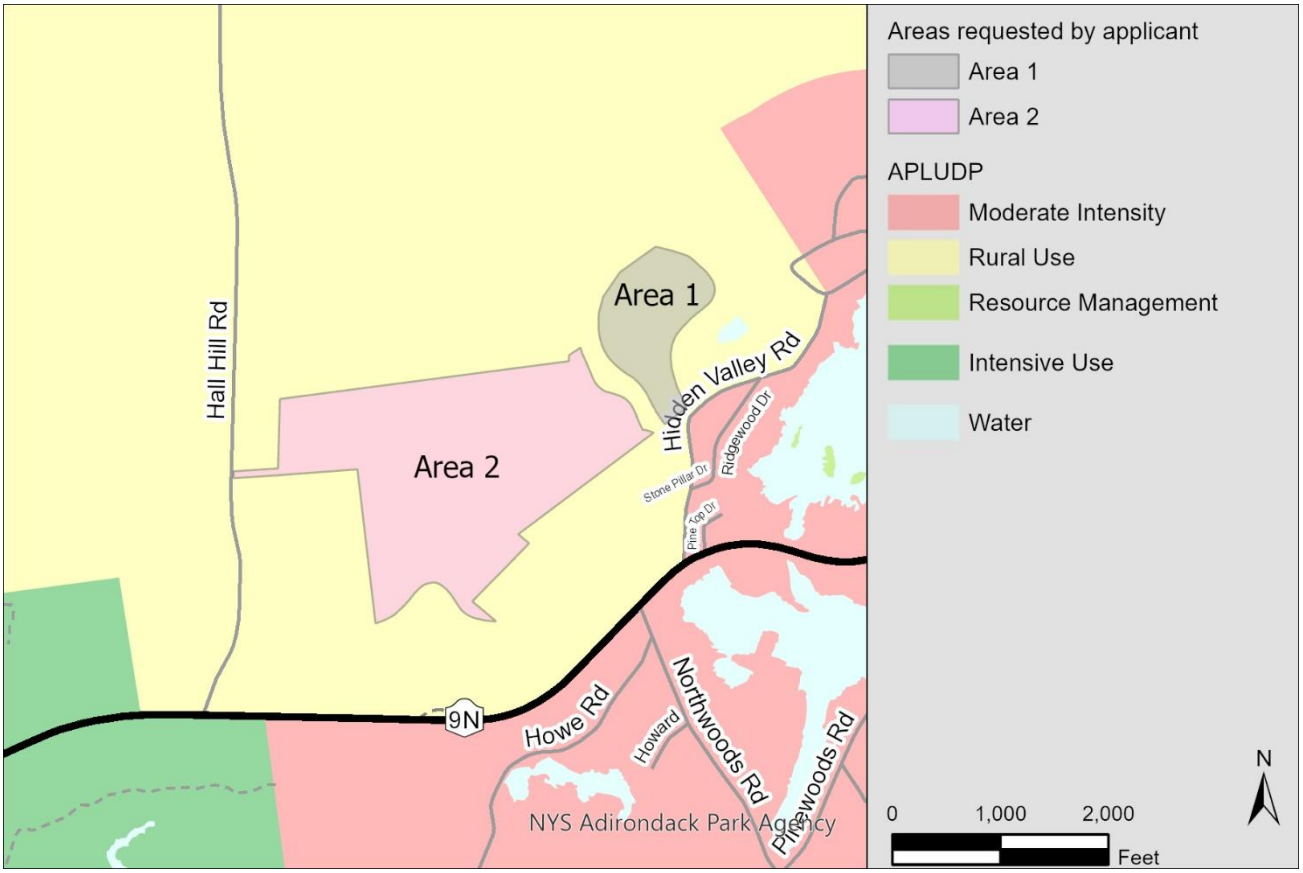

Figure 1. Map of the areas that were requested by the applicant.

PURPOSE, PUBLIC NEED AND BENEFITS

Part of the applicant's submission for the map amendment requests included a justification for the requests. *See* Appendix A.

The applicant states that the proposed map amendments would more closely align Town Zoning to the Plan Map and achieve goals in the Town's Comprehensive Plan by employing smart growth techniques. The applicant references Hamlets 3 - Planning for Smart Growth and Expansion of Hamlets in the Adirondacks (Hamlets 3),[1] a planning document published by a not-for-profit corporation dedicated to affordable housing. This document outlines an "expansion model" for communities to use in land use planning in and around hamlets in the Adirondacks. Hamlets 3 recognized that there are hamlet-like settlements in the Park that are not classified as Hamlet on the Plan Map, and included these hamlet-like settlements in its study. The nearby settlement of Lake Vanare, much of which is classified as Moderate Intensity Use, is considered one of these hamlet-like settlements.

Hamlets 3 suggested an expansion model that assigned different "zones" based on the land use classification and distance from the hamlet center. According to Hamlets 3, the

[1] https://adkhousing.org/current-projects/#ba0212cde148ccea3

proposed map amendment areas are located in zone “B4”, described as “very low priority for residential expansion but highly appropriate for agricultural or recreational land and water-related activities (i.e. skiing, hiking, golf, boating) and reuse of existing rural structures; sites in B4 may be suitable to upgrade for eco-village type residential clusters.” Hamlets 3 at 43.

The Agency received a complete application for two map amendment requests and is obligated to consider the application pursuant to APA Act § 805(2) and Agency Rules and Regulations at 9 NYCRR Part 583.

The statutory and regulatory criteria that the Agency must follow in its consideration of a map amendment request helps fulfill the basic purpose of the APA Act, which is to insure optimum overall conservation, protection, preservation, development and use of the unique scenic, aesthetic, wildlife, recreational, open space, historic, ecological and natural resources of the Adirondack Park. *See* APA Act § 801.

PROCEDURES UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

This Final Supplemental Environmental Impact Statement (FSEIS) analyzes the potential environmental impacts which may result from Agency approval of the proposed map amendments. The Plan Map, identified in Section 805(2)(a) of the APA Act, implements the Adirondack Park Land Use and Development Plan, which guides land use planning and development of private land in the Adirondack Park. This FSEIS is a supplement to the Final Generic Environmental Impact Statement for the Process of Amending the Adirondack Park Land Use and Development Plan (FGEIS).

Pursuant to the State Environmental Quality Review Act (Environmental Conservation Law, Article 8; and its implementing regulations at 6 NYCRR Part 617), APA Act §§ 805(2)(c)(1) and 805(2)(c)(2), and Agency regulations at 9 NYCRR Parts 583 and 586, the Agency issued a Draft Supplemental Environmental Impact Statement (DSEIS) on October 9, 2025 and commenced the public comment period for the proposed action. Comments were accepted through November 17, 2025, and included a public hearing held at the Lake Luzerne Town Hall on November 6, 2025.

The Agency provided notice of completion of the DSEIS, the public comment period, and the public hearing by publication in the Environmental Notice Bulletin and by conspicuous posting on the land involved on October 15, 2025, publishing notice in the Post Star newspaper on October 14, 2025, and by mail to those persons listed in the APA Act and Agency regulations cited above. The Agency also posted notice on its website informing the public that written comments were being accepted by the Agency.

Fifty-eight individuals and entities provided comments on the proposed map amendments and the DSEIS. Fifty-one members of the public attended the public hearing, and fourteen attendees provided verbal comments.

This FSEIS considers the information in the DSEIS (Appendix A) and public comments received. In addition to the DSEIS, this FSEIS also includes a summary of substantive public comments received and the Agency's responses (Appendix C), a partial transcript of the public hearing (Appendix D), all written comments received during the comment period (Appendix E), and a summary of changes between the DSEIS and this FSEIS (Appendix F).

Pursuant to SEQRA, the Agency compares the impacts of potential land use and development based on the existing land use classification with those of the proposed land use classification, considering "the most intensive uses allowable under the proposed [change] to judge potential impacts." [2]

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 was for informational purposes and was not conducted in an adversarial or quasi-judicial format. The burden rests with the applicant to justify the changes in land use area classification.

Procedures and standards for amending the Plan Map are found in APA Act § 805; APA Rules and Regulations (9 NYCRR Subtitle Q), Part 583 and Appendix Q-8; and the Final Generic Environmental Impact Statement for the Process of Amending the Adirondack Park Land Use and Development Plan Map, 1979 (FGEIS).

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

> *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*

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

> *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.*

APA Regulation 9 NYCRR § 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 and Regulations are included in Appendix A. 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 classifications to Moderate Intensity Use and Low Intensity Use, as well as in the context of the "land use area classification determinants," using the factual data which follow. The statutory "purposes, policies and objectives" and the "character descriptions" for the land use areas established by Section 805 of the APA Act are reflected on the official Plan Map, set out in Appendix A, and summarized below. It is these considerations which govern the Agency decision in this matter.

Resource Management areas (green on the Plan 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 Plan 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 Plan 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 Plan 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 Plan 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

Potential Map Amendments

Section 805(2)(c)(5) of the APA Act and the FGEIS require that a map amendment be regional in scale and follow “regionally identifiable boundaries” such as roads, streams, municipal boundaries, Great Lot boundaries or standard setbacks from these boundaries. FGEIS at 18. Following regional boundaries applies uniform boundaries, rather than individual property lines that are more likely to be adjusted or contested, in order to avoid piecemeal carve-outs inconsistent with the regional nature of the Plan Map. The requested map amendment areas were delineated by private parcel boundaries and soil mapping from a soil survey, which do not conform to the Agency’s regional boundary criteria. Therefore, the areas were expanded by Agency staff to include adjacent Rural Use lands of similar character.

The expanded areas are defined by regional boundaries, including Great Lot lines, roads, and setbacks from roads. The two expanded areas, which are referred to in this document as the “proposed map amendment areas,” will be reviewed for potential reclassification in the following manner:

Area A. Rural Use to Moderate Intensity Use; 73.9+/- acres

Area B. Rural Use to Low Intensity Use; 123+/- acres

Figure 2 is a map showing how the areas requested by the applicant were expanded to use regional boundaries. There exists no regional boundary that could be used to separate the two areas requested by the applicant. Therefore, a portion of the area requested to be reclassified as Low Intensity Use falls within Area A, the area that is proposed to be reclassified as Moderate Intensity Use. Figure 3 is a map of the proposed map amendment areas.

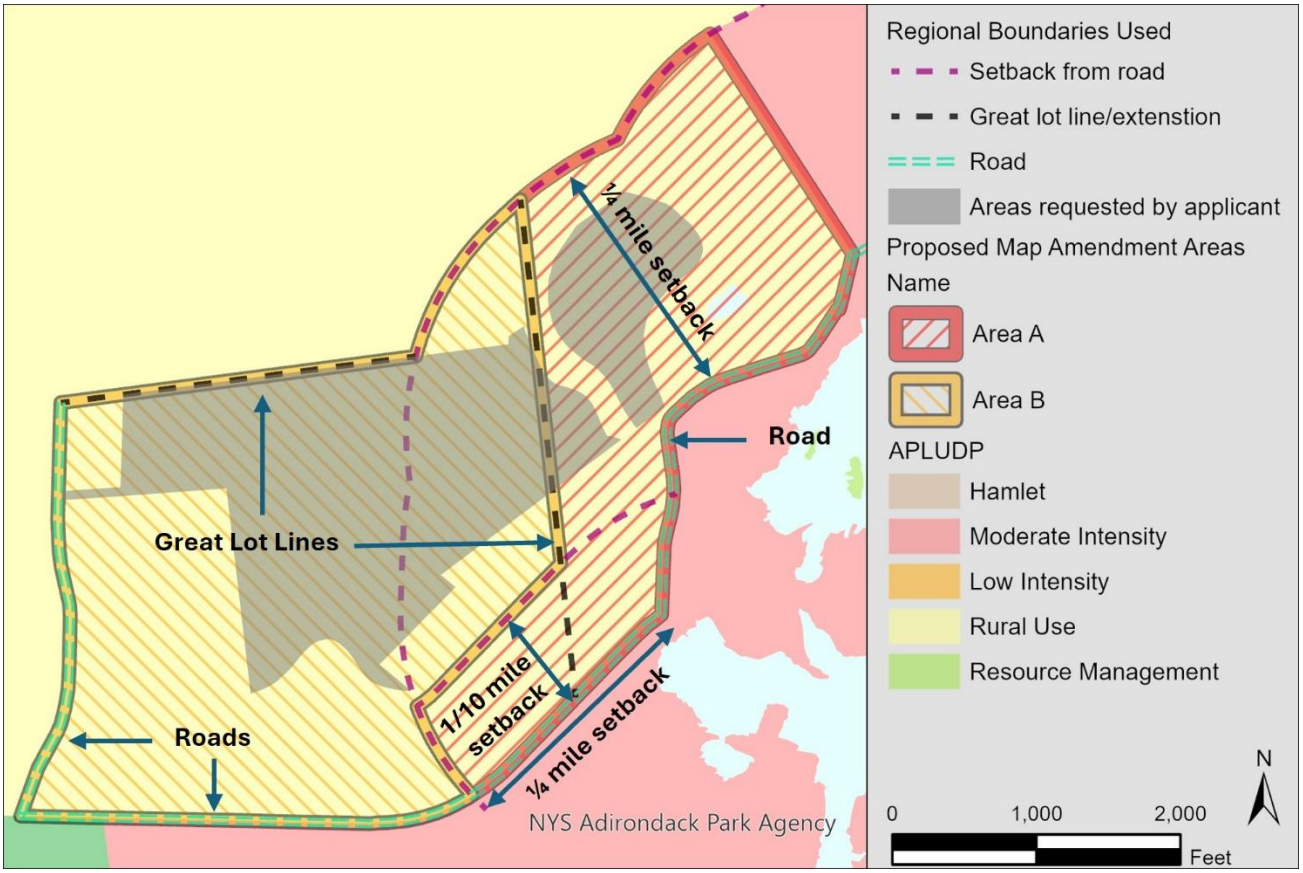

Figure 2. Map showing how the areas requested by the applicant were expanded to use regional boundaries.

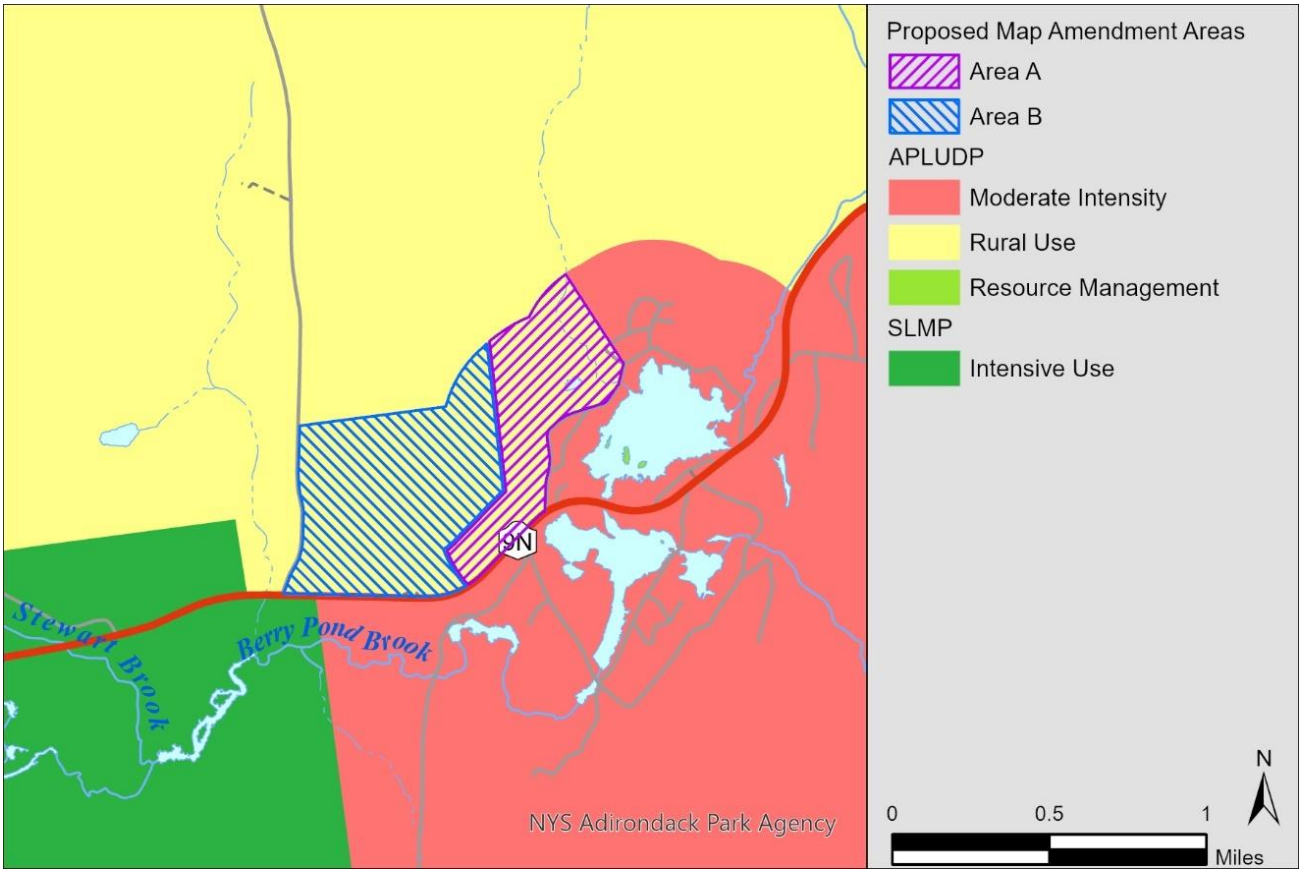

Figure 3. Map of the proposed map amendment areas.

Location

The proposed map amendment areas are located in the southeastern portion of the Adirondack Park, in the Town of Lake Luzerne, Warren County. The Hamlet of Lake Luzerne lies approximately five miles southwest of the proposed amendment area via NYS Route 9N. The Hamlet of Lake George is located approximately five miles northeast of the area via NYS Route 9N. Figure 4 is a map showing the general location of the area under consideration for this action.

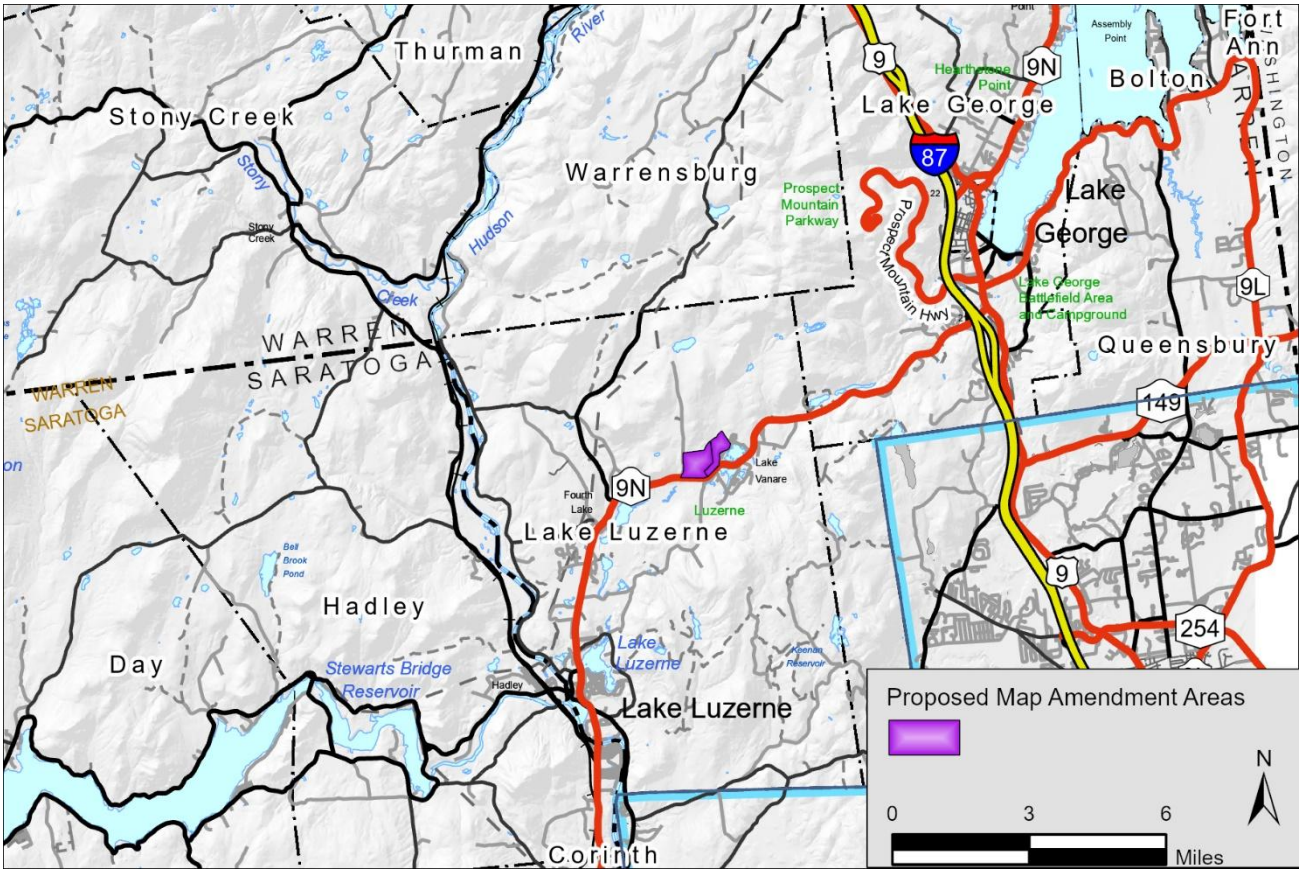

Figure 4. Map showing the general location of the proposed map amendment areas.

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 how the land is currently classified pursuant to the Official Adirondack Park Land Use and Development Plan Map.

Land Classification	Acreage
Hamlet	513
Moderate Intensity Use	4,613
Low Intensity	3,313
Rural Use*	11,424
Resource Management*	1,420
State Land	3,205

Table 1. Approximate acreage of land use classifications in the Town of Lake Luzerne.
** Approximately 1,200 acres of private lands in the Town of Lake Luzerne are under New York State conservation easements. These easements involve lands classified as Rural Use and Resource Management.*

Area A and Area B comprise a total of 196.9 acres and are 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. Area A 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, running along the NYS Route 9N corridor, predominantly south of the highway. Figure 5 is a map showing the existing land classifications along the NYS Route 9N corridor between the Hamlets of Lake Luzerne and Lake George.

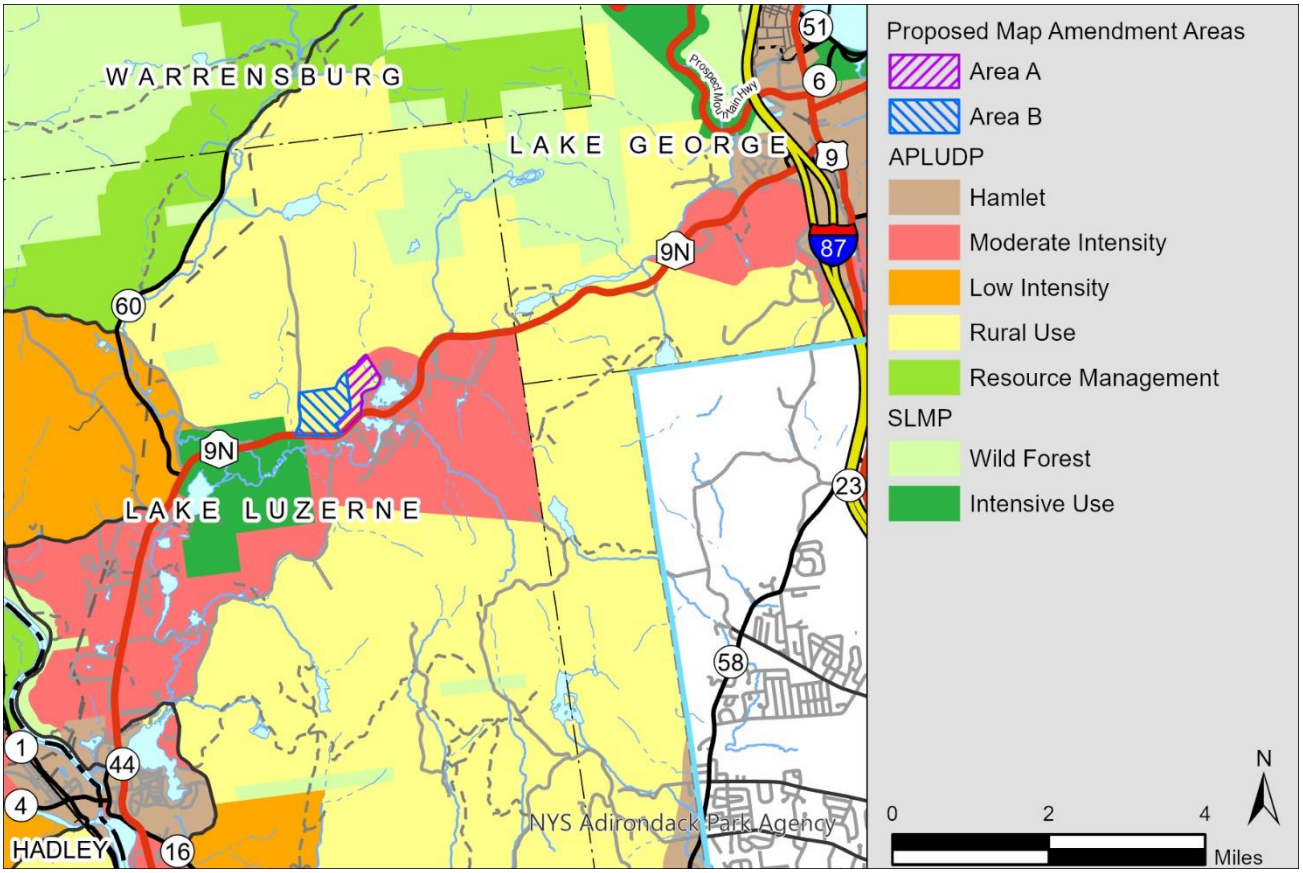

Figure 5. Map showing the existing land classifications along the NYS Route 9N corridor between the Hamlets of Lake Luzerne and Lake George.

Existing Land Use and Development

Area A (73.9 acres) has approximately 1,300 feet of road frontage along NYS Route 9N, which forms the southern boundary of both proposed map amendment areas. This portion of NYS Route 9N is part of the Dude Ranch Trail Scenic Byway, an officially designated scenic resource. According to a traffic data viewer maintained by the New York State Department of Transportation, the annual average daily traffic on this road is 3,417 vehicles. NYS Route 9N intersects with Interstate 87 approximately 5 miles to the northeast. Area A also has approximately 2,300 feet of road frontage along Hidden Valley Road, which forms the eastern boundary of this area. Hidden Valley Road is a hard-surfaced town road that intersects with NYS Route 9N in two locations, forming a loop around Lake Vanare.

Area B (123.0 acres) has approximately 2,400 feet of frontage along NYS Route 9N, which forms the southern boundary of this area. Like Area A, the portion of NYS Route 9N along Area B is part of the Dude Ranch Trail Scenic Byway. There is a scenic pull-off with picnic tables, benches, and waste receptacles within Area B. Area B also has approximately 2,100 feet of frontage on Hall Hill Road, a hard-surfaced town road that intersects with NYS Route 9N and runs north for approximately 2 miles with no outlet. Figure 6 is a map showing the roads in the vicinity of the proposed map amendment areas.

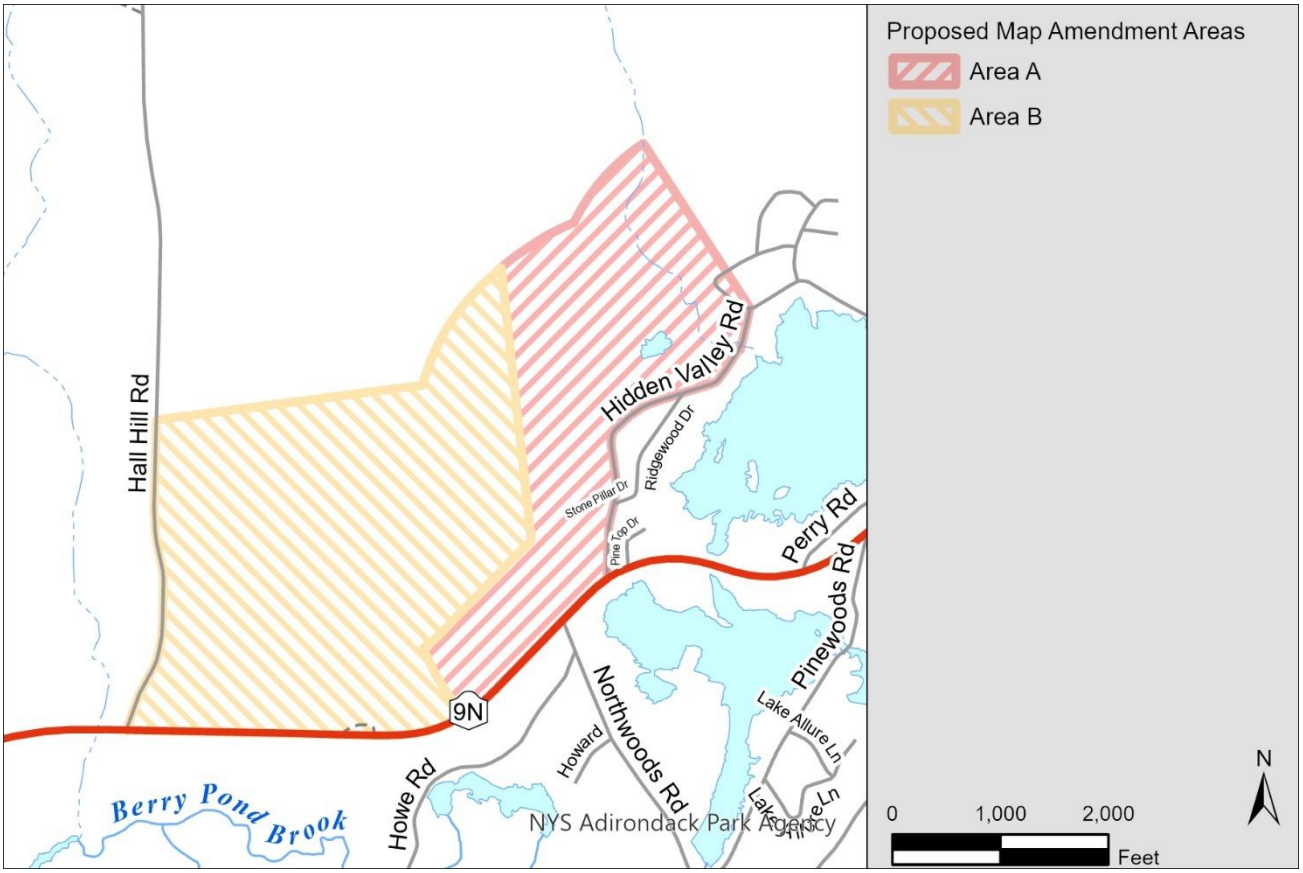

Figure 6. Map showing the roads in the vicinity of the proposed map amendment areas.

There are no public sewer or water facilities available to the proposed map amendment areas. Electric and telephone lines run along NYS Route 9N, Hidden Valley Road and Hall Road.

Figure 7 shows the existing land use in and around the proposed map amendment areas. According to data obtained from Warren County and New York State Office of Real Property Services (ORPS), Area A consists of all or a portion of three commercial parcels, three residential parcels, two recreation and entertainment parcels, and five vacant parcels. Area B consists of all or a portion of a commercial parcel, seven residential parcels, one recreation and entertainment parcel, and six vacant parcels.

Table 2 contains a list of parcels within the proposed map amendment areas, the acreage affected by the proposal, and existing use according to County tax parcel data.

Tax Map Number	Acres within Area 1	Acres within Area 2	Total Acres	Existing Land Use Category
286.-1-12	3.0		74.2	Residential Vacant Land Over 10 Acres
286.-1-14		4.6	43.0	Residential Vacant Land Over 10 Acres
286.-1-16		1.8	1.8	One Family Year-Round Residence
286.-1-17		1.5	1.5	One Family Year-Round Residence
286.-1-18	26.2	67.1	93.3	Residential Vacant Land Over 10 Acres
286.-1-2		3.0	16.6	Residential - Multi-Purpose/Multi-Structure
286.-1-20.1		16.6	16.6	Mobile Home
286.-1-24		1.0	1.0	Rural Vacant Lots of 10 Acres or Less
286.-1-25		0.6	0.6	Rural Vacant Lots of 10 Acres or Less
286.-1-26		2.7	2.7	One Family Year-Round Residence
286.-1-27		8.5	8.5	One Family Year-Round Residence
286.-1-28		0.2	0.2	Rural Vacant Lots of 10 Acres or Less
286.-1-31.2	5.2	4.0	9.2	Camping Facilities
286.-1-32	1.1		1.1	Camps, Cottages, Bungalow
286.-1-33	4.5	1.0	5.5	One Family Year-Round Residence
286.-1-34	7.7	2.5	10.3	One Story Small Structure
286.-1-35	2.1	0.7	2.8	Seasonal Residences
286.-1-36	2.2		2.2	Residential Vacant Land
286.-1-37	11.0	1.3	15.4	Residential Vacant Land Over 10 Acres
286.-1-38	0.5		0.5	Apartments
286.-1-39	8.3		44.5	Camps

Table 2. A list of parcels within the proposed map amendment areas, acreage, and existing use according to Warren County Office of Real Property Tax Service and New York State Office of Real Property Services.

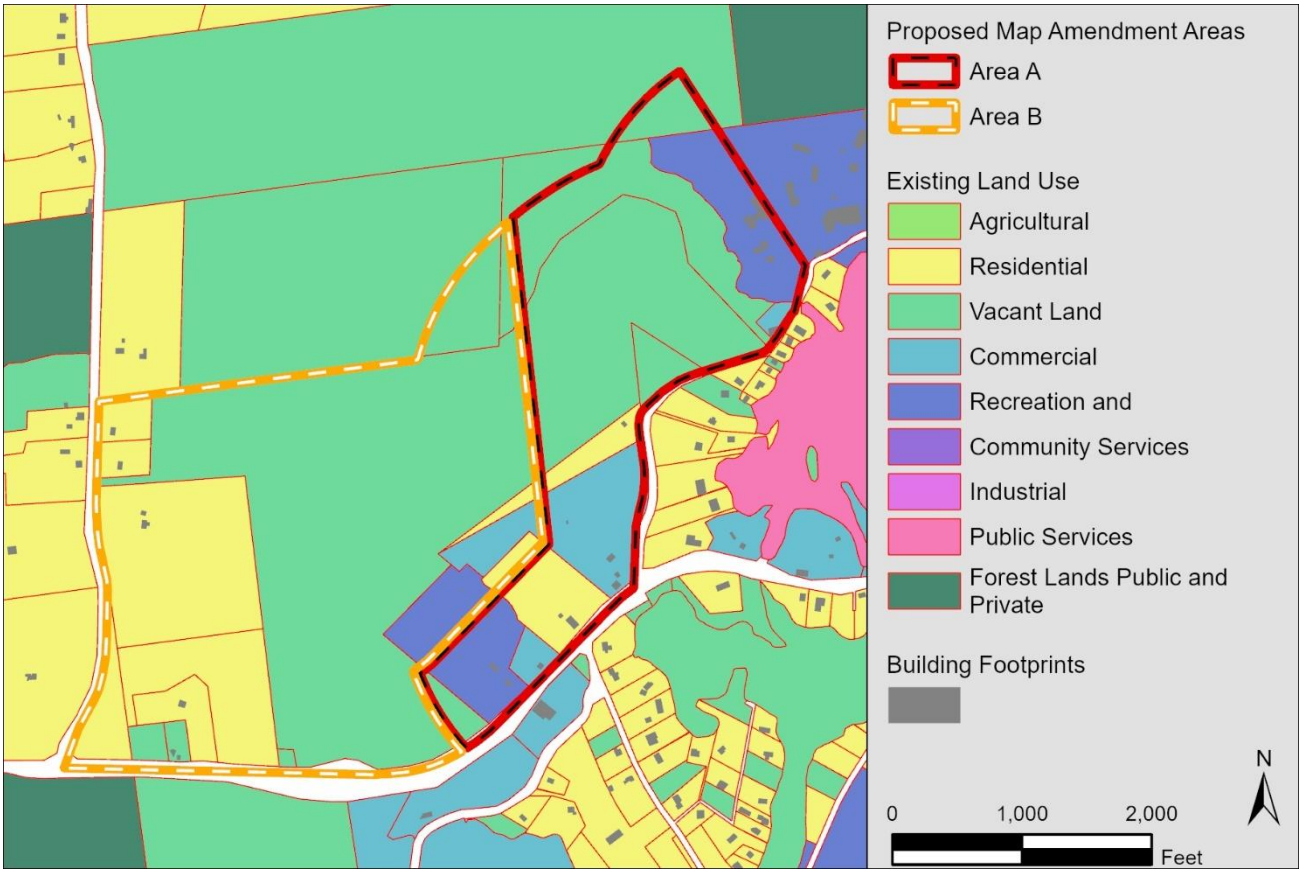

Figure 7. Map showing the existing land use in and around the proposed map amendment areas according to Warren County Office of Real Property Tax Service and New York State Office of Real Property Services

Soils

The types and depths of soils and their ability to accommodate construction and effectively treat on-site wastewater is one of the most important natural characteristics in determining the potential for development of land. The United States Department of Agriculture, Natural Resource Conservation Service (NRCS), in its Soil Survey for Warren County, has identified nine soil map units within the proposed map amendment areas. These soil map units are predominately comprised of Bice, Hinckley, and Plainfield series, which together make up 66% of Area A and 81% of Area B. Figure 8 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 areas, the acreage and percentages of each and their expected suitability for on-site wastewater treatment systems.

Bice series makes up approximately 14% of Area A and 72% of Area B. This soil series 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. Soil components other than Bice make up approximately 25% of these soil map units.

Hinckley series makes up 10% of Area A and 9% of Area B. This soil series 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. Soil components other than Hinckley make up approximately 25% of these soil map units.

Hinckley-Plainfield complex makes up 42% of Area B. This soil series 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. Soil components other than Hinckley or Plainfield make up approximately 20% of these soil map units.

Charlton fine sandy loam makes up 16% of Area A and 6% of Area B. These soils are classified as prime farmland. This soil series is found on hills, ridges, and till plains. The parent material consists of acid loamy till derived mainly from schist, gneiss, or granite. 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. Available water to a depth of 60 inches is moderate. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 4 percent. This soil does not meet hydric criteria. Soil components other than Charlton make up approximately 25% of these soil map units.

The Wareham component makes up 16% of Area A. This component is on depressions. The parent material consists of sandy glaciofluvial or deltaic deposits. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is poorly drained. Water movement in the most restrictive layer is high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 8 inches during January, February, March, April, May, November, December. Organic matter content in the surface horizon is about 4 percent. This soil meets hydric criteria. Soil components other than Wareham make up approximately 25% of these soil map units.

Woodstock-Rock outcrop complex makes up 2% of Area A and 12% of Area B. The Woodstock component, which makes up 50 percent of these map units, is on hills, ridges. The parent material consists of loamy till derived mainly from crystalline rock. Depth to a root restrictive layer, bedrock, lithic, is 10 to 20 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is very low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. This soil does not meet hydric criteria. The remaining component includes rock outcrop, which are areas of exposed bedrock.

There are additional areas of rock outcrop visible along NYS Route 9N, these appear to be in areas mapped as Bice and Hinckley soils.

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 57% of Area A and 88% of Area B contains soils map units with dominant soil components that pose few limitations for on-site wastewater treatment systems. However, as much as 25% of each of these soil map units are expected to include other soils, some of which may not be adequate for on-site wastewater treatment systems.

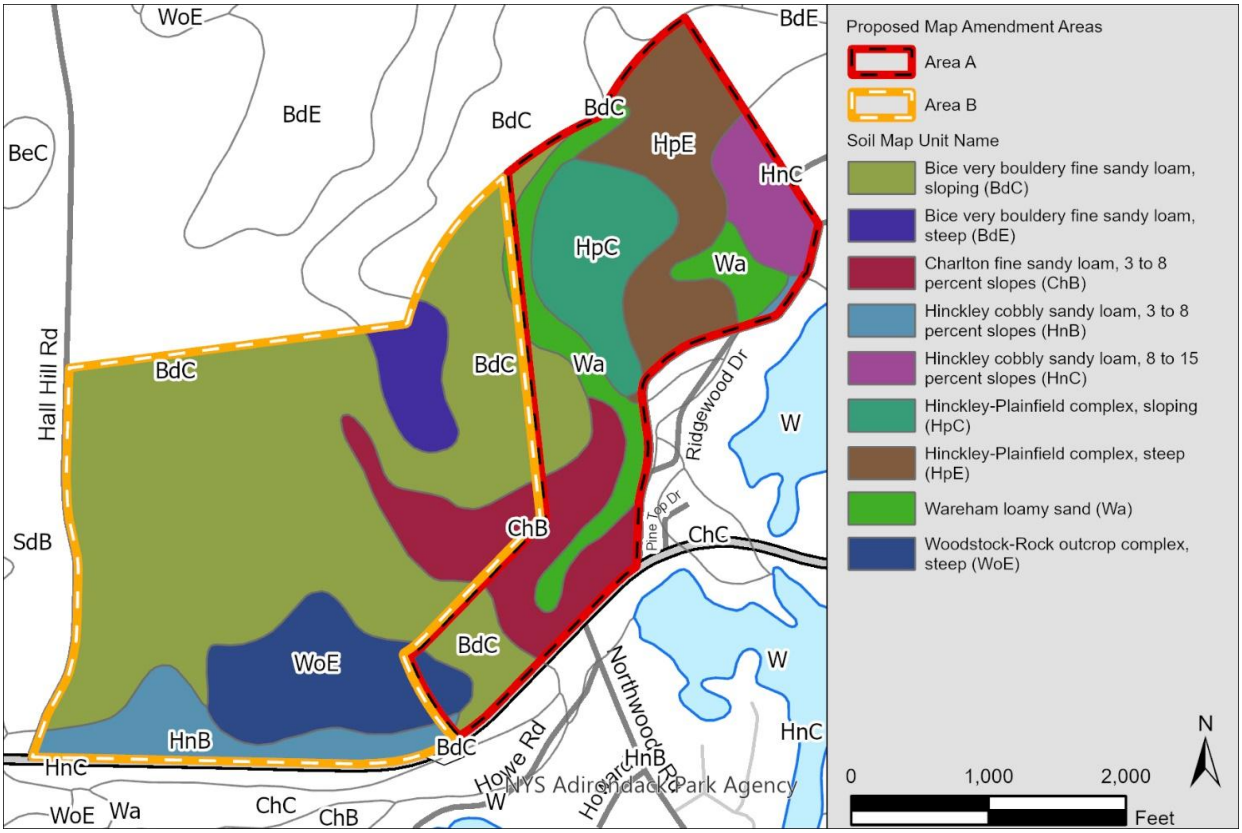

Figure 8. Map showing the soil map data for the proposed map amendment areas from the Soil Survey of Warren County, New York

Map Unit Symbol	Soil Map Unit Name	Expected Limitations for on-site wastewater treatment	Acres of Area A	% of Area A	Acres of Area B	% of Area B
BdC	Bice very bouldery fine sandy loam, sloping	few	10.1	14%	83.0	67%
BdE	Bice very bouldery fine sandy loam, steep	few	-	-	5.7	5%
ChB	Charlton fine sandy loam, 3 to 8 percent slopes	few	11.7	16%	7.7	6%
HnB	Hinckley cobbly sandy loam, 3 to 8 percent slopes	few	0.7	1%	11.2	9%
HnC	Hinckley cobbly sandy loam, 8 to 15 percent slopes	few	6.6	9%	-	-
HpC	Hinckley-Plainfield complex, sloping	few	12.9	17%	-	-
HpE	Hinckley-Plainfield complex, steep	severe	18.3	25%	-	-
Wa	Wareham	severe	11.9	16%	0.5	0%
WoE	Woodstock-Rock outcrop complex, steep	severe	1.7	2%	14.8	12%

Table 3. A list of the soil map units in the proposed map amendment areas, the acreage and percentages of each and their expected suitability for on-site wastewater treatment systems.

Topography

The topography of the proposed map amendment areas consists primarily of low to moderate slopes, with 98% of Area A and 88% of Area B containing slopes under 15%. Generally, slopes in this range can support relatively intense levels of development. Area B contains several areas with steep slopes, primarily in the southern and western portion. Approximately 12% of Area B contains slopes above 15%. 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.

Elevation in the proposed map amendment areas range from approximately 720 feet to 920 feet above sea level, a gain of 200 feet. Figure 9 is a map showing the slopes in the area and Figure 10 is a map showing the topography of the area with elevation contour lines. 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.

Slope Range	Land Use Implications	% of Area A	% of Area B
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.	98%	88%
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%	11%
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 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%	1%

Table 4. Slopes in the proposed map amendment areas.

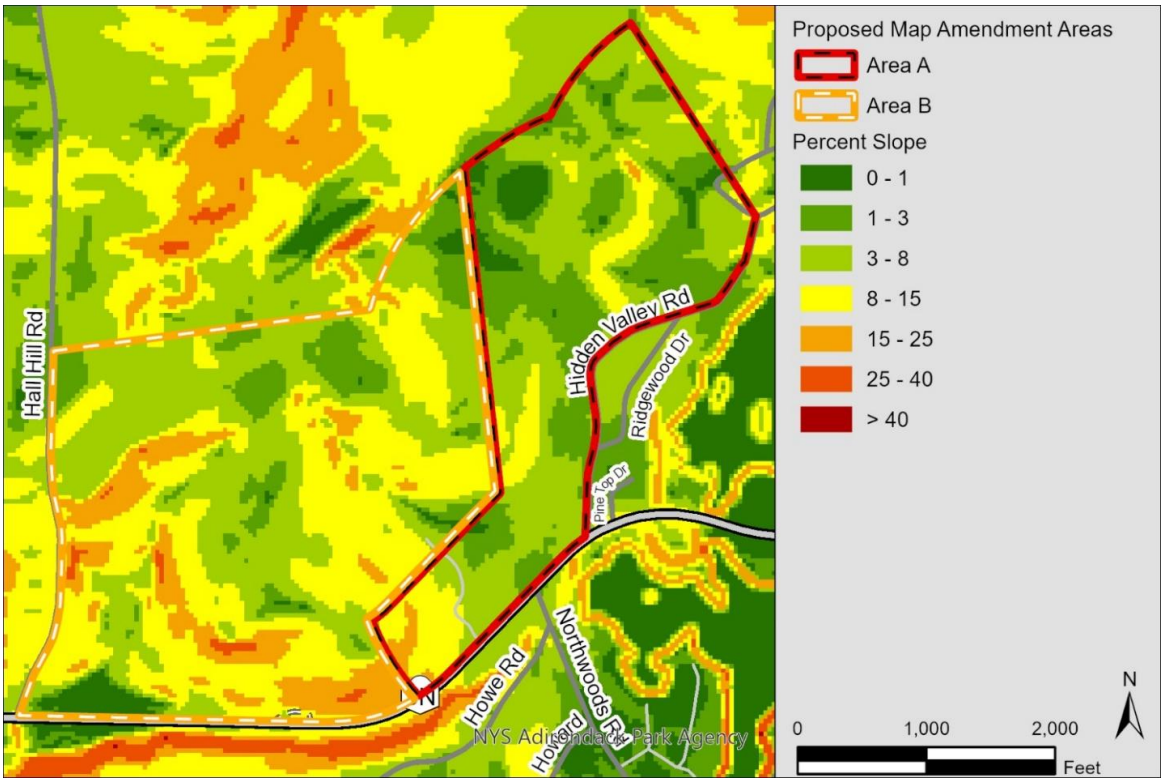

Figure 9. A map showing the slopes in the proposed map amendment areas.

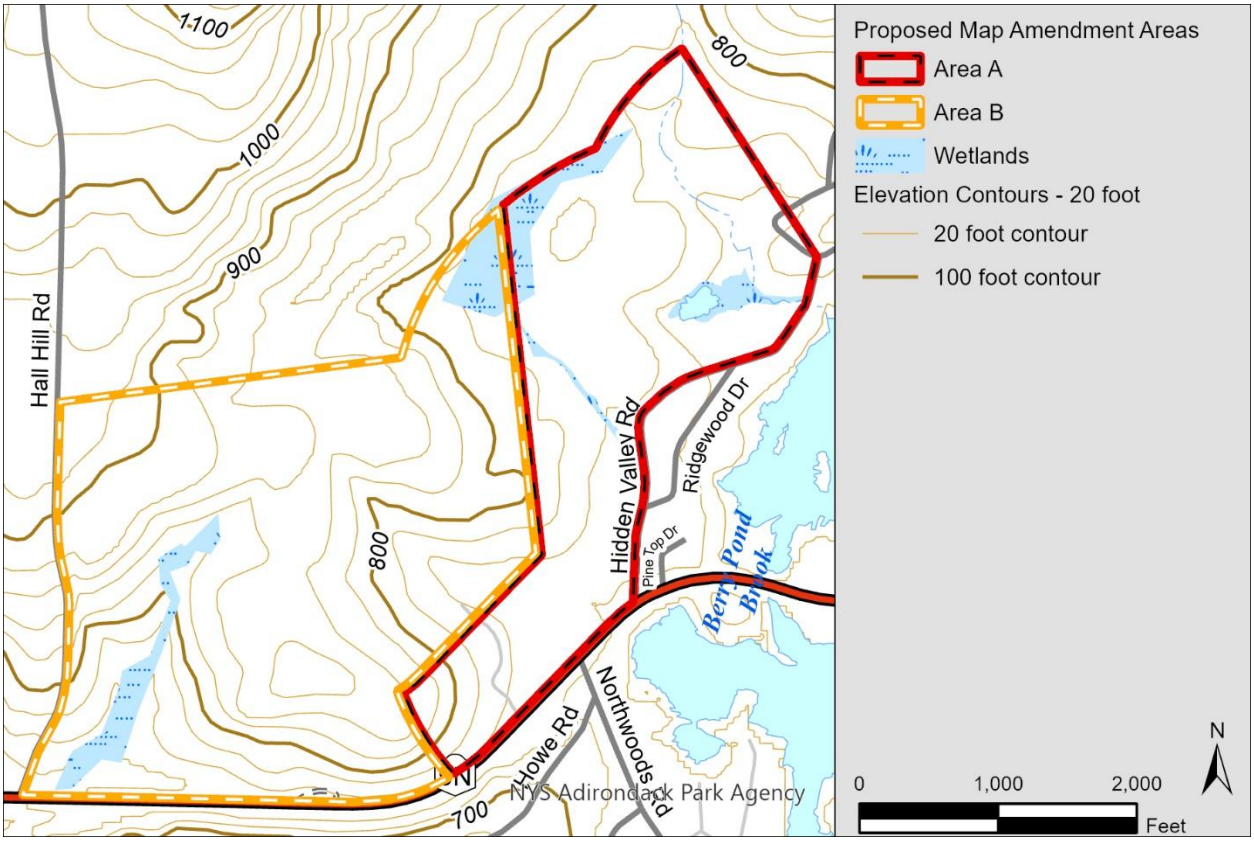

Figure 10. Topography, wetlands and water quality standards in the proposed map amendment areas.

Water Resources

The major hydrological feature in the proposed map amendment areas is an unnamed stream in the northern portion of Area A. This stream is classified as a C(t) stream by the Department of Environmental Conservation (DEC) which indicates that its best use is for fishing, and it may support a trout population. This stream flows through a culvert under Hidden Valley Road and directly into Lake Vanare. Lake Vanare is approximately 40 acres in size, and classified as a B waterbody by DEC. The best usages of Class B waters are primary and secondary contact recreation and fishing. Lake Vanare contains deepwater marshes, which are valuable to lake ecosystems for the habitat biodiversity and water quality benefits that they provide. Deepwater marshes also slow down floodwaters, thereby buffering the impact of intense rain and stormwater runoff events. Figure 10 is a map showing the location of the unnamed stream. The proposed map amendment areas are also adjacent to a mapped aquifer. Figure 11 shows the proposed map amendment areas and this aquifer.

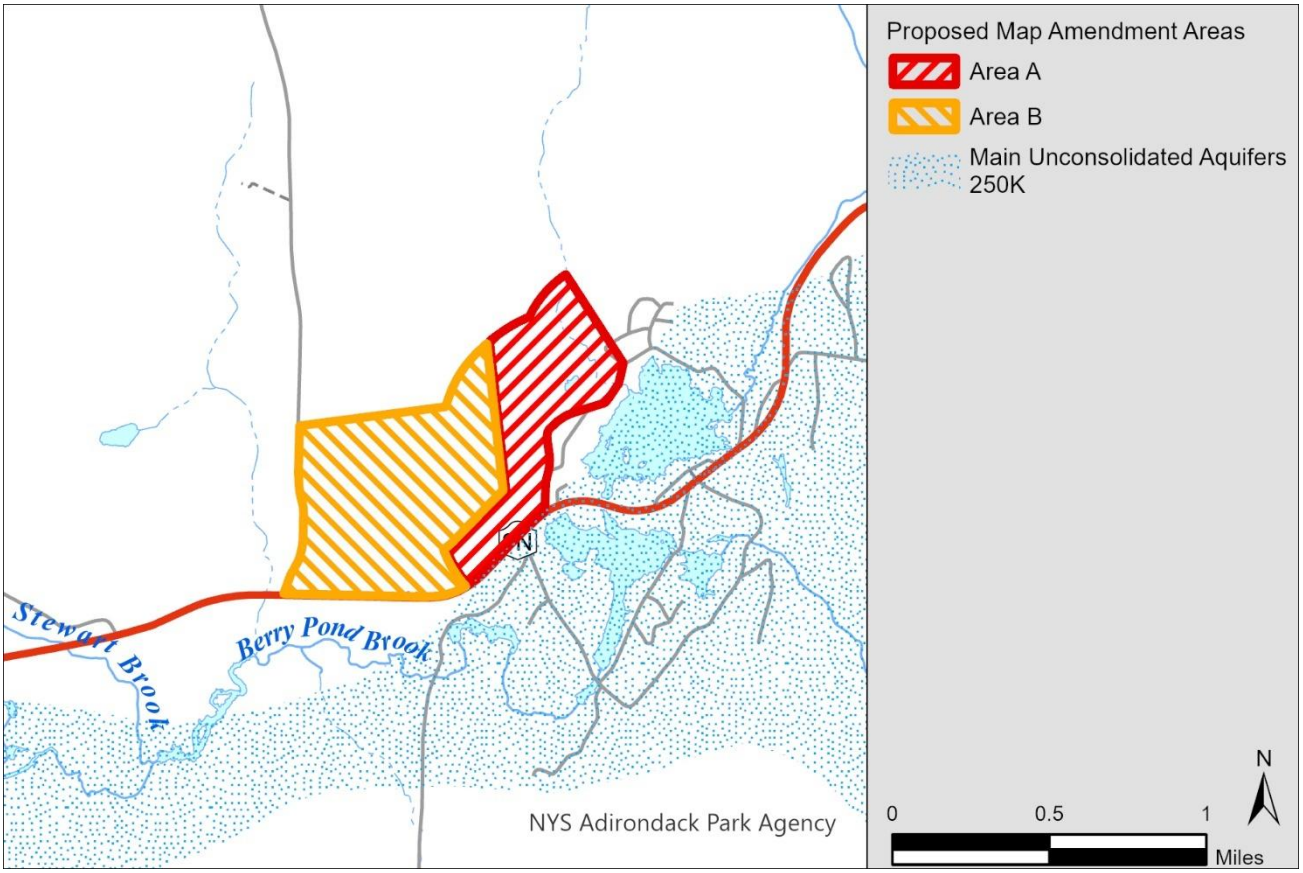

Figure 11. Mapped aquifer in the vicinity of the proposed map amendment areas.

Wetlands

Interpretation of recent aerial imagery indicates that there are three wetland areas in the proposed map amendment areas, Area A contains 6.1 acres of wetlands, Area B contains 7.0 acres of wetlands. Figure 10 shows the mapped wetlands in the proposed map amendment areas. These wetlands are Critical Environmental Areas (CEAs) pursuant to the APA Act.

Critical Environmental Areas

CEAs are sensitive features of the Park's natural environment that are provided extra protection. These include wetlands in all land use classifications. *See* APA Act § 810. Additionally, lands classified as Rural Use that are within 150 feet of a State highway right-of-way are statutory CEAs pursuant to the APA Act § 810 (1)(d)(1)(b) and are present in the proposed map amendment areas. Approximately 4.5 acres of Area A and 8.3 acres of Area B are within the highway CEA. There are no highway CEAs for lands classified as Moderate Intensity Use or Low Intensity Use. Therefore, if either of the proposed map amendments were approved, it would result in the elimination of this highway CEA. This could lead to less regulatory control over new land use and development.

Disadvantaged Communities

Environmental Conservation Law § 75-0101 defines “disadvantaged communities” as “communities that bear burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate-income households. . .” The criteria for identifying, and identification of disadvantaged communities is determined by the Climate Justice Working Group pursuant to the Environmental Conservation Law §75-0111. Based on the interactive mapping tool maintained by the New York State Department of Environmental Conservation that identifies areas throughout the State that meet the disadvantaged community criteria, the proposed map amendment areas are not located in a disadvantaged community.

Biological Resources

There are no known instances of critical wildlife habitats or habitats of rare and endangered plant and animal species in the proposed map amendment areas. The existing land cover and relative percentages, according to the U.S. Geological Survey (USGS) 2024 National Land Cover Database (NLCD), is listed in Table 5. Figure 12 is a map of the land cover categories according to the NLCD. Approximately 85% of Area A and 93% of Area B contain land cover categories that indicate the land is undeveloped.

	Area A	Area B
Evergreen Forest	44%	53%
Mixed Forest	19%	35%
Woody Wetlands	16%	0%
Developed, Low Intensity	7%	1%
Developed, Open Space	4%	6%
Developed, Medium Intensity	4%	0%
Pasture/Hay	3%	0%
Grassland/Herbaceous	2%	0%
Shrub/Scrub	1%	0%
Deciduous Forest	0%	5%

Table 5. Existing land cover in the vicinity of the proposed map amendment areas according to the 2024 National Land Cover Database.

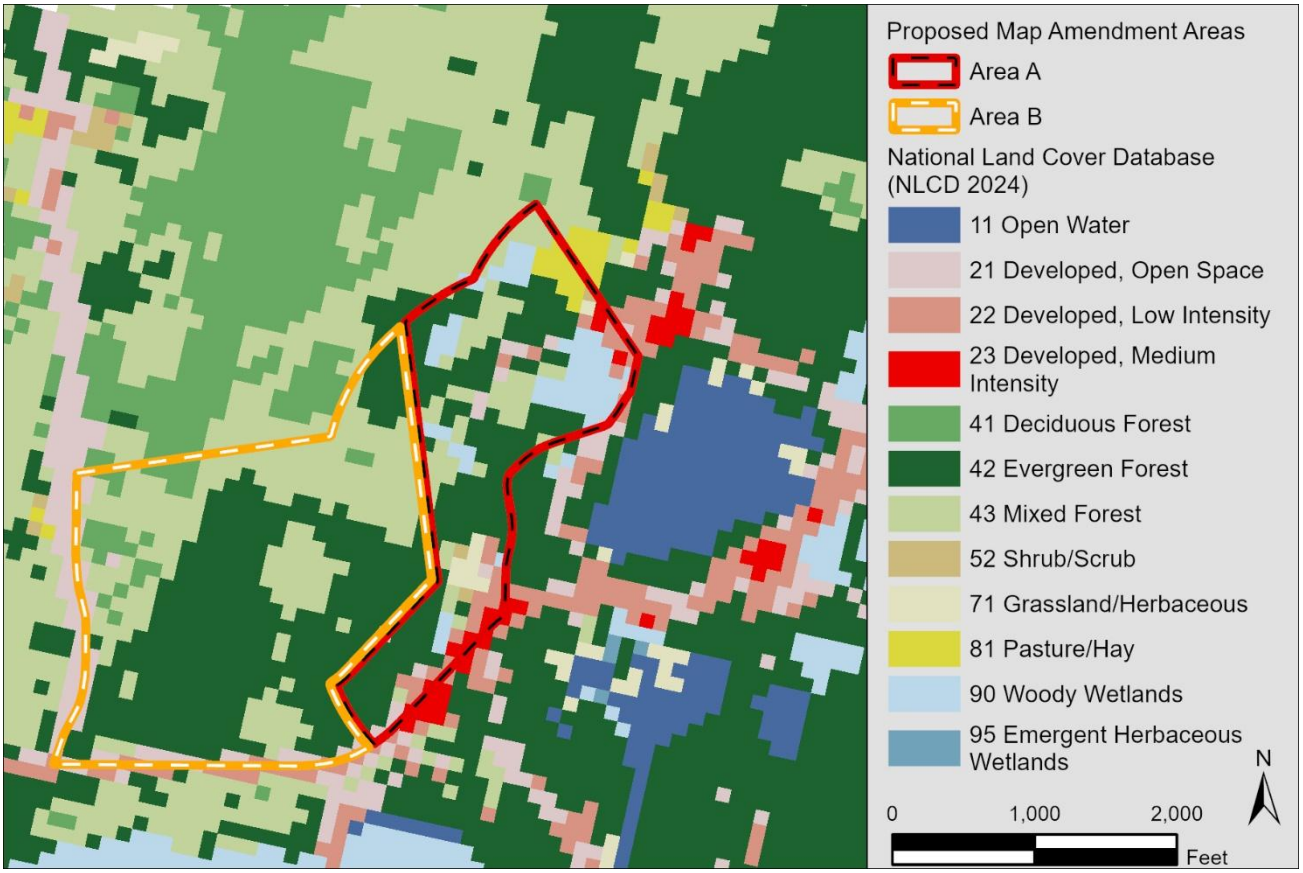

Figure 12. Map showing the existing land cover in the proposed map amendment areas according to the National Land Cover Database.

The proposed map amendment areas are within an 11,800-acre area identified as a "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 13 shows the proposed map amendment areas on a map with these large forest blocks.

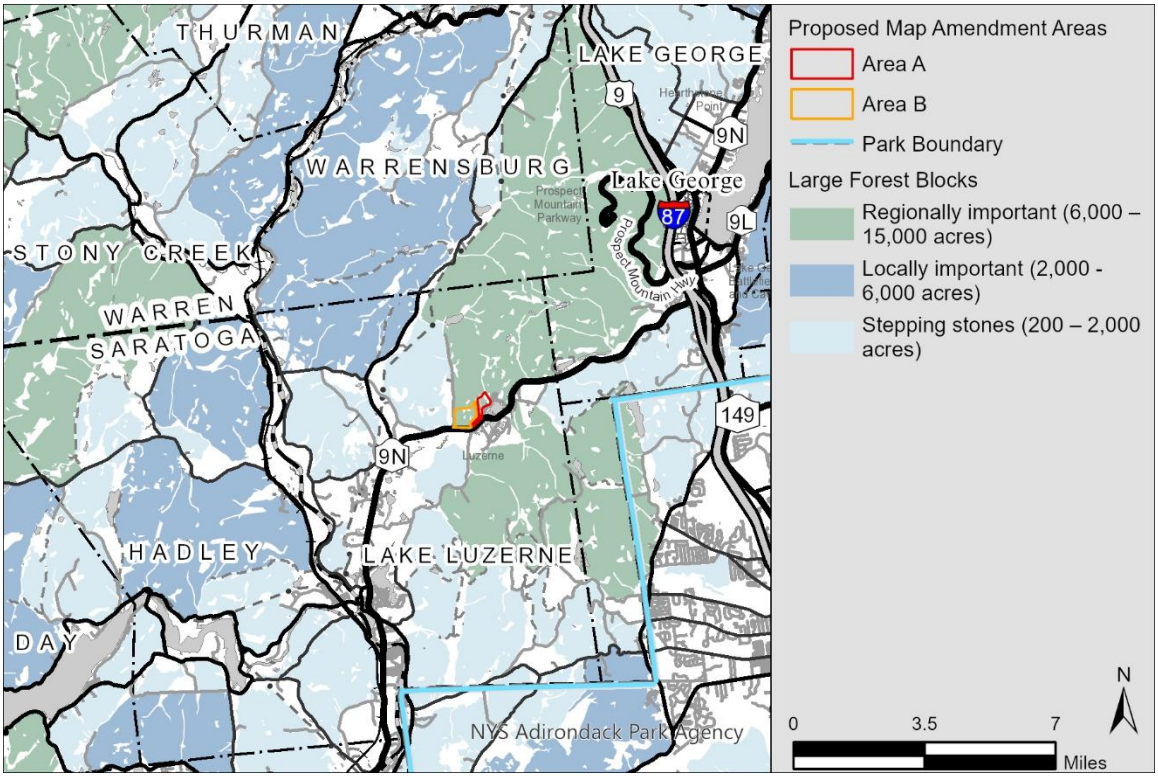

Figure 13. Map showing the proposed map amendment areas and large forest block data from Wildlife Conservation Society (WCS).

Population Trends

According to 2020 US Census data, the population of the Town of Lake Luzerne was 3,079 in 2020, a decrease of 268 persons (8%) since 2010. Table 6 compares population growth of the Town of Lake Luzerne to the seven surrounding towns.

	Year		Change from 2010-2020	
Town/Village	2010	2020	Number	Percentage
Moreau	14,728	16,202	1,474	10.0%
Queensbury	27,901	29,169	1,268	4.5%
Lake George	3,515	3,502	-13	-0.4%
Corinth	6,531	6,500	-31	-0.5%
Stony Creek	767	758	-9	-1.2%
Warrensburg	4,094	3,959	-135	-3.3%
Hadley	2,048	1,976	-72	-3.5%
Lake Luzerne	**3,347**	**3,079**	**-268**	**-8.0%**

Table 6. Population Trends for Lake Luzerne and surrounding towns, ranked by rate of growth (Source: U.S. Census Bureau, 2010, 2020 Census)

POTENTIAL IMPACTS OF THE ACTION

When evaluating proposed map amendments, the Agency compares the impacts of potential land use and development in the existing land use classification with the impacts of the most intensive land uses and development allowable under the proposed classifications. 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 these proposed map amendments, the Agency must assume the potential impacts from the maximum intensity of development allowed under the proposed classifications.

Table 7 below identifies the maximum intensity of development under each Adirondack Park Land Use and Development Plan classification for Area A and Area B.

	Acreage	**Classification**	**Overall Intensity Guidelines (acres per PB)**	**Number of PBs**	Single Family Dwellings (#)*	Commercial Uses (SF)*	Hotel rooms (#)*
Area A	73.9	Rural Use	8.5	9	9	99,000	90
		Low Intensity Use	3.2	23	23	253,000	230
		Moderate Intensity Use	1.3	57	57	627,000	570
Area B	123	Rural Use	8.5	14	14	154,000	140
		Low Intensity Use	3.2	38	38	418,000	380

*Table 7. Maximum allowable density for the proposed map amendment areas under different APLUDP classifications. *May require an Agency permit.*

Adverse Environmental Impacts that Cannot be Avoided

Reclassification to a new land use area alone does not create environmental impacts. However, Plan Map amendments that allow for higher intensity development may lead to increased adverse environmental impacts, as outlined below. Resource tolerance and sensitivity were taken into account in establishing the criteria for each land use classification under the APA Act. Resources of critical concern, such as steep slopes, key wildlife habitats and visually sensitive areas, were given higher levels of regulatory control, so that they will receive greater protection. Therefore, tolerance and value determine the significance of these impacts.

Growth-Inducing Aspects and Impacts to Open Space Resources

The proposed map amendment areas are presently classified Rural Use on the Plan Map but are proposed by the applicant to be reclassified to Low Intensity Use and Moderate Intensity Use. As stated above, the statutory "overall intensity guidelines" for Rural Use allow one principal building for every 8.5 acres, while Low Intensity Use

areas allow one principal building for every 3.2 acres, and Moderate Intensity Use areas allow one principal building for every 1.3 acres. There are approximately 23 principal buildings currently allowed in the proposed map amendment areas and the proposed reclassifications would allow a total of approximately 95 principal buildings. Therefore, the proposed map amendments could allow a potential net increase of 72 principal buildings within the proposed map amendment areas.

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

Given the potential for increased development, as described above, the proposed map amendments could lead to a loss of open space. The FGEIS states that "the [APA] 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." FGEIS at 25. Further, the FGEIS provides that open space is a resource characteristic worthy of protection, which "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." FGEIS at 26.

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 may result in impacts to these resources.

The proposed map amendments could lead to adverse impacts to surface and groundwater resources. As explained above, the proposed amendment areas contain a protected stream as classified by New York State Department of Environmental Conservation. Lake Vanare is located immediately downstream of the proposed map amendment areas and the area is adjacent to a mapped aquifer.

The proposed map amendment areas are not served by municipal sewer facilities. The types and depths of soils and their ability to accommodate construction and effectively treat on-site wastewater is one of the most important natural characteristics in determining the potential for development of land without access to municipal sewer treatment facilities. Under the correct conditions, dry and 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. Soil survey mapping shows the dominant soil type has adequate soil conditions to support on-site wastewater treatment systems in approximately 57% of Area A, and approximately 88% of Area B. However, as much as 25% of each of these soil map units may include other soils that have conditions that may not be adequate for on-site wastewater treatment systems.

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. Septic and storm water discharge may introduce substances into groundwater resulting in increased nutrient levels can increase nutrient levels and contamination of adjacent waters. Excessive nutrients cause physical and biological change in waters which affect aquatic life.

Impacts to Biological Resources
The proposal to reclassify 196.9 acres to less restrictive land use classifications could lead to adverse impacts upon flora and fauna due to the potential increase in development adjacent to wetlands or other areas that may support critical habitats. An increase in development can lead to the degradation of habitat, introduction and spread of invasive species, and disruption of wildlife movement patterns. As noted above under “Impacts to Physical Resources,” pollution of surface waters can also degrade aquatic habitat.

The requested reclassifications also have the potential to result in a loss of existing open space and natural vegetation, with associated adverse impacts upon wildlife. The proposed map amendment areas involve lands that are predominately undeveloped and located within 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.

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 from Rural Use to Moderate Intensity Use or Low Intensity Use can change the character on an area by altering the overall intensity guidelines and the compatible uses list. Impacts may be positive when changes in land use area occur that better reflect the character of an area. Impacts may be undesirable when a change in land use permits development that is not consistent with the existing character of an area. Here, there is a risk that increased development that could occur as result of a

change in land use area classification would cause undesirable changes to the character of the area.

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

The proposed action may result in the construction of parking areas, alter the present pattern of movement of people or goods and extend sprawl development patterns outside the existing hamlet center. This could lead to more vehicle miles travelled and changes to traffic patterns.

Area A is proposed to be reclassified as Moderate Intensity Use which would increase the total principal buildings allowable in the area by approximately 48 principal buildings. Area B is proposed to be reclassified as Low Intensity Use which would increase the total principal buildings allowable in the area by approximately 24 principal buildings. Together, if approved, the proposed map amendments would increase the total principal buildings allowable by approximately 72. This change in allowable development could adversely impact transportation.

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 map amendment areas would be visible from publicly accessible vantage points, including a state highway that is a New York State Scenic Byway, and two local public highways. Both areas would be visible to motorists, including residents commuting to and from work, and visitors engaged in recreation or tourism. Travel corridors play an important role in establishing the Park image to the majority of Park users. Land use area 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.

The proposed map amendments could conceivably result in a diminishment of the public enjoyment and appreciation of the scenic and aesthetic resources present.

Potential unscreened development in the presently undeveloped sections of Area A and Area B along these public highways could be detrimental to the character of the Park. The proposed reclassification would eliminate the CEA that exists within 150 of the NYS Route 9N. Sprawl development along the NYS Route 9N corridor may also erode the opportunity for a gateway of natural landscape between the Hamlets of Lake Luzerne and Lake George. The magnitude of these impacts will depend on future development that could result from the proposed action.

Impact on Adjacent Properties – Noise, Odor and Light
The proposed map amendments would result in changes to the overall intensity guidelines that could potentially allow for an increase of approximately 72 principal buildings, and changes to the statutory and regulatory thresholds for further review by the Agency. The requested action may result in additional noise from higher intensity uses. The predominant low levels of noise from existing undeveloped or residential areas could change dramatically if the action leads to an increase in newly allowable commercial or industrial uses in these areas. Both fauna and nearby residential use could be affected by noise, odor, and light from commercial or industrial uses, and from additional traffic serving these uses.

The change in classification could result in development producing routine odors. 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 requested map amendments could also result in an increase of light shining onto adjoining properties and an increase in sky-glow brighter than existing area conditions.

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

Impact on Open Space and Recreation
The APA 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 furthers 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). 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. *See* FGEIS at 26.

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 assistance by humans. High quality water resources are critical for the survival of trout and related species. Increased development within watersheds that results in greater human occupancy and activity may pose a threat to such resources.

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 the proposed classifications of Moderate Intensity Use and Low Intensity Use, 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.

Reclassifying the current Rural Use areas as proposed could have a negative impact on open space resources. Approximately 85% of Area A and 93% of Area B contain land cover categories that indicate the land is undeveloped, including much of the north side of NYS Route 9N. The proposed map amendment areas currently contain large open space areas, which are important for large wildlife species which require a large range area to survive.

Impacts of the Proposed Action on the Use and Conservation of Energy
The proposed classifications would increase the number of allowable principal buildings in the proposed map amendment areas. As a result, increased energy use in proportion to the number, type, and energy efficiency of principal buildings would likely occur. The proposed map amendment areas currently contain a low level of development. New development outside of existing growth centers may extend strip development that encourages and induces more vehicle miles traveled. Therefore, the proposed amendments would encourage further use of energy for transportation.

Impacts on Climate Change
The proposed map amendments would not alone contribute to climate change or result in adverse impacts due to climate change. However, the proposed map amendments, if approved, could encourage new development in what is currently a sparsely developed, forested area. Forests provide essential benefits, including carbon sequestration and storage, wildlife habitat, forest products, flood mitigation, recreational opportunities, mental health benefits, and protection of air and water quality. However, forestlands are increasingly threatened by development and land conversion, which reduces the amount of greenhouse gases absorbed each year. Maintaining forests is critical for sustaining and enhancing carbon sequestration and storage and preventing emissions, as forests capture and store far more carbon than any other land use in New York.

In New York State's Climate Action Council Scoping Plan, the benefits of maintaining intact wetlands through land use planning is discussed, including sequestering carbon and bolstering community resilience to storm events. The plan goes on to note that "strategic open space conservation can help contain sprawl, direct development into more appropriate areas, and maintain large, vegetated natural lands that contribute to carbon sequestration and storage, while providing an array of additional benefits including wildlife habitat, agricultural production, flood protection, clean water, wood products, and recreation." *See* NYS Climate Action Council Scoping Plan at 364.

Allowing for additional development outside of existing growth centers may lead to the loss of forestlands and encourages more vehicle miles traveled and associated greenhouse gas emissions.

Impacts of the Proposed Action on Solid Waste Management
An increase in the number of principal buildings (*see* "Growth-Inducing Aspects and Impacts to Open Space Resources" above) would lead to an increase in the amount of solid waste generated in the proposed map amendment areas. Solid waste reduction/reuse/recycling programs could lessen disposal impacts.

Impacts of the Proposed Action on Historic Resources
There are no listed historic resources identified in the proposed map amendment areas. It is not anticipated that the proposed map amendments will have an impact to historic and cultural resources.

Impacts of the Proposed Action on Economic Resources
One economic foundation of the Plan Map is that properly directed growth and development is less costly than inefficient and scattered growth. Increased development opportunities and accelerated growth that may occur if the proposed map amendment areas were reclassified to less restrictive land use area classifications could lead to an increased tax base of local economies by accelerating growth. However, unplanned growth in a locality may stretch the available governmental services and create inefficient demands not supported by taxes generated from development. Significant disruption of existing conditions could also negatively affect the natural resources or community characteristics upon which local and regional economies are based. Changes in permitted intensities or changes in project review thresholds may facilitate disruption of these conditions and adversely affect the economic base.

Moreover, although the proposed map amendments and certain suggested alternatives may benefit a certain landowner economically by creating multiple, small land use areas, these proposals and alternatives are not consistent with the regional nature and scale of the Plan Map

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. A Plan Map amendment that results in a less restrictive land use 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 a 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 as follows:

1. Degradation and loss of habitat that is currently part of a large forested area;
2. Reduction in undeveloped open space;
3. Substantial change to community character;
4. The elimination of a portion of a highway CEA along NYS Route 9N;
5. Impacts to visual character of a State highway including the change in character from an undeveloped area to one of intense development;
6. Impacts to existing features including rock outcrops; and
7. Increase in potential for sprawl-like development; and
8. Potential introduction of invasive species.

MEASURES TO MITIGATE POTENTIAL ADVERSE ENVIRONMENTAL EFFECTS

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 Agency regulations. The land use area classification determinants enumerated in 9 NYCRR Appendix Q-8 note important site characteristics that determine the classification of land.

Environmental effects of potential map amendments are best mitigated by adhering to and applying the statutory and regulatory criteria for evaluating such map amendments. These criteria balance the various physical, biological and public resource considerations and only allow increased 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. There they are protected by lower permitted densities, a greater possibility of projects being reviewed, and more rigorous shoreline setback and lot width standards.

Development opportunities are provided in and around Hamlet areas where existing services are found and natural resource characteristics are more economically conducive to development. In these areas lower development costs, higher permitted densities, and less restrictive standards promote development. Another means of mitigating impacts is the exclusion of locations where the physical resources are less suitable for development. The discussion of alternatives in this FSEIS evaluates these factors and discusses mitigation.

ALTERNATIVE ACTIONS

There are three categories of alternative actions that can be considered for potential map amendments: no action, alternative regional boundaries, and alternative classifications.

A. No Action

The “No Action” alternative maintains the current land use area classifications of the Plan Map and represents a denial of the proposed Plan Map amendments. Under this alternative, the Agency determines that the current classification, Rural Use, remains appropriate for the proposed map amendment areas. The No Action alternative preserves the present statutory and regulatory requirements for overall intensity guidelines, compatible uses, and other land use controls, thereby limiting reasonably foreseeably adverse impacts to the subject land use areas.

B. Alternative Regional Boundaries

The “Alternative Regional Boundaries” alternative entails a redefinition of the proposed map amendment areas along regional boundaries different than the ones already established by the Agency. The areas initially requested by the applicant could not be approved as requested because they were delineated by private parcel boundaries and soil map unit boundaries from a soil survey, which do not meet the Agency’s criteria for regional boundaries. Therefore, the Agency expanded the requested area. However, alternative regional boundaries could be used to exclude areas that pose physical limitations for development or raise other concerns.

One concern that has been discussed in this FSEIS is the potential impact of the proposed map amendments to the Park character and scenic resources along the public highways, especially along the NYS Route 9N. This section of State highway, which forms the southern boundary of proposed map amendment Area A and Area B, is part of the Dude Ranch Trail Scenic Byway.

A potential alternative regional boundary that could be considered is a line that is a one-tenth mile setback from the highways, instead of the road itself. While this alternative may avoid the potential impact on scenic quality along these roads, the result would not be consistent with Section 805 of the APA Act because the objectives of the requested classifications, Moderate Intensity Use and Low Intensity Use, are to encourage residential and other land uses in areas that readily accessible to the existing growth centers. Development in areas that are more difficult to access can increase the cost of services provided by local government, and the impacts to the environment.

During the course of the Agency’s review, the applicant requested that the Agency consider potential alternate regional boundaries that avoided some areas with unsuitable soils, wetlands and areas along public roads. One alternative suggested a one-tenth mile setback from NYS Route 9 and Hall Hill Road, similar to the potential alternative mentioned above. Another alternative appeared to suggest creating three smaller land use areas, one Moderate Intensity Use and two Low Intensity Use, on the

applicant's parcel. These alternatives would leave the more restrictive classification along the public roads and allow higher density development in areas that are distance from public roads. They would not be consistent with Moderate Intensity Use and Low Intensity Use because they would not be readily accessible. These alternatives, which propose creating multiple, small land use areas for the benefit of one landowner would also not be consistent with the regional nature and scale of the Plan Map.

C. Alternative Classifications

Area A is currently classified as Rural Use and the request seeks to reclassify the area as Moderate Intensity Use. Therefore, Low Intensity Use is an alternative intermediate classification that could be considered for Area A. There are no Low Intensity Use areas contiguous to Area A, but the area is defined by regional boundaries. Area A could instead 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. Impacts to the area would be limited by the density shown above in Table 7 and APA permitting jurisdiction as set out in APA Act § 810 and shown on the Jurisdictional Chart (included in Appendix A). Reclassification of Area A to an alternative intermediate classification would still result in the loss of the CEA associated with the State highway.

PREFERRED ALTERNATIVE

The preferred alternative for Areas A and B is the "no action" alternative, or denial of the requested map amendments. The Agency has reviewed the character of the two areas as described above and the relevant land use area classification determinants, and has concluded that the proposed classification changes is not supported by the record. As a result, Areas A and B should remain classified as Rural Use.

In order to approve the proposed Plan Map amendments, the Agency must find, among other things, that the proposed amendments are consistent with the Adirondack Park Land Use and Development Plan, including the character description and purposes, policies and objectives of the land use area to which reclassification is proposed. *See* APA Act § 805(2)(c)(5). Here, that requires finding that Area A is consistent with the character description and purposes, policies and objectives of the Moderate Intensity Use land use area classification; and that Area B is consistent with the character description and purposes, policies and objectives of the Low Intensity Use land use area classification.

Both Areas are presently classified as Rural Use. Section 805(3)(d) of the APA Act provides that the purpose and objective of Rural Use areas are the preservation of the open spaces that are essential and basic to the unique character of the Park. Another objective of the Rural Use land classification is to prevent strip development along major travel corridors in order to enhance the aesthetic and economic benefit derived from a park atmosphere along these corridors. The Agency's land use area classification determinants define travel corridors as presently undeveloped areas adjacent to and

within sight of public highways, stating that these 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 that allowable intensity of development should not be allowed to substantially alter the present character of these travel corridors. *See* 9 NYCRR App. Q-8. Area A and Area B together have approximately 3,700 feet of road frontage along NYS Route 9N, a designated Scenic Byway, 2,300 feet of frontage along Hidden Valley Road and 2,100 feet of frontage along Hall Hill Road. Much of the frontage along these roads is presently undeveloped or only developed to a low intensity.

If Area A were reclassified to Moderate Intensity Use or Low Intensity Use, and Area B were reclassified to Low Intensity Use, the existing Critical Environmental Areas associated with NYS Route 9N would be lost, because the APA Act does not provide for CEAs along state highways under the proposed land classifications. Therefore, new land use and development in what are now CEAs would be less likely to require Agency review under the proposed classifications, which could lead to greater and less restrictive development in these important areas.

Section 805(3)(d) of the APA Act provides that Moderate Intensity Use areas are those areas where the capability of the natural resources and anticipated need for future development indicate that relatively intense development, primarily residential in character, is possible, desirable and suitable. Approximately 43% of Area A contains soil complexes that pose severe expected limitations for on-site wastewater treatment systems. Because Area A is not served by municipal sewer services, the Area may not be suitable for relatively intense residential development. Area A also contains wetlands and surface water resources that may be negatively impacted by development and the associated increase in impervious surfaces.

Section 805(3)(e) of the APA Act provides that Low Intensity Use areas are those readily accessible areas, within a reasonable proximity to a hamlet, where the physical and biological resources are fairly tolerant and can withstand development at an intensity somewhat lower than found in Hamlets and Moderate Intensity Use areas. These areas generally have fairly deep soils, moderate slopes, and no large acreages of critical biological importance. Area B is not served by municipal sewer services, therefore future development must be able to be supported by the existing soils and topography. Area B also contains wetland resources that may be negatively impacted by increased development.

The applicant requested reclassification for two portions of their property that they believed to contain soil and slope characteristics most suitable for development. By using the soil survey boundaries in their request, the applicant also avoided wetlands and minimized or avoided areas with frontage along public roads despite owning frontage on three public roads. Soils are one important natural characteristic in determining potential for development, but other characteristics must be considered as

well. Since the applicant has only requested the areas that are believed to contain the most development-suitable soils using soil survey data, which cannot be used to draw land use area classification boundaries, expanding the areas inevitably included areas that present barriers to increased density and development, such as the portions of the applicant's parcel with less suitable soils and wetlands. Section 805(3) of the APA Act describes both Moderate Intensity Use and Low Intensity Use areas as being "readily accessible," meaning that they are located along highways, accessible shorelines, and within reasonable proximity to hamlet areas. The requested areas, with little to no frontage to public roads, are not readily accessible. When the Agency expanded these areas to consider this request in a manner that would reflect the regional nature of the map, roads were used as boundaries.

In summary, the reclassification of Area A and Area B to less restrictive land use classifications is not consistent with the purposes, policies and objectives detailed in the APA Act. Such reclassification would lead to a potential loss of open space resources and rural character which presently characterize 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 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 Lake Luzerne Comprehensive Plan

APPENDICES

Appendix A – Draft Supplemental Environmental Impact Statement

Appendix B – FSEIS File List

Appendix C – Summary of Public Comments and Responses

Appendix D – Public Hearing Partial Transcript of Public Comment

Appendix E – Written Comments Received

Appendix F – Summary of Revisions from the Draft Supplemental Environmental Impact Statement