

APPENDIX A

JUSTIFICATION SECTION OF MAP AMENDMENT APPLICATION

PART D – JUSTIFICATION:

The property that is the subject of this application is currently classified Resource Management in its entirety. The character description for Resource Management areas states that they comprise “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.” It also states that “open space uses, including forest management, agriculture and recreational activities, are found throughout these areas.”

The land that is the subject of this map amendment application does not, in any way or to any extent, meet this character description. Rather, it more closely meets the character description for Moderate Intensity use areas which states that “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.” Additionally the land that is the subject of this application is “located along highways or accessible shorelines where existing development has established the character of the area”, namely single family residential development on relatively small lots. The nearby and adjoining parcels are improved by single family homes located on relatively small lots (far smaller than that required for principal buildings in Resource Management areas). Additionally the land is, in the words of the character description for Moderate Intensity use areas, “generally characterized by deep soils on moderate slopes.”

Furthermore, the character description for Resource Management areas, the current classification for the property in question, states that they are characterized by “substantial acreages” of one or more of the following: shallow soils, severe slopes, elevations of over 2,500 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. Since none of those characteristics are found on the property that is the subject of this application it would be appropriate to reclassify it as Moderate Intensity. The property would more properly be classified as Moderate Intensity since its characteristics are those that are listed in Moderate Intensity use areas, namely deep soils, moderate slopes and accessible shoreline.

Addressing the purposes, policies and objectives of Resource Management areas and Moderate Intensity use areas, it is respectfully submitted that those of the latter are much more applicable to the land that is the subject of this application. Specifically, the basic purpose of Resource Management areas of protecting

“delicate physical and biological resources” and encouraging management of “forest, agricultural and recreational resources” and preserving “open spaces” are simply not applicable to the land in question. Similarly, the Resource Management area purpose of preventing strip development along major travel corridors is not applicable to the land in question, nor is allowance for “residential development on substantial acreages or in small clusters.”

On the other hand, the purposes, policies and objectives of Moderate Intensity use areas of providing “for development opportunities in areas where development will not significantly harm the relatively tolerant physical and biological resources” is applicable to the land in question, as is the objective of providing” for residential expansion and growth.”

In summary, the land that is the subject of this application more accurately reflects the character description and the purposes, policies and objectives of Moderate Intensity use areas due to the suitability of the soils (Berkshire) to have on-site waste disposal systems, the existence of relatively moderate slopes that will accommodate single family home construction and associated on-site waste treatment systems, the potential for development and existing nearby development consisting of single family homes located on relatively small lots and the accessible shoreline and road frontage that exists. Conversely, the forest, agricultural, recreational and open space resources found in Resource Management areas are not present, nor are the characteristics of Resource Management areas, such as shallow soils, severe slopes or critical environmental areas.

For these reasons it is respectfully submitted that the land would more appropriately be classified as Moderate Intensity.

APPENDIX B

CT MALE & ASSOCIATES REPORT

C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture & Landscape Architecture, P.C.

50 Century Hill Drive, Latham, NY 12110
518.786.7400 FAX 518.786.7299 ctmale@ctmale.com



August 30, 2011

Mr. Frank Hutchins
North Country Partners, LP
60 Carley Drive
Route 30
Lake Clear, NY 12945

Re: *Lake Clear Subsurface Investigation*
Town of Harrietstown, Franklin County, New York
C.T. Male Project No. 11.1123

Dear Mr. Hutchins:

This letter report represents the results of a subsurface investigation performed for North Country Partners, LP on a 9.6-acre property ("project site) located in the Town of Harrietstown, Franklin County, New York (Figure 1). The project site is situated on the shores of Lake Clear with frontage on NYS Route 30, and is part of larger proposed map amendment area comprised of 53.2 acres under consideration by the Adirondack Park Agency (APA). The purpose of this subsurface investigation is to characterize the soils (i.e., unconsolidated deposits) present beneath the project site. It is intended that this report will be submitted to the APA for inclusion within a Final Supplemental Environmental Impact Statement (FSEIS) for the proposed amendment of the Official Adirondack Park Land Use and Development Plan Map.

Prior to undertaking the subsurface investigation, a project meeting was held with APA representatives on June 1, 2011 at their Ray Brook office location. At this meeting APA representatives requested that a written work plan be provided to APA for review and approval prior to undertaking the subsurface investigation and further that the field work be scheduled such that APA representatives could be on-site during the investigative activities. On June 10, 2011 a work plan was submitted to APA representatives via email. A copy of this work plan is provided as Appendix A. An APA representative subsequently contacted C.T. Male Associates by telephone and requested that one of the test pits be moved closer to Clear Lake (on to the "Common Beach" property) and that that an interpretive soils map be provided with the report. Both of these comments were accepted and served to amend the work plan. Field work was subsequently scheduled for July 7, 2011 starting at 9 am.



TOPOGRAPHY AND GEOLOGY

The topography of the project site slopes moderately towards the lake which sits at an elevation of 491 meters above mean sea level (MSL). The relief generally ranges from 490 to 515 meters above MSL with higher elevations located away from the lake near NYS Route 30. Refer to Figure 1 which depicts the local topography.

According to the Surficial Geology Map of New York, Adirondack Sheet (1991), the project site is mapped as glacial till (t) surrounded by areas of glacial outwash sand and gravel (Og). Glacial till is described as having a variable texture ranging from boulders to silt with poor sorting, deposited beneath glacial ice with variable compaction and permeability; its thickness is variable ranging from 1-50 meters. Glacial outwash sand and gravel is described as a coarse to fine gravel with sand, deposited in a proglacial fluvial environment, with well rounded particles and stratified layers; its thickness is variable ranging from 2-20 meters. Refer to Figure 2, Surficial Geology Map. It is important to note that the boundaries of the surficial geologic units mapped at a scale of 1:250,000, do not correlate well with the other GIS maps, as demonstrated by the lack of correspondence between the boundaries of Clear Lake and area roads. Based on prior experience, this surficial geology map is considered to be useful to depict the range of possible geologic units that may be present within a specific area.

According to the Bedrock Geology Map of New York, Adirondack Sheet (1970), the project site is mapped as being underlain by a metanorthosite and anorthositic gneiss rock. This Middle Proterozoic formation is described as a metamorphic rock of igneous origin. No bedrock outcrops were observed within the subject 9.6-acre property.

FIELD PROTOCOLS

Field protocols are described in the attached work plan (Appendix A). A total of seven (7) test pits were excavated to a depth of approximately 6 feet below grade at the locations depicted on Figure 3, Test Pit Locations. Uniquely labeled stakes were placed at each of the test pit locations which were surveyed using a hand-held GPS unit.

RESULTS

1. Test Pit Field Logs

During the excavation work test pit logs were prepared for each of the seven (7) test pits. These field test pit logs are provided in Appendix B.

The following paragraphs serve to summarize the field observations made at each of the test pits excavated within upland areas.

TP-1: No water was encountered to a total depth of 6.5 feet below grade, and there was no indication of a seasonal high groundwater table. The dominant sediment is glacial outwash sand consisting of orange-brown fine sand with minor amounts of silt and occasional fine gravel layers. Sediments were observed to be well sorted (i.e., poorly graded) with a high percentage of well rounded quartz grains. Soils consist of a sandy loam (9 inches).

Modified Burmeister Soils Classification System: fSAND, little silt
Unified Soil Classification System: SP

TP-2: No water was encountered to a total depth of 6 feet below grade, and there was no indication of a seasonal high groundwater table. The dominant sediment is glacial outwash sand consisting of orange-brown fine sand with minor amounts of silt and occasional fine to medium gravel layers. Sediments were observed to be well sorted (i.e., poorly graded) with a high percentage of well rounded quartz grains. The topsoil consists of a sandy loam (9 inches).

Modified Burmeister Soils Classification System: fSAND, little silt
Unified Soil Classification System: SP

TP-3: No water was encountered to a total depth of 6 feet below grade, and there was no indication of a seasonal high groundwater table. The dominant sediment is glacial outwash sand consisting of orange-brown fine sand with minor amounts of silt. Sediments were observed to be well sorted (i.e., poorly graded) with a high percentage of well rounded quartz grains. The topsoil consists of a sandy loam (10 inches).

Modified Burmeister Soils Classification System: fSAND, little silt
Unified Soil Classification System: SP

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Lake Clear Subsurface Investigation

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TP-4 (approximately 120 feet to shoreline of Lake Clear): During excavation no water was encountered to a total depth of 6 feet below grade, however soils became pronouncedly wet at 5 feet. This test pit was allowed remained open till the end of the day when groundwater was measured at a depth of 5.6 feet below grade. Evidence of a seasonal high groundwater table consisted of a gray discoloration and mottling at 37 inches (3 feet, 1 inch). The dominant sediment is glacial outwash sand consisting of orange-brown medium to fine sand with minor amounts of silt. Sediments were observed to be well sorted (i.e., poorly graded) with a high percentage of well rounded quartz grains. The topsoil consists of a sandy loam (6 inches). Iron nodules were formed in the top 2 to 3 feet of sediments.

Modified Burmeister Soils Classification System: mfSAND, trace silt
Unified Soil Classification System: SP

TP-5: No water was encountered to a total depth of 6.5 feet below grade, and there was no indication of a seasonal high groundwater table. The dominant sediment is glacial outwash sand consisting of orange-brown fine sand with minor amounts of silt. Sediments were observed to be well sorted (i.e., poorly graded) with a high percentage of well rounded quartz grains. The topsoil consists of a sandy loam (8 inches).

Modified Burmeister Soils Classification System: fSAND, little silt
Unified Soil Classification System: SP

TP-6: No water was encountered to a total depth of 5.5 feet below grade, and there was no indication of a seasonal high groundwater table. The dominant sediment is glacial outwash sand consisting of orange-brown fine sand with minor amounts of silt. Sediments were observed to be well sorted (i.e., poorly graded) with a high percentage of well rounded quartz grains. A thin, discontinuous hardpan layer was encountered at a depth of 2 feet. The topsoil consists of a sandy loam (8 inches).

Modified Burmeister Soils Classification System: fSAND, little silt
Unified Soil Classification System: SP

TP-7: No water was encountered to a total depth of 6.2 feet below grade, and there was no indication of a seasonal high groundwater table. The dominant sediment is glacial outwash sand consisting of orange-brown fine sand with minor amounts of silt and gravel. Sediments were observed to be well sorted with a high percentage of well rounded quartz grains. The topsoil consists of a slightly cobbly sandy loam (9 inches). Excavation at TP-7 was difficult encountering cobbles and boulders throughout.

Modified Burmeister Soils Classification System: fSAND, little silt and gravel
Unified Soil Classification System: SP

2. Geotechnical Laboratory Testing

Based on the lack of any significant plasticity encountered during the test pits, it was decided to not perform any Atterberg Limits testing, and to rather perform one standard gradation test for each of the test pits. The seven (7) standard gradations are provided in Appendix C.

The gradation results serve to quantitatively define the particle size distribution of the samples collected during the test pit investigation. The dominant sediment encountered was fine sand with minor amounts of silt. Some minor amounts of medium sand were found in a few of the samples, as was some minor amounts of fine gravel.

3. Representative Photographs

Select photographs were taken to document the field work completed. These photographs are provided in Appendix D, Representative Photographs.

SUMMARY OF FINDINGS

A fine grained glacial outwash sand was encountered in all seven (7) test pits. The most prevalent Modified Burmeister Soils Classification was fine SAND, little Silt. All soils were identified as SP, a poorly graded (i.e., well sorted) sand with little to no fines, in accordance with the Unified Soils Classification System (USCS).

The depth to the water table was found to be greater than approximately 6 feet below grade, except in relatively close proximity to the shoreline of Lake Clear. At TP-4, the groundwater table was measured at a depth of 5.6 feet with the seasonal high water table interpreted at a depth of 37 inches.

Based on the cobbles and boulders encountered at TP-7, it is interpreted that this location is close to a boundary with the mapped glacial till unit. Figure 4 is an interpretative surficial geology map that is intended to depict the approximate boundary between glacial till and glacial outwash within the 53.2 acre map amendment area. Soils within the glacial outwash unit consist of a fine sandy loam. Within the glacial till unit, it is interpreted that the soils consist of a sandy loam with cobbles and

C.T. MALE ASSOCIATES, P.C.

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boulders. The amount of cobbles and boulders is interpreted to increase with higher elevations.

LIMITATIONS

This report and its findings are based upon the specific subsurface investigation activities undertaken, consisting of seven (7) test pits, in association with the review of available regional geologic maps, and site reconnaissance activities within the project site.

Should you have any question or comment regarding this subsurface investigation, as always, please feel free to contact me at your convenience at (518) 786-7496 or (518) 265-1889.

Sincerely,

**C.T. Male Associates
Engineering, Surveying, Architecture & Landscape Architecture, P.C.**

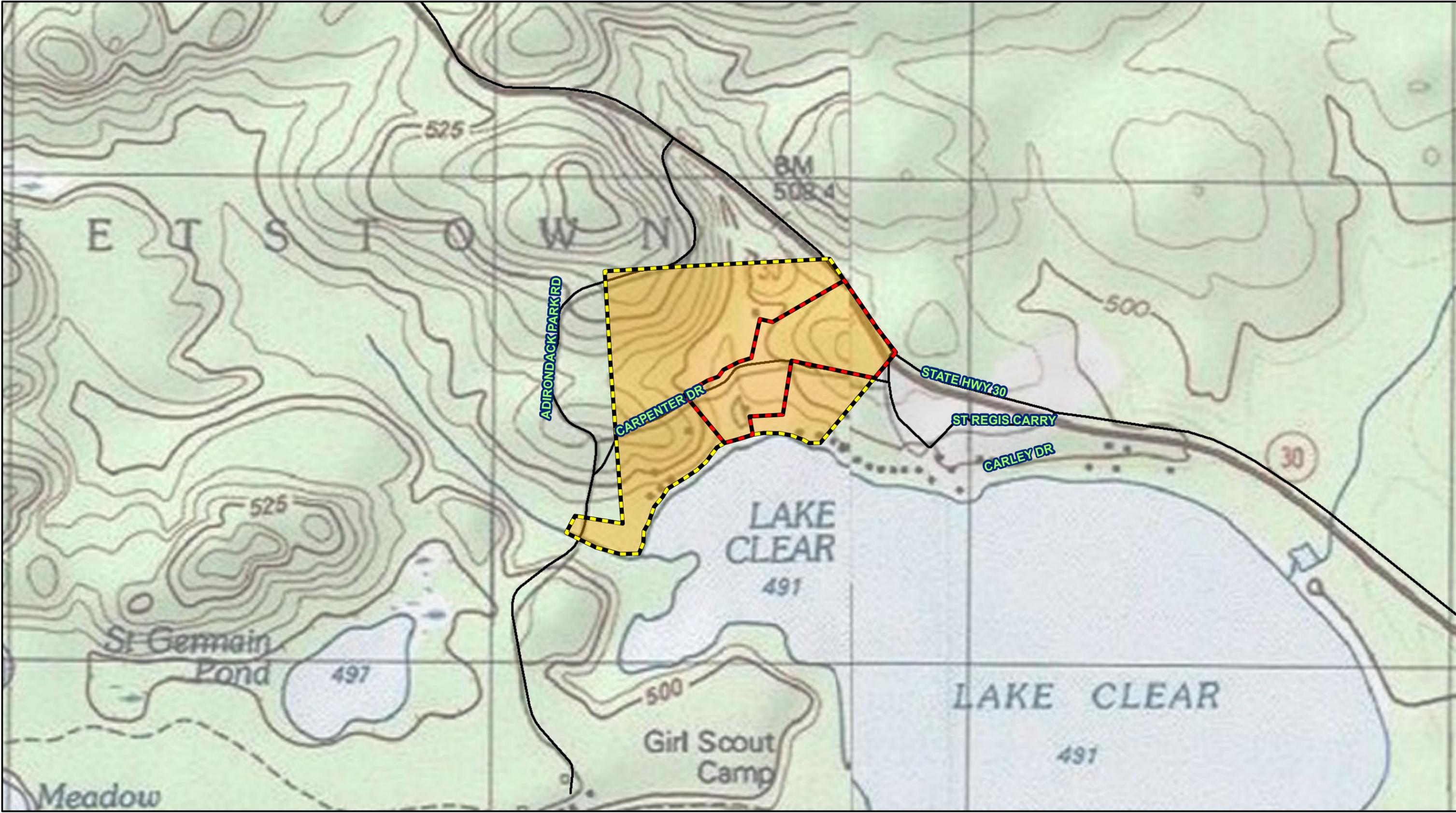


John S. Munsey, P.G.
Managing Scientist & Principal
Environmental Services

cc: Roger Valkenburgh
Bill Kissell

C.T. MALE ASSOCIATES, P.C.

FIGURES



Map Notes:
 1. USGS Digital Raster Quadrangle 1:25000, Saint Regis Mountain, Publication date: 1979
 2. USGS Digital Raster Quadrangle 1:25000, Bloomingdale, Publication date: 1978.
 3. USGS Contours are shown in meters

Project Number: 11.1123
 Data Source: NYSGIS Clearinghouse, USGS
 Projection: State Plane NAD38 NYE (feet)

North Country Partners
 Lake Clear Soils Investigation

Figure 1: Site Location Plan

Town of Harrietstown Franklin County, New York

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 Architecture * Building Systems Engineering * Civil Engineering *
 Environmental Services * Geographic Information Services (GIS) *
 Land Development * Land Surveying

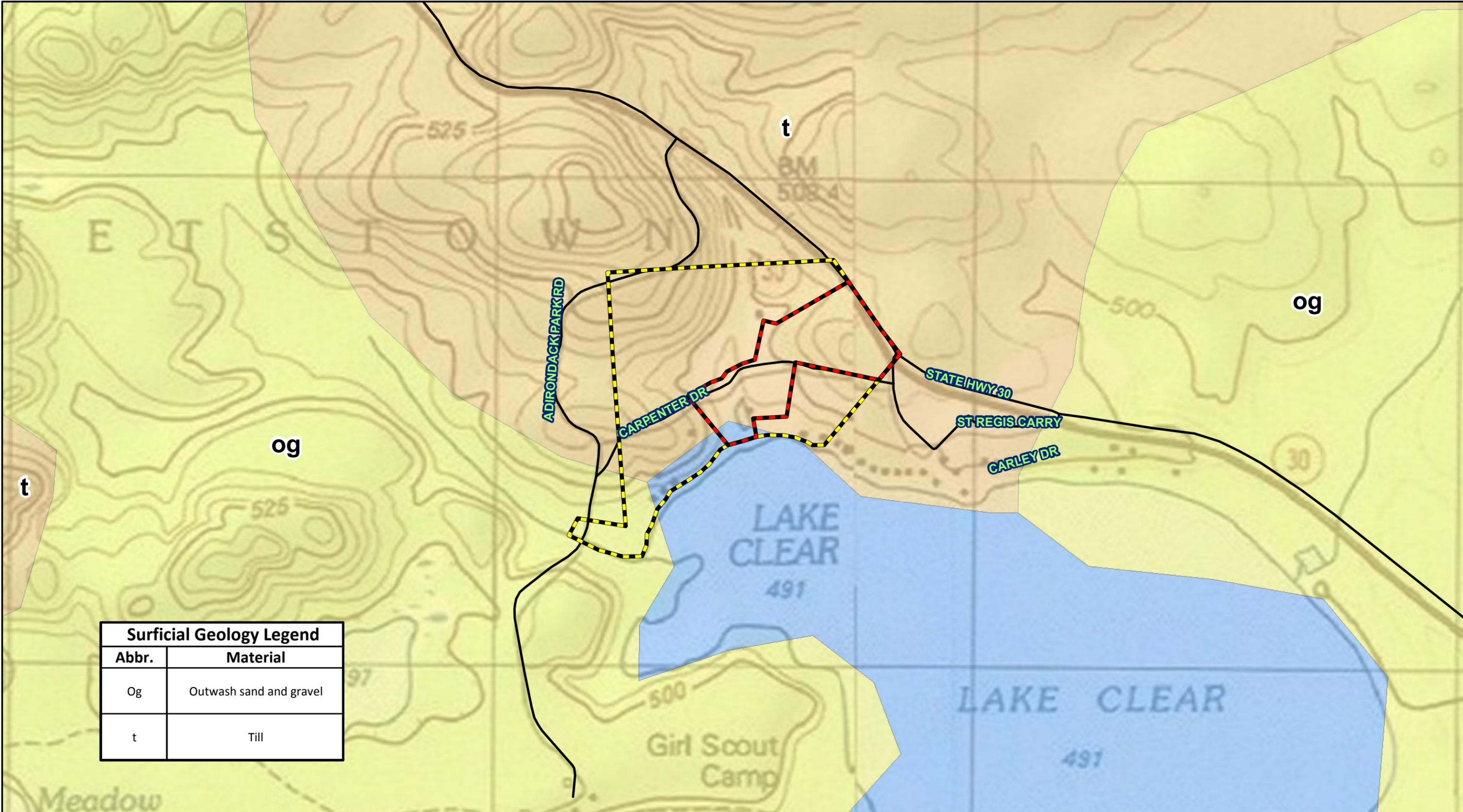
FOUNDED IN 1910

Legend

- Proposed Map Amendment Area (53.2 Acres)
- Requested Map Amendment Area (9.6 Acres)
- Road Centerlines



Date: August 2, 2011
 File: TestPitsLakeClear11x17.mxd
 GIS: C Secor



Surficial Geology Legend	
Abbr.	Material
Og	Outwash sand and gravel
t	Till

Map Notes:
 1. USGS Digital Raster Quadrangle 1:25000, Saint Regis Mountain, Publication date: 1979
 2. USGS Digital Raster Quadrangle 1:25000, Bloomingdale, Publication date: 1978.
 3. USGS Contours are shown in meters
 4. Surficial Geology Map created by NYS Museum, Adirondack sheet, scale of 1:250,000, Publication date: February 1999.

North Country Partners
 Lake Clear Soils Investigation

Project Number: 11.1123
 Data Source: NYSGIS Clearinghouse, USGS, NYS Museum
 Projection: State Plane NAD38 NYE (feet)

Figure 2: Surficial Geology Map

Town of Harrietstown Franklin County, New York

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FOUNDED IN 1910

Legend

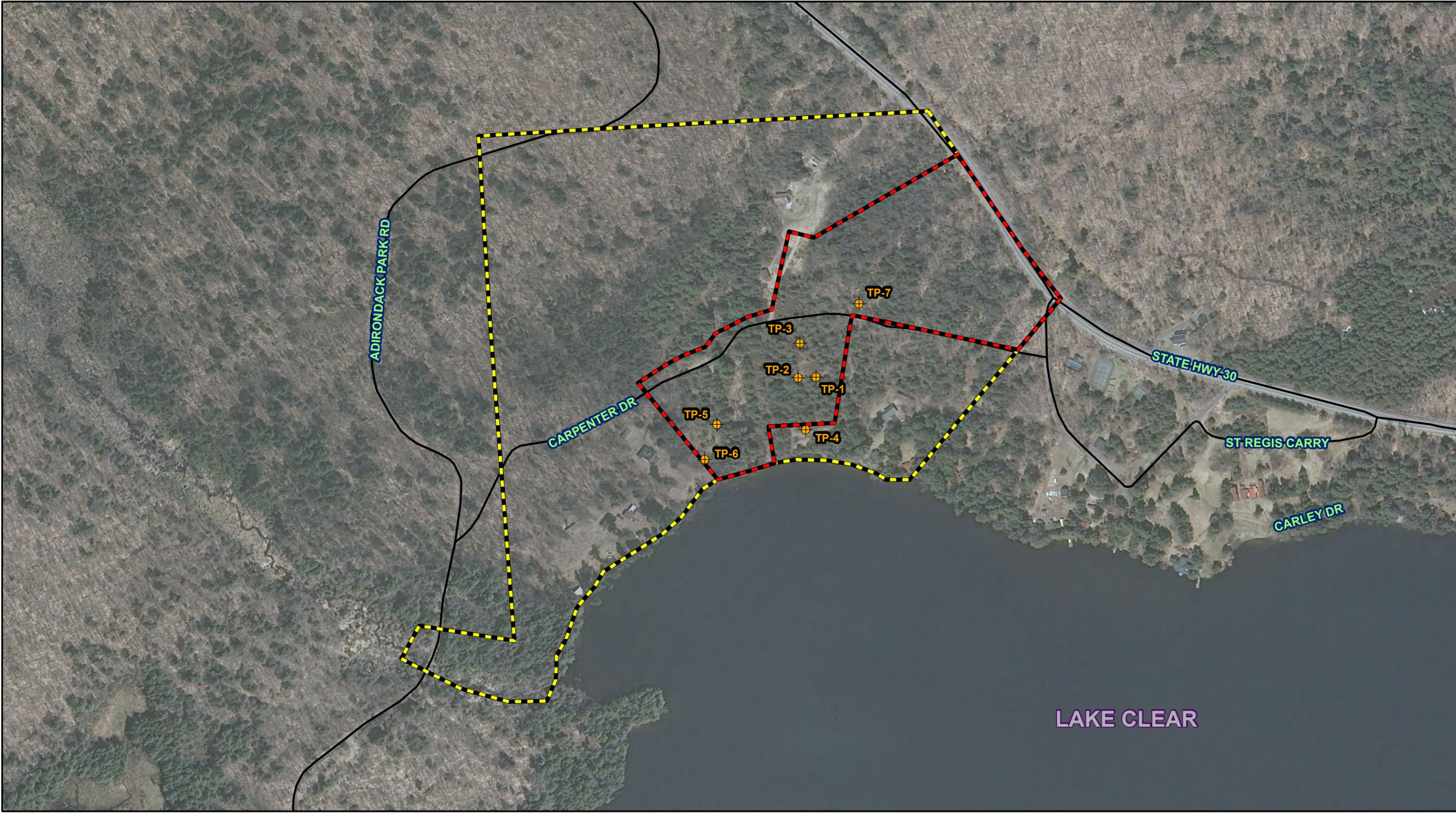
~ Road Centerlines

Surficial Geology Material

- og
- t
- Proposed Map Amendment Area (53.2 Acres)
- Requested Map Amendment Area (9.6 Acres)

0 300 600 1,200 Feet

Date: August 2, 2011
 File: SurficialGeologyLakeClear11x17.mxd
 GIS: C Secor



Map Note: Aerial Photography
(Two Foot Pixel Resolution) was
Flown in Spring of 2009.

Project Number: 11.1123
Data Source: NYSGIS Clearinghouse
Projection: State Plane NAD38 NYE (feet)

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Figure 3: Test Pit Locations

Town of Harrietstown Franklin County, New York

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Environmental Services * Geographic Information Services (GIS) *
Land Development * Land Surveying

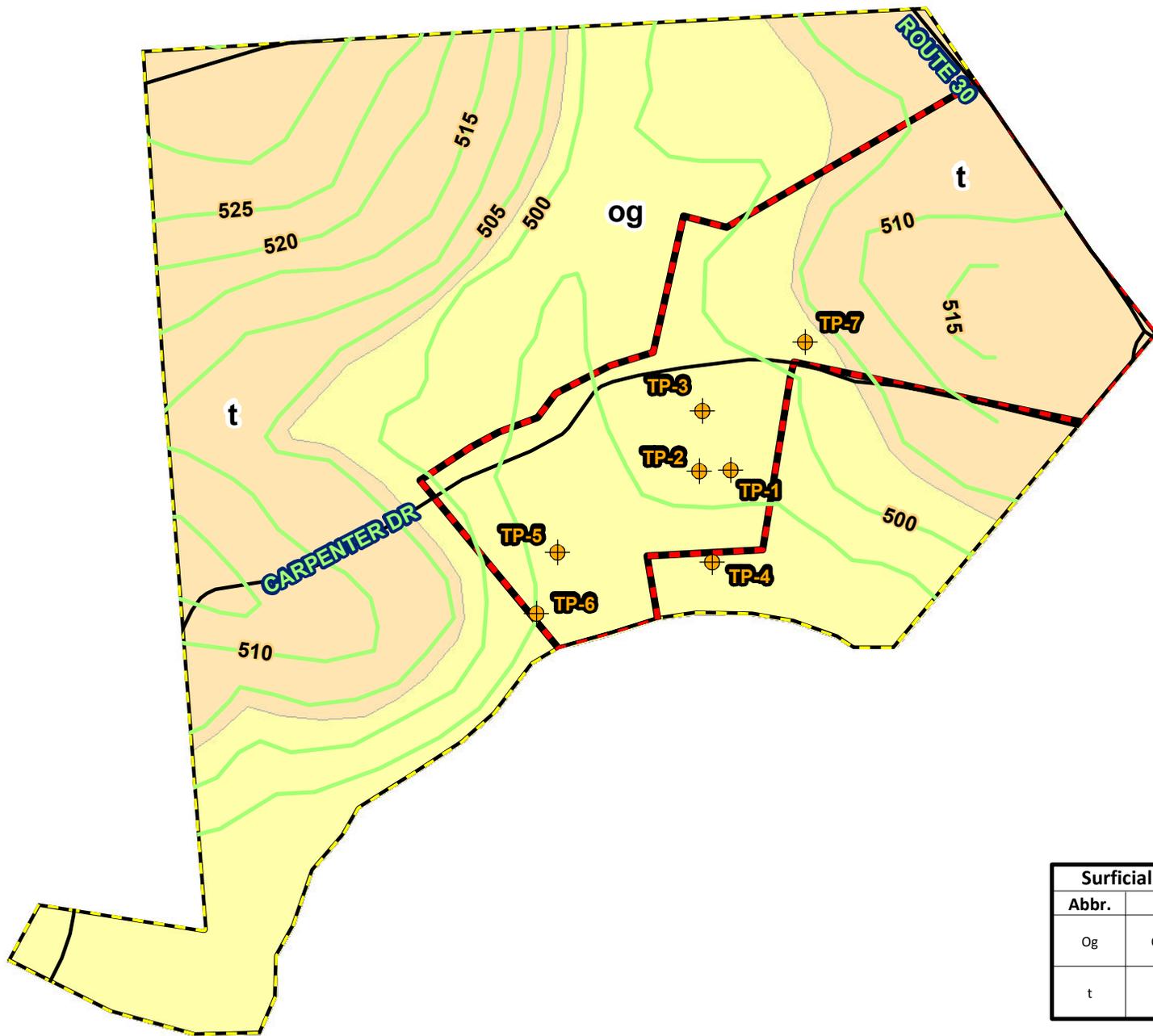
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Legend

- Test Pits (GPS 07-11-2011)
- Proposed Map Amendment Area (53.2 Acres)
- Requested Map Amendment Area (9.6 Acres)
- Road Centerlines



Date: August 2, 2011
File: TestPitsLakeClear11x17.mxd
GIS: C Secor



Surficial Geology Legend	
Abbr.	Material
Og	Outwash sand and gravel
t	Till

Map Notes:
 1. USGS Digital Raster Quadrangle 1:25000, Saint Regis Mountain, Publication date: 1979
 2. USGS Digital Raster Quadrangle 1:25000, Bloomingdale, Publication date: 1978.
 3. Surficial Geology Map created by NYS Museum, Adirondack sheet, scale of 1:250,000, Publication date: February 1999.
 Project Number: 11.1123
 Data Source: NYSGIS Clearinghouse, USGS, NYS Museum
 Projection: State Plane NAD38 NYE (feet)

North Country Partners
 Lake Clear Soils Investigation

Figure 4: Interpretative Surficial Geology Map

Town of Harrietstown Franklin County, New York

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 Environmental Services * Geographic Information Services (GIS) *
 Land Development * Land Surveying

FOUNDED IN 1910

Legend

- Test Pits (GPS 07-11-2011)
- USGS Contours (in Meters)
- Road Centerlines
- Proposed Map Amendment Area (53.2 Acres)
- Requested Map Amendment Area (9.6 Acres)
- og: Outwash sand and gravel
- t: Till

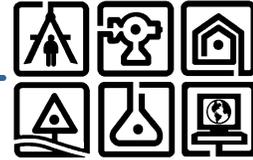
0 150 300 600 Feet

Date: August 2, 2011
 File: Fig4InterpretativeSurficialGeologyMap8x11.mxd
 GIS: C Secor

C.T. MALE ASSOCIATES, P.C.

Appendix A

Work Plan



June 10, 2011

VIA EMAIL & U.S. MAIL

Matt Kendall & Edward Snizek
Adirondack Park Agency
P.O. Box 99
Ray Brook, New York 12977

*Re: Work Plan for Test Pit Investigation
Proposed APA Map Amendment Application by North Country Partners, LP
Town of Harrietstown—APA No. MA 2010-02
C.T. Male Project No. 11.1123*

Dear Mssrs. Kendall & Snizek:

Thank you for meeting with me and Bill Kissell on June 1, 2011 to discuss the proposed Adirondack Park Agency (APA) map plan amendment application made by North Country Partners, LP located in the Town of Harrietstown between the shoreline of Clear Lake and NYS Route 30. As we discussed during the June 1st meeting, North Country Partners, LP has hired C.T. Male Associates, P.C. (C.T. Male) to conduct a test pit investigation on their properties. This correspondence serves as a work plan for review and comment by APA prior to performing the test pit investigation, consistent with our meeting discussions.

Test Pit Field Investigation

Test pits will be dug with the aid of a backhoe having the capacity to dig to a depth of 6 feet below grade. All test pits will be dug to a minimum depth of 6 feet or refusal, if rocks and boulders are encountered. No backhoe excavation work will be done in any wetlands or within 100 feet of the shoreline of Lake Clear. The test pits will be observed by a professional geologist who will prepare test pit logs, serving to document unconsolidated deposits and water table encountered conditions. Soils will be visually classified in the field using the Modified Burmeister Soils Classification System as well as the Unified Soil Classification System (USCS) both of which are standard soil classification systems used by C.T. Male for subsurface investigations. Representative photographs will be taken to record test pit conditions at each location. Once



C.T. MALE ASSOCIATES, P.C.

Work Plan for Test Pit Investigation

Proposed APA Map Amendment Application by North Country Partners, LP

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completed, test pit excavations will be filled and compacted at the surface with the backhoe.

A total of seven (7) test pit locations are proposed as discussed during our June 1st meeting. The approximate locations of the proposed test pit locations are shown on the attached figure; actual locations will be determined in the field in consultation with APA field staff based on site access and minimizing the amount of tree and/or brush cutting that might be required. Consideration will also be given to one of the seven (7) test pit being located on properties not owned by North Country Partners, LP. Uniquely labeled stakes will be placed at each of the test pit locations which will be surveyed using a hand-held GPS unit.

It is proposed to perform the test pit field investigation on Thursday, July 7, 2011 commencing at 9 am. This schedule is contingent upon the availability of a suitable backhoe from a local contractor.

Geotechnical Laboratory Testing

Three (3) representative soil samples from different test pit locations will be tested for standard gradation analysis (i.e., sieve) analysis, and up to two (2) soil samples will be tested for Atterberg Limits should soils with plasticity characteristics be encountered. The gradation analysis will be done in conformance with ASTM C136 - 06 Standard Test Method for Sieve Analysis of Fine and Coarse Aggregates, and the Atterberg Limits testing will be done in accordance with ASTM D4318 - 10 Standard Test Methods for Liquid Limit, Plastic Limit, and Plasticity Index of Soils. The specific soil samples selected for testing will be done in consultation with APA staff in the field.

Report

A Test Pit Report will be prepared by C.T. Male that summarizes the local geology and the results of the test pit work described above, including the test pit logs, representative photographs, and the geotechnical laboratory testing data. This report will include a map showing the surveyed test pit locations in relationship to the 9.6 acre property owned by North Country Partners, LP, as well as the proposed map amendment alternatives depicted in the Draft Supplemental Environmental Impact Statement (SDEIS) dated July 8, 2010.

C.T. MALE ASSOCIATES, P.C.

Work Plan for Test Pit Investigation

Proposed APA Map Amendment Application by North Country Partners, LP

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It is respectfully requested that APA provide any comments on this work plan at least one week in advance of the scheduled field work. Should you have any question or comment on this work plan, please contact me at your convenience via email or by calling (518) 786-7496 (office) or (518) 265-1889 (mobile).

Sincerely,

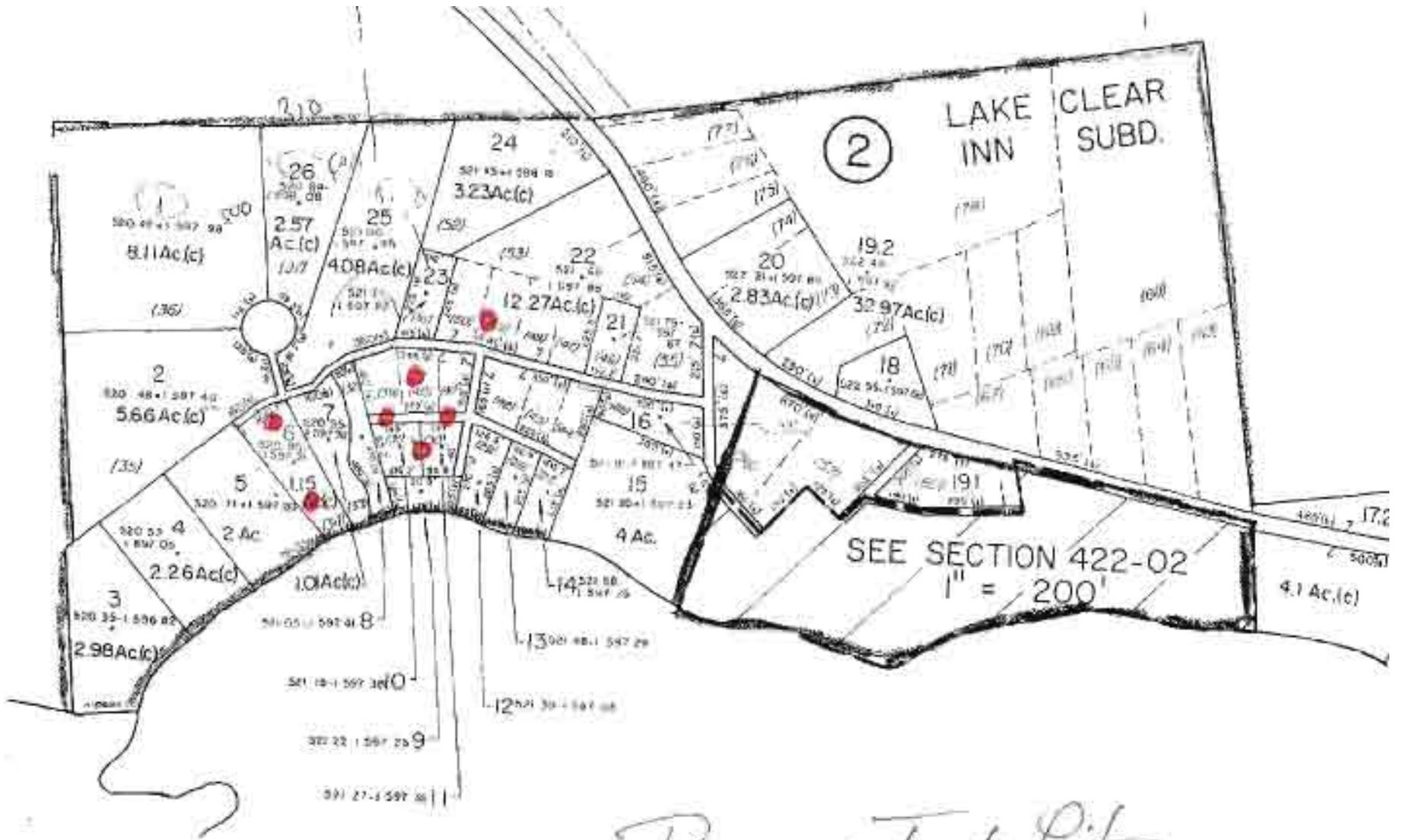
C.T. MALE ASSOCIATES, P.C.

A handwritten signature in cursive script, appearing to read "John S. Munsey", is written over a vertical line that extends from the signature down to the typed name below.

John S. Munsey, P.G.

Managing Scientist & Principal
Environmental Services

cc: Bill Kissel, Esq.
Frank Hutchinson, Owner
Roger Valkenburgh, Esq.



Proposed Test Pit
 Locations. *DP*
 6-1-11.

C.T. MALE ASSOCIATES, P.C.

Appendix B
Test Pit Field Logs

TEST PIT LOG

C.T. MALE ASSOCIATES, P.C.

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(518) 786-7400 • FAX (518) 786-7299



Building Systems • Engineering • Environmental Services • Land Information Services

PROJECT NAME: North Country Partners

EXCAVATOR: Bobby Donaldson

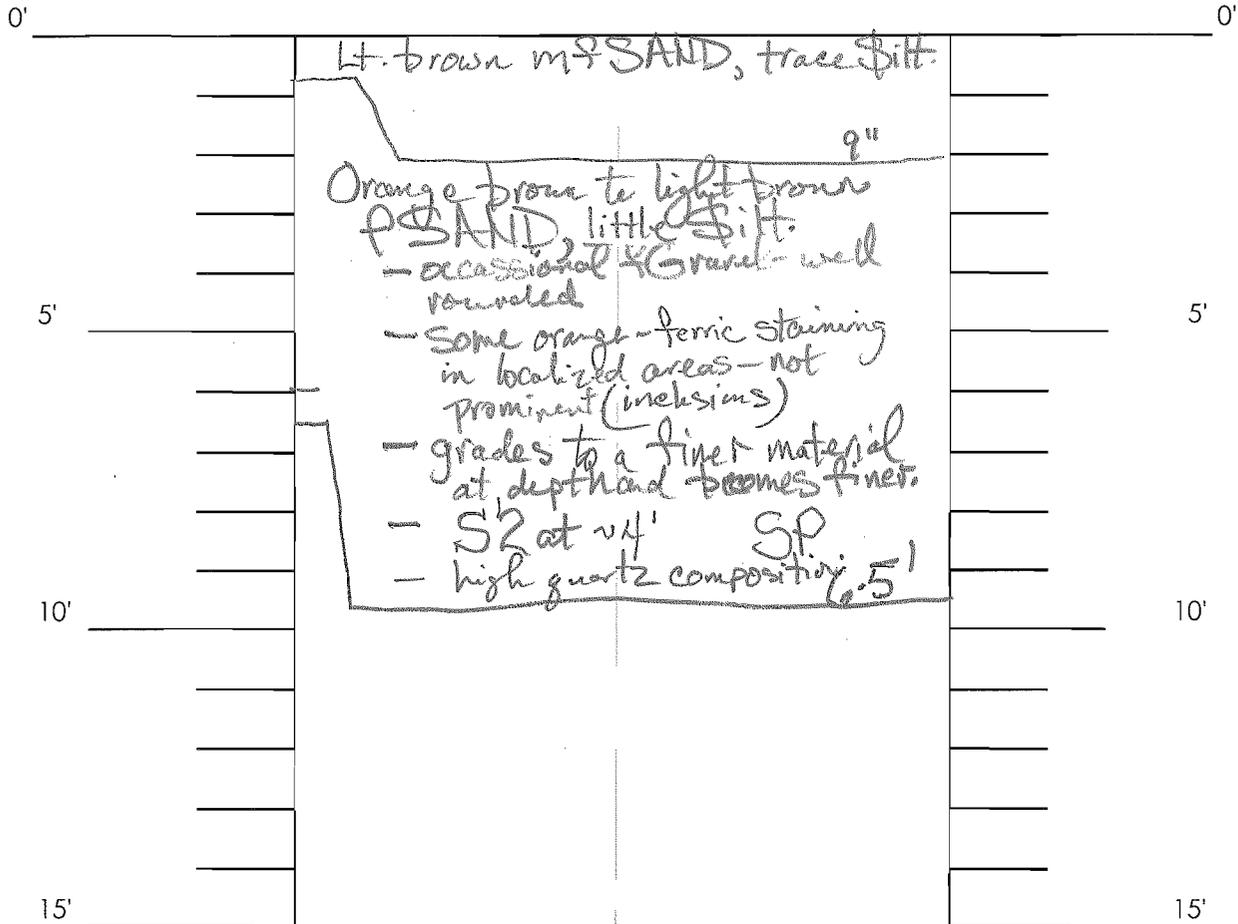
PROJECT NUMBER: 11.1123

EQUIPMENT: Backhoe

LOGGED BY: John S. Munsey

DATE: 7-Jul-11

TEST PIT NO. TP-1



TOTAL DEPTH: 6.5'
WATER AT: no water
SIZE OF TEST PIT: ~6' x 2' wide.

NOTES: Moist at 6'; no indication of a seasonal high water table.
Slope ~ 3%

TEST PIT LOG

C.T. MALE ASSOCIATES, P.C.

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PROJECT NAME: North Country Partners

EXCAVATOR: Bobby Donaldson

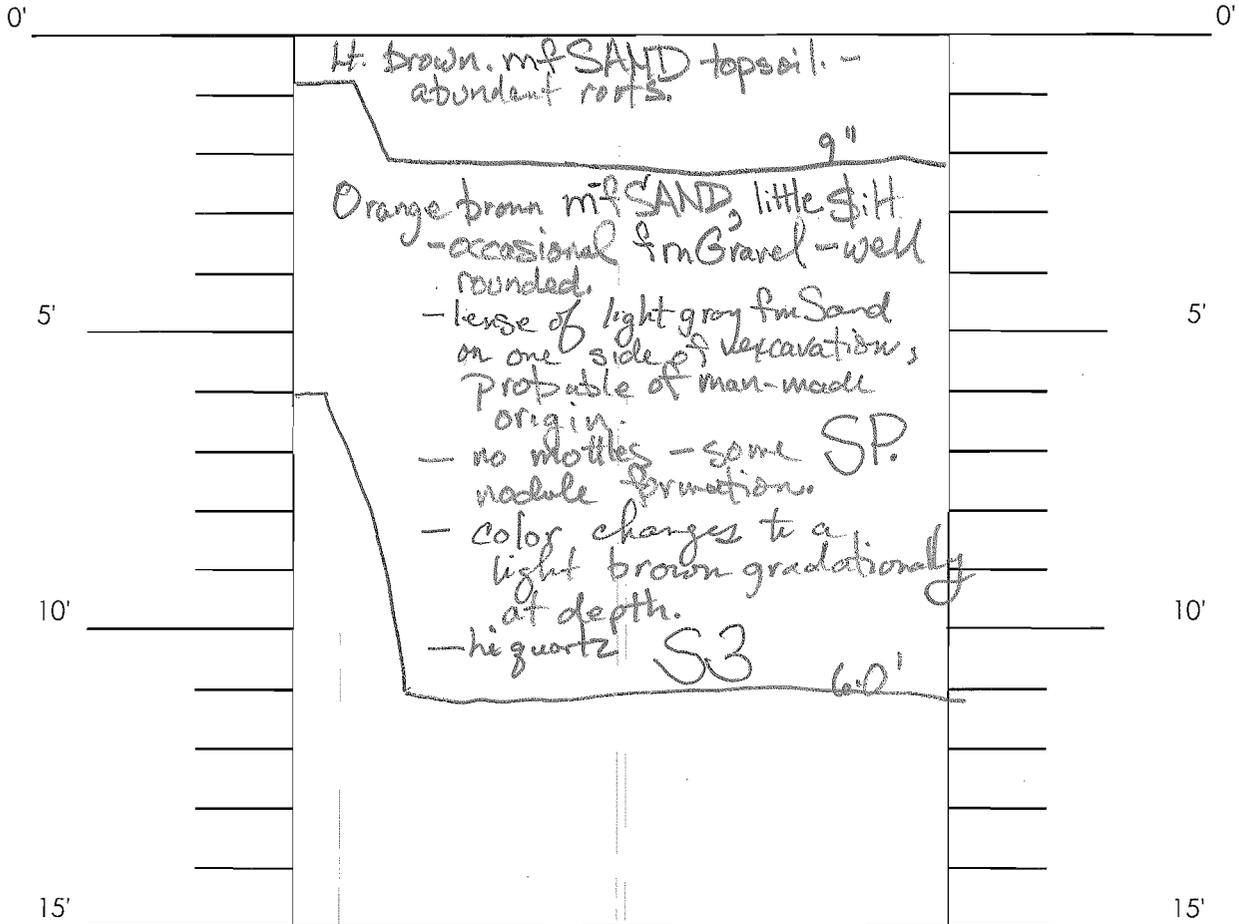
PROJECT NUMBER: 11.1123

EQUIPMENT: Backhoe

LOGGED BY: John S. Munsey

DATE: 7-Jul-11

TEST PIT NO. TP-2



TOTAL DEPTH: 6'

WATER AT: no water

SIZE OF TEST PIT: ~6' x 2' wide.

NOTES: ~110 ft from wetland. - moved to be >100' from wetland.

Photo 2

Slope ~ 5%

TEST PIT LOG

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PROJECT NAME: North Country Partners

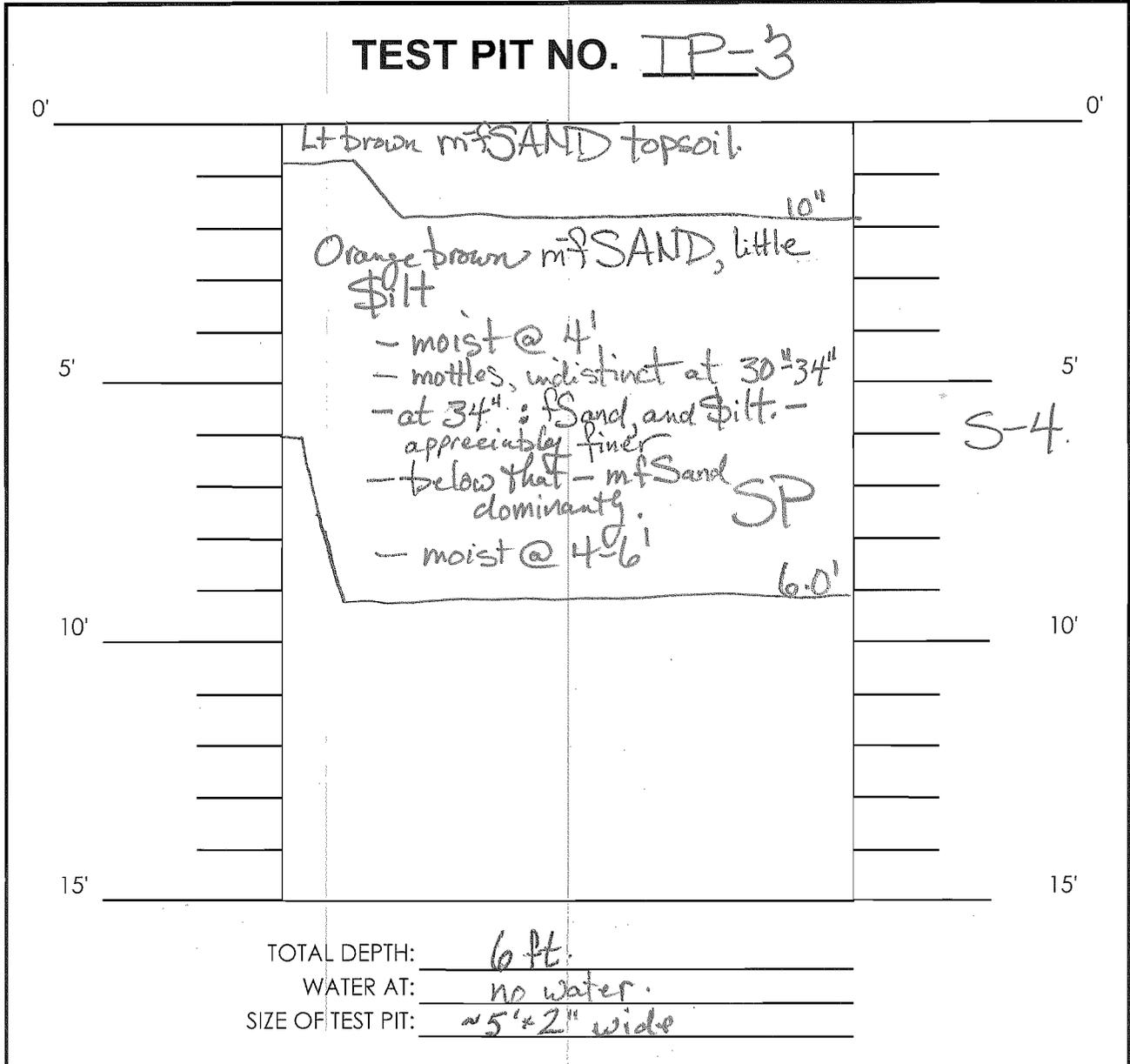
EXCAVATOR: Bobby Donaldson

PROJECT NUMBER: 11.1123

EQUIPMENT: Backhoe

LOGGED BY: John S. Munsey

DATE: 7-Jul-11



NOTES: Photo #3
~3 1/2 slope.
mottles/iron staining at 30-34" with silty unit.

TEST PIT LOG

C.T. MALE ASSOCIATES, P.C.

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PROJECT NAME: North Country Partners

EXCAVATOR: Bobby Donaldson

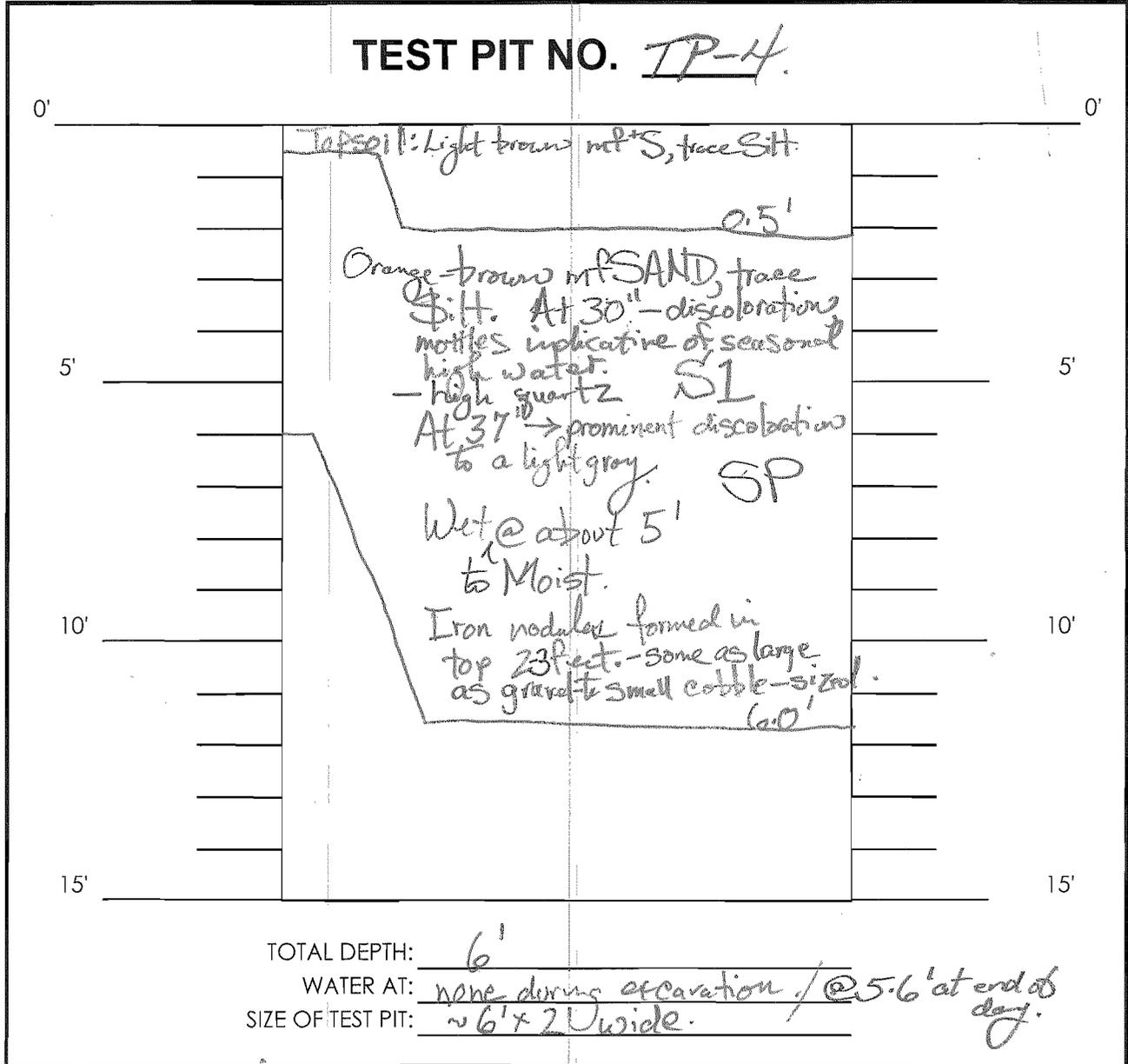
PROJECT NUMBER: 11.1123

EQUIPMENT: Backhoe

LOGGED BY: John S. Munsey

DATE: 7-Jul-11

TEST PIT NO. TP-4



NOTES: 120% to high water.
Well drained soils as it rained heavily last night and
no ponding in common trench area.
leave hole open: — water at bottom of hole @ 5.6' at end of day
Photo #1 ~8% slope.

TEST PIT LOG

C.T. MALE ASSOCIATES, P.C.

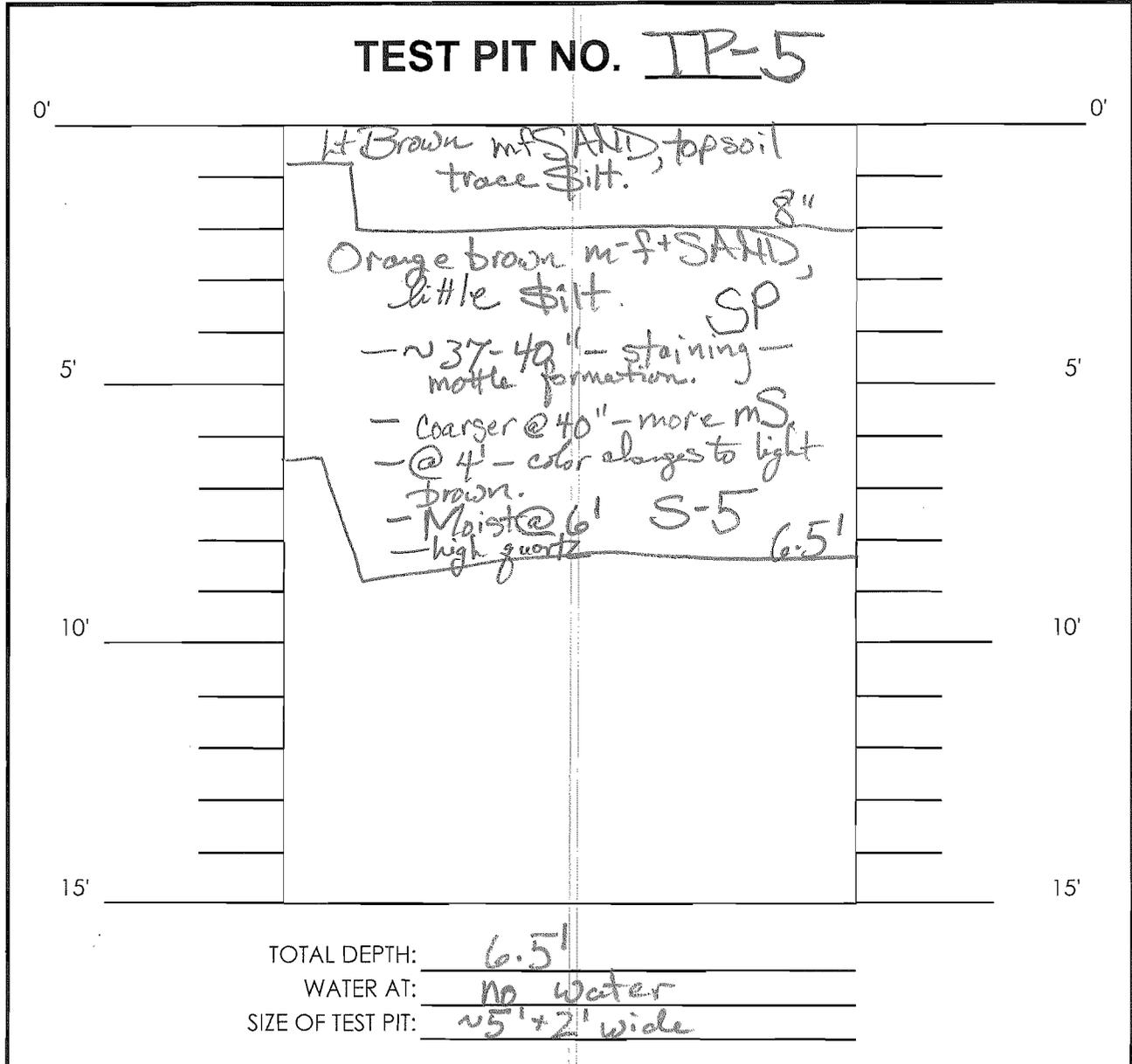
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(518) 786-7400 • FAX (518) 786-7299



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PROJECT NAME: North Country Partners
PROJECT NUMBER: 11.1123
LOGGED BY: John S. Munsey

EXCAVATOR: Bobby Donaldson
EQUIPMENT: Backhoe
DATE: 7-Jul-11



NOTES: Photo #4 with Ed in pit.
~12% slope.
move location across road to base of slope, further
away from wetland.

TEST PIT LOG

C.T. MALE ASSOCIATES, P.C.

50 Century Hill Drive

Latham, NY 12110

(518) 786-7400 • FAX (518) 786-7299



Building Systems • Engineering • Environmental Services • Land Information Services

PROJECT NAME: North Country Partners

EXCAVATOR: Bobby Donaldson

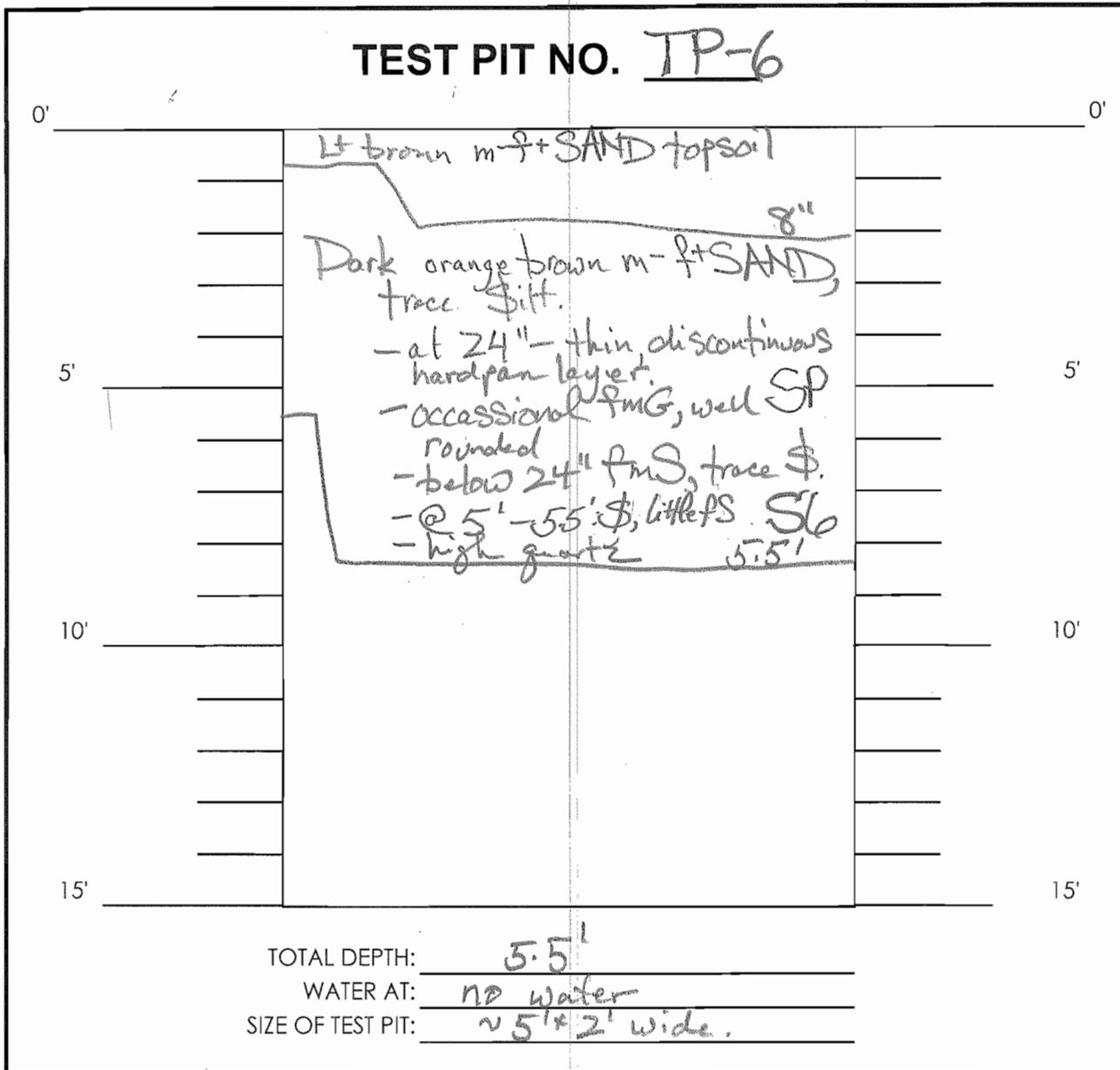
PROJECT NUMBER: 11.1123

EQUIPMENT: Backhoe

LOGGED BY: John S. Munsey

DATE: 7-Jul-11

TEST PIT NO. TP-6



NOTES:

5% slope.
~110ft to lake
Photo #5 and #6
S-6 taken @ 5-5.5'
Moist at bottom of hole

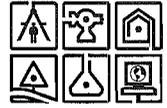
TEST PIT LOG

C.T. MALE ASSOCIATES, P.C.

50 Century Hill Drive

Latham, NY 12110

(518) 786-7400 • FAX (518) 786-7299



Building Systems • Engineering • Environmental Services • Land Information Services

PROJECT NAME: North Country Partners

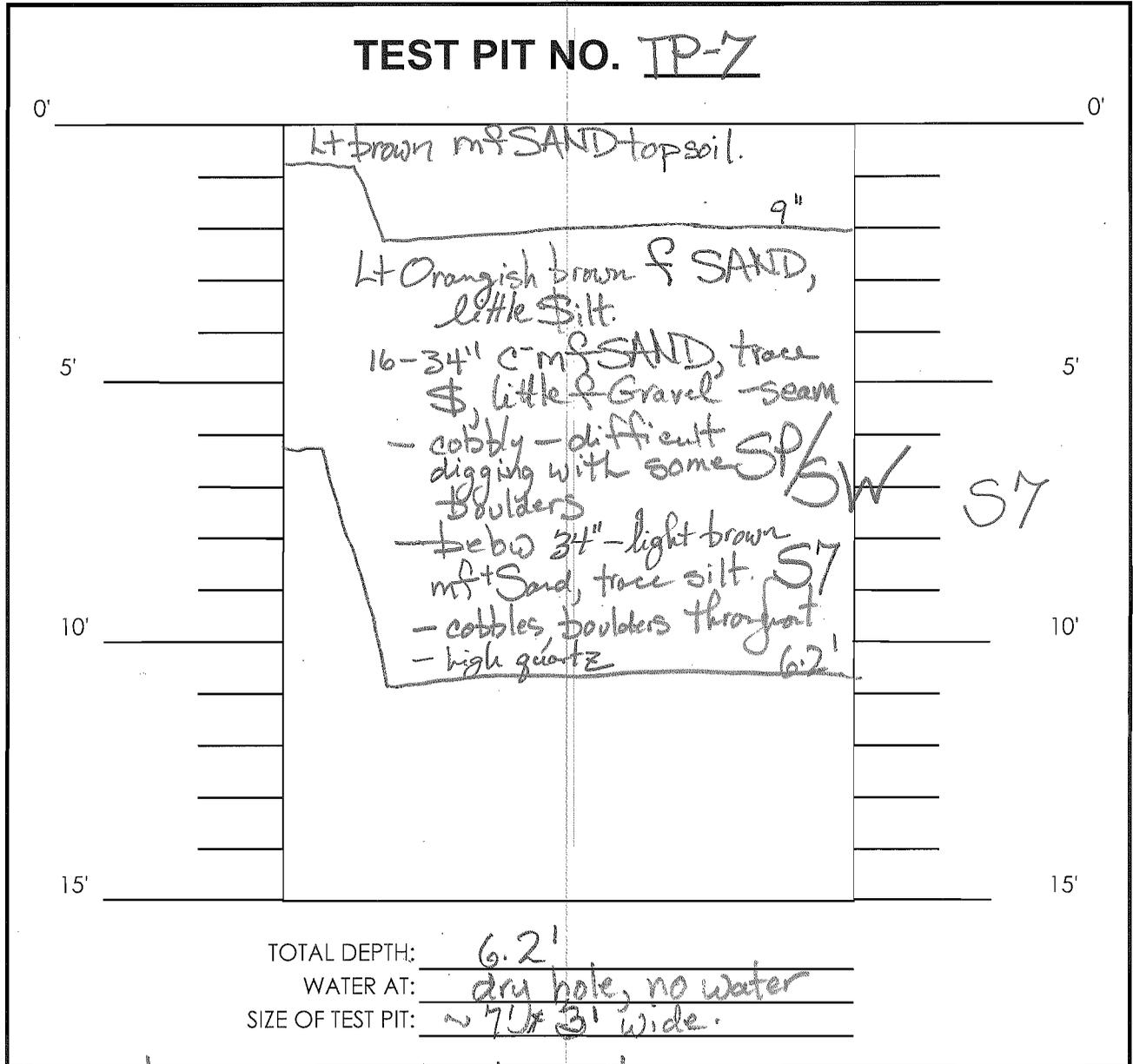
PROJECT NUMBER: 11.1123

LOGGED BY: John S. Munsey

EXCAVATOR: Bobby Donaldson

EQUIPMENT: Backhoe

DATE: 7-Jul-11



NOTES:

@ base of moderately steep slope.
perhaps at transitional boundary of glacial outwash unit.
Photo #7
17% slope.

C.T. MALE ASSOCIATES, P.C.

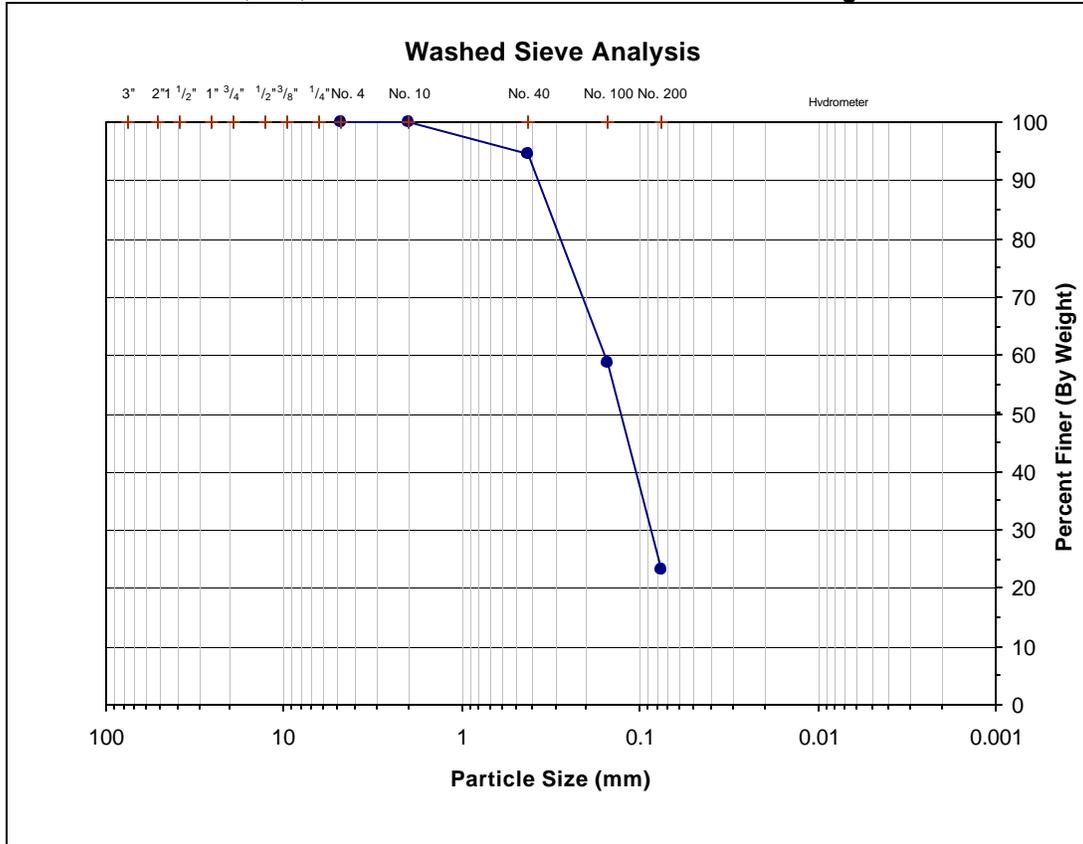
Appendix C
Standard Gradation Analyses

Sieve Analysis
Geotechnical Engineering Laboratory

a

Project: Lake Clear Soils Investigation
Location: Lake Clear, Franklin County, New York
Project #: 11.1123
Client: North Country Partners LP
Sample ID: TP-1, S-4, @ 4'

Date Sampled: 07-Jul-11
Date Tested: 13-Jul-11
Sample: Sample Bag
Lab #: 11-075a
Drilling Co.



Sieve No.	Diameter (mm)	% Passing
4"	101.6	
3"	76.1	
2"	50.8	
1 1/2"	38.1	
1"	25.7	
3/4"	19.0	
1/2"	12.7	
3/8"	9.51	
1/4"	6.35	
No. 4	4.76	100.0
No. 10	2.00	99.9
No. 40	0.425	94.6
No. 100	0.15	58.7
No. 200	0.075	23.2

Brown fine SAND, little silt

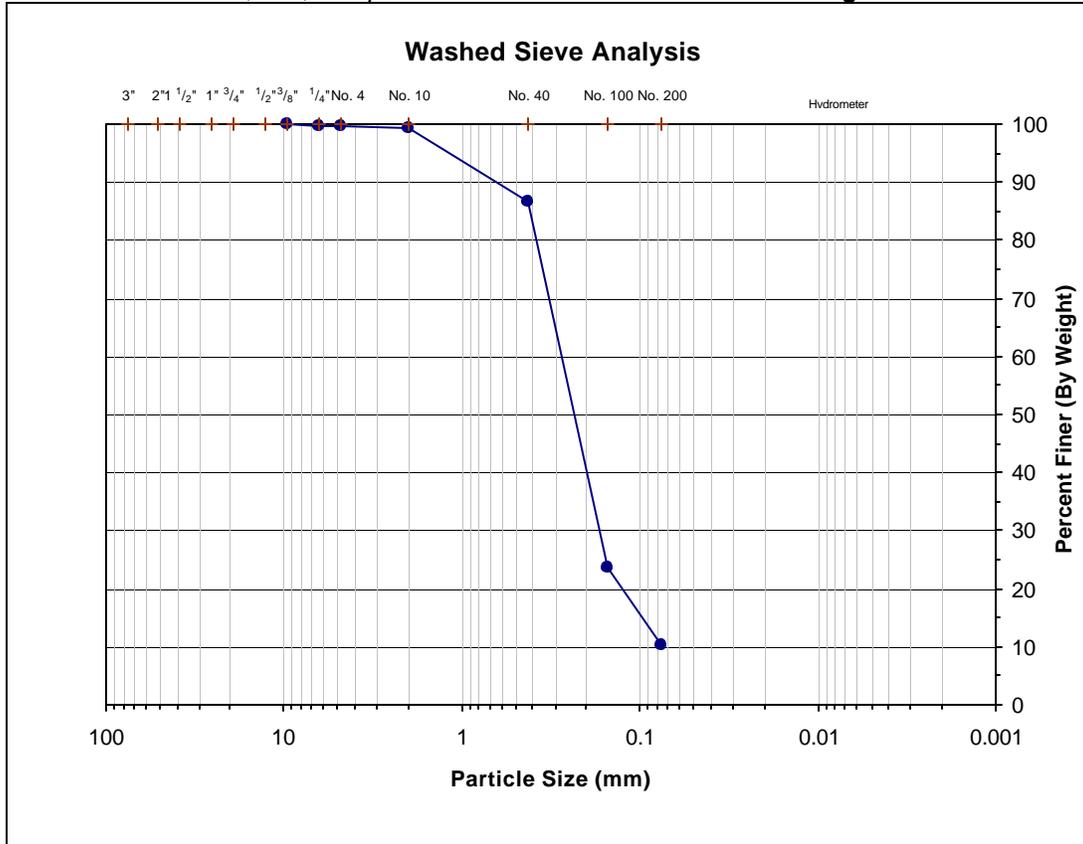
Natural % Moisture : 11.5%

Sieve Analysis
Geotechnical Engineering Laboratory

a

Project: Lake Clear Soils Investigation
Location: Lake Clear, Franklin County, New York
Project #: 11.1123
Client: North Country Partners LP
Sample ID: TP-2, S-3, composite

Date Sampled: 07-Jul-11
Date Tested: 13-Jul-11
Sample: Sample Bag
Lab #: 11-075b
Drilling Co.



Sieve No.	Diameter (mm)	% Passing
4"	101.6	
3"	76.1	
2"	50.8	
1 1/2"	38.1	
1"	25.7	
3/4"	19.0	
1/2"	12.7	
3/8"	9.51	100.0
1/4"	6.35	99.7
No. 4	4.76	99.7
No. 10	2.00	99.2
No. 40	0.425	86.7
No. 100	0.15	23.6
No. 200	0.075	10.3

Brown fine SAND, little silt

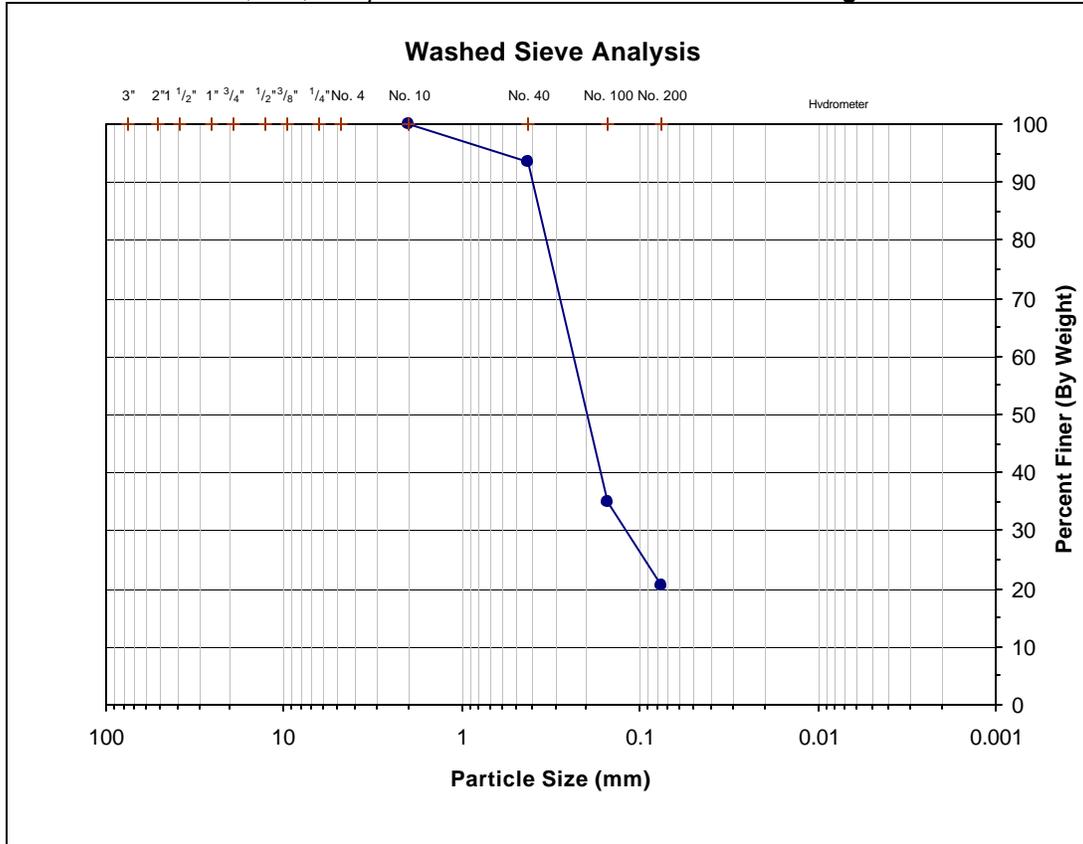
Natural % Moisture : 9.4%

Sieve Analysis
Geotechnical Engineering Laboratory

a

Project: Lake Clear Soils Investigation
Location: Lake Clear, Franklin County, New York
Project #: 11.1123
Client: North Country Partners LP
Sample ID: TP-3, S-4, composite

Date Sampled: 07-Jul-11
Date Tested: 13-Jul-11
Sample: Sample Bag
Lab #: 11-075c
Drilling Co.



Sieve No.	Diameter (mm)	% Passing
4"	101.6	
3"	76.1	
2"	50.8	
1 1/2"	38.1	
1"	25.7	
3/4"	19.0	
1/2"	12.7	
3/8"	9.51	
1/4"	6.35	
No. 4	4.76	
No. 10	2.00	100.0
No. 40	0.425	93.7
No. 100	0.15	35.0
No. 200	0.075	20.7

Brown fine SAND, little silt

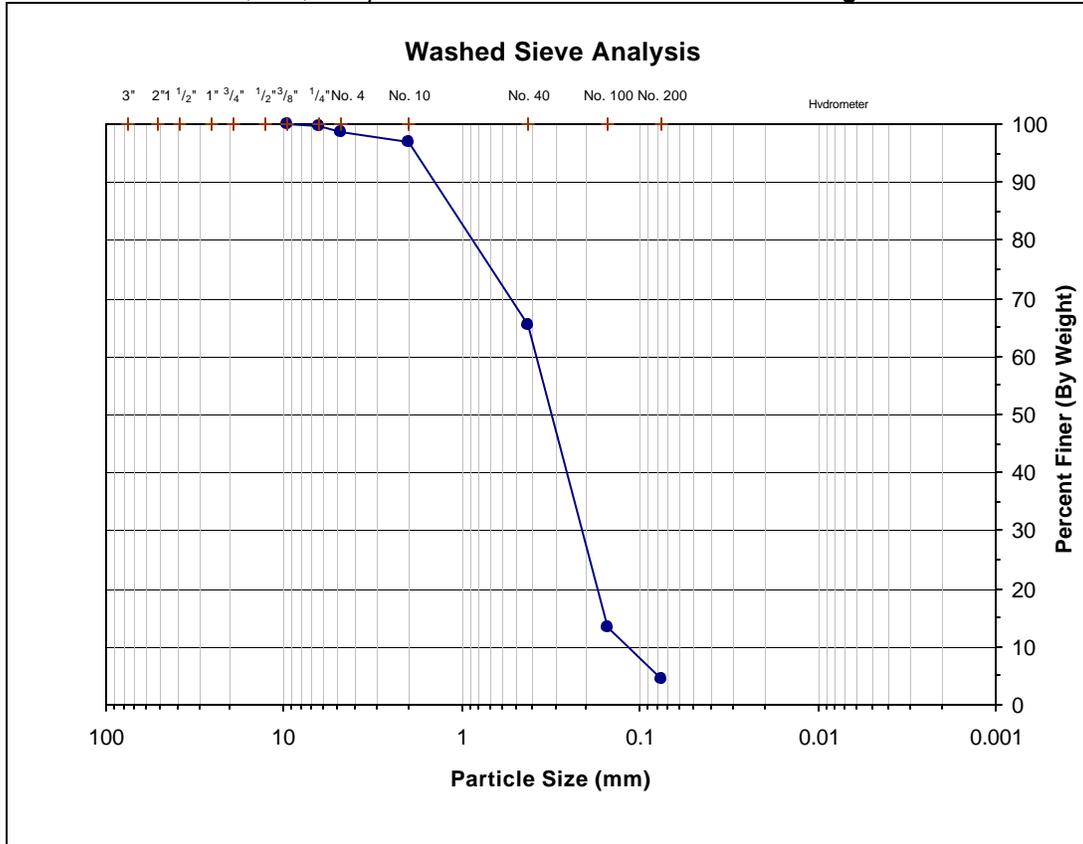
Natural % Moisture : 15.1%

Sieve Analysis
Geotechnical Engineering Laboratory

a

Project: Lake Clear Soils Investigation
Location: Lake Clear, Franklin County, New York
Project #: 11.1123
Client: North Country Partners LP
Sample ID: TP-4, S-1, composite

Date Sampled: 07-Jul-11
Date Tested: 13-Jul-11
Sample: Sample Bag
Lab #: 11-075d
Drilling Co.



Sieve No.	Diameter (mm)	% Passing
4"	101.6	
3"	76.1	
2"	50.8	
1 1/2"	38.1	
1"	25.7	
3/4"	19.0	
1/2"	12.7	
3/8"	9.51	100.0
1/4"	6.35	99.6
No. 4	4.76	98.8
No. 10	2.00	96.9
No. 40	0.425	65.3
No. 100	0.15	13.5
No. 200	0.075	4.4

Brown f-m SAND, trace silt

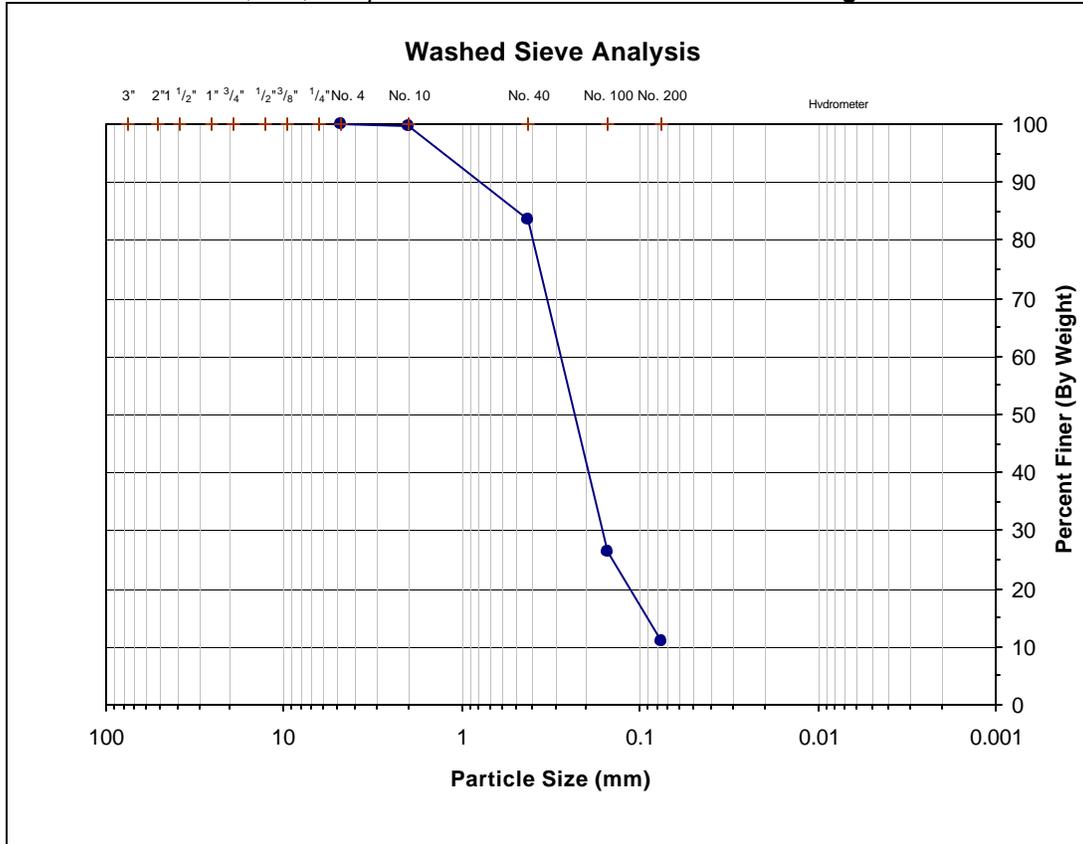
Natural % Moisture : 10.1%

Sieve Analysis
Geotechnical Engineering Laboratory

a

Project: Lake Clear Soils Investigation
Location: Lake Clear, Franklin County, New York
Project #: 11.1123
Client: North Country Partners LP
Sample ID: TP-5, S-5, composite

Date Sampled: 07-Jul-11
Date Tested: 13-Jul-11
Sample: Sample Bag
Lab #: 11-075e
Drilling Co.



Sieve No.	Diameter (mm)	% Passing
4"	101.6	
3"	76.1	
2"	50.8	
1 1/2"	38.1	
1"	25.7	
3/4"	19.0	
1/2"	12.7	
3/8"	9.51	
1/4"	6.35	
No. 4	4.76	100.0
No. 10	2.00	99.8
No. 40	0.425	83.5
No. 100	0.15	26.5
No. 200	0.075	11.0

Brown fine SAND, little silt

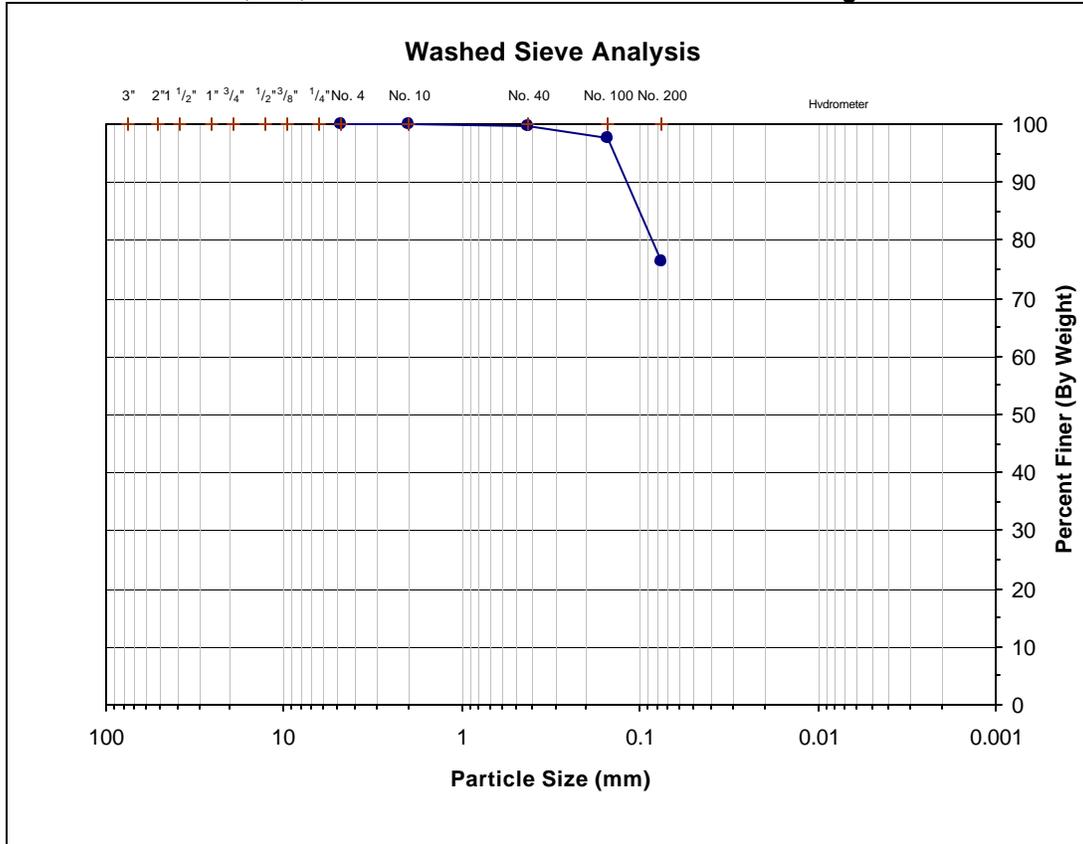
Natural % Moisture : 9.4%

Sieve Analysis
Geotechnical Engineering Laboratory

a

Project: Lake Clear Soils Investigation
Location: Lake Clear, Franklin County, New York
Project #: 11.1123
Client: North Country Partners LP
Sample ID: TP-6, S-6, 5'-5.5'

Date Sampled: 07-Jul-11
Date Tested: 13-Jul-11
Sample: Sample Bag
Lab #: 11-075f
Drilling Co.



Sieve No.	Diameter (mm)	% Passing
4"	101.6	
3"	76.1	
2"	50.8	
1 1/2"	38.1	
1"	25.7	
3/4"	19.0	
1/2"	12.7	
3/8"	9.51	
1/4"	6.35	
No. 4	4.76	100.0
No. 10	2.00	99.9
No. 40	0.425	99.7
No. 100	0.15	97.5
No. 200	0.075	76.2

Brown SILT, little fine sand

Natural % Moisture : 21.4%

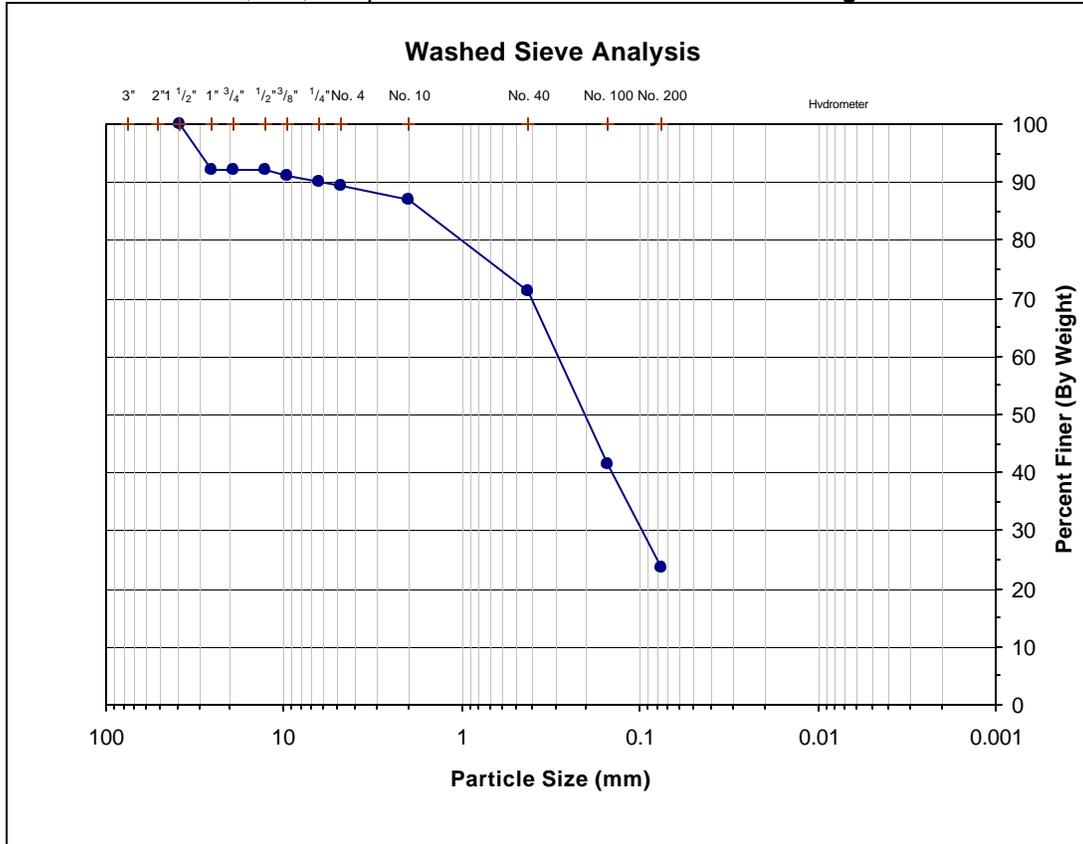
Atterberg Limit Results NP

Sieve Analysis
Geotechnical Engineering Laboratory

a

Project: Lake Clear Soils Investigation
Location: Lake Clear, Franklin County, New York
Project #: 11.1123
Client: North Country Partners LP
Sample ID: TP-7, S-7, composite

Date Sampled: 07-Jul-11
Date Tested: 13-Jul-11
Sample: Sample Bag
Lab #: 11-075g
Drilling Co.



Sieve No.	Diameter (mm)	% Passing
4"	101.6	
3"	76.1	
2"	50.8	
1 1/2"	38.1	100.0
1"	25.7	92.2
3/4"	19.0	92.2
1/2"	12.7	92.2
3/8"	9.51	90.9
1/4"	6.35	90.0
No. 4	4.76	89.4
No. 10	2.00	87.0
No. 40	0.425	71.1
No. 100	0.15	41.6
No. 200	0.075	23.6

Brown fine SAND, little silt and gravel

Natural % Moisture : 7.8%

C.T. MALE ASSOCIATES, P.C.

Appendix D
Representative Photographs

REPRESENTATIVE PHOTOGRAPHS

North Country Partners; Lake Clear Soils Investigation; C.T. Male Project No. 11.1123



1. Entrance Sign from NYS Route 30



2. Test Pit 4 Sidewall Near Surface



REPRESENTATIVE PHOTOGRAPHS

North Country Partners; Lake Clear Soils Investigation; C.T. Male Project No. 11.1123



3. Test Pit 2



4. Test Pit 3



REPRESENTATIVE PHOTOGRAPHS

North Country Partners; Lake Clear Soils Investigation; C.T. Male Project No. 11.1123



5. Test Pit 6



6. Test Pit 6: Material from 5 to 5.5 ft



REPRESENTATIVE PHOTOGRAPHS

North Country Partners; Lake Clear Soils Investigation; C.T. Male Project No. 11.1123



7. Test Pit 7



APPENDIX C

ADIRONDACK INFORMATION GROUP REPORT LIST



9 January 2012

Mr. Matthew Kendall
Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

Re: Comments on the August 30, 2011 C.T. Male Associates Report – MA 2010-002

Dear Mr. Kendall:

Thank you for the opportunity to comment on the "Subsurface Investigation Report" prepared by C.T. Male Associates, dated August 30, 2011, on behalf of Emily Tyner and David Bielefield, landowners of 9.8 acres within the approximately 52-acre proposed MA area. Please include these comments in the FSEIS.

We are very concerned with the "rosy" picture painted by the Report in light of information about the site recorded by other soil scientists and professionals and our direct observations over many years and many seasons. I am speaking directly of the shallow soils and high ground water observed, and which we believe to be characteristic over much of the proposed MA area. We have recorded our observations in a set of GIS maps submitted to the Agency by separate cover. These maps show that over 2/3rds of the approximately 52-acre proposed MA area has severe limitations to development arising from shallow soils, high groundwater, steep slopes, buffer areas to wetlands and streams, wetlands, critical scenic areas, and required setbacks. These are directly observed land use area determinants, but in addition, other statutory land use area determinants must be considered, including: adjacent State Land, open space resources, shoreline and water quality protection, and wildlife habitat. The substantive analytic product of the Male Report is "Figure 4: Interpretive Surficial Geology Map." Our GIS maps provide a more relevant depiction of the landscape features that are essential in making the Agency's determination on the proposed MA, consistent with the APA Act and Regulations.

Our observations must not be dismissed, as the Male Report says, as being UNSCIENTIFIC! Our direct observations have occurred over many seasons and have been corroborated by test pits dug by or in the presence of Agency staff members Larry Phillips and Matt Kendall. In fact, Larry Phillips, the Agency's Soil Scientist, during his September 2009 site visit, recorded test pits "D" and "C" as having "seasonal high ground water at about 12 inches". These test pits are located in the same area that the C.T. Male Report reports as "outwash sand and gravel", and soils that "suitable" for a wastewater treatment system. By contrast in November 2010, in the presence of Matt Kendall, we directly observed shallow ground water (both within 12 inches of the surface) in two test pits near the C.T. Male Report's "TP4." The Report is inconsistent with these direct observations by Agency staff and others.

Moreover, the purpose of the type of information gathered by the deep hole test pits (DHTPs) highlighted by the Male Report, is to design and locate on-site wastewater disposal systems once the appropriate level of development has been determined – not to "classify" the soils of the Map Amendment area! Such a report is

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Wilmington, NY 12997
Tel. 518.946.2445 Fax 917.386.2118
rcurran@adkig.com

prepared to support a project application. In addition, locating wastewater systems is but one aspect of any new development; this is why the classification of land into land use areas recognizes that soil characteristics, including shallow soils and high groundwater will, for example, impact water quality through other components of development -- like clearing, grading, excavation and replacement of forest cover with structures, lawns, driveways, and other impervious surfaces. Thus, finding a few appropriate locations for on-site sewage disposal does **not** make a case for reclassification.

Note also that the DHTPs are all located within the most suitable (for development) **one-half portion** of the 9-acre ownership of North Country Partners. How can it be said these DHTPs are representative of the whole 9-acre ownership, let alone the 52-acre proposed MA area or any of the proposed alternatives? Not only that but other factors would be taken into account to determine the suitability and design of an OSD system, such as permeability of the soil and distance to wetlands, during project review. At best they have found a few suitable sites, but there is a certain level of development permitted because of pre-existing development rights that might need to be located at these locations if a project is ever reviewed by the Agency.

Even so, several of the Test Pit observations refer to "mottles" or "ferric staining" at depths less than 48 inches, which raise a "big red flag" pointing toward a shallow depth to seasonal high groundwater. However, the notes and results in the Report state "no indication of seasonal high ground water" without any explanation. Does this mean that groundwater was not flowing out of the soils into the test pit at the time of the observation? During my observations of the soils on November 1, 2010, accompanied by Matt Kendall, at a location we both judged to be representative, we observed both an accumulation of iron typical of a feature in sandy outwash soils known as "ortstein" and other indications of a shallow seasonal high groundwater, including groundwater in the test pit within 12 inches of the surface. This was in a location near the DHTP # 4 in the Report and indicates the difficulty of interpretation of the soils on-site and the possibility of erroneous conclusions.

On August 21, 2008, my clients hired Brian Grisi, a professional Soil Scientist, with 12 years experience in mapping soils for NRCS, to locate and analyze a DHTP on their property, for the purpose of installing a replacement on-site wastewater system. That DHTP was located within the proposed MA area, within a few hundred feet of several of the C.T. Male DHTPs, and in a similar landscape position. The depth to SHGW was determined to be 29 inches, indicating the need for a shallow absorption system (an extraordinary and expensive alternative system). Since the purpose of the soils analysis was to locate a replacement wastewater system, taking into account other limitations like setbacks, this DHTP was located in an area with the **BEST** soil characteristics (most suitable for development). This analysis of their land, for the purpose of siting a replacement wastewater system, is indicative of the limitations to development of the proposed MA area.

On October 28, 2011, Vincent Kavanagh, P.E., a professional engineer hired by the owner (Wit) of lands located at the easterly boundary of the proposed MA area, evaluated a DHTP for the purpose of installing a replacement wastewater system. Groundwater was observed at 45 inches, and soil mottling was evident at 36 inches, again indicating the need for a shallow absorption system. This DHTP was located near the easterly boundary of the proposed MA area, within a few hundred feet of several of the Male DHTPs, and in a similar landscape position, about 100 feet from the shoreline of Lake Clear. Again, this observation was made in an area with the **BEST** soil characteristics, yet still indicating the limitations to development of the proposed MA area.

In the Male Report, the Test Pit Notes, the Results and the Summary all state "no water" except for Pit #4 "water at 5.6 feet." Note that these Test Pits were dug on July 7, 2011, the driest time of the year. The DHTP on my clients' property was also dug at the dry time of the year, and similarly no water was observed. Yet the depth to SHGW was determined by a careful observer to be 29 inches. Shallow test pits dug on November 2, 2010 (wetter time of the year) in close vicinity (and similar landscape position) to the Male test pits revealed actual groundwater at less than 48 inches, and in some cases less than 24 inches. Agency staff (Matt Kendall) as mentioned before, were present to observe these shallow test pits. In other times and places landowners Tyner and Bielefield have dug shallow holes on the portion of their property and the common beach parcel in the vicinity of several of the Male DHTPs, in the early spring, for the purpose of transplanting small trees. Ground water has commonly been observed in these shallow holes at about 24 inches or less. Taken together these direct observations are diagnostic and should not be dismissed as not "unscientific."

We propose, for the purpose of determining the overall suitability of the soils for development across an area of size appropriate to the scale at which this amendment must be considered, that the soils be examined in early spring, immediately upon thawing of the ground, and include investigations on ALL parts of the map amendment area, including the ownership of Tyner and Bielefield. We'll hope that it is a "normal" spring. Staff is welcome to walk my clients' entire property and observe the steep slopes, exposed bedrock, multiple seeps and streams, and extensive wetlands on their and adjacent lands.

In summary, the August 30 C.T. Male Report evaluates but one aspect of the soils resource and in limited areas; therefore it is of limited utility. Based on multiple observations over many months by others, an overall evaluation reveals that large areas of the soils of the amendment area have moderate to severe limitations to development, and together with other factors, will not support any reclassification of any portion of the site, including any of the proposed alternatives, in accordance with Section 805 of the APA Act.

Respectfully submitted,



Raymond P. Curran
Consulting Ecologist and Analyst

c. Emily Tyner



8 January 2012

Mr. Matthew Kendall
Adirondack Park Agency
Ray Brook, New York 12997

Subject: Geographic Analysis of Site Limitations for Map Amendment (MA) 2010-02

I am providing this geographic analysis to supplement the position and the information presented in my November 8, 2010 letter to you concerning MA 2010-02, and it summarizes the most pertinent map amendment considerations on the site.

This mapping shows that 66% of the 52-acre site has one or more of the overriding considerations that support retaining the existing Resource Management classification, in accordance with §805(3)(a) of the APA Act. Review of this mapping reveals that these considerations are pervasive throughout the entire site, and indicates that any reclassification would be inappropriate, including any of the proposed alternatives (i.e. smaller area; and less restrictive land use areas).

Note that independently of the MA process, Agency staff's May 11, 2011 Land Use Area Boundary Determination shifted the easterly boundary of the area proposed for reclassification by MA 2010-02, resulting in an apparent overall reduction in acreage of the MA area. The attached maps and calculations reflect this change from the mapping shown in the July 8, 2010 Draft Supplemental Environmental Impact Statement (DSEIS).

Factors in Resource Considerations Mapping

The factors and sources of data for mapping of these overriding Natural Resource and Public Considerations are as follows, including notes on how they relate to the Resource Management Classification Determinants:

Physical Considerations

- **Steep Slopes** - Areas greater than 15% as shown on the APA DSEIS mapping. These areas are not suitable for an on-site wastewater disposal system (OSWDS) and are also highly visible from the Lake.
- **Shallow Soils**: Areas of exposed bedrock or shallow to bedrock (less than 6 feet); filled or disturbed areas with high groundwater; and soils with high (less than 2 feet) seasonal groundwater (based on soil test pit observations, by APA staff on 9/2/2009, and with Matt Kendall on 11/2/2010 only). Note that other areas of shallow soils likely exist, but were not easily identified without test pits, and so were not mapped. Obviously, all areas with shallow soils are not suitable for an OSWDS.

Biological Considerations

- **Wetlands and streams** (based on on-site observations).
- **Setbacks of 100 feet** from wetlands, streams, shorelines (due to statutory restrictions for OSWDS). The water quality of Lake Clear and the two year-round streams crossing the site are classified "AA" by NYS DEC. As such, the Lake, these streams and the associated wetlands provide critical wildlife habitat.

Public Considerations

- Setback of 300 feet from State Route 30. This corridor is pristine, scenic, and a federally designated Scenic Byway. It is also a statutory Critical Environmental Area for Resource Management (within 300 feet of the edge of the right-of-way).
- Setback of 100 feet from Lake Clear. The Lake and its forested shoreline are prime scenic considerations. Due to its "AA" water quality and uncommon clarity, Lake Clear is used by residents as a water supply, and prized by the public for fishing, boating, swimming and snorkeling. The steep areas (mapped separately) are highly visible from the Lake and its shorelines, and vulnerable to "Upland Development."

Attached are maps depicting each of these overriding Physical, Biological and Public Considerations separately, and two maps depicting a Composite of these Considerations -- factors listed in the Adirondack Park Agency Statute [Section 805(3) of the APA Act], and determinants listed in Appendix Q-8 of APA Regulations, as characteristic of Resource Management Areas. These limitations also indicate the potential for adverse environmental impacts from new land use and development, and as such, support the conclusions reached in the July 2010 DSEIS. A substantial acreage (66%) of the site contains these overriding limitations to development, consistent with the classification of Resource Management.

This mapping illustrates that the original "Mappers" got it right.. There is a striking break between the character of the Resource Management and Moderate Intensity lands. Moderate occurs in an area with better overall soils and high levels of preexisting development. The RM lands are a landscape dominated by two complexes of wetlands and streams draining into a shallow bay of Lake Clear. Here the sandy outwash soils are generally low and wet and the uplands have shallow till soils on steep slopes, suitable only for sparse development. It is an area with critical wildlife habitats and other open space and scenic values, one of the remaining portions of the shoreline of Lake Clear with these characteristics. Any reclassification of any portion of the MA site would be inconsistent with the character descriptions, and purposes, policies and objectives for the land use areas as described.

I understand that additional soils investigations were completed on a portion of the site on July 7, 2011, and reported in the August 30, 2011 "Subsurface Investigation Report" by C. T. Male Associates. Those soils data were not included in this geographic analysis. We will be providing comment on the C. T. Male Associates report by separate letter.

It is our understanding that the Agency will incorporate this and all prior correspondence from me and the landowners (Tyner and Bielefeld), related to MA2010-2, into a Final Supplemental Environmental Impact Statement (FSEIS).

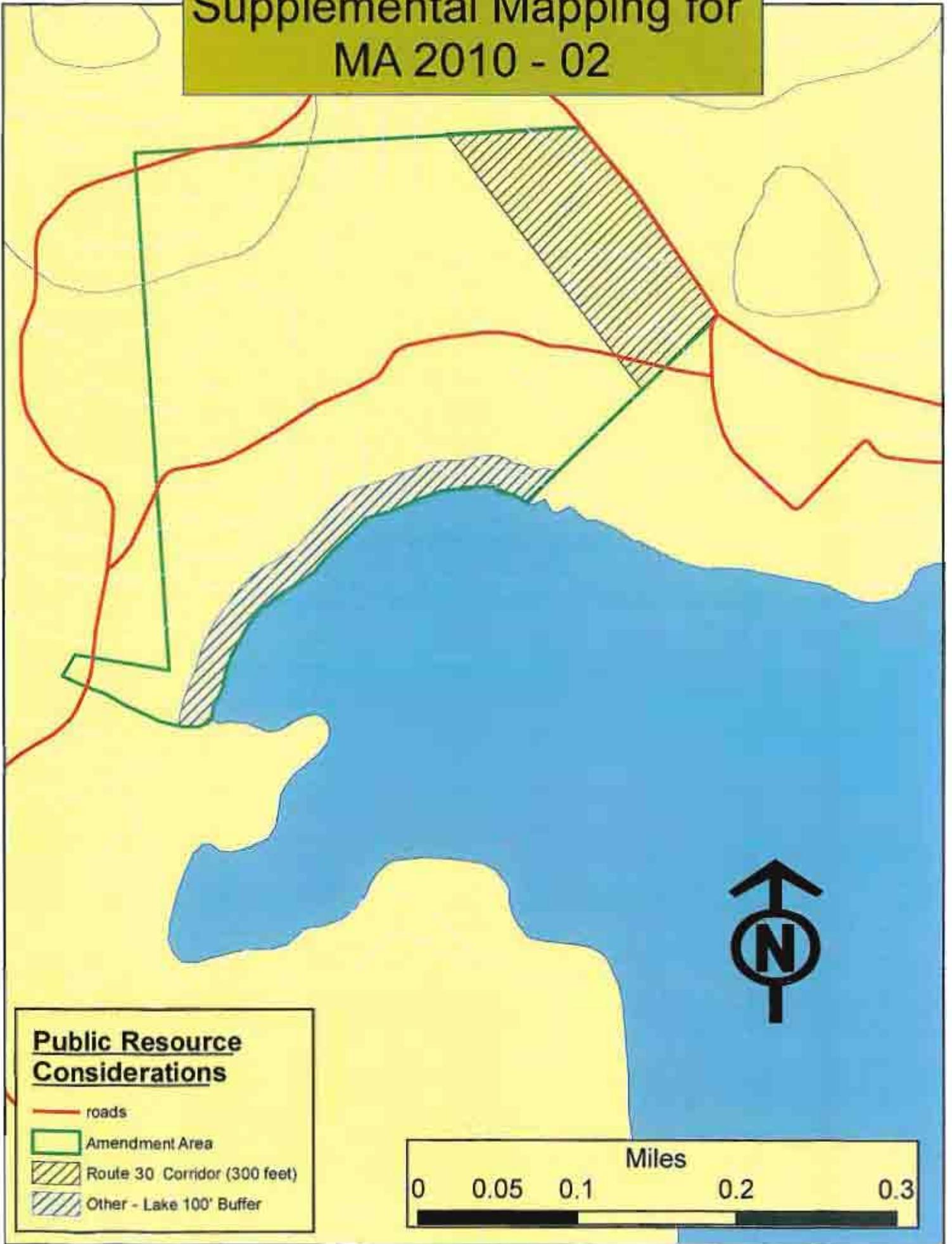
Respectfully submitted,



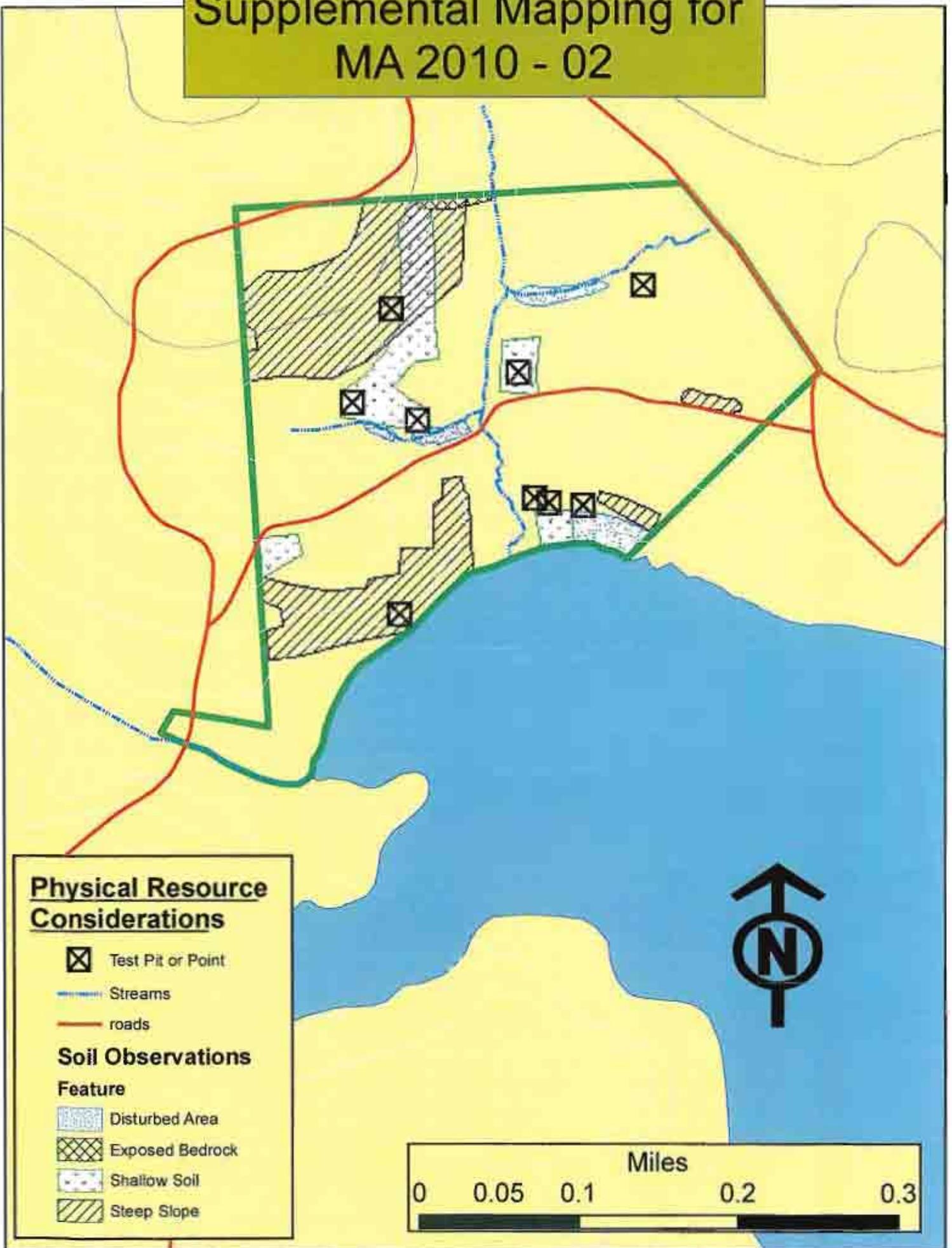
Raymond P. Curran
Consulting Ecologist and Analyst

c. Emily Tyner

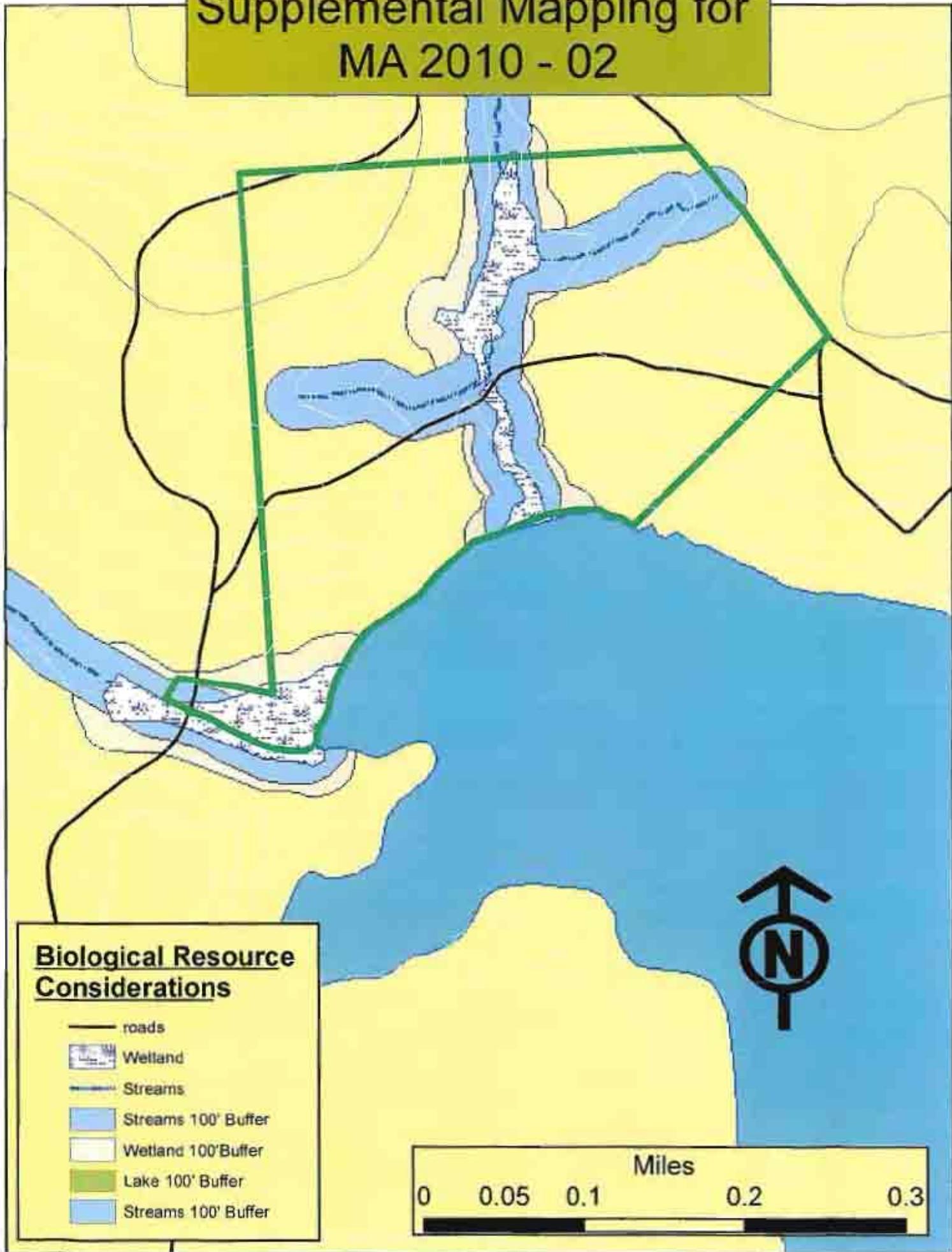
Supplemental Mapping for MA 2010 - 02



Supplemental Mapping for MA 2010 - 02

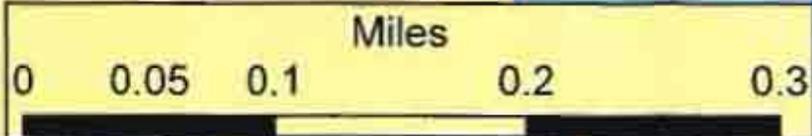


Supplemental Mapping for MA 2010 - 02

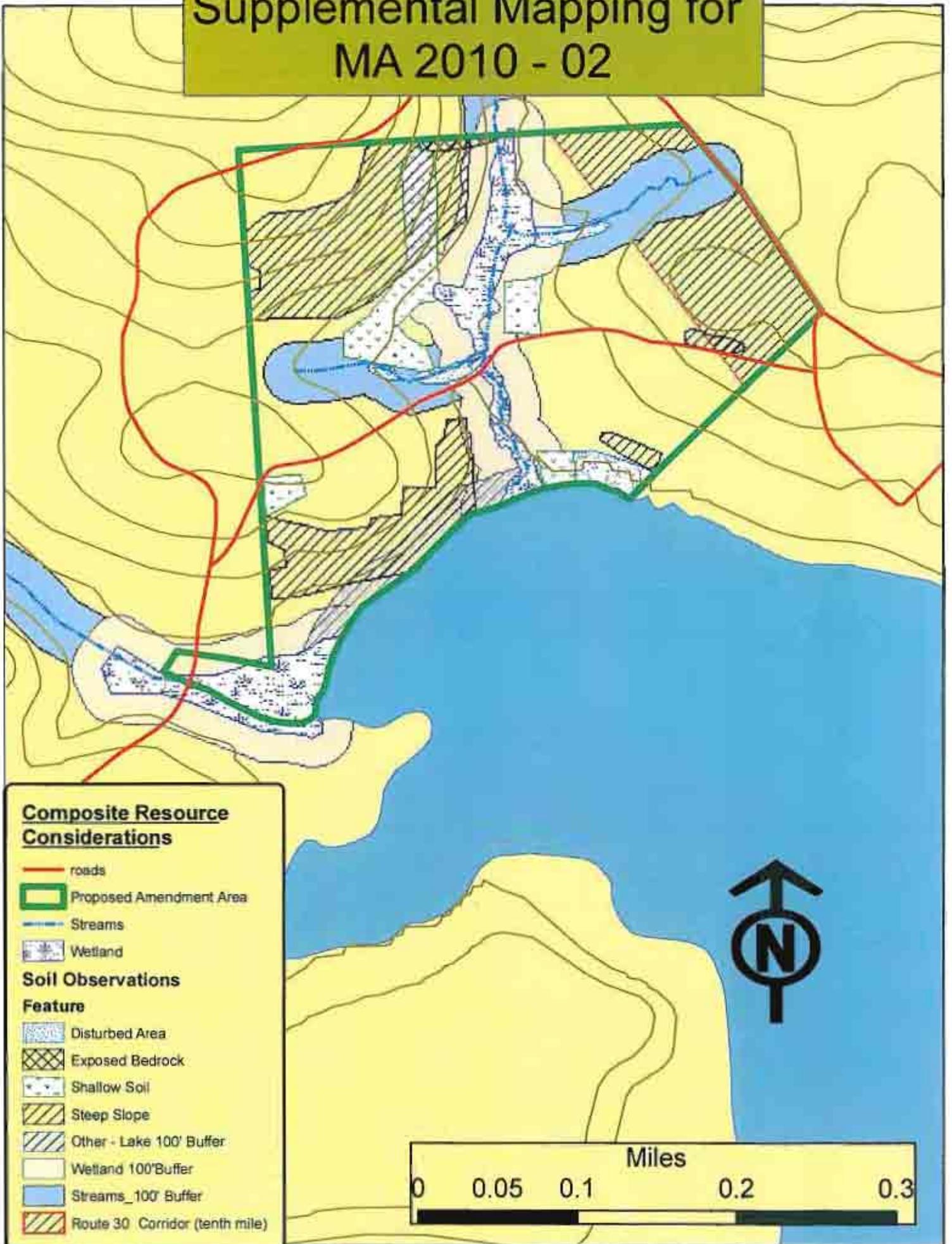


Biological Resource Considerations

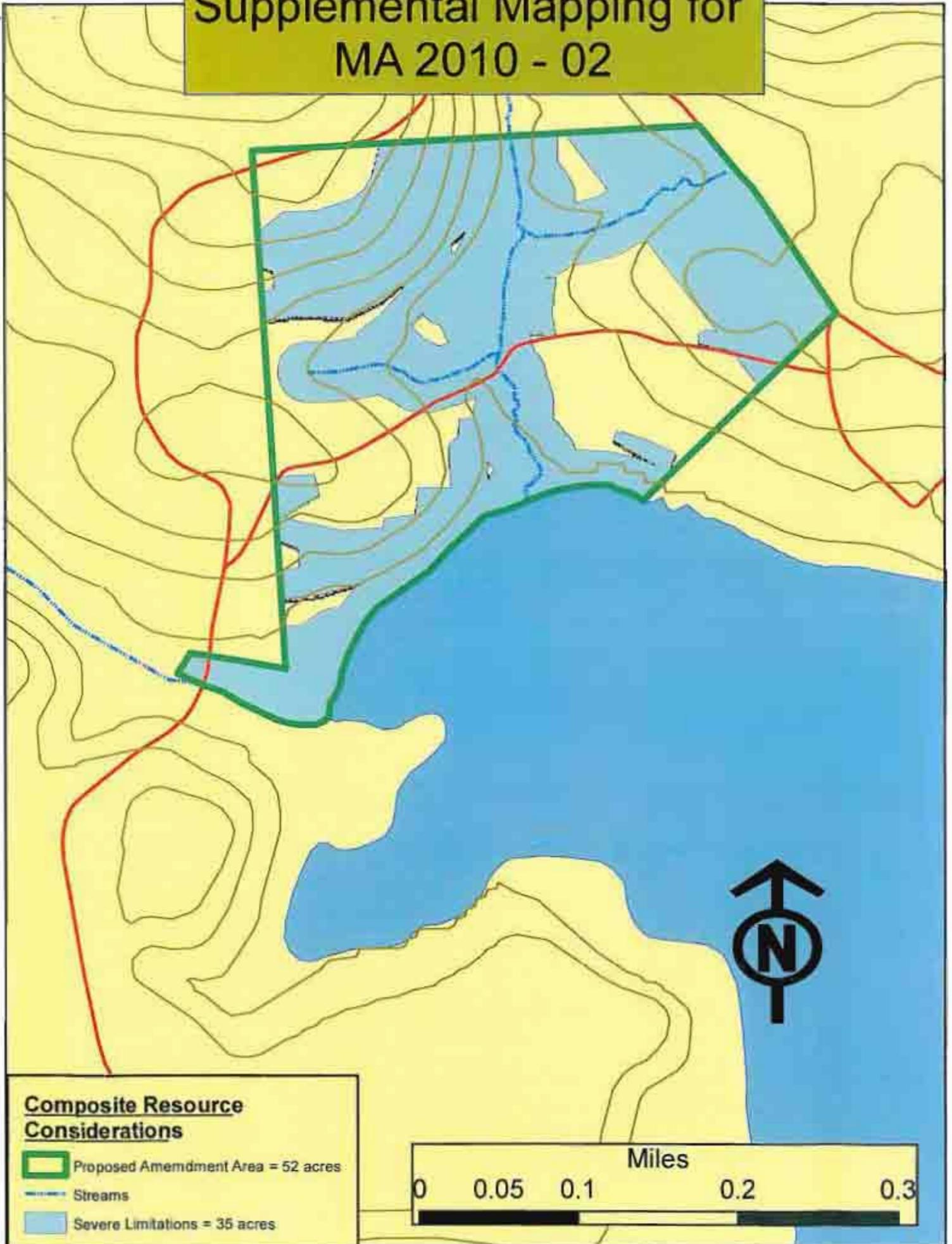
- roads
-  Wetland
- Streams
-  Streams 100' Buffer
-  Wetland 100' Buffer
-  Lake 100' Buffer
-  Streams 100' Buffer



Supplemental Mapping for MA 2010 - 02



Supplemental Mapping for MA 2010 - 02



APPENDIX D

LAND USE AREA DESCRIPTIONS, SETBACK AND COMPATIBLE USE LIST

LAND USE AREA DESCRIPTIONS -- PURPOSES, POLICIES AND OBJECTIVES -- SHORELINE LOT WIDTHS AND SETBACKS – COMPATIBLE USE LIST

HAMLET

Character description: Hamlet areas, delineated in brown on the plan map, range from large, varied communities that contain a sizeable permanent, seasonal and transient population 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.

Purposes, policies and objectives: 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.

Guidelines for overall intensity of development: No overall intensity guideline is applicable to hamlet areas.

Minimum shoreline lot widths and building setbacks are 50 feet, and, in general, any subdivision involving 100 or more lots is subject to agency review.

MODERATE INTENSITY USE

Character description: Moderate Intensity Use areas, delineated in red on the plan map, are those areas where the capability of the natural resources and the anticipated need for future development indicate that relatively intense development, primarily residential in character, is possible, desirable and suitable.

These areas are primarily located near or adjacent to hamlets to provide for residential expansion. They are also located along highways or accessible shorelines where existing development has established the character of the area. Those areas identified as moderate intensity use where relatively intense development does not already exist are generally characterized by deep soils on moderate slopes and are readily accessible to existing hamlets

Purposes, policies and objectives: Moderate intensity use areas will provide for development opportunities in areas where development will not significantly harm the relatively tolerant physical and biological resources. These areas are designed to provide for residential expansion and growth and to accommodate uses related to residential uses in the vicinity of hamlets where community services can most readily and economically be provided. Such growth and the services related to it will generally be at less intense levels than in hamlet areas.

Guidelines for overall intensity of development: The overall intensity of development for land located in any Moderate Intensity Use area should not exceed approximately 500 principal buildings per square mile.

Minimum shoreline lot widths and building setbacks are 100 and 50 feet respectively, and, in general, any subdivision involving 15 or more lots is subject to agency review.

LOW INTENSITY USE

Character description: Low intensity use areas, delineated in orange on the plan map, are those readily accessible areas, normally within reasonable proximity to a hamlet, where the physical and biological resources are fairly tolerant and can withstand development at intensity somewhat lower than found in hamlets and moderate intensity use areas. While these areas often exhibit wide variability in the land's capability to support development, they are generally areas with fairly deep soils, moderate slopes and no large acreages of critical biological importance. Where these areas are adjacent to or near hamlet, clustering homes on the most developable portions of these areas makes possible a relatively high level of residential units and local services.

Purposes, policies and objectives: The purpose of low intensity use areas is to provide for development opportunities at levels that will protect the physical and biological resources, while still providing for orderly growth and development of the park. It is anticipated that these areas will primarily be used to provide housing development opportunities not only for park residents but also for the growing seasonal home market. In addition, services and uses related to residential uses may be located at a lower intensity than in hamlets or moderate intensity use areas.

Guidelines for overall intensity of development: The overall intensity of development for land located in any low intensity use area should not exceed approximately two hundred principal buildings per square mile

Minimum shoreline lot widths and building setbacks are 125 and 75 feet respectively, and, in general, any subdivision involving 10 or more lots is subject to agency permit requirements.

RURAL USE

Character description: Rural use areas, delineated in yellow on the plan map, are those areas where natural resource limitations and public considerations necessitate fairly stringent development constraints. These areas 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. In addition, 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 and variety of rural uses 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.

Purposes, policies and objectives: The basic purpose and objective of rural use areas is to provide for and encourage those rural land uses that are consistent and compatible with the relatively low tolerance of the areas' natural resources and the preservation of the open spaces that are essential and basic to the unique character of the park. Another objective of rural use areas 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.

Residential development and related development and uses should occur on large lots or in relatively small clusters on carefully selected and well designed sites. This will provide for further diversity in residential and related development opportunities in the park.

Guideline for overall intensity of development: The overall intensity of development for land located in any rural use area should not exceed approximately seventy-five principal buildings per square mile.

Minimum shoreline lot widths and building setbacks are 150 and 75 feet respectively, and, in general, any subdivision involving 5 or more lots is subject to agency review.

COMPATIBLE USE LIST FROM SECTION 805 OF THE ADIRONDACK PARK AGENCY ACT

HAMLET

All land uses and development are considered compatible with the character, purposes and objectives of Hamlet areas.

MODERATE INTENSITY USE

Primary uses in moderate intensity use areas:

1. Single family dwellings
2. Individual mobile homes
3. Open space recreation uses
4. Agricultural uses
5. Agricultural use structures
6. Forestry uses
7. Forestry use structures
8. Hunting and fishing cabins and hunting and fishing and other private club structures
9. Game preserves and private parks
10. Cemeteries
11. Private roads
12. Private sand and gravel extractions
13. Public utility uses
14. Accessory uses and structures to any use classified as a compatible use

Secondary uses in moderate intensity use areas:

1. Multiple family dwellings
2. Mobile home court
3. Public and semi-public buildings
4. Municipal roads
5. Agricultural service uses
6. Commercial uses
7. Tourist accommodations
8. Tourist attractions
9. Marinas, boat yards and boat launching sites
10. Campgrounds
11. Group camps
12. Golf courses
13. Ski centers
14. Commercial seaplane bases
15. Commercial or private airports
16. Sawmills, chipping mills, pallet mills and similar wood using facilities
17. Commercial sand and gravel extractions
18. Mineral extractions
19. Mineral extraction structures
20. Watershed management and flood control projects
21. Sewage treatment plants
22. Major public utility uses
23. Industrial uses

LOW INTENSITY USE

Primary uses in low intensity use areas:

1. Single family dwellings
2. Individual mobile homes
3. Open space recreation uses
4. Agricultural uses
5. Agricultural use structures
6. Forestry uses
7. Forestry use structures
8. Hunting and fishing cabins and hunting and fishing and other private club structures
9. Game preserves and private parks
10. Cemeteries
11. Private roads
12. Private sand and gravel extractions
13. Public utility uses
14. Accessory uses and structures to any use classified as a compatible use

Secondary uses in low intensity use areas:

1. Multiple family dwellings
2. Mobile home court
3. Public and semi-public buildings
4. Municipal roads
5. Agricultural service uses
6. Commercial uses
7. Tourist accommodations
8. Tourist attractions
9. Marinas, boat yards and boat launching sites

10. Golf courses
11. Campgrounds
12. Group camps
13. Ski centers
14. Commercial seaplane bases
15. Commercial or private airports
16. Sawmills, chipping mills, pallet mills and similar wood using facilities
17. Commercial sand and gravel extractions
18. Mineral extractions
19. Mineral extraction structures
20. Watershed management and flood control projects
21. Sewage treatment plants
22. Major public utility uses
23. Junkyards
24. Major public utility uses
25. Industrial uses

RURAL USE

Primary uses in rural use areas:

1. Single family dwellings
2. Individual mobile homes
3. Open space recreation uses
4. Agricultural uses
5. Agricultural use structures
6. Forestry uses
7. Forestry use structures
8. Hunting and fishing cabins and hunting and fishing and other private club structures
9. Game preserves and private parks
10. Cemeteries
11. Private roads
12. Private sand and gravel extractions
13. Public utility uses
14. Accessory uses and structures to any use classified as a compatible use

Secondary uses in rural use areas:

1. Multiple family dwellings
2. Mobile home court
3. Public and semi-public buildings
4. Municipal roads
5. Agricultural service uses
6. Commercial uses
7. Tourist accommodations
8. Marinas, boat yards and boat launching sites
9. Golf courses
10. Campgrounds
11. Group camps
12. Ski centers
13. Commercial seaplane bases
14. Commercial or private airports
15. Sawmills, chipping mills, pallet mills and similar wood using facilities
16. Commercial sand and gravel extractions
17. Mineral extractions

18. Mineral extraction structures
19. Watershed management and flood control projects
20. Sewage treatment plants
21. Major public utility uses
22. Junkyards
23. Major public utility uses
24. Industrial uses

APPENDIX E

LAND USE AREA CLASSIFICATION DETERMINANTS

LAND USE AREA CLASSIFICATION DETERMINANTS

(From Appendix Q-8 of APA Rules & Regulations)

Many criteria and determinants are used in land use planning. Some are common to any planning process. Others vary with the area for which the plan is to be prepared. The needs of inhabitants, the region, and of society define those determinants that receive primary emphasis.

The determinants used in preparing this Land Use and Development Plan were chosen to identify those areas in the park best suited for development. The determinants fall into the following basic categories: (1) natural resources, (2) existing land use patterns, and (3) public considerations. The determinants found within these three categories help identify areas where similar standards are necessary if development is to provide positive values to both the park and the community in which it is located. Furthermore, they identify areas where the potential costs of development to the developer, the community, the prospective purchaser and the environment are so great that serious consideration should be given to alternative uses.

The natural resource determinants identify those areas that are physically most capable of sustaining development without significant adverse impact. Such determinants as soils, topography, water, vegetation and wildlife have been inventoried and analyzed to assure the protection of the basic elements of the park. Existing land uses must also be carefully considered in the planning process, particularly because they are important determinants of the park's present and future character. These determinants identify the historic patterns of the park's growth and indicate the types of growth that have been and are presently viable. Future development contemplated under the plan must also be considered in light of its relation to existing development.

The Legislature has found that there is a State interest in the preservation of the Adirondack Park, and therefore a variety of public consideration determinants have been analyzed in the preparation of this plan. In general, public consideration determinants help identify areas that must be protected in order to preserve the essential open space character of the park. These areas may be considered important from a public standpoint for such reasons as their location near important State lands or their present use in an open space condition. Additionally, there may be a substantial State interest in preserving certain critical public considerations.

The following determinants were used in the land area classification process. The land use implications paragraph is a general indication of the manner in which these determinants were utilized in preparing the plan:

A. DETERMINANT: SOIL

1. Characteristic: Poorly drained or seasonally wet soils.

Description: Soil with a high-water content or seasonal high-water table less than 1 . feet from the surface.

Land use implications: On-site sewage disposal systems will not function adequately and may pollute groundwater supplies. There may also be a problem of flooded basements, backed-up toilets, broken pavements, cracked walls and similar situations. These problems may lead to community health hazards, environmental problems, inconvenience and economic hardship. Severe development limitations exist in those areas that contain a high proportion of poorly drained or seasonally wet soils. Such areas are capable of sustaining development at only a very low level of intensity.

2. Characteristic: Moderately drained soils.

Description: Soils with a seasonal high-water table 1 . to 4 feet below the surface.

Land use implications: A potential for septic system failure or groundwater pollution exists. The New York State Department of Health recommends that the bottom of a septic system tile field be 18 to 30 inches below the soil surface at final grade, with a minimum depth of two feet between the bottom of the tile field and the water table. Special precautions must also be taken to avoid washouts where deep road cuts are necessary. An occasional problem for roads, streets and parking lots on this soil is the "washboard" effect caused by frost heaving. Although these soils can tolerate a higher level of development than can poorly drained soils, moderate development limitations still exist.

3. Characteristic: Well-drained soils.

Description: Soils with a depth to the seasonal high-water table of more than four feet.

Land use implications: Areas containing well-drained soils present only slight development limitations. Generally, this type of soil can adequately filter the effluent from septic tank systems and poses few other construction problems.

4. Characteristic: Low permeability soils.

Description: Soils with a permeability rate of less than one inch per hour.

Land use implications: Soils with low permeability characteristics present severe development problems. On-site sewage disposal systems may overflow, causing pollution of surface water. Street, road and parking lot surfaces heave, and building walls and foundations tend to crack. Sanitary landfills may cause acute problems when located on soils with these characteristics.

5. Characteristic: Moderately permeable soils.

Description: Soils with a permeability rate of one inch per 30 to 60 minutes.

Land use implications: Problems experienced in soils with this characteristic are similar to, but slightly less severe than, problems experienced with soils of low permeability. In general, adequately designed and engineered septic systems, roads and structures help solve the problems that these soils can cause, but these alternatives tend to be expensive. Areas containing a high percentage of these soils should not be developed at a high level of intensity.

6. Characteristic: Permeable soils.

Description: Soils with a permeability rate of more than one inch per 30 minutes.

Land use implications: Generally, these soils present only slight development limitations, and they can handle a relatively intense level of development. However, excessive permeability may create a potential for the pollution and contamination of groundwater and nearby uncased wells if on-site sewage disposal systems are employed.

7. Characteristic: Shallow depth to bedrock.

Description: Soils with a depth to bedrock of less than one and 1/2 feet.

Land use implications: These soils present severe development constraints. Massive excavation costs are necessary to do even minimal development. On-site sewage disposal systems are not possible under these conditions, as soil depths are not sufficient to provide adequate filtration of effluent. Community sewage systems can only be installed at a prohibitive cost. Shallow soils also present substantial road and building construction problems. These soils should not be developed.

8. Characteristic: Moderate depth to bedrock.

Description: Soils with a depth to bedrock of 1 1/2 to 4 feet.

Land use implications: These soils present moderate development limitations. On-site sewage disposal problems can arise with effluent flowing directly over the bedrock into nearby drainages or groundwater supplies. The more shallow portions of these soils result in increased excavation costs. Intense development should not occur in these areas.

9. Characteristic: Deep soils.

Description: Soils with a depth to bedrock of more than four feet.

Land use implications: Relatively intense development can occur on these soils.

10. Characteristic: Extremely stony soils.

Description: Soils with over 35 percent coarse fragments less than three inches in diameter.

Land use implications: These soils present development problems. Excavation for such purposes as on-site sewage disposal systems, homesites with basements, and streets and roads is costly and difficult. Soils with this description affect the rate at which water moves into and through the soil. The difficulty of establishing a good vegetative ground cover can cause erosion problems. Generally, intense development should be avoided on soils of this nature.

11. Characteristic: Viable agricultural soils.

Description: Soils classified by the New York State Cooperative Extension as Class I and Class II agricultural soils.

Land use implications: Class I and Class II soils constitute a valuable natural resource. While the physical characteristics of these soils will often permit development, their agricultural values should be retained. Consequently, class I and class II soil types found within the Adirondack Park should be used primarily for agricultural purposes.

B. DETERMINANT: TOPOGRAPHY

1. Characteristic: Severe slopes.

Description: Areas with slopes of over 25 percent.

Land use implications: 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.

2. Characteristic: Steep slopes.

Description: Areas with slopes of 16 to 25 percent.

Land use implications: 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.

3. Characteristic: Low and moderate slopes.

Description: Areas with slopes of not greater than 15 percent.

Land use implications: Such 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.

4. Characteristic: Unique physical features.

Description: Gorges, waterfalls, formations and outcroppings of geological interest.

Land use implications: These features represent scarce educational, aesthetic and scientific resources. Construction can seriously alter their value as such, particularly where it mars the landscape or the formations themselves. Consequently, these areas should be developed only at extremely low intensities and in such a manner that the unique features are not altered.

5. Characteristic: High elevations.

Description: Areas above 2,500 feet.

Land use implications: These areas should ordinarily not be developed. They are extremely fragile and critical watershed storage and retention areas that can be significantly harmed by even a very low level of development intensity.

C. DETERMINANT: WATER

1. Characteristic: Floodplains.

Description: Periodically flooded land adjacent to a water body.

Land use implications: These areas should not be developed. Periodic flooding threatens the safety of residents and the destruction of structures. Development that would destroy the shoreline vegetation would result in serious erosion during flood stages. Onsite sewage disposal systems will not function properly and will pollute both surface and ground waters.

2. Characteristic: Wild and scenic rivers.

Description: Lands within one-half mile of designated wild and scenic rivers or of designated study rivers that presently meet the criteria for eventual wild or scenic designation.

Land use implications: The New York State Legislature has found that these lands constitute a unique and valuable public resource. Consequently, these lands should not be developed in order to protect the rare resources of free flowing waters with essentially primitive shorelines.

3. Characteristic: Marshes.

Description: Wetlands where there is found a grass-like vegetative cover and a free interchange of waters with adjacent bodies of water.

Land use implications: These areas present severe development limitations. Continual flooding makes on-site sewage disposal impossible and construction expensive. The filling of these areas will destroy the most productive ecosystem in the park and will lower their water retention capacity. Therefore, these areas should not be developed.

D. DETERMINANT: FRAGILE ECOSYSTEM

1. Characteristic: Bogs.

Description: Sphagnum, heath or muskeg vegetation overlaid with water and containing rare plant and animal communities that are often of important scientific value.

Land use implications: These areas should not be developed. They are sensitive areas whose delicate ecological balance is easily upset by any change in water level or the addition of any pollutants.

2. Characteristic: Alpine and subalpine life zones.

Description: Areas generally above 4,300 feet exhibiting tundra-like communities.

Land use implications: These areas should not be developed. The vegetative matter in these areas cannot withstand any form of compaction or development. These communities are extremely scarce in the park.

3. Characteristic: Ecotones.

Description: Areas of abrupt change from one ecosystem to another, giving rise to extraordinary plant and animal diversity and productivity.

Land use implications: These areas should be developed only at a low level of intensity. Development at higher intensities would modify the vegetative cover and would drastically reduce the diversity of wildlife vital to the Adirondack character. These limited areas serve as the production hub for surrounding areas.

E. DETERMINANT: VEGETATION

1. Characteristic: Virgin forests.

Description: Old-growth natural forests on highly productive sites, including those natural areas identified by the Society of American Foresters.

Land use implications: These areas deserve protection and should, therefore, be developed only at a low level of intensity. Intense development of these areas would destroy illustrative site types, including vestiges of primitive Adirondack conditions deemed important from both scientific and aesthetic standpoints.

2. Characteristic: Rare plants.

Description: Areas containing rare plant communities, including those identified by the State Museum and Science Services.

Land use implications: These areas should not be developed. Development, even at a very low level of intensity, would modify the habitat of these plants and thereby cause their possible extinction in New York State.

F. DETERMINANT: WILDLIFE

1. Characteristic: Rare and endangered species habitats.

Description: Habitats of species of wildlife threatened with extinction either in New York State or nationwide.

Land use implications: These areas should not be developed. Development at even a low level of intensity would modify the habitats of these species and thereby cause their possible extinction in New York State or nationwide. These small areas are often the survival link for entire species.

2. Characteristic: Key wildlife habitats.

Description: Important deer wintering yards, waterfowl production areas and bodies of water containing native strains of trout.

Land use implications: These areas can sustain only a very limited level of development intensity without having a significant adverse affect on the wildlife. Development at greater intensities would alter the habitats, thus making them unsuitable for continued use by wildlife. Development also increases the vulnerability of these critical areas.

G. DETERMINANT: PARK CHARACTER

1. Characteristic: Vistas.

Description: Area viewed from the 40 Adirondack Park vistas identified in the State Land Master Plan.

Land use implications: The intensity of development should vary with the distance from the vista with the purpose of protecting the open-space character of the scene. Development within one-quarter mile of the vista will have a substantial visual impact on this character and should be avoided. Between one-quarter mile and five miles, a low intensity of development will not damage the open-space appearance, whereas intense development would. Relatively intense development beyond five miles will not damage the scene so long as it does not consist of large clusters of buildings or industrial uses.

2. Characteristic: Travel corridors.

Description: Presently undeveloped areas adjacent to and within sight of public highways.

Land use implications: 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. The allowable intensity of development should not be allowed to substantially alter the present character of these travel corridors.

3. Characteristic: Proximity to State land.

(a) (1) Description: Areas within sight and sound of, but not more than one-half mile from, intensively used portions of wilderness, primitive and canoe areas.

(2) Land use implications: Intense development of these areas would threaten the public interest in and the integrity and basic purposes of wilderness, primitive and canoe area designation. Consequently, these lands should be developed at only a very low level of intensity.

(b) (1) Description: Inholding surrounded by wilderness, primitive or canoe areas.

(2) Land use implications: Development at more than a very minimal level of intensity should not be allowed. The development of such parcels would compromise the integrity of the most fragile classifications of land under the Adirondack Park State Land Master Plan.

(c) (1) Description: Inholdings of less than 1,000 acres surrounded by wild forest lands and inaccessible by two-wheel-drive vehicles.

(2) Land use implications: These areas should not be developed at more than a very low level of intensity. Intense development of these areas would constitute a hazard to the quality of the surrounding wild forest lands.

4. Characteristic: Proximity to services.

(a) (1) Description: Areas that are remote from existing communities and services.

(2) Land use implications: Intense development of these areas would be detrimental to open-space character of the park. Development of such remote areas is also generally costly in terms of services provided by local government. Consequently, a low level of development should be permitted.

(b) (1) Description: Areas that are readily accessible to existing communities.

(2) Land use implications: These areas can sustain a high level of development intensity. Local government services can be efficiently and economically provided in such areas. Development here will generally be of positive economic value to a community.

5. Characteristic: Historic sites.

Description: Sites of historic significance from a local, park or national standpoint.

Land use implications: Any development of the site itself or its immediate environs, except restoration, would destroy the site's historical and educational values.

H. DETERMINANT: PUBLIC FACILITY

1. Characteristic: Public sewer systems.

Description: Areas served by a public sewer system.

Land use implications: Development may occur in these areas in spite of certain resource limitations that have been overcome by public sewer systems. Consequently, these areas can often be used for highly intensive development.

2. Characteristic: Proposed public sewer systems.

Description: Areas identified in a county comprehensive sewerage study where public sewer systems are considered feasible.

Land use implications: Encouraging relatively intense development in these areas will often provide the necessary impetus to establish the proposed systems. These systems will overcome certain health hazards and associated environmental problems that would otherwise be considered limiting.

I. DETERMINANT: EXISTING LAND USE

1. Characteristic: Urbanized.

(a) (1) Description: A large, varied and concentrated community with a diversity of housing and services.

(2) Land use implications: Generally, these areas have the facilities and potential to develop as major growth and service centers.

(b) (1) Description: A small, concentrated community.

(2) Land use implications: Generally, these areas have the potential to develop as growth centers.

2. Characteristic: Residential.

Description: Areas of primarily residential development.

Land use implications: The primary use of these areas should continue to be residential in nature.

3. Characteristic: Forest management.

Description: Large tracts, primarily of northern hardwood or spruce-fir forests, under active forest management.

Land use implications: These areas should be developed at only a minimal level of intensity. They constitute a unique natural resource. The supply of these species of trees, which are uncommon in such quantities elsewhere in the State, is important to insure a continuing supply of saw-logs and fiber for the economically vital wood-using industry of the region.

4. Characteristic: Agricultural lands.

(a) (1) Description: Areas under intensive agricultural management in which there is evidence of continuing capital investment for buildings and new equipment.

(2) Land use implications: These areas are an important resource within the Adirondack Park. These areas are of economic importance in some areas of the park. Consequently, these areas should only be developed at a very minimal level of intensity.

(b) (1) Description: Areas containing less viable agricultural activities frequently interspersed with other types of land uses.

(2) Land use implications: These areas are important to the open-space character of the park and also contain pockets of important agricultural soils. Consequently, they should be utilized for a low level of development intensity.

5. Characteristic: Industrial uses.

(a) (1) Description: Areas containing large-scale economically important industrial activities, located outside of centralized communities.

(2) Land use implications: These areas have been intensively used and are important to the economy of the Adirondack Park. They should remain in active industrial use.

(b) (1) Description: Proposed industrial sites identified by the State Development of Commerce or regional or local planning agencies.

(2) Land use implications: Because they are potentially important to the economy of the Adirondack Park, industrial uses should be encouraged in these areas.

APPENDIX F
PUBLIC HEARING NOTICE



**NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO THE OFFICIAL
ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN**

Map Amendment 2010-02

PLEASE TAKE NOTICE that a public hearing will be held by the Adirondack Park Agency pursuant to Section 805 of the Adirondack Park Agency Act and 6 NYCCR Part 617 to amend certain lands on the Official Adirondack Park Land Use and Development Plan Map located in the Town of Harrietstown, Franklin County (MA2010-02). The proposed amendment was requested by North Country Partners, LP. The public hearing will be held on August 25, 2010 at 7:00 PM at the Harrietstown Town Hall, located at 39 Main Street, Saranac Lake, NY.

The proposed amendment would reclassify approximately 53.2 acres of land from its current classification of Resource Management to Moderate Intensity Use. The area under consideration is described as follows:

Beginning at a point at the intersection of the centerlines of Harfs Road and NYS Route 30; thence in a southwesterly direction, perpendicular to the centerline of NYS Route 30 to a point on the shore of Lake Clear; thence in a westerly direction along the shore of Lake Clear as it winds and turns for a distance of approximately 1,800 feet to a point on the centerline of an unnamed stream; thence in a northwesterly direction along said unnamed stream to a point on the State land boundary; thence in an easterly direction along the State/private land boundary; thence in a northerly direction, continuing along the State/private land boundary; thence in an easterly direction, continuing along the State/private land boundary to a point on the centerline of NYS route 30; thence in a southeasterly direction along the centerline of NYS Route 30 to the point of beginning.

A Draft Supplemental Environmental Impact Statement, together with a Notice of Completion, has been prepared for this proposed action pursuant to the State Environmental Quality Review Act and is on file at the Adirondack Park Agency headquarters in Ray Brook, NY and is available on the Adirondack Park Agency website (www.apa.state.ny.us). Written comments on the proposed map amendment will be accepted until September 13, 2010.

Further detail may be obtained by contacting: Matthew Kendall,
Adirondack Park Agency, PO Box 99, Ray Brook, NY 12977;
(518)891-4050.

APPENDIX G

SUMMARY OF PUBLIC HEARING

Frank Hutchins – I am the owner of the land and application of the map amendment as it was originally filed.

These 9.6 acres should be classified as Moderate Intensity Use rather than Resource Management for two big reasons. One is the land is located on the Lake Clear shoreline, easily accessible to Route 30, with moderate slopes and deep soils, which fit the character and description of Moderate Intensity. It is not a substantial acreage, steep slopes, high elevations, flood plains or habitat critical to animal or plant life, which is the character description of Resource Management. The second reason that the property should be classified as Moderate Intensity is that the property is contiguous with the Lake Clear Inn community of development to the east and the Carpenter family compound to the west. In short, it is surrounded by numerous home sites on small parcels, entirely consistent with Moderate Intensity. I can assure the Agency and our neighbors that we will continue to be good stewards of the land at Lake Clear. We have been for 60 years and we will continue to be. Let me give you two or three examples. As an example, back in 1965, two years after the public auction of the Lake Clear Inn, the 40 room Lake Clear Inn was vacant and deteriorating. It was not only an eyesore, but also a target for vandals and arsonists. That is why my wife and I decided to buy the Inn and tear it down. We did tear it down and we landscaped it, and today it looks like a village green with the stars and stripes waving high on a 40 foot flagpole. This would not have happened had we not purchased the Inn, taken it down and landscaped the area. The second example, in the 60's and 70's, we had five older, vacant cabins torn down and the sites landscaped, otherwise they would have been just left there to deteriorate. Another example has to do with our daughter Jenny, who has taken it on herself to pick up the trash along Route 30, from her driveway to the Lake Clear Junction, about one and one-quarter mile each way. Her job, which she made for herself, was to fill large trash bags and take them to the landfill. Big thing was people would drive along and see her doing this, flash their headlights and give her a high-five.

I appreciate the Agency's thoughtful consideration of this application. Remember, our application, a map amendment to change the 9.6 acres from Resource Management to Moderate Intensity, and the two reasons we want to do that - number one, it is the exact same kind of classification that surrounds the area we are talking about, to the east, the Lake Clear community of development and to the west, the Carpenter Family compound. And the other big reason of course is that the character of the land fits the definition of Moderate Intensity and not Resource Management.

Bill Kissel – My name is William Kissel, I'm the attorney for the applicant, North Country Partners. I just wanted to make a couple of technical comments which Mr. Hutchins asked me to address so he wouldn't have to in his comments. First of all, in terms of the application, the application is for 9 1/2 acres, and as Mr. Kendall explained, the Park Agency staff expanded that to some 53 acres and also proposes two alternatives, one slightly larger than the applicant's proposal, which would be some 13 acres and another even larger yet, some 26 acres. Mr. Hutchins wanted me to state for the record that North Country Partners has no objection to alternate 2, which is the blue outline in the lower right hand portion of the map shown on the screen. The original application

which was close to this alternate 2 but was not proposed by North Country Partners because it contained some land that was not owned by North Country Partners. Mr. Hutchins did not feel it was appropriate to go to the Agency with alternate 2 as it contained land that was not owned by the family. The reason why North Country Partners has no objection to alternate 2 is because the three main criteria of the resources of the land, the soils, the slopes and the hydrology, are not severe; there are no severe resource impediments for the entire area.

This is a map amendment request; if the map amendment were acted on by itself by the Agency, it would have no impact. By example of Mr. Hutchins stewardship of the land, it is obvious that the family has protected and preserved the open lands and has no intention for development or change of use for the land.

Roger VanValkenburg – I am married to the daughter who cleans up the trash on Route 30. My wife and I own property on Lake Clear and are a part of the Lake Clear Inn community. I want to speak in support, on behalf of myself and my wife Ginny, to the responsibility that the applicant has demonstrated over his 60 years of residency at Lake Clear. We, in addition to our other family members, share the family commitment of stewardship, and we look forward to continuing on the tradition and precedent that our father and mother have set for us. I am confident that no abuse would come out of this map amendment in respect to alternative 2 and we also appreciate the Agency's thoughtful consideration of this amendment.

Martha Mitchell - I live on the north shore of Lake Clear; I am the president of the Lake Clear Inn Property Owner's Association. Our family has been on Lake Clear 91 years and we fully support Frank Hutchins' reclassification effort. We've known Mr. Hutchins for 61+ years. Mr. Hutchins takes great pride in his property and whatever changes he has made, he has done with great care and love.

Tim Leonard – I have property at 24 Loon Lane in Lake Clear. I have been there 38 years and everything that has been said about Frank and his stewardship of the land I fully endorse. I support the application; the land is contiguous to Moderate Intensity Use area; there is no building involved; I believe the project should be approved.

Greg Hill – I should state that I worked for the Adirondack Park Agency from 1974-1996; I should also state that I am a member of the Lake Clear Inn Property Owner's Association. My comments will focus just on the Draft EIS – I do not have a fully formed opinion of the map amendment. I do feel that the 53 acre parcel as enlarged by the Agency staff probably does not meet the criteria for map amendment to Moderate Intensity Use; nor does alternative number 1. I am inclined to believe that alternative number 2 does meet the criteria for approval but I reserve my judgment on that pending the changes to the Draft EIS that I believe are warranted. I have a one page statement of comments on that Draft EIS; to elaborate, I believe that the EIS is deficient in terms of existing land use that occurs throughout the amendment areas and the alternatives. There is more that can be said in the EIS about the number of parcels that could be built upon and what the build out would be under a Moderate Intensity Use classification. It also

does not adequately address access to the amendment area in terms of highway access; and the alternatives are accessed by private road as opposed to public road which should be made abundantly clear so that the record before the Agency is as complete and accurate as possible. There is a privately owned but designated public water supply under the Department of Health that seasonally serves an existing development that needs to be recognized and included in the EIS.

Bob Callaghan – I am a year-round resident of Lake Clear since 1944. I do have a vested interest in the water quality of Lake Clear. I too am a Lake Clear trash picker. I have taken water samples for water quality assessment for 14 years. Quite frankly, I have spent the last 40 years trying to understand Adirondack Park Agency policy and terminology. I have read the report and the EIS and I am not a bit smarter for it. It is not the APA and/or DEC who are the stewards of Lake Clear – it is the people that I am looking at right now who live here. Mr. Hutchins has more of a vested interest in the environment and the water quality of Lake Clear than any private person I know. He is a long-time member of the Lake Clear Inn Association and the Lake Clear Association; he is an active supporter of the Lake Clear community and has been for decades. He has proven himself as an ardent and capable steward of Lake Clear and its surrounding properties.

Dave Duffy – Our family has been on the south shore of the lake for nearly 60 years; perhaps longer. I would like to thank Mr. Hutchins for his stewardship as well as Mr. Callaghan. These people have taken care of our lake for many, many years. I have no problem with what Mr. Hutchins is trying to do, but it makes no sense what the Park Agency is doing when they go into the 50 acres. It makes no sense to me. The original request and what it was for does make sense to me but expanding it into the 50 acres, I feel, could potentially change the character of the lake in the future.

Peter Lanihan – I live on 96 Connolly Road, the other side of the lake from Mr. Hutchins. I have been coming to Lake Clear since I was a kid. My family has 3 places on the lake. I purchased my home 2 years ago. I recognize that you have probably been here longer than I have and you probably have more of a vested interest. Before I purchased my property, I saw that a substantial part of the shoreline was classified State land, and much of the surrounding area was classified as Resource Management. I felt reasonably assured that there was not the potential for future development on Lake Clear. I was somewhat surprised to find that there was a proposed map amendment for the area. I looked at the Rules and Regulations for the definition of Moderate Intensity Use. Classifying the property as Moderate Intensity Use should be done with a careful eye toward any potential precedent that might come from the reclassification. I hope the Agency takes into account the open spaces and the character of the lake.

APPENDIX H

COMMENT LETTERS RECEIVED

72
~~80~~ Carley Drive
Lake Clear, N.Y.
12945

Mr. Matthew Kendall
Adirondack Park Agency
P.O. Box 99
NYS Route 86
Ragbrook, N.Y. 12977

Re Map Amendment 2010-02 (North
Country Partners),

Dear Matt,

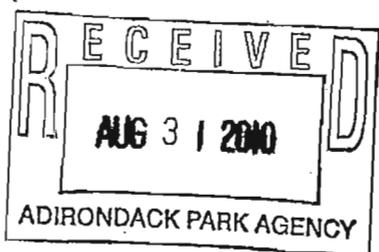
I fully support the application of
Frank Hutchins (partner of North Country) for
a map amendment in a section of Lake Clear
Inn Properties.

Frank and his wife, Jeanne have
been good steward of the environment in the
Lake Clear Community. I am confident that
they will continue to, ^{do} all possible to
preserve the beauty of the Lake Clear.

Sincerely,

William B. Hale

William B. Hale



72 Conley Road
Lake Clear, NY 12945

September 3, 2010

Mr. Curt Stiles, Chairman
Adirondack Park Agency
Post Office Box 99
Ray Brook, NY 12977



Dear Mr. Stiles:

I am writing in the matter of the proposed Map Amendment to reclassify land on the western shore of Lake Clear, from Resource Management to Moderate Intensity in response to an application by landowner, Mr. Frank Hutchins.

Like many of the people who attended the August 25th public hearing, I have been coming to Lake Clear for more than 60 years. My parents rented from Fred and Eulalia Jarvis beginning in the summer of 1940 and then they bought Balsam Bay, a property on the western shore in 1951. We, like so many of those who came to the meeting, love the lake and particularly value the quiet and lack of major development on the lake. Though I do not know Mr. Hutchins, I have no reason to believe that he has not been a responsible property owner. (Seeing the size of the building that had been the casino/boathouse of the Lake Clear Inn is a little startling though and one does wonder how it conformed to APA rules.) However we have experienced on Lake Clear that the next generation in a family may have a different attitude to preserving the character of the lake and observing the regulations set up to do just that.

I was surprised to learn at the meeting, first that many people directly affected by the proposed change had not been notified by the APA prior to the meeting and had learned about it in some other way; second that many attending felt that the decisions had all been made and that wealth had had an influence. Being a great believer in regulation to preserve the Forever Wild character of the Adirondacks that we in New York State are so blessed to have, I hope that the lack of notification was simply an oversight; and that on the second subject that the views of all citizens who live on and/or use and enjoy the lake will be heard and have the chance to affect the decision.

As I read the Draft Supplemental Environmental Impact Statement, I was confused and surprised, particularly at the APA's proposal to change the designation of a 52.3-acre area. This would certainly change Lake Clear forever. When we asked the staff present, what would have caused the land to alter in this time to warrant such a change, we were not given a satisfactory answer. Was there not a previous request by an owner on our side of the lake for a similar change, some years ago,--a request which was denied?

At the hearing in the discussion of the larger area for reclassification, it was my understanding (see p. 18) that most of the soil had limitations for septic systems. As I looked at pages 30 and 31 and read of all the likely impacts, I could see no positive effect of the change, with the exception of a possible gain in the tax base for the local community. But as part of that local community, I don't think the damage to the flora and fauna, the potential effect of more development on the quality of the water in the lake, the likely change of the character of the lake and the precedent this would set for other applicants who wanted to subdivide and develop their property, is worth whatever small tax gains might be achieved. It does not seem like a good deal for the future generations of people and other creatures who want to enjoy Lake Clear.

There has been no earthquake or other natural disaster to change the nature of that land since it was first designated as Resource Management and therefore I do not believe any plan change makes sense. It seems to me that only the owner of the property benefits. I have believed, from the start, in the mission of the Adirondack Park Agency, "to protect the public and private resources of the Park through the exercise of the powers and duties provided by law". Whatever limitations have been put on our individual behavior for the good of the whole seem worth it. Please do not approve this change, for the sake of those of us who are here now and for the generations to come. We ask you please to protect our resources.

Yours sincerely,



Karen C. Holmes

cc Ms. Terry Martino
Mr. Brian Houseal

Bengt and Polly Ohman
PO Box 216
Lake Clear, NY 12945
September 3, 2010

Matthew Kendall
Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

Reference: Draft Supplemental Environmental Impact Statement (DSEIS)
MA 2010-02 (Harrietstown)

Dear Mr. Kendall,

As year-round residents of the Adirondacks and Malone for over 40 years, including residence on Lake Clear for the past eleven years, we must express our concern re the potential reclassification from Resource Management to Moderate Intensity of property belonging to Frank Hutchins and bordering on the lakeshore (assuming Alternative 2).

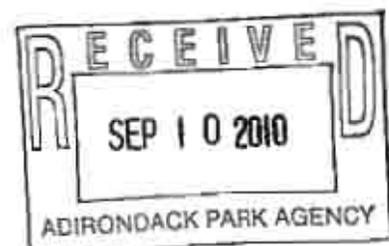
Admittedly, we are unable to address some of the effects of development on the lake, but it is known that Lake Clear is a kind of hidden treasure, and any additional motorized boat traffic, which surely is an outcome of development, will degrade our water quality. Development must entail, as well, destruction of soil, flora, and causes run-off. Open spaces are of most importance to animals and especially another treasure of our lake, the loon (increased boat traffic). Also, we understand that a creek or river runs through the proposed property and question whether development of any kind can avoid disruption of this.

There certainly seems to be a concern, relative to Alternative 2, regarding on-site wastewater treatment systems. This, of course, concerns all residents of the lake including fish and birds.

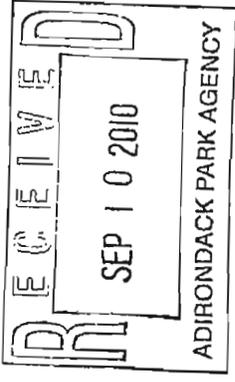
We strongly oppose reclassification of this land to Moderate Intensity and are in support of more open land, less development, protection of flora and fauna even in the smallest areas as well as awareness of and protection of water quality in our wonderful Adirondack lakes. Although I believe you do not base decisions on this, there is a strong concern on the part of several neighbors about the disruption to their ways of life development would entail. Therefore, with Moderate Intensity Use we feel there is more danger to the environment by his being allowed to build ten homes in this small area (Alternative 2) with a shorter setback and lessened shoreline allowance. Is Rural Use or Low Intensity Use a consideration that might meet Mr. Hutchins needs?

Thank you,


Polly and Bengt Ohman



13915 Cold Knot Rd
174 Savage, MD 21545
September 5, 2010



New York State
Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

Re: Proposed Amendment to the
Adirondack Park Fund Inc - etc
Map Amendment 2010-02

Dear Sirs:

As you know much of the land
around Lake Clear which is adjacent
to the proposed amendment of
land use is occupied mainly
by small cottages which were
built ^{about 40 years} ago, per letter from the
Lake Clear Land Property. These
cottages are situated on small
pieces of land and are primarily
seasonal residences. It would
appear that if there is a major
change to moderate intensity
use that the area plans to
develop, the land ultimately,
primarily residential type housing.
It seems that there are

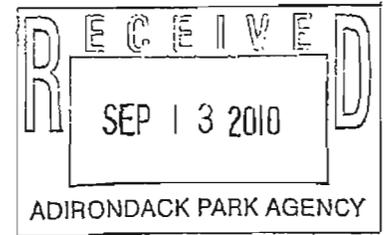
Regarding new zoning.

Shirley
September 1966

already announced for development within the existing land use classification. NOTE - No Revenue management areas will allow for restricted development or substandard acreages or in other clusters or outlying, selected and well designed sites of 1/2 acre charge is made it would appear that the Town Meeting has in more in keeping with existing land usage.

I would like to know what impact development under the proposed amendment would have on the taxes paid by existing residents home owners. So will all the impact on water usage and local sewage. Presently, Lakehurst property owners pay significant taxes just because of Lake Frontage. How would new development affect the taxes (up or down)?

I hope the emergency legislation will make up of open space property when it makes a determination



September 10, 2010

Matthew S. Kendall
Adirondack Park Agency
P.O. Box 99
Ray Brook, NY 12977

RE: Map Amendment 2010-02

We are writing in opposition to the proposed map amendment, which would allow the future construction of too many more houses in an area that is already at a reasonable density limit. The potential sewage and other runoff issues are likely to over-stress the ecological balance of Lake Clear.

Were there another land use classification, allowing say 5 or 10 additional houses, we might not object. But the possibility of dozens more houses on Lake Clear seems unreasonable and potentially dangerous to the Lake.

Sincerely,

Two handwritten signatures in cursive script, one for Thomas Marcyes and one for Sylvia Flescher.

Thomas Marcyes & Sylvia Flescher
84 Lavair Rd.
Lake Clear, NY 12945

AUG 1 20, 2016

I Peter R. Roetger approve
any of Frank Hutchins intentions
on said Lake Clear Inn Properties for
zoning reasons.

I own four (4) homes on Hart's Hwy
on the lakefront and know that his
intentions are of concern for everyone.

Peter R. Roetger

Comments on DSEIS submitted by Gregory A. Hill at August 25, 2010, public hearing
regarding Map Amendment 201-0-02

Page 16

The DSEIS does not make clear how many year-round and how seasonal seasonal residences currently exist in each of the three alternative amendment areas. It also does not specify the currently existing average building density (average lot size or buildings per square mile) in each area. Consequently, the potential development under each alternative amendment in build-out terms pursuant to the density guidelines for RM and MIU cannot be calculated, and the discussion of potential development at page 27 on the DSEIS is misleading and incomplete.

Page 18

The stated soil percentages for Alternative 2 do not add to 100%, but instead total 170%. It appears from the accompanying map that the percentage stated for the Burnham classification is incorrect.

Page 25

Under paragraph E, *Effect of Visual Resources*, the impacted “area” is not defined or delineated. Thus, the statement that the “area” is visible from the Raquette River, Simon Pond, and the Big Tupper Ski area cannot be validated, and, in fact, is incorrect with respect to the Proposed Map Amendment Area and Alternatives 1 and 2. The same comment is applicable to the statement that the “area” is located within a designated Recreational River Area. }

Page 27

The potential development discussion does not factor in the development already existing on lots that are substantially smaller than 1.3 acres in size. If this existing development were to be considered, it is likely that the overall intensity guidelines for MIU areas would be substantially exceeded upon build-out of any of the map amendment areas if an amendment were to be approved.

Also on this page, the statutory shoreline lot width and setback requirements are misstated and incoherent as presented.

Appendix A, Part D—Justification

The “property” as discussed is not defined. As a result the conclusions reached are not supported by the facts previously set forth the DSEIS.

#####

November 8, 2010

Mr. Matthew Kendall
Adirondack Park Agency

RE: MA 2010-02

Dear Mr. Kendall:

I have been retained by landowners, Mr. David Bielefield and Ms. Emily Tyner, to assist them in the matter of Map Amendment 2010-02 before the Agency and am submitting these comments on their behalf. These comments pertain to the **DRAFT** material. We will also certainly want to comment on the material that has not yet been provided for public review.

We offer the following information relevant to two aspects of the Agency's decision-making process:

1) evaluation of the environmental impacts of the action in compliance with SEQRA and 2) evaluation of the criteria for amendments to the Official APLUDP Map. In our opinion neither have been satisfied and both offer significant barriers to affirmative action by the Agency on this matter.

Relative to the EIS and the Supporting Mapping

The Composite Map of Development Limitations (Figure 9 of the DSEIS) is in error, as revealed by Agency staff field work on 11/2/2010. Extensive areas are rated incorrectly as being suitable for development. These include areas that are actually wetlands, shallow soils (high groundwater), steep slopes and areas subject to development restrictions (restricted setback and "common open space" areas). Very little of the remaining area is "suitable" for development.

Wetlands are more extensive than mapped. A wetland located in the core of the MA area is twice as large as is mapped. Also several unmapped fringe wetlands located along the shoreline of Lake Clear pose serious constraints to development. All of these wetlands have the highest value rating of "Class 1."

Disturbed wetlands -- Certain "wet areas" near the shoreline and in "draws" have been filled or drained in the past to mitigate high ground water conditions. Yet these conditions still persist and, in any event, pose limitations to development because of high groundwater.

Impacts to **Lake Clear** should be given the highest consideration, since it is classified as AA Water Quality by DEC, used as a water supply by at least 10 residences on the Lake near the MA area, and is a sensitive, low nutrient "oligotrophic" lake.

Impacts to adjoining **State Land** and to adjoining and **existing property owners** should be given the highest consideration. Increased development will adversely affect these adjoining uses, especially due to the physical constraints of the "vacant" land where development will occur.

Existing development occupies most of the **mapped "developable land."** Because of the existence of four vacant pre-existing lots of record within the proposed MA Area, a certain level of new development is already allowed. In general, the "vacant land" (where increased development intensity would likely be directed) has serious limitations to development and only a handful of suitable sites for on-site wastewater disposal exist. Siting of the dwellings currently allowed under the existing classification, even with careful environmental

review and engineered septic systems, will be difficult and will pose some unavoidable impacts to the sensitive natural resources.

The EIS should contain a **map** depicting the myriad significant **Open Space Resources** on and nearby to the MA Area including: Lake Clear, deer wintering areas, potential spruce grouse habitat, lands in forest management and public recreational activity, and the pristine Route 30 travel corridor which is also a Scenic Byway. The Harrietstown Comprehensive Plan is a good source for this information.

Pertinent Map Amendment Determinants

The presence of critical **open space resources** of paramount importance supports the Resource Management designation. Due to the configuration of the MA area, almost all is near Forest Preserve, the Lake Clear shoreline, or the Route 30 scenic travel corridor.

A revised EIS map will show that the extensive areas of **shallow soils and steep slopes** support the Resource Management designation.

Extensive areas of **critical environmental areas (e.g. wetlands, travel corridor, shoreline)** support the Resource Management designation.

Critical wildlife habitats, including wetlands, deer wintering yards, potential spruce grouse habitat, loons and bald eagles feeding on Lake Clear, and Lake Clear's quality fisheries support a designation of Resource Management.

Availability of public services. In support of Resource Management, the area is distant from hamlet services (12 miles to Saranac Lake) and has a low level of infrastructure. Bielefield and Tyner are the only year-round residents in the MA area. The area is rural/forested in character and distant from the nearest intense development. Nearby development is serviced by only a seasonal public water supply (shallow well about 50 feet from Lake Clear).

Summary evaluation of the three alternative amendments identified in the DSEIS:

Change of the complete MA area - No! The appropriate classification is Resource Management because of the intersection of many physical resource limitations, the need to protect the shoreline of Lake Clear, travel corridor aesthetic issues and the extent of other critical resources. In Resource Management the Agency would review most new land use and development, which is needed because of the sensitive resources involved.

Alternative I (23.9 acres) - this strip occupies, as well as does Alternative II, the most sensitive portion of the MA: the shoreline. The existence of limited woods roads and power lines at the periphery of this area does not justify further development considering the physical resource limitations of shallow soils and steep slopes. The unfortunate precedent of Moderate Intensity around most Adirondack lakes and in the vicinity of this amendment should not be perpetuated. This has resulted in more dense development close to shorelines, reduced APA jurisdiction, and subsequent impacts to water quality and other lake resources, in apparent conflict with the original mission of the APA Act.

Alternative II (13.3 acres) - the same conditions as described above in Alternative I persist here, except that this alternative contains a greater proportion of unsuitable land for development.

Rural Use on a portion - Both Rural Use and Resource Management are deemed to be appropriate to the open space lands of the Adirondack Park. It is a question of degree and the relative need for resource protection. The Description for Rural Use says that development is at low levels that are compatible with the protection of the ...resources. Hence the density of development must be appropriate to the resources present. Clearly this land cannot support the number of new lots that would be allowed under Rural Use; the minimum shoreline lot size in Rural Use that could be allowed without an Agency permit is only 1.84 acres!

In Rural Use very different regulatory review standards will apply to the land. Subdivision in Rural Use of up to 5 lots could be undertaken without an Agency permit. The compatible use list is weakened; junkyards, waste disposal areas, and industrial uses become compatible uses.

Low Intensity Use on a portion - the MA is not characterized by areas of deep soils and moderate slopes nor is it proximal to a Hamlet.

Moderate Intensity Use - as above and the MA does not have areas with "capable" natural resources.

Regional Scale and Approach - The Agency must consider this factor before making an amendment. It means "don't cut out a small area for amendment," but look at the total character of the Resource Management area. It would be possible in many of the Park's Resource Management areas to "cut out" small areas with few physical restrictions to development. However these developable areas are the same areas that the Park Plan contemplates the clustering of development. Any change in density on the map should be handled at the local level, if warranted. Specific amendments could be considered under an approved local land use plan or as transfers of density within a land use area to suitable areas. Typically, under a comprehensive local plan, this is done at a finer scale and would be accompanied by robust local controls and review of all development by the Town.

Summary

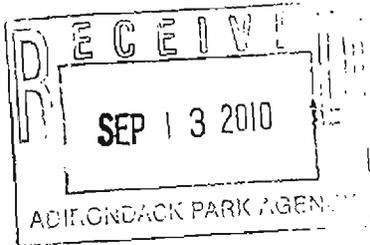
Over the past 37 years the land has been used and developed (benefitted by an APA "after the fact" permit and a pre-existing lot determination) in keeping with the **current classification** of Resource Management. Affected landowners agree with and enjoy the benefits of the current classification. Bielefield and Tyner, who own 1/5th of the proposed MA, purchased their land to enjoy the benefits of this classification. Twelve of the fourteen comments submitted for the record by landowners are in favor of keeping the current classification. No evidence exists of any error in the Map. The original drafters of the APLUDP Map designated these lands as Resource Management in recognition of the many limitations to development, the character of the area and the need to protect open space resources. The Agency should maintain the current status.

Thank you for your attention to this.

Sincerely,



Raymond P. Curran
Consulting Ecologist and Analyst



6831 State Route 30
Saranac Lake, NY
12983-3331

September 12, 2010

Matthew Kendall
Senior Natural Resources Planner
Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

**Re: Map Amendment 2010-02 (North Country Partners, LP)
Lake Clear
Town of Harrietstown, Franklin County**

Dear Mr. Kendall:

Thank you for the opportunity to comment on this proposed map amendment. We are the landowners of the 9.8-acre parcel within the "Proposed Map Amendment Area". Please refer to our September 5th letter for our full disclosures.

We are enclosing comments provided by North Woods Engineering PLLC regarding the suitability of our property for potential land use reclassification. We are submitting our own additional comments by separate letter.

Thank you for your consideration of this comment. Please contact us if you have any further questions.

Sincerely,

David Bielefield

Emily Tyner



North Woods Engineering PLLC

Joseph A. Garso, P.E.
Cindy W. Garso, P.E.

10 September 2010

David Bielefield and Emily Tyner
6831 State Route 30
Saranac Lake, NY 12983

RE: Review of Proposed Map Amendment

Dear Mr. Bielefield and Ms. Tyner;

As requested, our office is offering comments regarding the suitability of your property for potential land use reclassification. Specifically, the Adirondack Park Agency (APA) has issued a Draft Supplemental Environmental Impact Statement (DSEIS), MA 2010-02, for the proposed action of reclassifying 53.2 acres from its current land use classification of Resource Management to a new classification of Moderate Intensity. That DSEIS includes significant information such as raw data, description of the existing setting, potential development, impacts and resource uses, and growth potential.

On 3 September 2010, Cindy W. Garso, PE, completed a site visit to your property, including both the internal lands and a full boundary walk, in order to review the general topography and soil conditions, with you present. We also walked portions of the adjoining common and/or public lands, to gain a general feel for how your property fits into the larger physical landscape. However, our office's review and opinion is confined to your property only.

This summer, our office also completed the design of a replacement wastewater system for your property, as well as improvements to an existing drainage path. This has provided us with additional knowledge and information regarding conditions on your property.

In general, your land is wooded, with the open (developed) space limited to the immediate house site, some lawn, and a garden area. The non-developed portion of the land consists of a large hillside, three separate drainage paths, a separate stream with a defined bed and bank, and a mapped wetland. All of this is located within a parcel that is 9.8 acres (out of the total of 53.2 acres covered by the proposed map amendment).

The above description of the property is evident upon walking the land, but also matches the attached mapping (from NYS GIS). Please note that the attached mapping shows only an approximate property boundary, which was based upon both surveyor and tax mapping.

Page 1 of 2

348 Lake Street • Saranac Lake, NY 12983

Phone: 518-891-4975 • Facsimile: 518-891-4978 • info@north-woods-engineering.com

In addition, the information contained in the DSEIS supports our office's assessment of your land. It is either an immediate open space around your personal home, or steeply wooded, or a drainage path, or a stream, or a wetland. This translates into prime wildlife habitat as well as excellent natural treatment of Route 30's runoff before it enters Lake Clear. It also translates into poor land for development.

Our office has worked in the Adirondacks, and the Tri-Lakes specifically, for over twelve years. Ms. Garso in particular has walked thousands of acres throughout this region, with the sole purpose of reviewing the land for potential use or development. We have former and current clients who come from all backgrounds, and who have all manner of goals for their land. It has always been our responsibility to fairly assess the land, and give an honest, educated, and informed opinion regarding its potential.

Much of the work that has been completed for the DSEIS could be repeated by our office, and interpreted, and discussed. We could expend our time and your resources in order to provide more detailed mapping, additional documentation, technical appendices, classifications of various soil types, repetition of stream and wetland setback requirements, analysis of the difficulty and environmental concerns with hillside development, potential impacts to Lake Clear associated with development impacting the Route 30 drainage paths, etc. However, it is abundantly clear to anyone who simply walks your land that it is full of steep hillside, drainage areas, and wet areas. Of course, understanding that there must be documentation, please note that our assessment is confirmed not only by our review of NYS GIS mapping, but more importantly by the DSEIS information itself.

Quite simply the soil, drainage, and topography on your property are not suited to the development associated with the Moderate Intensity land use classification.

Again, we have not reviewed other lands involved in the proposed map amendment. Not only can we not comment on those lands, but we particularly note that the soils, drainage, and topography associated with your land should not in any way be interpreted as indicative of other lands involved in the proposed map amendment. We simply did not review the other lands.

We anticipate that you may elect to submit this letter, with attachments, to the APA as part of the public comment period. We take no exception to its submission, and encourage anyone involved in this process to contact our office if there are any questions.

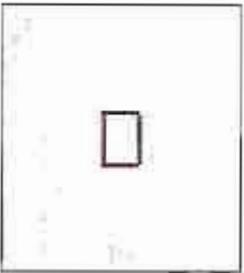
Sincerely,



Cindy W. Garso, PE

Attachments: 2 sheets, NYS GIS

Overview



Bielefield / Tyner

9/10/2010 4:54PM



Map Layers

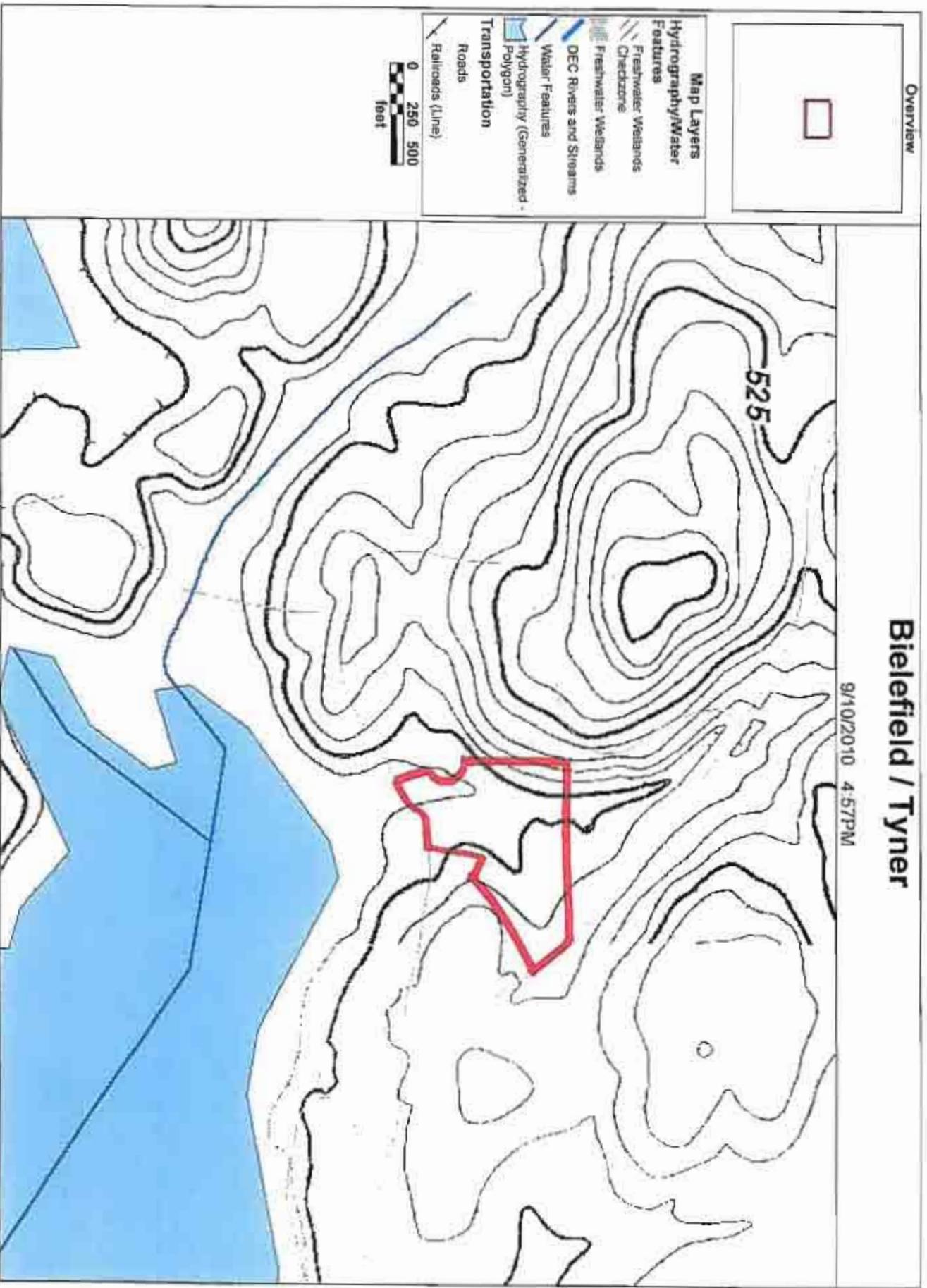
Hydrography/Water Features

- Freshwater Wetlands
- Checkzone
- Freshwater Wetlands
- DEC Rivers and Streams
- Water Features
- Hydrography (Generalized - Polygon)

Transportation

- Roads
- Railroads (Line)

0 250 500 feet



9-10-10

Public comment

RE: Proposed map amendment MA 2010-02 (Harrietstown)



We are homeowners on Lake Clear and would like to voice our concerns regarding the proposed map amendment, MA 2010-02 (Harrietstown) whereby land currently classified as Resource Management would be reclassified as Moderate Intensity Use.

In the Draft Supplemental Environmental Impact Statement (DSEIS) Summary of Environmental Impacts it is noted, "approximately 76% of the Proposed Map Amendment Area contains soils and/or slopes that pose moderate or severe limitations for conventional on-site wastewater treatment systems to function properly." The DSEIS continues to state, "improperly functioning wastewater treatment systems that do not effectively treat septic effluent can cause pollution to groundwater and/or nearby surface water." There are also concerns in the DSEIS about decreased water quality of Lake Clear due to runoff because of increased amount of impervious surface, adverse impact on flora and fauna, and degradation of the open space and visual resource.

Currently Lake Clear is classified as Class AA water quality. It supports a healthy population of common loons. There is a deepwater marsh that supports marine life near the proposed map amendment site. There is a public beach very close to the area in question. We want to protect these and other very positive attributes of Lake Clear. All too often increased development can have negative impacts. Given the real environmental concerns as noted in the DSEIS, we view the proposed map amendment as a threat to the environmental health of Lake Clear and its environs. There is nothing beneficial in changing the classification other than what we view as an increased value to the applicant's land in that it could support more development. We presume the current classification was known to the applicant when the land was acquired and we feel that is the classification the applicant must live with. The threat of environmental degradation for any reason is a concern. Any threat of environmental degradation for financial gain is, in this case specifically, unacceptable.

Respectfully submitted,

Mary & Robert Brand

Mary and Robert Brand
74 Lavair Road
Lake Clear, NY 12945,

Comments on DSEIS submitted by Gregory A. Hill at August 25, 2010, public hearing
regarding Map Amendment 201-0-02

Page 16

The DSEIS does not make clear how many year-round and how seasonal seasonal residences currently exist in each of the three alternative amendment areas. It also does not specify the currently existing average building density (average lot size or buildings per square mile) in each area. Consequently, the potential development under each alternative amendment in build-out terms pursuant to the density guidelines for RM and MIU cannot be calculated, and the discussion of potential development at page 27 on the DSEIS is misleading and incomplete.

Page 18

The stated soil percentages for Alternative 2 do not add to 100%, but instead total 170%. It appears from the accompanying map that the percentage stated for the Burnham classification is incorrect.

Page 25

Under paragraph E, *Effect of Visual Resources*, the impacted “area” is not defined or delineated. Thus, the statement that the “area” is visible from the Raquette River, Simon Pond, and the Big Tupper Ski area cannot be validated, and, in fact, is incorrect with respect to the Proposed Map Amendment Area and Alternatives 1 and 2. The same comment is applicable to the statement that the “area” is located within a designated Recreational River Area. }

Page 27

The potential development discussion does not factor in the development already existing on lots that are substantially smaller than 1.3 acres in size. If this existing development were to be considered, it is likely that the overall intensity guidelines for MIU areas would be substantially exceeded upon build-out of any of the map amendment areas if an amendment were to be approved.

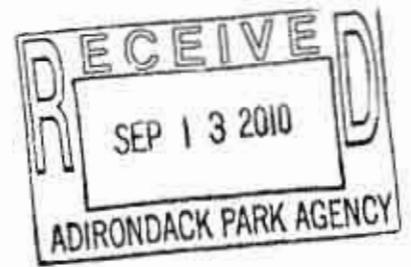
Also on this page, the statutory shoreline lot width and setback requirements are misstated and incoherent as presented.

Appendix A, Part D—Justification

The “property” as discussed is not defined. As a result the conclusions reached are not supported by the facts previously set forth the DSEIS.

#####

72 Conley Road
Lake Clear, NY 12945
September 9, 2010



Mr. Curt Stiles, Chairman
Adirondack Park Agency
P.O. Box 99
1133 State Route 86
Ray Brook, NY 12977

Dear Mr. Stiles,

I am Gene Cohen Tweraser; my address is 72 Conley Road, Lake Clear, NY 12945, tweraser@uark.edu. I have been a summer resident at Lake Clear since 1940. My family has owned property here since 1951. My husband and I pay taxes to the Town of Harrietstown and the Saranac Lake School District.

I oppose the reclassification of the Proposed Map Amendment Area MA 2010-02 as well as Alternative 1 and Alternative 2 for the reasons enumerated in the Summary of Environmental Impacts on pp. 4-6 of the Draft Supplemental Environmental Impact Statement prepared by the Adirondack Park Agency. All these negative impacts listed by the APA staff make it clear that reclassification to Moderate Intensity Use is inappropriate. Not least of these is the opening of the area to commercial uses.

I have always supported the Adirondack Park Agency. I realize the great responsibility of balancing individual interests with those of the general public while preserving the open space character of the Park.

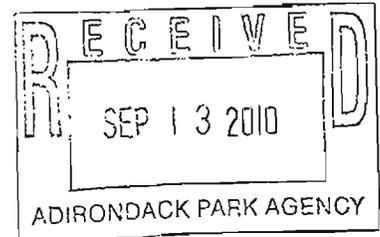
While this may not be the case, the appearance is that the large-scale (53.2 acre) reclassification was done in order to give the applicant what he wanted, which includes the right for him and his heirs to subdivide his parcel into roughly 10 lots and to include commercial development. This would be a sad precedent for the APA and would change the character of a small lake valued by locals and visitors alike. Lake Clear is known for its tranquil character, the presence of many loons, and the absence of the kind of noisy activity found on larger lakes.

We implore the APA to protect Lake Clear by mandating continuation of the Resource Management classification of all the land under consideration.

Sincerely,


Gene Tweraser (Mrs. Kurt)

cc: Ms. Terry Martino, Executive Director, APA
Mr. Brian Houseal, Adirondack Council



Environmental Impact Assessment
Map Amendment MA- 2010-02 (Harrietstown)

Soil and wetland survey

When analyzing the drainage system of the proposed Amendment Area, the most prominent hydrologic feature is an unnamed stream, which flows through the center from north to south. It originates near route 30 and empties into the lake. The stream slopes down with variable grades.

The flat segments create a wetland up to 50 yards in width, with seasonal standing water. This wetland extends from north of Carpenter Road down to the shoreline of Lake Clear. The wet banks of the stream may extend between 50 to 100 yards and cover an estimated 5 acres or more.

A significant volume of water is drained during rainstorms from the surrounding eastern and western slopes into the creek.

It is estimated that this central stream drains at least 25% of the entire proposed amendment area and efficiently channels excess moisture and dissolved matter to the lake.

The margins of the wetland surrounding the stream, sloping gently east and west, are composed of shallow soil (Dixmont). Only in certain limited areas beyond these shallow soils, is deeper soil (Berkshire) more common.

It seems that this central stream was largely overlooked in the Draft Supplement Environmental Impact (DSEI), submitted to the APA in July 2010.

The stream divides the proposed area right in the middle. The shallow soils and wetland on both banks pose severe limitations for on-site septic systems. As much as 25 % of the Amendment Area is unsuitable for building any wastewater treatment system since it could easily affect sensitive ecosystems along the stream. During heavy rains, it is likely that nutrient-rich water from inadequate septic systems could contaminate the lake as well.

Amir Yechieli MSc
Soil Ecologist

*c/o Flesher
735 W. Ridgewood Ave
Ridgewood, NJ 07450*

Anne C. Weld
P. O. Box 297
Lake Clear, NY 12945
August 24, 2010

Mr. Matthew Kendall
Adirondack Park Agency
Post Office Box 99
Ray Brook, NY 12977

Dear Mr. Kendall:

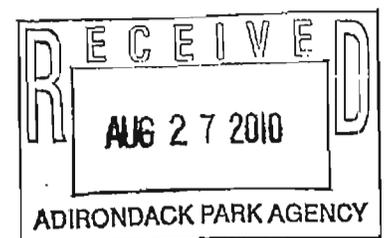
As a former thirteen year resident on Lake Clear, I am writing you to ask the Adirondack Park Agency to deny the request for change for an Amendment of the Official Adirondack Park Land Use and Development Plan Map in the Town of Harrietstown, Franklin County (Map Amendment 2010-02) to reclassify approximately 53.2 acres of land, at the request of a private landowner pursuant to the Adirondack Park Agency Act, Section 805 (2)(c)(1), from Resource Management to Moderate Intensity Use.

Further development of the Former Lake Clear Inn property would be a mistake. The beauty of life on Lake Clear was always the peace and quiet. More camps will mean more boats - undoubtedly bigger and noisier power boats, jet skis and tubing which will mean more challenges for canoers.

More camps will put undue stress on the water systems which discharge into Lake Clear providing increased nutrients for plants to clog the shoreline.

Please deny this map amendment to keep Lake Clear the lovely, pristine lake it has always been.

Very truly yours,
Anne C. Weld



6831 State Route 30
Saranac Lake, NY
12983-3331

November 8, 2010

Matthew Kendall
Senior Natural Resources Planner
Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

**Re: Map Amendment 2010-02 (North Country Partners, LP)
Lake Clear
Town of Harrietstown, Franklin County**

Dear Mr. Kendall:

Thank you for the opportunity to comment further on this proposed Map Amendment. In order to assist you and the Agency members, we are enclosing selected photos of certain portions of the lands within or adjacent to the proposed Map Amendment Area, specifically:

1. The NYS Route 30 Scenic Byway, which adjoins the Area on the north, and the Conservation Easement lands across Route 30;
2. Carpenter Drive, which crosses east-to-west through the Area, and provides the only access to the Area;
3. The unnamed year-round stream and its associated wetlands, which flows from north of NYS Route 30, through the middle of the Area, and into Lake Clear;
4. The shoreline of Lake Clear.

We are also providing you with a CD of these and additional photos, which you may use as you wish.

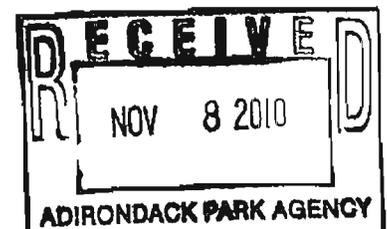
Thank you for your consideration of this comment. Please contact us if you have any further questions.

Sincerely,

David Bielefield
David Bielefield

Emily M. Tyner
Emily Tyner

1



6831 State Route 30
Saranac Lake, NY
12983-3331

August 1, 2010

Terry Martino,
Executive Director
Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

Re: North Country Partners, LP
Non-compliance with APA Permit 2009-61A
Lake Clear Inn
Tax Map Parcel 422-2-23.1
Town of Harrietstown, Franklin County

Dear Ms. Martino:

As a landowner adjoining the lands of North Country Partners, LP, I would like to inform you of certain activities occurring in non-compliance with APA Permit 2009-61A, which authorized an after-the-fact subdivision in a Resource Management land use area.

A few weeks ago, Mr. Frank Hutchins (of North Country Partners, LP) telephoned to say that he is planning to sell the shoreline portion of the property subject to APA Permit 2009-61A, and that he planned to get an APA permit to do so. Last week, I observed a lot of activity on this shoreline portion of this parcel. I heard chain saws and saw a pay loader traveling to and from the site carrying large amounts of cut logs, tree limbs and other cut vegetation across Route 30 to another portion of his property. While canoeing on Lake Clear, I observed newly cut vegetation including limbing of large trees and cutting of alders and small trees in a wetland area along a tributary to Lake Clear and along the shoreline of Lake Clear.

According to Condition #7 of APA Permit 2009-61A: "Within 35 feet of the mean high water mark of Lake Clear, no vegetation shall be cut, culled, trimmed or pruned without

prior Agency approval." Has Mr. Hutchins been granted APA approval for this recent cutting?

According to Condition #5 of APA Permit 2009-61A: "There shall be no further subdivision or new land use or development on either of the two lots authorized herein, without a new or amended Agency permit." And according to Condition #4 of APA Permit 2009-61A, no principal building is allowed on this portion of the property. Has Mr. Hutchins submitted an application to further subdivide this property?

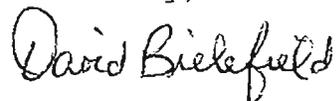
Based on Mr. Hutchins recent statements about selling a portion of the property and the recent vegetation cutting, I believe that he may be undertaking further subdivision and new land use and development before he has obtained an APA permit.

I would like you to be aware that APA Permit 2009-61A was an after-the-fact permit resulting from Agency Enforcement File E2007-336. More than once during the processing of these files, I reported shoreline cutting on this same property to the APA staff, as summarized in my May 4, 2009 letter to Colleen Parker.

To further complicate this issue, Mr. Hutchins has applied for an APA map amendment to reclassify this property from Resource Management to Moderate Intensity. How can he be undertaking a project (in non-compliance with APA Permit 2009-61A) and be applying for a map amendment at the same time? It appears that this ongoing cutting of vegetation has been changing the character of this area from former dense woods to a manicured park.

I would greatly appreciate it if you would contact me and let me know what your actions will be concerning this matter. I can be contacted at work (891-1800) or at home (891-4227). I will be forwarding a comment letter on the proposed map amendment at a later date.

Sincerely,



David Bielefield

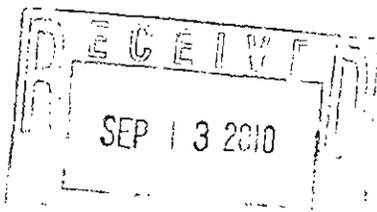
Cc: John Banta

Colleen Parker

Sarah Reynolds

John Burth

✓ Matt Kendall



6831 State Route 30
Saranac Lake, NY
12983-3331

September 12, 2010

Matthew Kendall
Senior Natural Resources Planner
Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

**Re: Map Amendment 2010-02 (North Country Partners, LP)
Reclassification of 53.2 acres from Resource
Management to Moderate Intensity Use
NYS Route 30, north shore of Lake Clear
Town of Harrietstown, Franklin County**

Dear Mr. Kendall:

Thank you for the opportunity to comment on this proposed map amendment and the Draft Supplemental Environmental Impact Statement ("DSEIS") accepted by the Agency on July 8, 2010. We are the landowners of the 9.9-acre parcel within the "Proposed Map Amendment Area", however we did not request or apply for any map amendment. We provide this comment because we have received notice of the proposal pursuant to Agency Regulations, and because it has the potential to impact our property and the surrounding lands and waters of the Adirondack Park, and our use and enjoyment of our property. Please refer to our September 5th letter for our full disclosures. We respectfully request that this letter be referenced in and made an attachment to the FSEIS.

SUMMARY

Section 805(2)(c)(5) of the APA Act provides in part:
"Before making any plan map amendment... the agency must find that the reclassification 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 classification is proposed, taking into account such existing natural resource, open space, public, economic and other land use factors..."

As detailed below in our comments on the DSEIS, the Proposed Map Amendment Area (hereafter "the Area") is consistent with character description and purposes, policies and objectives of the existing Resource Management land use area, and inconsistent with such of the Moderate Intensity, Low Intensity, and Rural Use land use areas.

The need to protect, manage and enhance, especially the forest, recreational and open space uses is of paramount importance for the Area, because of the natural resource and public considerations. Two of the three year-round tributaries and associated wetland complexes of Lake Clear are located in the Area, providing the natural resource functions and values of filtering highway runoff to maintain the excellent water quality of Lake Clear, also fisheries and wildlife habitat. In turn, these natural resources provide the public with exceptional open space use and recreational opportunities, through tourist accommodations at The Lodge on Lake Clear and at individual homes, and through fishing, swimming, boating and wildlife viewing from the NYS DEC Lake Clear Day Use Area.

The Area is characterized by substantial acreages of soils that are shallow to seasonal high ground water and bedrock, severe slopes, wetlands and critical wildlife habitats, including deer wintering yards and loon summer habitat.

Due to these valuable and sensitive resources and soils which do not easily support development, the purposes and objectives of the Area should be to protect these physical and biological resources, and to encourage proper and economic management of especially the recreational resources and to preserve the open spaces that are essential and basic to the unique character of the park. Maintaining the Area as Resource Management will do this, as well as preventing strip development along NYS Route 30, a Scenic Byway, enhancing the aesthetic and economic benefits derived from a park atmosphere along this travel corridor.

Maintaining the Area as Resource Management will allow for residential development in small clusters on carefully selected and well-designed sites. In addition to the 9 pre-existing dwellings, the Area has the potential for 4 additional dwellings on the 4 pre-existing lots of record, pursuant to an APA permit.

The Area is inconsistent with the character description and purposes, policies and objectives of the Moderate Intensity land use area. The natural resources (Lake Clear, wetlands, soils, slopes) do **not** indicate that relatively intense development is possible, desirable, or suitable. Nor is there an anticipated need for such development.

The nearest hamlet that may have any need for residential expansion is in Saranac Lake, 12 miles away. The Area is located along NYS Route 30, a Scenic byway, and along the shoreline of Lake Clear, which is not accessible by a public boat launch. In any case, the lack of existing development along Route 30 and along the shoreline of Lake Clear has established a forested and undeveloped character.

The Area is not characterized by deep soils on moderate slopes and is not readily accessible to existing hamlets.

The Area is also inconsistent with the character description and purposes, policies and objectives of the Low Intensity and Rural Use land use areas, for similar reasons, and as detailed below. In addition, if the Area or any portion is reclassified to any land use area other than Resource Management, Agency jurisdiction and review of proposed subdivision or new land use or development is severely reduced, resulting in impacts to the resources.

The information provided here and as detailed below support our position for denial of the request for a proposed reclassification of the Area or any portion to Moderate Intensity Use, Low Intensity Use or Rural Use, and maintenance of the Area as Resource Management.

We bought our land because it is located in a Resource Management land use area, has shoreline access, borders State lands, and especially because of the wild character of Lake Clear and the surrounding lands. We respectfully support denial of the request.

COMMENTS ON DSEIS

In our review of the DSEIS, we found many appropriate and informative statements, but also found room for significant additional information, clarification of statements and figures, and correction of apparent errors. Accordingly, we respectfully request that the FSEIS include, as

appropriate, the following comments, clarifications and additions, which reference page numbers of the DSEIS.

PROPOSED ACTION (Pages 10 to 14)

Both Alternatives 1 and 2 (no matter whether reclassified Moderate Intensity use, Low intensity use or Rural Use) do not protect the most valuable and sensitive resource: Lake Clear, its tributaries and associated wetlands.

We assume that the applicant has applied for this map amendment to be able to subdivide land and convey additional lots, possibly without the need for an APA permit. We believe that other alternatives to the requested or proposed map amendment may exist which may meet these objectives, with less environmental impact, including as follows:

- A. Limit the proposed reclassification Area more closely to the existing developed area only, not the vacant areas.
- B. Limit the proposed reclassification Area to one tenth mile setback (or less if possible) from NYS Route 30. This would reduce impacts to Lake Clear and its tributaries and wetlands.
- C. Limit the proposed reclassification Area to one tenth mile setback (or less) from the current Moderate Intensity boundary.
- D. Reclassify the Proposed Area or portion to Low Intensity or Rural Use instead of Moderate Intensity.
- E. Reallocation of principal building rights from other Resource Management areas owned by the applicant to the requested Area. No reclassification.
- F. Reallocation of the existing 4 single family dwelling exemptions (pursuant to APA Act 811(1)(a)) associated with the 4 pre-existing lots of record within the Area (2 of which are within the Requested Area) to areas more suitable or desirable for development. No reclassification.
- G. Increased density via a transfer of intensity pursuant to an approved local land use program.

Of these 7 options, the only one we would support is "F", because this option would result in no additional (and potentially less) environmental impact.

ENVIRONMENTAL SETTING (Pages 15 to 23)

1. Adirondack Park Land Use and Development Plan Map (Page 15):

The Area is located within 1 1/4 mile of the St. Regis Canoe Area, separated only by adjoining Wild Forest state lands, which contain both old and new forests, an assemblage of glacial features including kettlehole ponds and bogs and vernal pools, and a historic portage route described by Nessmuck in his book about his travels with the Sairy Gamp. Much of the shoreline of Lake Clear and surrounding areas are Wild Forest State lands and Resource Management lands, with some small areas of Section 480 Forest land, and Low Intensity Use and Moderate Intensity Use. A small summer Girl Scout Camp adjoins the Area on the southwest. Much of the southern shoreline is owned by NYS DOT and maintained by the Adirondack Scenic Railroad. A small resort (Hohmeyer's Lodge on Lake Clear) is located at the southeastern shoreline of Lake Clear, which hosts NYSDEC's "Becoming an Outdoors-Woman" and other wilderness programs. Thousands of acres of Resource Management lands located directly across NYS Route 30 are Taxable State Owned Conservation Easement lands, owned and managed by Paul Smiths College for forestry uses.

Due to the surrounding land use areas on the shoreline of Lake Clear, a relatively small proportion of the Lake Clear shoreline is developed. Review of Franklin County Real Property records indicates that only about 70 dwellings are located on shoreline lots or lots with shoreline access on Lake Clear, which is nearly 1000 acres in size. The general public access Lake Clear through the Day Use Area managed by NYS DEC, which has a beautiful sandy beach surrounded by forests and wetlands, and allows for launching of small non-motorized craft. In the winter, ice-fishing shanties are launched from here. The absence of a formal public boat launch limits the number motorized craft on Lake Clear and promotes fishing, sailing, canoeing, snorkeling, swimming, beach activities and wildlife viewing.

2. Existing Land Use and Services (Pages 16 and 17):

Most of the Area is located within the Lake Clear Inn subdivision, which was created in 1963 by subdivision of a former hotel/golf course resort into individual dwelling lots and 5 common lots for shoreline access, water supply and sewage disposal. Early on, the Lake Clear Inn Property Owners Association (hereafter "the Association") was formed to manage and maintain these common lots and the common right-of-ways.

The existing land uses for the Area are compatible with Resource Management areas, listed here in the order found in APA Act 805(3)(g): agricultural uses and structures, open space recreational uses, forestry uses, game preserves and private parks, private roads, single family dwellings, group camp. We have a large productive vegetable garden, berry garden and orchard that provide much of our food for the year. Many of the residents and their guests use the roads and trails in the Area for walking, biking and wildlife viewing, and for access to the adjoining Wild Forest and Canoe Area. Many residents obtain their firewood from the forests in the Area. We gather natural materials from our forest, such as birch bark and pine cones for craft projects. Nine dwellings are located in the Area. A small portion of the much larger acreage of the Girl Scout Camp is located in the Area.

The 0.4-acre vacant shoreline parcel shown on Figure 7, owned in common by the Lake Clear Inn landowners, and maintained by the Association, is used as a private boat launch and for other open space recreational uses, including swimming and wildlife viewing.

Electric and telephone services are **not** directly available to all of the parcels within the Area. Such services would need to be upgraded and extended considerable distances along private roads and across private lands to reach all of the parcels in the Area. Cell phone service is poor; high speed internet service is limited.

One of the parcels in the Area is currently served by a seasonal community water system maintained by the Association. Two parcels have drilled wells; the rest of the residential parcels draw water from Lake Clear or have shallow wells.

Only one parcel in the Area contains one single family residence occupied year-round (by us). The rest of the residences are occupied seasonally or part-time.

Figure 7 may be misleading in showing our entire 9-acre parcel as residential. Only about 1 acre of this parcel is developed as residential, about 1 acre is agricultural, and the remainder is undeveloped forest and wetlands.

Figure 7 is incorrect in showing a large area on the northerly side of NYS Route 30 as residential. This is vacant wooded conservation easement land owned by Paul Smiths College and managed for forestry.

The depiction of roads in Figure 7 is apparently based upon a Franklin County Tax Map, which is based upon a 1963 filed subdivision map for Lake Clear Inn, rather than actual field inspection. Accordingly, Figure 7 and its legend are misleading in its depiction of roads within the Area. Although all of the roads shown in Figure 7 are also shown on the 1963 Lake Clear Inn subdivision map, not all of those roads were ever constructed, including the cul-de-sac and the short spur extending into the Requested Map Amendment Area. The existing roads, including Carpenter Drive, are private 12-foot-wide wood roads, and one spur road is blocked to vehicles. These roads are right-of-ways, owned in fee by the adjoining landowners, and maintained by those landowners and the Association, not by the Town.

Existing access to the Area from NYS Route 30 is limited to Carpenter Drive, a narrow, steep, eroding wood road, privately owned, not plowed in the winter. The portion of Carpenter Drive that crosses the permanent stream and associated wetlands (to access the westerly half of the Area) is supported by a rusted-out culvert, is a safety hazard and is in need of repair. The lawfulness of this wetlands crossing is unclear. Sight distance at the junction of Carpenter Drive and Route 30 is poor, and this portion of Carpenter Drive is very steep. Another possible access from Route 30 is an unnamed very rough and steep wood road west of the Area, owned and managed by NYS DEC, which provides access to the Girl Scout Camp and State lands. However, legal status of this access is unknown, and this access is gated for portions of the year and unplowed in the winter.

3. Soils/Relative Suitability for Septic Systems (Pages 17 and 18):

To fully understand Figure 8 (Soils), one must understand its limitations.

First, note that typically, wetland areas would pose "Severe Limitations for Septic Systems". Accordingly, the wetland area identified in Figure 8 (Wetlands) on Page 21 is shown as red on Figure 8 (Soils) on Page 18, and the surrounding areas as "Moderate Limitations" (yellow). However, review of Figure 8 (Wetlands), indicates that not all the wetlands in the Area are shown on this figure (see Item 4 below). Accordingly, the Figure 8 (Soils) is apparently lacking significant areas with "Severe" (red) and "Moderate Limitations" (yellow), which would correlate with these wetlands.

Second, the Meso soil maps providing the basis for this figure have a minimum mapping threshold of 40 to 100 acres. Accordingly, Agency staff dug a total of 7 hand augur holes on 4 of the 13 lots in the Area in a best effort to provide the mapping for Figure 8 (Soils). Staff has not yet visited our lot in response to our request in our September 5th letter. Although each individual soil augur sample was likely accurately evaluated, this limited information was used as best as possible to provide mapping for a broad area. In many cases, these sample points may represent the most suitable location for a septic system in a certain larger area, and is not necessarily representative of that entire area.

Accordingly, based on our knowledge of the Area, portions of the areas on Figure 8 (Soils) shown as "Slight Limitations" (green) contain steep slopes, bedrock outcrops, and soils with shallow depth to seasonal high ground water and bedrock, which would pose Moderate or Severe Limitations for Septic Systems. As a result, the percentage (78%) given for areas with "Slight Limitations for Septic Systems" appears to be too high; and the percentage (7%) given for areas with "Severe Limitations for Septic Systems" appears to be too low.

We have hired a professional engineer to replace our pre-existing substandard on-site wastewater treatment system. Analysis of our deep hole test pit identified the depth to seasonal high ground water at 29 inches, which is shallow. Our percolation test results varied from 3 to 9 minutes per inch. This site is the best on our property that is in proximity to our home, and meets setbacks to wetlands.

The most recent draft detailed soils maps, at a minimum size delineation of about 40 acres, available from the Natural Resource Conservation Service, classify the soils

in the Area as: "Monadnock - Tunbridge - Tahawas Complex", "Rocky, very bouldery" phase, 0 to 15% slope, and "Becket - Tunbridge Complex", "Rocky, very bouldery" phase, 15 to 35% slope. Staff may want to update Figure 8 and the associated text to this more accurate classification.

4. Surficial Hydrology and Wetlands (Page 21):

The Area contains almost 2000 feet of shoreline on Lake Clear, which is a dam-controlled lake, 998 acres in size, with a mean depth of 28 feet and maximum depth of 60 feet. Water quality in Lake Clear is excellent; Secchi disk transparency is typically at about 6 meters, as measured by volunteers with the NYSDEC Citizen's Statewide Lake Assessment Program (CSLAP) since 1998. Two of the three year-round tributaries to Lake Clear are located within the Area, providing a significant portion of the surface and ground water inputs, and having a significant impact on the water quality of Lake Clear.

Figure 8 does not show the entire wetland associated with the year-round stream that runs in a north-south direction through the center of the Area, probably because this figure is based on air photo interpretation rather than a site visit. The wetland (and the associated stream) shown in this figure actually extends nearly continuously from north of NYS Route 30 to the shoreline of Lake Clear, interrupted only by culverts under NYS Route 30 and Carpenter Drive, a short steep section of the stream, and a breached concrete dam nearer to the Lake. This wetland forms a complex with forested and shrub wetlands, emergent marsh, and deepwater marsh extending along the much of the shoreline of Lake Clear within the Area. Several intermittent streams and drainages within the Area, including a smaller wetland to the west, contribute to this wetland complex. This wetland complex serves an important function of filtering and treating highway runoff, helping to maintain the water quality of Lake Clear. The Area may contain at least 5 acres of wetlands, not 3.6 acres. The exact acreage of this wetland complex and its value rating has not yet been determined, as Agency wetlands staff have not yet evaluated the wetlands in the Area in response to our September 5th request.

The Area is located within a much larger aquifer recharge area. This recharge area serves the wetlands and tributaries of Lake Clear as well as Lake Clear. Portions

of the Area along the shoreline of Lake Clear and along the two streams may be considered floodplains.

5. Visual Considerations (Page 22):

The entire Area, especially the forested hillsides, is visible from much of Lake Clear and the surrounding shoreline. Due to the surrounding ownership patterns, much of the shoreline of Lake Clear and surrounding hillsides are forested.

A portion of the Area is located within the NYS Route 30 highway CEA. This portion is forested except for our driveway and Carpenter Drive. NYS Route 30 is a designated Scenic Byway: "The Adirondack Trail."

Limited development in the Area and surrounding areas allows for excellent "dark sky" conditions for star-gazing.

6. Historic Considerations:

Many of the "camps" within the Area and on the shoreline of Lake Clear are more than 50 years old, and some more than 100 years old, most well preserved. The Area is located within Lake Clear Inn, a former hotel and golf course resort that operated from at least 1912 through the 1950's. Although the commercial buildings have been removed, and much of the golf course is now forested, many of the historic camps associated with the Inn remain as homes, including the cottage-style home of the original owner. Our gardening activities have revealed some historic artifacts such as glass bottles and pottery, probably from the Inn. Several of the buildings on the adjoining Girl Scout lands are at least 100 years old, having been part of a former Great Camp, and their stone fireplaces and fine interior woodwork have been maintained. The "Einstein Cottage", Hohmeyer's Lodge on Lake Clear, the Lake Clear Junction train station, Charlie's Inn, Adirondack Presbyterian Church, and St. John in the Wilderness Catholic Church are a few of the local historic structures. The remains of an early hydroelectric power plant is located at Lake Clear Outlet.

7. Noise Considerations:

Development within the Area and on the shoreline of Lake Clear and surrounding areas is currently low. As a result, the number and extent of motorized vehicles, motor boats,

and lawnmowers is limited. Few boats launch at the common boat launch parcel. Public highways adjoin only limited portions of Lake Clear. All of these factors result in a quiet character.

8. Air quality Considerations:

Because the number of year-round residents in the Area and surrounding areas is limited, few wood stoves, chain saws and motorized vehicles are used, resulting in excellent overall air quality.

9. Biological and Ecological Considerations:

Mixed deciduous and evergreen forest, both mature and immature, cover most of the vacant lots in the Area and most of our 9.9-acre lot. This forest is continuous with forests in the surrounding areas, including state Wild Forest and St. Regis Canoe Area lands, providing a mostly unbroken undeveloped forested area for wildlife.

The Area contains shoreline, including a diverse and extensive deep water marsh, emergent marsh, shrub and forested wetland complex associated with two of the three year-round tributaries to Lake Clear. In walking, wading and snorkeling this area since 2005 to monitor for invasive wetland and aquatic plant species (as a volunteer for the Adirondack Invasive Species Program), I have identified a diverse community of native plant species. No aquatic invasive exotic plant species (e.g. Eurasian Milfoil) are found in Lake Clear, and so far, I have been able to control the few upland invasive plant species in the vicinity.

This wetland plant community and the surrounding mixed deciduous and coniferous upland forest support a diverse community of fish, frogs, turtles, salamanders, snakes, crayfish, clams, insects, birds and mammals. The wild vegetated cover of the wetlands and surrounding uplands provides shade for cool water temperatures and a safe breeding area for amphibians, fish and other species. According to NYSDEC, fish species in Lake Clear include brown trout (stocked), northern pike, yellow perch, rainbow smelt, landlocked salmon (stocked), largemouth bass, whitefish, brown bullhead, and pumpkinseed. Lake Clear is rated by DEC as one of the "top fishing waters" for salmon and pike. Loons, grouse, timberdoodles, several species of ducks, blue herons, bald eagles, owls, bats, and numerous

songbirds are regularly sighted within the Area and on Lake Clear. In the spring, frogs create a deafening chorus in the wetland located in the center of the Area, and are visible throughout the summer in the surrounding areas. Deer and numerous species of small mammals are regularly sighted as well as fox, coyote, bear, weasel, beaver. The Area contains extensive deer wintering areas.

10. Economic considerations

The Lodge on Lake Clear, and the seasonal rental of individual dwellings to tourists, both within Lake Clear Inn and on the shoreline of Lake Clear, provide an economic benefit to the landowners and to local merchants. The Girl Scout Camp provides day and overnight programs for girls and their families in the summer season. Public access for recreation is provided by the NYSDEC Day Use Area and by several other informal access points through the surrounding Wild Forest state lands. Lake Clear is a popular recreational area due to its natural resources, supporting the local economy in many ways.

ENVIRONMENTAL IMPACTS (Pages 23 to 25)

A. Pages 23 to 24 (On-site Sewage Disposal):

As stated in Item 3 above, Figure 8 (Soils) appears to need some adjustment. Accordingly, Figure 9, which is a composite of the soils and slopes figures, appears to also need some adjustment. As a result, the percentage (24%) given for areas with "Slight Limitations for Development" is too high; and the percentage (33%) given for areas with "Severe Limitations for Development" is too low.

Please be aware of the limitations of Figure 9. This Figure does not show setbacks from lakes, streams and wetlands, and potable water supplies. It also does not show roads, the cul-de-sac, the common boat launch parcel, all of which are restricted from development.

It is our understanding that even a well-designed, installed and maintained on-site sewage disposal system **cannot** fully treat all components of wastewater. In addition, sites with more limitations for development (i.e. steeper slopes, soils with shallow depth to groundwater and bedrock, bouldery soils, and soils with fast percolation rate), require expensive engineered systems, which, as a

practical matter, are often not installed, resulting in additional impacts to groundwater and surface waters. Our own replacement system will cost about \$20,000. Accordingly, increased density of development allowed by the proposed reclassification will likely have a significant impact on the ground and surface water resources.

B. Page 24 (Developed Area Storm Water Runoff):

Increased density of development allowed by the proposed reclassification will likely increase the stormwater runoff, resulting in significant impacts on the ground and surface water resources.

C. Page 25 (Effects on Water Resources):

Increased density of development allowed by the proposed reclassification will likely have a significant impact on the water quality of ground and surface water resources. The unregulated water resources such as small wetlands and drainages, which are important for amphibian breeding areas and for treatment of highway runoff, will be unprotected.

D. Page 25 (Effects on Fisheries and Wildlife):

Increased density of development allowed by the proposed reclassification will likely have a significant impact on the wildlife. Amphibians, which rely on both uplands and small wetland areas to complete their life cycle, will likely be most impacted by loss of habitat. The fishery will be impacted by loss of aquatic and wetland vegetation that provide food and cover. Loons will be impacted by increased boat traffic, loss of aquatic vegetation, and impacts to fisheries. Deer wintering areas will likely be lost.

E. Page 25 (Visual Resources):

Increased development allowed by the proposed change in land use classification, will result in clearing of the existing forest on the shoreline and hillsides and hilltops both for actual construction and for views of the lake. Such clearing will likely have an adverse effect on the visual resources of the entirety of Lake Clear. Increased development will also likely result in more night-time outdoor lighting, will impacts on star-gazing and wildlife.

(NOTE the following 2 corrections to this section of the DSEIS: 1. The Area is **not** visible from the Raquette River, etc.; and 2. The Area is **not** located in a designated River Area.)

F: Page 25 (Historic Impacts):

Increased development allowed by the proposed reclassification will, at minimum, impact the character of the Area and the setting for these historic structures described above.

G: Noise:

Increased density of development allowed by the proposed reclassification will likely result in more vehicles, boats, and motorized lawn and garden equipment, resulting in increased noise levels.

H: Air quality:

Increased density of development allowed by the proposed reclassification will likely result in more vehicles, boats, motorized lawn and garden equipment, and wood stoves, resulting in poorer air quality.

I: Biological and Ecological:

Increased density of development allowed by the proposed reclassification will likely have a significant impact on the biological and ecological resources. Development will result in more boats, docks, shoreline traffic, resulting in impacts to aquatic and wetland vegetation, and breeding and feeding areas for birds, fish, amphibians, turtles, crayfish. Invasive exotic species will be more likely to be introduced, resulting in loss of wildlife habitat and recreational opportunities. Portions of shoreline vegetation will be cleared, resulting in loss of wildlife habitat and aesthetic impacts. Note that this last item has already occurred recently in the Requested Map Amendment Area.

J. Economic Impacts

Increased density of development allowed by the proposed reclassification will likely impact the natural resources, visual resources and recreational opportunities that

support tourism, the Lake Clear Day Use Area, the Girl Scout Camp, and the wilderness programs at the Lodge on Lake Clear.

POTENTIAL DEVELOPMENT (Page 27)

Although the maximum potential development of the Area or the surrounding lands may not be achieved in a lifetime, any decision should be based on the long-term consequences of this proposed reclassification. Accordingly, we provide here some information on the legal status of these lands, as relates to this potential.

The Lake Clear Inn subdivision consists of: much of the 45-acre Resource Management portion located within the Area, a 36-acre Resource Management portion located across NYS Route 30 (also owned by the applicant), and a 22±-acre Moderate Intensity Use portion located adjacent to the eastern boundary of the Area. In 1992, after extensive analysis by APA staff, only the Moderate Intensity Use portion of Lake Clear Inn was determined to be a pre-existing subdivision; the Resource Management portions were specifically determined not to be so. This determination was based the status of those portions as of August 1, 1973, including specifically the low level of infrastructure, improvements and structures related to the subdivision; and the number of individual lots sold.

A. Number of dwellings:

The maximum potential development for the existing 22±-acre Moderate Intensity Use portion of Lake Clear Inn is roughly 8 new or pre-1973 replacement dwellings in addition to the 20 pre-existing dwellings. The density of development in this area has actually been reduced since the 1963 subdivision, due to the removal of the commercial buildings and at least 7 cabins over the last 40 years, which gives this area a more rural appearance than one would expect for Moderate Intensity Use lands.

If the 52.3-acre Area remains classified as Resource Management, the maximum potential development for the Area is 4 new dwellings (on the 4 vacant pre-existing lots of record) in addition to the 9 pre-existing dwellings.

If the 52.3-acre Area is re-classified as Moderate Intensity Use, the maximum potential development for the

Area is at least 34 new dwellings in addition to the 9 pre-existing dwellings. This would be a 50% increase in the 70 existing dwellings on lots having shoreline or shoreline access on the **entirety** of Lake Clear.

B. Shoreline Access

We assume that any new lots within Lake Clear Inn would have deeded access to the common shoreline access lots and other common lots, and common right-of-ways. The total shoreline frontage for the common lots in Lake Clear Inn, (both Resource Management and Moderate Intensity portions) is about 475 feet. If the Area is reclassified to Moderate Intensity Use, and then fully developed along with the existing Moderate Intensity Use portion of Lake Clear Inn, then a total of 42 new dwellings in addition to the total of 29 pre-existing dwellings would have deeded shoreline access to Lake Clear, including the boat launch. This would result in a significant increase in the intensity of use of these shoreline access parcels and of Lake Clear itself.

C. APA Review of Future Subdivision and Development:

In a Resource Management land use area, all subdivisions of land, and most new land use or development require an APA permit, which allows for a thorough review of the proposed development in accordance with the law. In a Moderate Intensity land use area, only those subdivisions involving wetlands, or containing a substandard-size lot, or exceeding 14 lots would require an APA permit. Unless related to such subdivision, most new land use or development, including dwellings, would not require an APA permit. Accordingly, if the land is reclassified from Resource Management to Moderate Intensity Use (or to any other land use area), much more subdivision and new land use and development could occur without further APA review. And, as Town review is based on limited Town Regulations and Codes, any proposed subdivision or new land use and development is more likely to result in impacts to resources.

D. Shoreline Setback:

In a Resource Management land use area, the required shoreline structure setback is 100 feet. In a Moderate Intensity land use area, the required shoreline structure

setback is 50 feet. A change in classification would result in more structures closer to the shoreline with the resulting water quality and visual impacts. Since a portion of the shoreline in the Area is steep, this could result in development in such locations with significant impacts.

E. Shoreline Lot Width:

The Area contains about 2000 feet of shoreline. If the Area remains classified as Resource Management, where 200 feet of shoreline lot width is required for each single family dwelling, the maximum number of dwellings on shoreline lots would be 10. As 8 shoreline lots already contain pre-existing dwellings, a maximum of 2 shoreline building lots could be created. If the Area is reclassified to Moderate Intensity Use, where 100 feet of shoreline lot width is required for each dwelling, the maximum number of dwellings on shoreline lots would be 20. As 8 shoreline lots already contain pre-existing dwellings, a maximum of 12 shoreline building lots could be created. This would have a significant impact on the resources of Lake Clear.

F. Compatible Uses:

Review of APA Act 805(3) indicates that compatible uses listed for Moderate Intensity Use areas, but not listed for Resource Management areas include: cemeteries, multiple family dwellings, mobile home courts, public and semi-public buildings, commercial uses, tourist attractions, marinas, commercial seaplane bases and airports.

Pursuant to APA Act 809(10), in order for the Agency to approve a proposed project, the Agency must make 5 determinations, one of which is that the project is compatible with the character of the land use area in which it is proposed to be located. Although an Agency permit would be required for projects involving these uses in any land use area, if the Area remains Resource Management, a project applicant for one of these incompatible uses would have to demonstrate to the Agency that the use is compatible. If the Area is reclassified to Moderate Intensity Use, the Agency would assume compatibility. This is a significant factor in a determination of issuance of an Agency permit for a project involving any of the uses described in the previous paragraph.

(Note the following correction to this section of the DSEIS, Page 27, paragraph 2: Lands classified as Moderate Intensity Use **do** have overall intensity guidelines.)

LAND AREA AND POPULATION TRENDS (Pages 28 to 29)

This list is missing a large acreage of Wild Forest, and small acreages of Canoe Area and State Administrative.

APPENDIX A

We respectfully disagree with the contents of the Justification section of the map amendment application, provided by the applicant, and attached as Appendix A. Please see our "Summary" on Page 1 of this document.

APPENDIX B

This list is missing the Resource Management description.

OTHER COMMENTS

A. The Village of Saranac Lake and the Town of Harrietstown have prepared a Draft Comprehensive Plan for the Village and the Town, which includes all of Lake Clear. Any proposed map amendment for this area should be done in conjunction with these Town Planners. At minimum, the resource maps and analysis prepared for the Plan should be considered in any map amendment decision, in keeping with the intention of APA Act 805(2)(c)(5).

B. The Adirondack Park Land Use and Development Plan classified many of the shorelines of the Park as Moderate Intensity Use, with limited regulation of these areas. Many have criticized this aspect of the Plan because this classification does not protect some of the most important resources of the Park: the water quality, scenic, ecological and open space resources of the lakes. Lake Clear is fortunate to have so little of its shoreline classified as Moderate Intensity Use. When we visit other lakes whose shorelines contain mostly Moderate Intensity Use, the difference is impossible to miss, in terms of the intensity of development, the resulting impacts to resources, and the overall aesthetic quality. Development should be clustered next to existing developed areas such as roads and hamlets, and away from sensitive resources

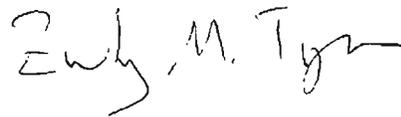
such as lakes and wetlands and blocks of forest.
Accordingly, this Area should remain Resource Management.

This concludes our comments at this time. Thank you for your time and consideration. Please contact us if you have any further questions.

Sincerely,



David Bielefield



Emily Tyner

6831 State Route 30
Saranac Lake, NY
12983-3331

September 5, 2010

Matthew Kendall
Senior Natural Resources Planner
Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

**Re: Map Amendment 2010-02 (North Country Partners, LP)
Lake Clear
Town of Harrietstown, Franklin County**

Dear Mr. Kendall:

Thank you for the opportunity to comment on this proposed map amendment. We are the landowners of the 9.8-acre parcel within the "Proposed Map Amendment Area" (hereafter "the Area").

First, we offer our disclosures. I (David Bielefield) have been a Public Health Inspector and now a Senior Sanitarian at the NYS Department of Health since 2000, however I have never professionally worked on any aspect of the lands within the Area. I (Emily Tyner) have been an enforcement officer in the Legal Division of the NYS Adirondack Park Agency since 1994, however I have never worked in the Planning Division, have never been involved in any map amendment, and have never professionally worked on any aspect of the lands within the Area. We provide this comment as landowners within the Area, who have received notice of this proposed map amendment in accordance with Agency Regulations, and because this proposed map amendment has the potential to impact our property and the surrounding lands and waters, and our use and enjoyment of our property.

We will be submitting more complete comment before the September 13th deadline. The purpose of this letter is to request that Agency staff visit our property as part of their review of the Area. Our review of records access request materials indicate that Agency staff, including a soil scientist, reviewed four other properties in the Area

in September 2009. Based on our review of these materials, we believe that substantial areas of soils on our property differ significantly from those found on the other properties, and are also inconsistent with the soils maps in the DSEIS. In addition, we believe that the Area, including our property, contains significant areas of wetlands and drainages that are not shown on the resource maps in the DSEIS.

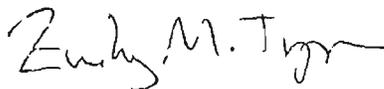
Accordingly, we would like to schedule a visit with you to our property, including Agency soils and wetlands staff. The visit would be best done before September 24th, as we plan to be out-of-town for several weeks shortly after that date.

Thank you for your consideration of this request. We look forward to your positive response.

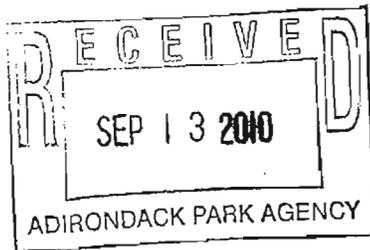
Sincerely,



David Bielefield



Emily Tyner



September 13, 2010
Marshall D. Gates III
170 Golf Avenue
Pittsford, NY 14534

Adirondack Park Agency
Box 99
Ray Brook, NY 12977

Re: Map Amendment 2010-02 (North Country Partners, LP)

To: APA agency and Matthew Kendall

I am a landowner at Lake Clear and totally opposed to any changes in land use categories in the Lake Clear area. I hope the agency upholds the ideals and intent of the park and its theme of preserving our beautiful land and the animal habitats associated with it. Lake Clear shoreline is about 75% unspoiled and wild. Bald Eagles are seen in the exact area where this change is being considered. Loons and Mergansers are commonly seen and heard. Water quality is good. Canoeing and kayaking are still enjoyable on the lake.

The main drawback I see to the lake is motor boats are allowed on the lake and zip around too often and often without regard to swimmers and other boaters. Eased land use restrictions will only increase motor boat traffic and cause a further decline to the beauty, peacefulness, and wildlife of Lake Clear. Further development in the proposed change area will also drive wildlife to fewer and fewer available sites. Please uphold the intent of the park and stop further destruction of this beautiful spot.

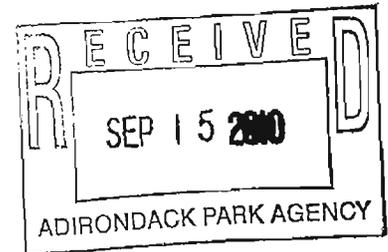
The proposed area of change is already overpopulated with cottages and is under a grandfather clause as far as zoning regulation. In my opinion the Town of Harrietstown has not had a very good record for upholding current zoning laws and building regulations and I would not be in favor of giving them any more leeway in land use in the Lake Clear area.

I am relying on the integrity of your agency to make the right choice.

Sincerely,

Marshall D. Gates III

**M. Peter Lanahan Jr.
96 Conley Road
Lake Clear New York**



Matthew Kendall
Adirondack Park Agency
Raybrook, N.Y.

Re: Comments on Lake Clear re-Mapping Proposal

September 10, 2010

Dear Mr. Kendall,

Thank you for the opportunity to comment on the proposal to re-map Resource Management lands near Lake Clear to Moderate Intensity Use. I am opposed to the proposal, because it threatens to significantly alter the existing character of the Lake Clear area, as reflected on the current Map.

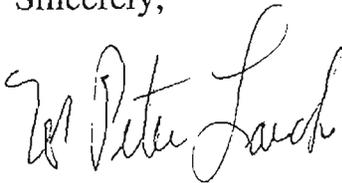
I purchased property on Lake Clear two years ago after using the existing Map as a guide to the future development that will take place in the area. In making my decision to purchase property on Lake Clear, I depended upon the Map as a guide because it is established in the Park Agency Law as the Land Use and Development Plan for the Park. Significantly altering the Map without a beneficial public reason to do so is contrary to the intent of the statute, especially when re-mapping proposals threaten to significantly change the existing land use pattern of the area.

All alternatives set forth in the Environmental Impact Statement potentially change the character of the area. The fifty-acre alternative involves a large tract of land, as does Alternative One. The development potential created by re-classifying large tracts such as these to Moderate Intensity Use is significant, as it creates the possibility to build numerous houses on small lots both along the shoreline and on the uplands, where they would be visible from the Lake. The thirteen-acre proposal, Alternative Two, would have relatively small immediate impacts, but would create an undesirable

and significant precedent for the future that could affect large, single owner tracts nearby. These tracts are currently and properly mapped as Resource Management lands, and are largely undeveloped. Moreover, they contain extensive footage along the shoreline of the Lake and are visible from the highway corridor.

I therefore urge the Agency to take no action on the proposed Amendment. However, if the Agency is intent on making a change, the change should be as minimal as possible and the lands should be reclassified to allow as little development as possible. A decision of this nature would be consistent with the goal of preserving the overall land use pattern that is presented on the current Land Use and Development Plan. This Plan was adopted after extensive Legislative oversight and public review.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. Peter Lanahan Jr.", written in dark ink.

M. Peter Lanahan Jr.

September 13, 2010

Mr. Matthew Kendall
Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977

Reference: MA 2010-02 (Harrietstown)

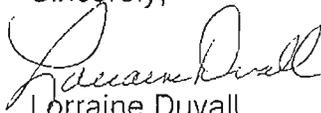
Dear Mr. Kendall,

I'm concerned about the proposed referenced map amendment and it's ramifications for the environmental effects and the aesthetics of Lake Clear. As you state in the DSEIS, pg 32, "the consequent loss of forest and open space resources and degradation of water quality are the primary irreversible commitment of resources." and that the economic gain to the local community is questionable. Is it possible that the economic impact may be negative, because of the decrease in the environmental integrity? I question whether there would be any increase in year-around population - second home ownership is more likely.

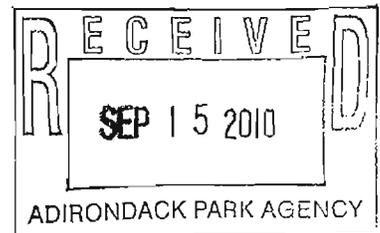
Moderate Intensity would be the worst possible outcome. At least Rural Use or Lower Intensity Use would have less of an environmental impact.

As a canoist, I appreciate paddling on Lake Clear as it has little development and few motorboats. I'd hate to see this end. We need more quiet waters, not more motor noise and water pollution.

Sincerely,



Lorraine Duvall
Keene, NY 12942
518-576-9109



APPENDIX I

FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FILE LIST

FSEIS File List

COPIES OF THE FSEIS WERE SENT TO THE FOLLOWING:

Department of Environmental Conservation
Division of Environmental Permits
625 Broadway
Albany, New York 12233

Department of Environmental Conservation, Region 5 Office
Regional Director
Department of Environmental Conservation
PO Box 296
Ray Brook, New York 12977

Larry L. Miller
Town of Harrietstown Supervisor
39 Main St
Saranac Lake, NY 12983

Frederick H. Monroe, Executive Director
Adirondack Park Local Government Review Board
P.O. Box 579
Chestertown, New York 12817-0579

William H. Kissel
P.O. Box 1598
Lake Placid, NY 12946