



Adirondack Park Agency

SHERMAN CRAIG
Chairman

TERRY MARTINO
Executive Director

In the Matter of the Application of

Town of Crown Point

for an Amendment to the Official
Adirondack Park Land Use and
Development Plan Map

SEQR FINDINGS
STATEMENT AND ORDER

MA 2016-03

SUMMARY

The Adirondack Park Agency has received an application from the Town of for an amendment to the Official Adirondack Park Land Use and Development Plan Map (the Official Map) from the Town of Crown Point, Essex County. The Town is requesting that approximately 6.4 acres be reclassified from Low Intensity Use to Hamlet.

The requested map amendment area is defined by “regional boundaries” as required by Section 805 (2) (c) (5) of the Adirondack Park Agency Act (APA Act) and described in the Agency’s Final Generic Environmental Impact Statement (FGEIS) on the map amendment process (August 1, 1979). This requested area is referred to in this document as the *Proposed Map Amendment Area*.

Pursuant to the FGEIS, a Draft Supplemental Environmental Impact Statement (DSEIS) was filed on July 14, 2016. A public hearing was held on August 17, 2016 at the Crown Point Town Hall, and the public comment period concluded on Spetember 2, 2016. On September __, 2016 the Agency filed a Final Supplemental Environmental Impact Statement (FSEIS).

After review of the FGEIS, based upon the facts and conclusions in the FSEIS, as set forth following, and based upon the criteria set forth in Section 805 of the Adirondack Park Agency Act, the Agency approved the reclassification of the 6.4 acre Proposed Map Amendment Area from Low Intensity Use to Hamlet.

At its regular monthly meeting in Ray Brook, New York on September 16, 2016, the Adirondack Park Agency adopted the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Proposed Map Amendment Area is described as follows:

Beginning at a point at the intersection of the centerlines of Putnam Creek and the centerline of NYS Route 9N/22; thence in a southerly direction along the centerline of NYS Route 9N/22 to a point at the intersections of the centerlines of State Route 9N/22 and Porter Mill Road; thence in a westerly direction along the centerline of Porter Mill Road to a point one-tenth mile (528 feet) from the centerline of NYS Route 9N/22; thence in a northerly direction at a constant and parallel distance of one-tenth mile from the centerline of NYS Route 9N/22 to the centerline of Putnam Creek; thence in an easterly direction along the centerline of Putnam Creek to the point of beginning.

2. The USDA Natural Resource Conservation Service (NRCS), in its Soils Survey for Essex County, has identified four soil map units with three soil types within the Proposed Map Amendment Area: Dunkirk silt loam (69%), Rippowam fine sandy loam (27%) and Collamer silt loam (5%).
3. The topography of the Proposed Map Amendment Area ranges from generally flat to moderately sloping. Slopes ranging from 0 to 3% comprise approximately 24% of the Proposed Map Amendment Area. Generally, slopes in this range are free from most building and development limitations, although there may be problems associated with poor drainage. Slopes ranging from 3% to 8% comprise approximately 52% of the Proposed Map Amendment Area. Slopes in this range are relatively free of limitations due to topography and pose little or no environmental problems due to topography. Slopes ranging from 8% to 15% comprise approximately 21% of the Proposed Map Amendment Area. Slopes in this range can pose moderate limitations for development which can be overcome with careful site design. Slopes ranging from 15% to 25% comprise approximately 3% of the Proposed Map Amendment Area. Slopes in this range can pose moderate to severe limitations for development. Slopes above 25%, which pose severe limitations for development, appear to be less than 1% of the area. Figure 6 shows the slopes in the Proposed Map Amendment Area.
4. The elevation in the Proposed Map Amendment Area ranges from approximately 100 feet to approximately 125 feet in elevation.
5. There is less than 1 acre of wetlands located along the northern boundary of the Proposed Map Amendment Area. This wetland is associated with Putnam Creek.

6. The primary hydrological feature in the Proposed Map Amendment Area is Putnam Creek, which is the northern boundary of the area. NYS Department of Environmental Conservation has classified Putnam Creek as a Class C(T) surface water, which indicates that its best usage is fishing and is a designated trout water.
7. The Proposed Map Amendment Area is located along NYS Route 9N/22. NYS Department of Transportation estimates that the average daily traffic on this road in 2014 was 3,313 vehicles.
8. There are no known occurrences of rare, threatened or endangered species or key wildlife habitats in the Proposed Map Amendment Area.
9. The wetlands within the Proposed Map Amendment Area are a statutory Critical Environmental Areas (CEA) pursuant to the Adirondack Park Agency Act.
10. The Proposed Map Amendment Area is serviced by NYS Route 9N/22, a State highway, and Porter Mill Road, a hard-surfaced, Town maintained road.
11. The Hamlet of Crown Point lies immediately adjacent to the Proposed Map Amendment Area, the Hamlet of Port Henry lies approximately 7 miles north of the area via NYS Route 9N/22, the Hamlet of Ticonderoga lies approximately 8 miles south of the area via NYS Route 9N/22.
12. The Proposed Map Amendment Area is served by public water and sewer. The water and sewer distribution lines are located along the NYS Route 9N/22 and Porter Mill Road.
13. According to data obtained from Essex County Office of Real Property Tax Service and the NYS Office of Real Property Services (ORPS), there are three single family year-round dwellings, a portion of one commercial lot and a portion of one vacant lot with an improvement within the Proposed Map Amendment Area.

ENVIRONMENTAL EFFECTS

Significant impacts may result from changes in the amount of allowable new development in The Proposed Map Amendment Area. They are described as to each area in the Draft and Final Supplemental Environmental Impact Statements published for this action, and detailed in the maps therein, showing the locations of sensitive resources, and summarized as follows:

- 1) **Decrease in Water Quality:**
Development at intensities permitted by Hamlet could increase runoff, and associated non-point source pollution of streams and wetlands. Such problems arise when precipitation runoff drains from the land into surface waters and wetlands. The volume of runoff from an area is determined by the amount of precipitation, the filtration characteristics related to soil type, vegetative cover, surface retention and impervious surfaces. An increase in development of the area would lead to an increase in surface runoff to the landscape and nearby wetlands, due to the elimination of vegetative cover and the placement of man-made impervious surfaces.
- 2) **Erosion and Sedimentation:**
Surface water resources could be impacted by activities which tend to disturb and remove stabilizing vegetation and result in increased runoff, soil erosion, and stream sedimentation. Erosion and sedimentation may destroy aquatic life, ruin spawning areas and increase flooding potential.
- 3) **Adverse impacts to flora and fauna:**
The proposed action to change to a less restrictive classification may lead to adverse impacts upon flora and fauna due to the potential increase in development adjacent to wetlands subject to Agency jurisdiction under the Adirondack Park Agency Act and the New York State Freshwater Wetlands Act. An increase in development can lead to an increase in ecosystem fragmentation, degradation of habitat, and disruption of wildlife movement patterns. The pollution of surface waters, as discussed above can also degrade wildlife habitat.

CONCLUSIONS OF LAW

HAVING DULY CONSIDERED the above Findings of Fact and the facts and conclusions from the FSEIS set forth in the above discussion of Environmental Effects, the Agency makes the following Conclusions of Law:

1. The Agency has given consideration to the Final Generic Environmental Impact Statement, "The Process of Amending the Adirondack Park Private Land Use and Development Plan Map," August 1, 1979 and the Draft and Final Supplemental Environmental Impact Statements, and all requirements of 6 NYCRR Part 617 have been met.
2. Reclassification of The Proposed Map Amendment Area from Low Intensity Use to Hamlet would be consistent with the findings and purposes of Section 801 of the Adirondack Park Agency Act, the Adirondack Park Land Use and Development Plan, and the character descriptions and purposes, policies and objectives of Low Intensity Use areas set forth in Section 805(3)(c) of the Adirondack Park Agency Act.
3. Consistent with the social, economic and other essential considerations, from among the reasonable alternatives, the action approved is one which minimizes or avoids adverse environmental effects to the maximum extent practicable, including the effects disclosed in the Final Supplemental Environmental Impact Statement.

THE REQUEST having regularly come for consideration and due deliberation having been had, and the Agency having voted to deny the request.

NOW, THEREFORE, based upon the request, the above Findings of Fact and Conclusions of Law, and the vote duly taken, it is

ORDERED that the above-described request for an amendment to the Official Adirondack Park Land Use and Development Plan Map for MA2016-03, in the Town of Crown Point, Essex County, be approved:

MA 2016-03: Low Intensity Use to Hamlet; 6.4± acres

ENTER

ADIRONDACK PARK AGENCY

By _____
Kathleen D. Regan
Deputy Director, Planning

ORDER issued this _th
Day of _____, 2016
at Ray Brook, NY