



**LEILANI CRAFTS ULRICH**  
Chairwoman

**TERRY MARTINO**  
Executive Director

## **RESOLUTION**

### **ADOPTED BY THE ADIRONDACK PARK AGENCY WITH RESPECT TO MAP AMENDMENT 2014-04**

**WHEREAS**, Section 805 (2)(c)(1) of the Adirondack Park Agency Act (Executive Law, Article 27) provides a process for a landowner to request an amendment to the Official Adirondack Park Land Use and Development Plan Map; and

**WHEREAS**, the Agency has received a request from landowners Daniel and Carol Linder for a Map Amendment to reclassify approximately 12 acres in the Town of Westport, from Resource Management to Hamlet or Moderate Intensity Use (the “Area” or “Area 1”), contingent upon connecting the area to the public sewer system; and

**WHEREAS**, the Town of Westport published a Hamlet Expansion Plan on April 4, 2012 which identified the Linder property as a desirable Hamlet expansion area; and

**WHEREAS**, October 28, 2014, the Westport Town Board unanimously passed a resolution in support of the proposed Amendment; and

**WHEREAS**, the Adirondack Park Agency Act does not provide a process to amend the Official Adirondack Park Land Use and Development Plan Map contingent upon future conditions; and

**WHEREAS**, a Draft Supplemental Environmental Impact Statement (DSEIS) was accepted by the Agency on May 15, 2015 pursuant to the State Environmental Quality Review Act and 6 NYCRR 617 and 9NYCRR 586 with respect to the proposed amendment to the Adirondack Park Plan Use and Development plan Map (“Map”); and

**WHEREAS**, the Agency held a public hearing in Town of Westport on June 25, 2015; and

**WHEREAS**, the Agency accepted public comment on the DSEIS the proposed map amendment from May 15, 2015 through July 17, 2015; and

**WHEREAS**, a Final Supplemental Environmental Impact Statement (FSEIS) proposing a Preferred Alternative was accepted by the Agency on August 13, 2015 pursuant to the State Environmental Quality Review Act and 6 NYCRR 617 and 9 NYCRR 586 with respect to the proposed amendment to the Map; and

**WHEREAS**, the Agency accepted the FSEIS, but did not adopt an Order for an amendment to the Map; and

**WHEREAS**, Amending the Map by reclassifying Area 1 from Resource Management to Hamlet will become the Preferred Alternative in the FSEIS once the Area is served by sewer; and

**WHEREAS**, the Agency will consider the area to be served by sewer when the area is located within a sewer district, when development within the area is required to connect to the public sewer system, and when the Town of Westport and New York State Department of Environmental Conservation confirm that the Town's sewer treatment facility has adequate capacity to accept additional volume that may result from development that may occur in the Area; and

**WHEREAS**, until the Area becomes served by sewer, the Area will remain classified as Resource Management; and

**WHEREAS**, the Agency has been advised that the Town and the landowners plan to pursue an expansion of the sewer district to include Area 1 and therefore, the sewer district expansion area boundaries will coincide with the boundaries of Area 1; and

**WHEREAS**, the Agency has not evaluated lands beyond the boundary of Area 1;

**NOW, THEREFORE BE IT RESOLVED**, that if the substantive facts in the FSEIS remain unchanged for two years from the date of this resolution and the listed conditions are met, the Adirondack Park Agency will amend its findings and present an Order amending the Map for Area 1 as set forth in the Preferred Alternative; and

**BE IT FURTHER RESOLVED**, that the requirements under the State Environmental Quality Review Act and implementing regulations, 9 NYCRR Part 586 and 6 NYCRR 617, have been met; and

**BE IT FURTHER RESOLVED**, agencies and the public shall be afforded with an opportunity to consider the Final Environmental Impact Statement consistent with the requirements of 6 NYCRR 617.11(a) and this decision will not be effective until ten (10) calendar days from the date that Agency staff published the notice of completion of the final environmental impact statement in the Environmental Notice Bulletin (see 6 NYCRR 617.12[c]) and satisfies the applicable filing and distribution requirements in 6 NYCRR 617.12(b); and

**BE IT FINALLY RESOLVED**, once the forgoing conditions have been met, Map Amendment 2014-04 will be brought before the Agency for a final decision.

**Ayes:**

**Nays:**

**Abstentions:**