

**COVER SHEET**  
**and**  
**NOTICE OF COMPLETION**  
**of**  
**DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT (DSEIS)**  
**MA 2016-02 (Kelly)**

**NAME OF LEAD AGENCY AND PREPARER OF DSEIS:**

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

**PROJECT LOCATION:**

Town of Minerva  
Essex County

**PROPOSED ACTION:**

Amendment to the Official Adirondack Park Land Use and Development Plan Map in the Town of Minerva, Essex County (Map Amendment 2016-02) to reclassify an approximately 6 acre area pursuant to the Adirondack Park Agency Act, Section 805 (2)(c)(1) from Low Intensity Use to Hamlet.

**AGENCY CONTACT FOR INFORMATION AND/OR COPIES OF DSEIS:**

Matthew Kendall  
Adirondack Park Agency  
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**DATE OF ACCEPTANCE OF DSEIS BY LEAD AGENCY:**

**DATE OF PUBLIC HEARING ON PROPOSED MAP AMENDMENT:**

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

## TABLE OF CONTENTS

COVER SHEET .....	1
EXECUTIVE SUMMARY .....	3
SUMMARY OF PROPOSED ACTION .....	3
SUMMARY OF PROCEDURES UNDER SEQRA .....	6
SUMMARY OF STANDARDS FOR AGENCY DECISION .....	6
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT .....	9
PROPOSED ACTION .....	9
ENVIRONMENTAL SETTING .....	13
Adirondack Park Land Use and Development Plan Map .....	13
Existing Land Use and Services .....	14
Soils .....	16
Topography .....	18
Elevations .....	19
Wetlands .....	19
Hydrology .....	19
Visual Considerations .....	20
Biological Considerations .....	20
Critical Environmental Area .....	21
ENVIRONMENTAL IMPACTS OF THE PROPOSED ACTIONS .....	22
ADVERSE ENVIRONMENTAL IMPACTS WHICH CANNOT BE AVOIDED .....	24
IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES .....	24
MITIGATION MEASURES .....	24
GROWTH-INDUCING ASPECTS .....	24
USE AND CONSERVATION OF ENERGY .....	24
SOLID WASTE .....	25
HISTORIC IMPACTS .....	25
ALTERNATIVE ACTIONS .....	25
POTENTIAL DEVELOPMENT .....	26
LAND AREA AND POPULATION TRENDS .....	26
STUDIES, REPORTS AND OTHER DATA SOURCES .....	28
APPENDICES .....	29
A. APPLICATION FOR AMENDMENTS TO THE OFFICIAL ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN	
B. LAND USE AREA DESCRIPTIONS, SETBACK AND COMPATIBLE USE LIST	
C. LAND USE AREA CLASSIFICATION DETERMINANTS	
D. PUBLIC HEARING NOTICE	
E. DSEIS FILE LIST	

## EXECUTIVE SUMMARY

MA 2016-02

### SUMMARY OF PROPOSED ACTION

The Adirondack Park Agency has received an application for an amendment to the Official Adirondack Park Land Use and Development Plan Map (the Official Map) from a landowner in the Town of Minerva, Essex County. The applicant is requesting that approximately 1.4 acres be reclassified from Low Intensity Use to Hamlet. The requested map amendment area is not 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). Boundaries were expanded by the Agency to include the entire Requested Map Amendment Area and nearby lands that are similar in character. This expanded area, referred to in this document as the *Proposed Map Amendment Area*, is approximately 6.1 acres in size and meets the required regional boundary criteria. This document also considers one additional geographic alternative, *Alternative Area 1*, which is approximately 4.2 acres in size.

In 2006, the Town of Minerva requested a series of 15 map amendments in conjunction with the Town’s comprehensive plan. One of the 15 proposed amendments was a request to reclassify the Proposed Map Amendment Area as Hamlet. The Town subsequently withdrew its requested map amendments after receiving public feedback. On February 4, 2016, the Minerva Town Board passed a resolution in support of the current requested map amendment. A copy of the resolution was submitted with the application (Appendix A of this document).

Figure 1 is a map showing the general location of the Requested Map Amendment Area, the Proposed Map Amendment Area and Alternative Area 1.

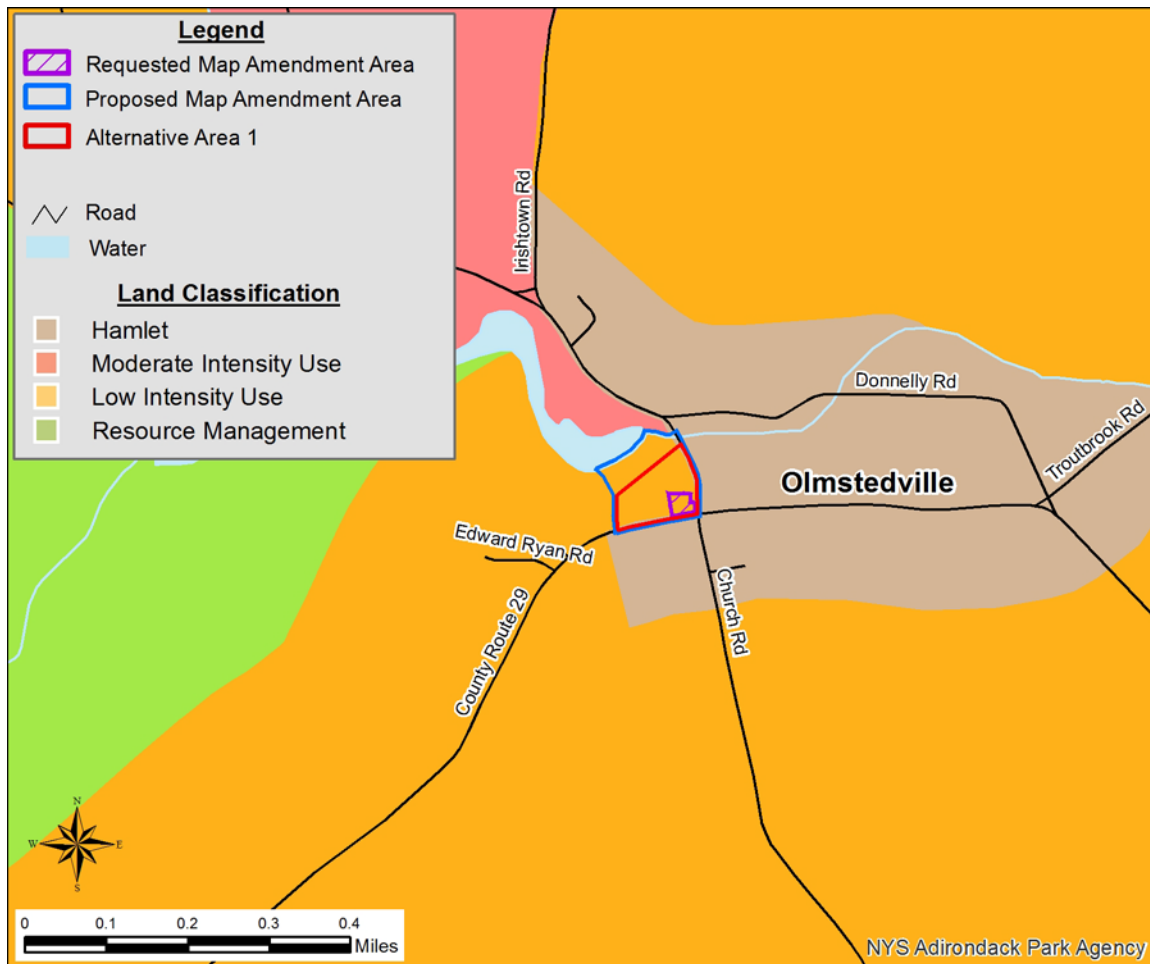


Figure 1. A map showing the general location of the Requested Map Amendment Area, Proposed Map Amendment Area and Alternative Area 1.

## SUMMARY OF ENVIRONMENTAL IMPACTS

Potential impacts resulting from amendments to the Official Map are generally described in the Final Generic Environmental Impact Statement issued by the Adirondack Park Agency on August 1, 1979. Reclassification changes the maximum potential development and the rules governing such development under the Adirondack Park Agency Act. Potential impacts, therefore, are based on changes in potential development.

The major consequence of a change to a less restrictive classification is a potential increase in development intensity due to the relaxation of the “overall intensity guidelines”. The overall intensity guidelines allow 200 “principal buildings” (single family residences or their legal equivalent under the Adirondack Park Agency Act) per square mile (3.2 acres average lot size) in lands classified as Low Intensity Use while lands classified as Hamlet have no overall intensity guidelines. Please see Potential Development Section (Page 26) for a discussion on the potential build-out of these

areas under different land use area classifications.

Potential environmental impacts include:

- A. On-site Sewage Disposal Discharge and Leaching: There are no public sewage treatment facilities available to the area. One of the most important natural characteristics in determining the potential for development of land without access to public sewer treatment facilities are the types and depths of soils and their ability to accommodate construction and effectively treat on-site wastewater. The primary soil in the Proposed Map Amendment Area is Monadnock fine sandy loam. Under ideal conditions, well-drained soils such as Monadnock soils will support properly functioning septic systems. Improperly sited or poorly functioning systems can cause pollution to groundwater and/or nearby surface water.
- B. Developed Area Storm Water Runoff: 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.
- C. 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.
- D. 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.

The maps and discussions of soils, topography, hydrology and biological considerations that follow show the portions of the Proposed Map Amendment Area that are subject to these environmental issues.

### **SUMMARY OF PROCEDURES UNDER SEQRA**

This Draft Supplemental Environmental Impact Statement (DSEIS) analyzes the environmental impacts which may result from Agency approval of this map amendment. The Official Map is the document identified in Section 805 (2) (a) of the Adirondack Park Agency Act (Executive Law, Article 27), and is the primary component of the Adirondack Park Land Use and Development Plan, which guides land use planning and development of private land in the Adirondack Park.

After the preparation of a Draft Supplemental Environmental Impact Statement, the Agency holds a combined public hearing on both the proposed map amendment and the DSEIS, and incorporates all comments into a Final Supplemental Impact Environmental Statement (FSEIS). The FSEIS will include the hearing summary, public comments, and the written analysis of Agency staff, as finalized after the public hearing and comments are reviewed. The Agency then decides (a) whether to accept the FSEIS and (b) whether to approve the map amendment request, deny the request or approve an alternative. Authority for this process is found in Executive Law, Sections 805 (2) (c) (1) and 805 (2) (c) (2) and the State Environmental Quality Review Act (Environmental Conservation Law, Article 8).

### **SUMMARY OF STANDARDS FOR AGENCY DECISION**

The Agency's decision on a map amendment request is a legislative decision based upon the application, public comment, the DSEIS and FSEIS, and staff analysis. The public hearing is held to obtain information on the proposed action, but is not conducted in an adversarial or quasi-judicial format. The burden rests with the applicants to justify the changes in land use area classification. Map amendments may be made when new information is developed or when conditions which led to the original classification change.

Procedures and standards for the official map amendment process are found in:

- a) Adirondack Park Agency Act (Executive Law, Article 27) Section 805
- b) Adirondack Park Agency Rules and Regulations (9 NYCRR Subtitle Q) Part 583;
- c) Appendix Q-8 of the Adirondack Park Agency Rules and Regulations;
- d) Final Generic Environmental Impact Statement: The Process of Amending the Adirondack Park Land Use and Development Plan Map, August 1, 1979.

The Agency may make amendments to the Plan Map in the following manner:

Section 805 (2) (c) (1) of the Adirondack Park Agency Act provides in pertinent part:

*Any amendment to reclassify land from any land use area to any other land use area or areas, if the land involved is less than twenty-five hundred acres, after public hearing thereon and upon an affirmation vote of two-thirds of its members, at the request of any owner of record of the land involved or at the request of the legislative body of a local government.*

Section 805 (2) (c) (2) of the Adirondack Park Agency Act provides in pertinent part:

*Any amendment to reclassify land from any land use area to any other land use area or areas for which a greater intensity of development is allowed under the overall intensity guidelines if the land involved is less than twenty-five hundred acres, after public hearing thereon and upon an affirmative vote of two-thirds of its members, on its own initiative.*

Section 805 (2) (c) (5) of the Adirondack Park Agency Act provides:

*Before making any plan map amendment...the Agency must find that the reclassification would accurately reflect the legislative findings and purposes of section eight hundred-one of this article and would be consistent with the land use and development plan, including the character description and purposes, policies and objectives of the land use area to which reclassification is proposed, taking into account such existing natural, resource, open space, public, economic and other land use factors and any comprehensive master plans adopted pursuant to the town or village law, as may reflect the relative development, amenability and limitations of the land in question. The Agency's determination shall be consistent with and reflect the regional nature of the land use and development plan and the regional scale and approach used in its preparation.*

The statutory “purposes, policies and objectives” and the “character descriptions” for the land use areas established by Section 805 of the Adirondack Park Agency Act are shown on the Official Map and set out in Appendix B.

APA Rules & Regulations Section 583.2 outlines additional criteria:

- a) *In considering map amendment requests, the agency will refer to the land use area classification determinants set out as Appendix Q-8 of these regulations and augmented by field inspection.*
- b) *The agency will not consider as relevant to its determination any private land development proposals or any enacted or proposed local land use controls.*

Land use area classification determinants from “Appendix Q-8” of APA Rules & Regulations are attached to this document as Appendix C. These land use area classification determinants define elements such as natural resources characteristics, existing development characteristics and public considerations and lay out land use implications for these characteristics.



## DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

MA 2016-02 (Kelly)

### PROPOSED ACTION

The Adirondack Park Agency received an application from Michael Kelly, a landowner in the Town of Minerva, to reclassify an area on the Official Adirondack Park Land Use and Development Plan Map totaling approximately 1.4 acres. The 1.4 acre *Requested Map Amendment Area* is presently classified as Low Intensity Use on the Official Adirondack Park Land Use and Development Plan Map. The applicant is requesting that the area be reclassified as Hamlet. The application for this map amendment is attached hereto as Appendix A.

Section 805 (2) (c) (5) of the Adirondack Park Agency Act and the Agency's Final Generic Environmental Impact Statement (FGEIS) on the map amendment process (August 1, 1979) requires that a map amendment be regional in scale and follow "regional boundaries" such as roads, streams, municipal boundaries, Great Lot boundaries or standard setbacks from these boundaries. The *Requested Map Amendment Area* is a parcel owned by the applicant and does not conform to regional boundary criteria; therefore the area was expanded by Agency staff to include adjacent Low Intensity Use lands of similar character. This expanded area, the *Proposed Map Amendment Area*, is approximately 6.1 acres and uses the roads, a one-tenth mile (528 feet) setback from a road and Minerva Stream as boundaries. This document also examines one geographic alternative, *Alternative Area 1*, is approximately 4.2 acres and uses a Great Lot boundary instead of Minerva Stream.

Figure 2 shows the Requested Map Amendment Area, the Proposed Map Amendment Area and Alternative Area 1. The Proposed Map Amendment Area is approximately 6.1 acres in size and described as follows:

*Beginning at a point at the intersection of the centerlines of County Routes 29 and 30; thence in a westerly direction along the centerline of County Route 29 to a point one-tenth mile (528 feet) from said intersection; thence in a northerly direction at a constant and parallel distance of one-tenth mile from the centerline of County Route 30 to the shoreline of Minerva Stream; thence in a easterly direction along the shoreline of Minerva Stream to the centerline of County Route 30; thence in a southerly direction along the centerline of County Route 30 to the point of beginning.*

The Alternative Area 1 is approximately 4.2 acres in size and described as follows:

*Beginning at a point at the intersection of the centerlines of County Routes 29 and 30; thence in a westerly direction along the centerline of County Route 29 to a point one-tenth mile (528 feet) from said intersection; thence in a northerly direction at a constant and parallel distance of one-tenth mile from the centerline of County Route 30 to the boundary between Great Lots 39 and 40 of the Dominick Patent; thence in a northeasterly direction along said Great Lot boundary to the centerline of County Route 30; thence in a southerly direction along the centerline of County Route 30 to the point of beginning.*

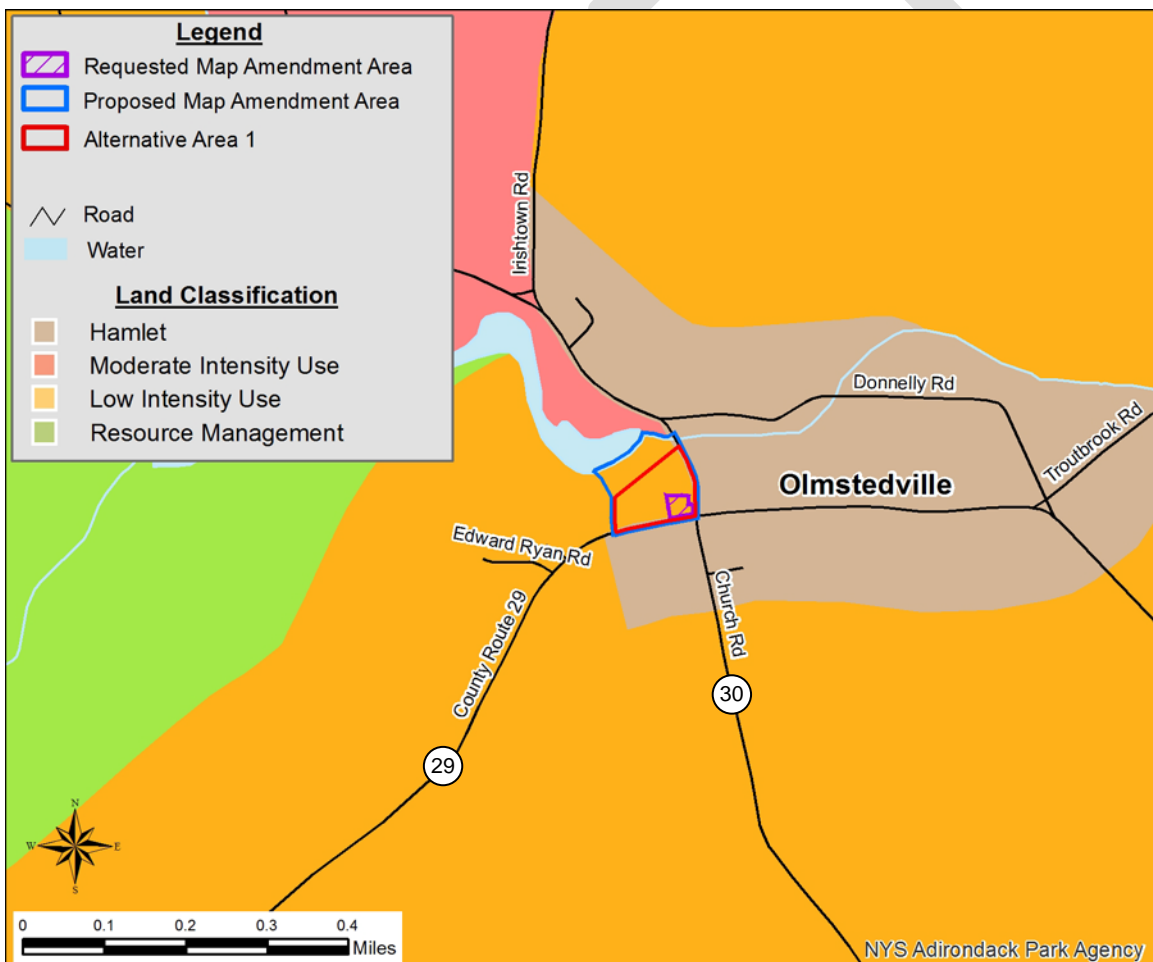


Figure 2. A map showing the general location of the Requested Map Amendment Area, the Proposed Map Amendment Area and Alternative Area 1.

The Proposed Map Amendment Area and Alternative Area 1 conform to regional boundary criteria and therefore can be examined in comparison to the statutory “purposes, policies and objectives” and the “character descriptions” for the proposed Hamlet classification, using the factual data which follow. It is these considerations which govern the Agency decision in this matter. Character descriptions, purposes,

policies and objectives for land use areas are established by Section 805 of the Adirondack Park Agency Act (Appendix B of this document) and summarized below.

**Low Intensity Use** areas (orange on the Map) are areas that are readily accessible and in reasonable proximity to Hamlet. These areas are generally characterized by deep soils and moderate slopes, with no large acreages of critical biological importance. Where these areas are located near or adjacent to Hamlet, clustering development on the most developable portions of these areas makes possible a relatively high level of residential development and local services. It is anticipated that these areas will provide an orderly growth of housing development opportunities in the Park at an intensity level that will protect physical and biological resources. The overall intensity guideline for Low Intensity Use is 200 principal buildings per square mile, or 3.2 acres per principal building.

**Moderate Intensity Use** areas (red on the Map) are areas where the capability of natural resources and anticipated need for future development indicate that relatively intense development is possible, desirable and suitable. These areas are located near or adjacent to Hamlets to provide for reasonable expansion and along highways and accessible shorelines where existing development has established the character of the area. Moderate Intensity Use areas where relative intense development does not exist are characterized by deep soils on moderate slopes and readily accessible to Hamlets. The overall intensity guideline for Moderate Intensity Use is 500 principal buildings per square mile, or 1.3 acres per principal building.

**Hamlet areas** (brown on the Map) range from large, varied communities that contain a sizeable permanent, seasonal and transient populations with a great diversity of residential, commercial, tourist and industrial development and a high level of public services and facilities, to smaller, less varied communities with a lesser degree and diversity of development and a generally lower level of public services and facilities. Hamlet areas will serve as the service and growth centers in the Park. They are intended to accommodate a large portion of the necessary and natural expansion of the park's housing, commercial and industrial activities. In these areas, a wide variety of housing, commercial, recreational, social and professional needs of the Park's permanent, seasonal and transient populations will be met. The building intensities that may occur in such areas will allow a high and desirable level of public and institutional services to be economically feasible. Because a Hamlet is concentrated in character and located in areas where existing development patterns indicate the demand for and viability of service and growth centers, these areas will discourage the haphazard location and dispersion of intense building development in the Park's open space areas. These areas will continue to provide services to Park residents and visitors and, in conjunction with other land use areas and activities on both private and public land, will provide a diversity of land uses that will satisfy the needs of a wide variety of people. The delineation of hamlet areas on the plan map is designed to provide reasonable expansion areas for the existing hamlets, where the surrounding resources permit such

expansion. Local government should take the initiative in suggesting appropriate expansions of the presently delineated Hamlet boundaries, both prior to and at the time of enactment of local land use programs. There are no overall intensity guidelines for Hamlet areas.

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## ENVIRONMENTAL SETTING

### Adirondack Park Land Use and Development Plan Map

The Proposed Map Amendment Area is a portion of a nearly 5,000 acre Low Intensity Use area that surrounds the Hamlet of Olmstedville and stretches south and east along County Route 29 into the Town of Chester to the Hamlet of Pottersville. The Proposed Map Amendment Area is bound by Minerva Stream to the north, Hamlet to the east and south, and Low Intensity Use to the west. There is a Moderate Intensity Use area just north of this area, on the opposite shore of Minerva Stream. Figure 3 show the general area of the Proposed Map Amendment Area on the Adirondack Park Land Use and Development Plan Map.

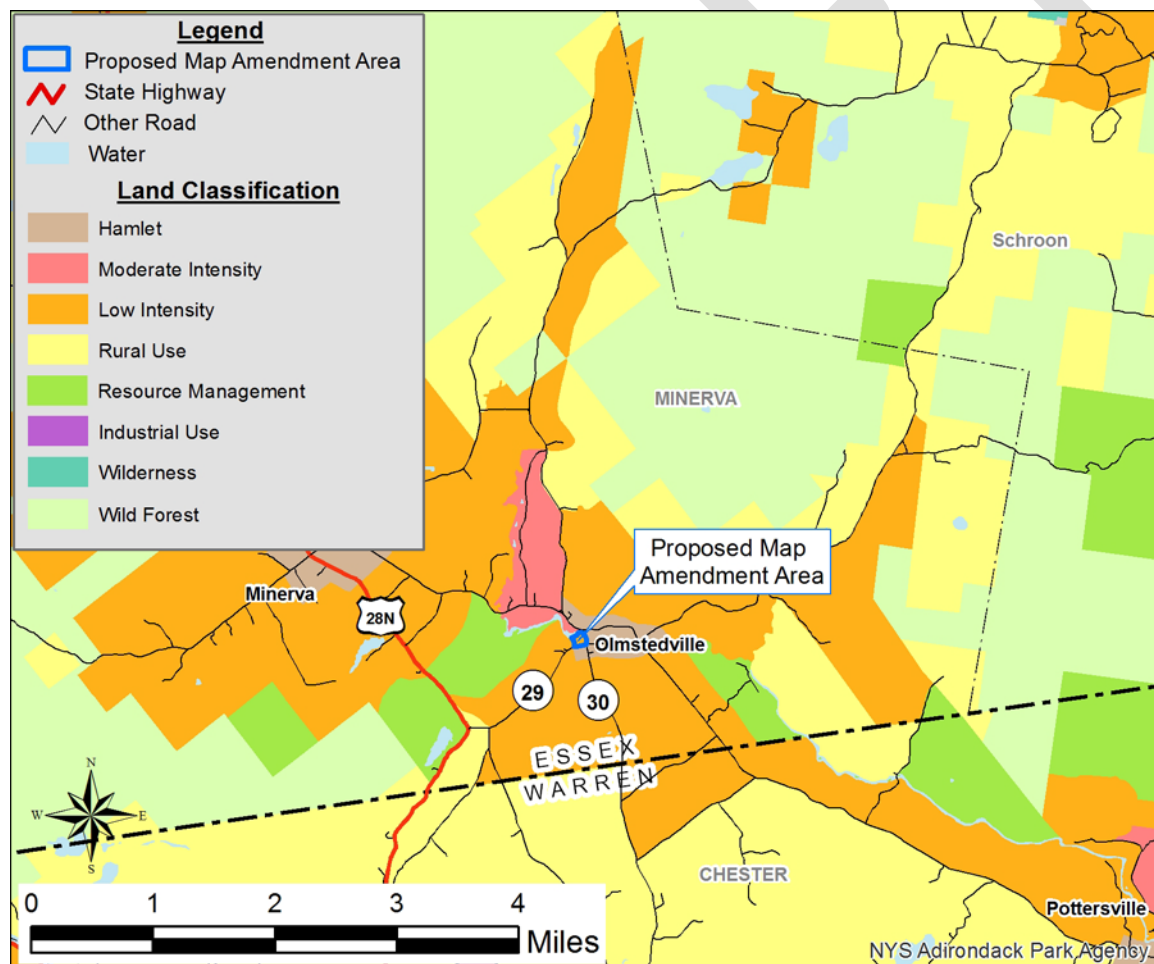


Figure 3. Proposed Map Amendment Area shown on the Adirondack Park Land Use and Development Plan Map.

### Existing Land Use and Services

The area is located at the intersection of two major roadways – County Route 29 and County Route 30. County Route 29, which forms the southern boundary of the Proposed Map Amendment Area, connects the Hamlet of Olmstedville with NYS Route 28N. County Route 30, which forms the eastern boundary of the Proposed Map Amendment Area, connects the Hamlet of Olmstedville with the Hamlet of Minerva to the northwest and northern Warren County to the south.

The Hamlet of Olmstedville lies immediately adjacent to the Proposed Map Amendment Area, the Hamlet of Minerva lies approximately 2 miles north of the area via County Route 30, the Hamlet of Pottersville lies approximately 5 miles southeast of the area via County Route 29 (Essex Co.) and County Route 19 (Warren Co.), and the Hamlet of North Creek lies approximately 6 miles south of the area via County Route 29 and NYS Route 28N.

Public electric and telephone services are available to the area along the existing road network. There are public water distribution lines along the County Routes 29 and 30. There are no public sewage treatment facilities available to the Proposed Map Amendment Area.

There are five single family, year-round dwellings, one multiple family residential structure and one vacant lot within the Proposed Map Amendment Area. These dwellings are located along the road network. Figure 4 shows the existing land use in the Proposed Map Amendment Area according to Essex County Office of Real Property Tax Services and NYS Office of Real Property Tax Services. Table 1 contains a list of the parcels in the Proposed Map Amendment Area.

Fire and ambulance services are furnished by the Minerva Fire Department; police protection is available from the New York State Police, located in Chestertown, and the Essex County Sheriff's Department, based in Elizabethtown.

Map ID	Tax Parcel ID	All or Portion of Parcel	Approx. Acreage within Proposed Map Amendment Area	Property Classification
A	164.23-2-4.000	All	1.4 ac	Multiple Residences
B	164.23-2-3.000	All	0.1 ac	Residential (Single Family, Year-Round)
C	164.23-2-2.000	All	0.9 ac	Residential (Single Family, Year-Round)
D	164.23-2-1.100	All	0.6 ac	Residential (Single Family, Year-Round)
E	164.23-2-6.003	Portion	0.1 ac	Town Public Parks and Recreation Areas
F	164.23-2-7.000	All	1.5 ac	Residential Vacant Lands
G	164.23-2-5.002	All	1.0 ac	Residential (Single Family, Year-Round)
H	164.1-1-13.200	Portion	1.0 ac	Residential (Single Family, Year-Round)

Table 1. List of Parcels within the Proposed Map Amendment Area

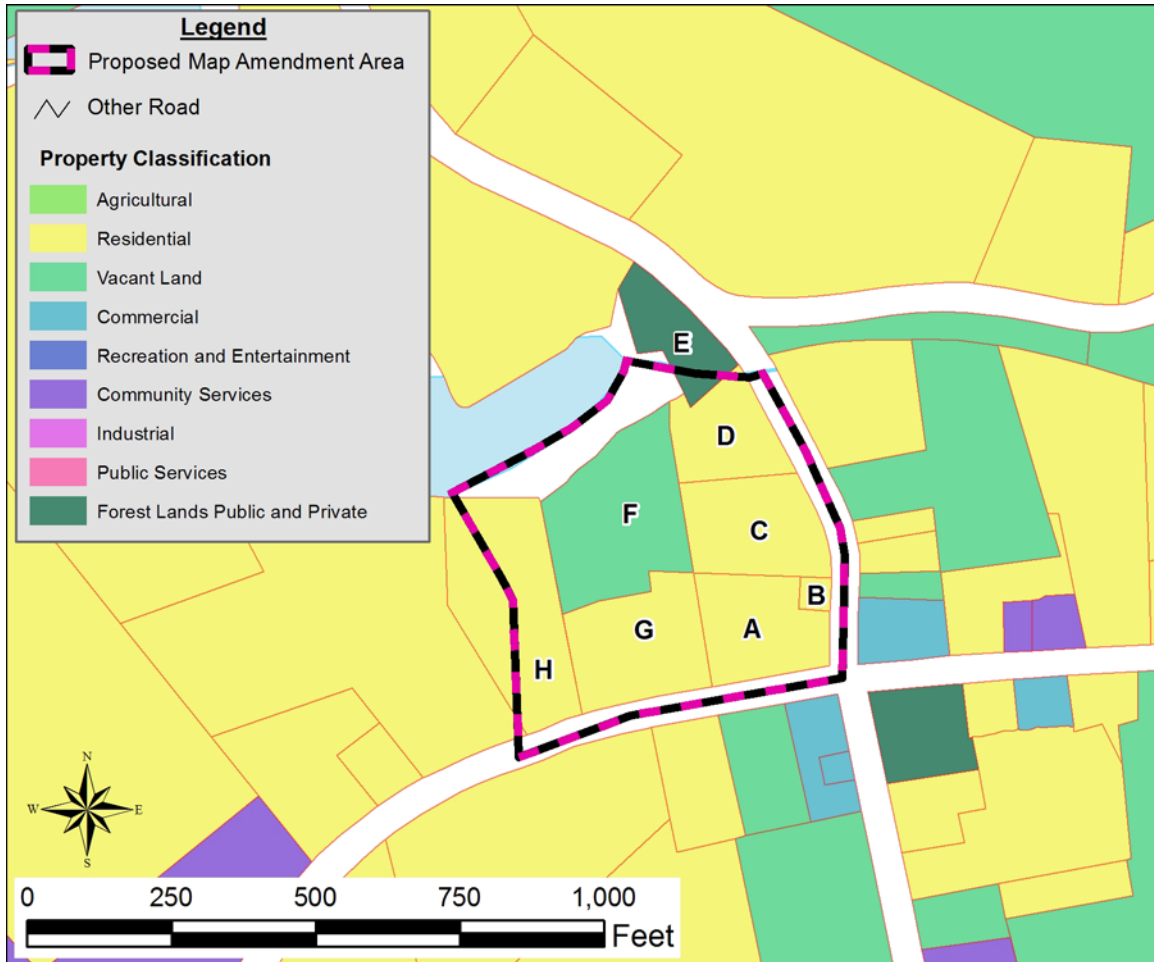


Figure 4. Existing land use in and adjacent to the Proposed Map Amendment Area. Inconsistencies exist between tax parcel maps, deeded property descriptions and the Adirondack Park Land Use and Development Plan Map. White areas are not considered part of any tax parcel according the Essex County Property Tax Maps. (Source Essex Co, NYS ORPS)

Soils

The USDA Natural Resource Conservation Service (NRCS), in its Soils Survey for Essex County which provides detailed soil mapping for this area, has identified two soil map units with Monadnock fine sandy loam as the primary soil type within the Proposed Map Amendment Area.

Table 2 contains the two soil map units, their abundance within the Proposed Map Amendment Area and their suitability for onsite wastewater treatment systems.

Map Unit Symbol	Percent of Map Amendment Area	Soil Map Unit	Degree of Limitation for On-site Wastewater treatment systems	Reason for Limitation
MkC	77%	Monadnock fine sandy loam, 8 to 15 percent slopes, very bouldery	slight	
MkD	23%	Monadnock fine sandy loam, 15 to 35 percent slopes, very bouldery	severe	steep slope

*Table 2. Soils in the Proposed Map Amendment Area*

**Monadnock fine sandy loam** is a deep soil is loamy over sandy or gravelly. This component is on hillsides or mountainsides. The parent material consists of loamy ablation till over sandy ablation till derived from gneiss. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is moderate. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches.

Detailed soil mapping also provide slope categories for each soil map unit which represent the general slope throughout a particular soil map unit and may not reflect the actual slope for the portion of a soil map unit within a particular map amendment area. Please refer to the discussion of topography below for more detailed information on slopes.

Figure 5 is a map showing the detailed soils mapping for the Proposed Map Amendment Area.



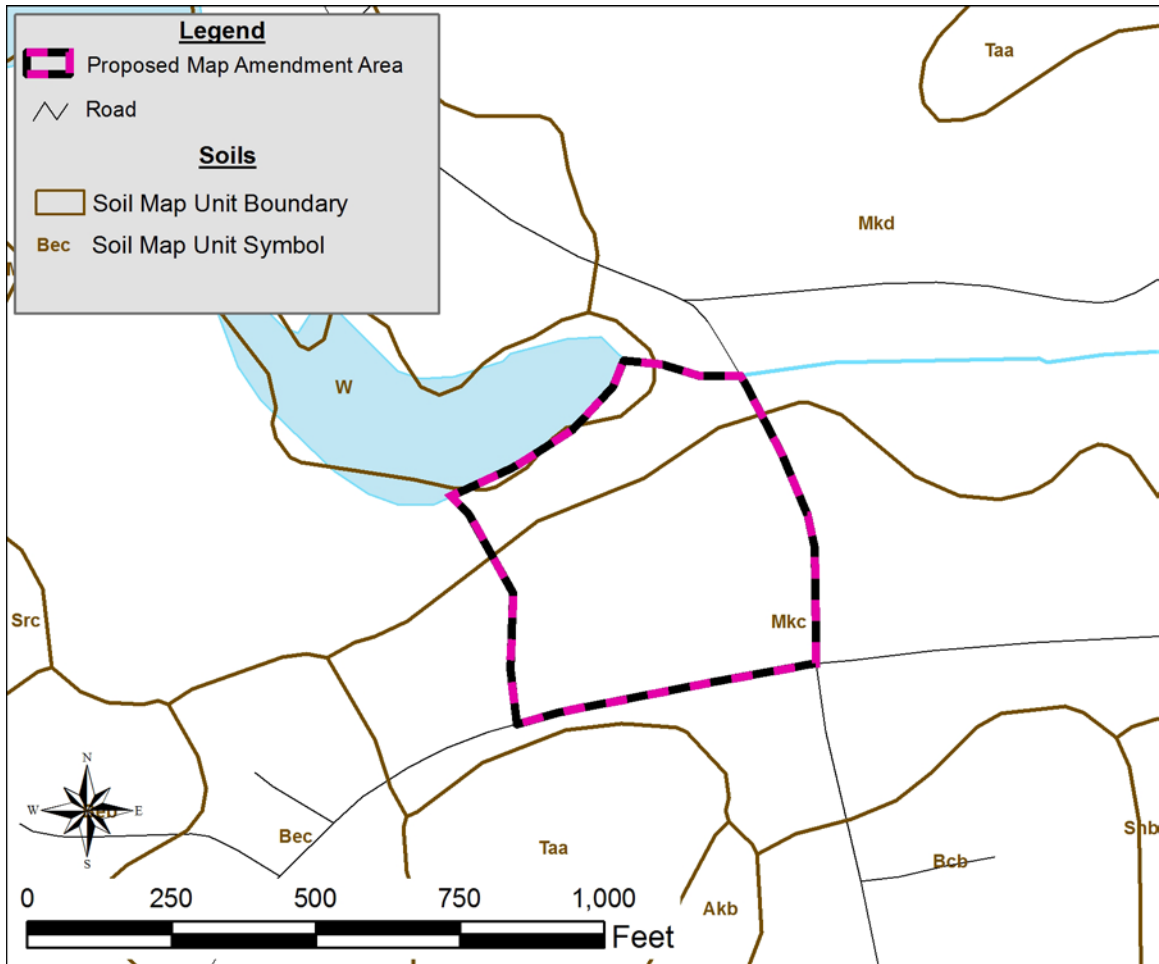


Figure 5. Soil Survey of Essex County detailed soil delineation in the Proposed Map Amendment Area. (Source NRCS)

## Topography

The topography of the Proposed Map Amendment Area ranges from generally flat to moderately sloping. Slopes ranging from 0 to 3% comprise approximately 32% 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 27% 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 24% 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 16% 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.

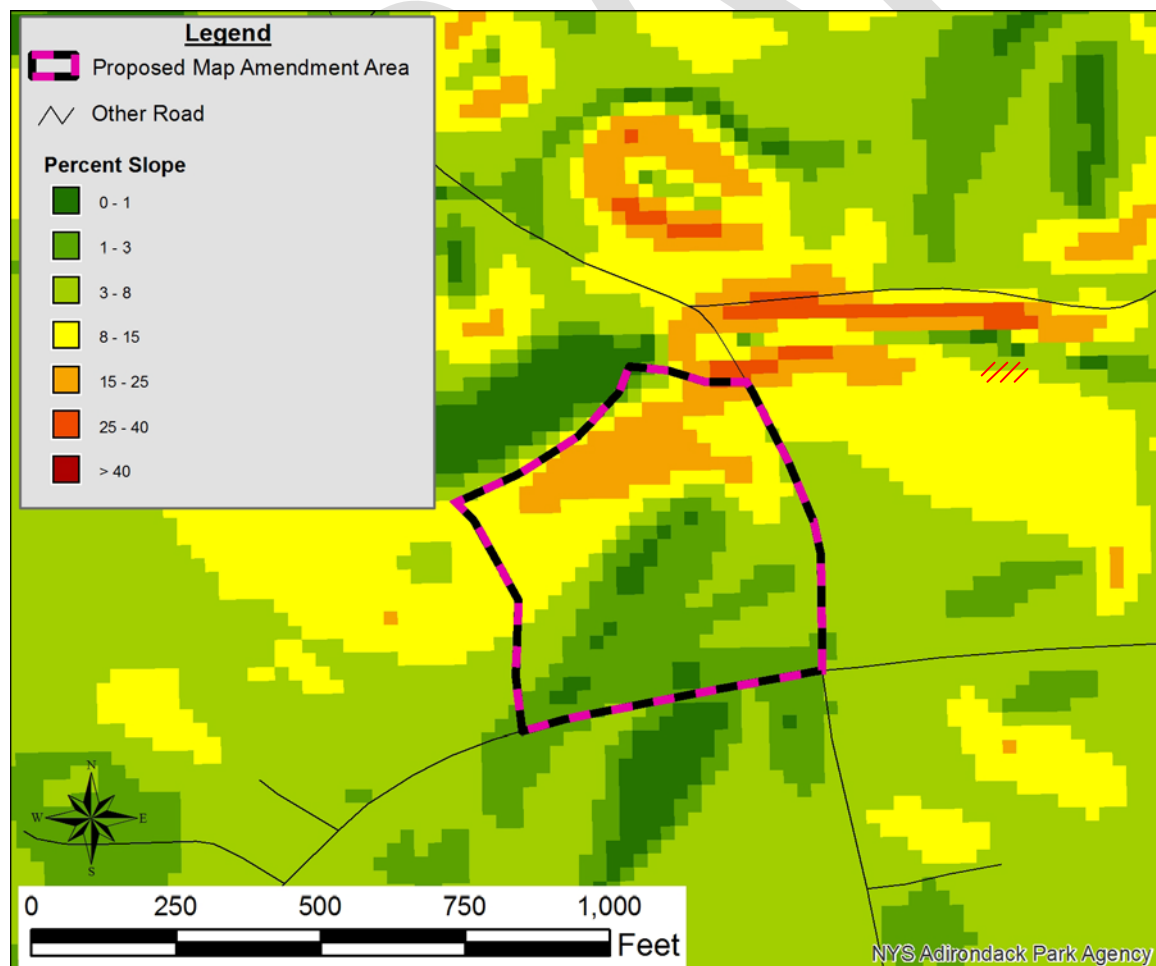


Figure 6. Slopes in the Proposed Map Amendment Area. (Source 10M DEM)

### Elevations

The elevation in the Proposed Map Amendment Area ranges from approximately 1140 feet to approximately 1180 feet in elevation.

### Wetlands

Figure 7 shows the approximate locations of wetlands in the Proposed Map Amendment Area. There are approximately 0.5 acres of wetlands located along the northern boundary the Proposed Map Amendment Area. This wetland is associated with Minerva Stream.

### Hydrology

The primary hydrological feature in the Proposed Map Amendment Area is Minerva Stream, which forms the northern boundary of the area. This section of Minerva Stream is impounded by a small dam. NYS Department of Environmental Conservation has classified Minerva Stream as a Class C(T) surface water which indicates that its best usage is fishing and is a designated trout water.

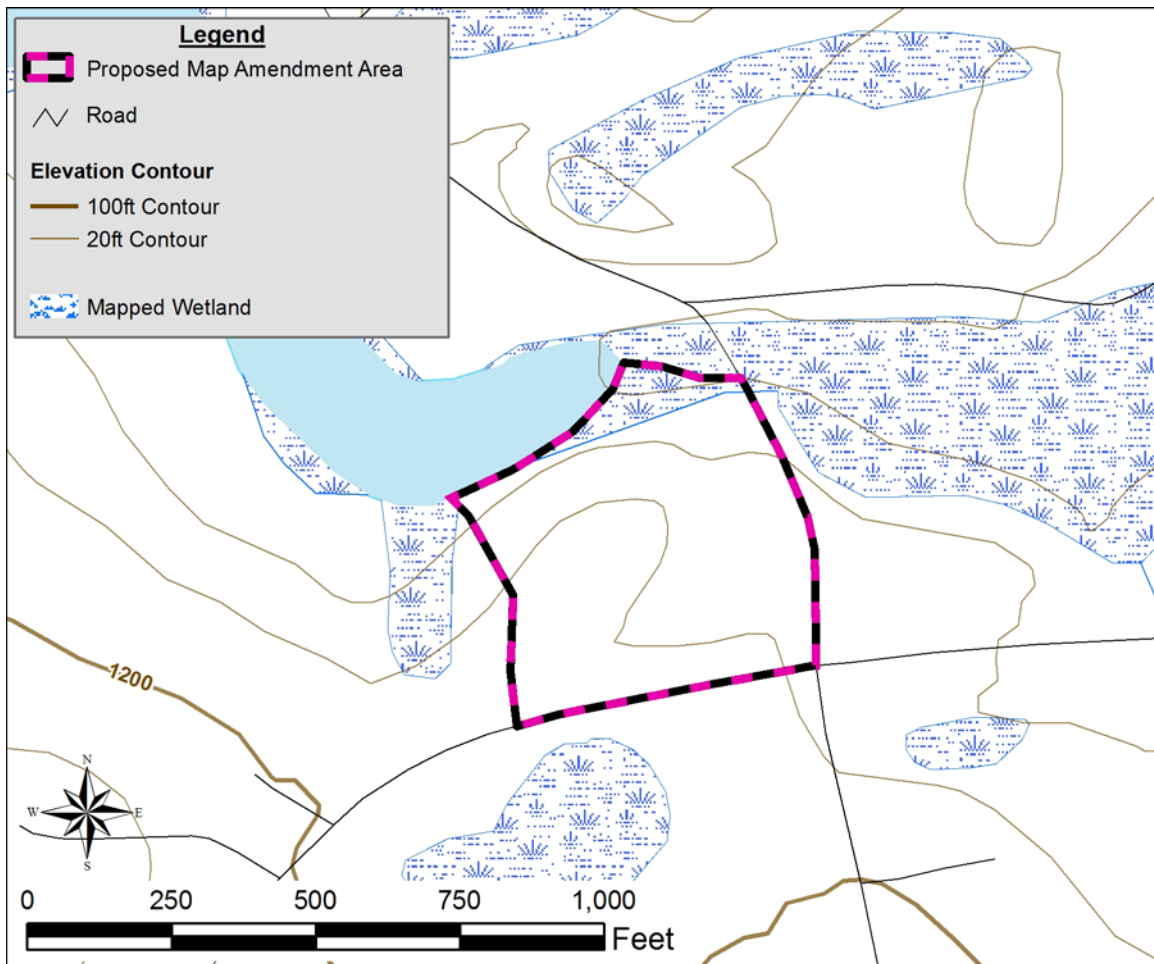


Figure 7. Topography and wetlands within and adjacent to the Proposed Map Amendment Area.

### Visual Considerations

The Proposed Map Amendment Area is located at the intersection of County Route 29 and County Route 30. This area is bound on the north side by an impounded section of Minerva Stream. On the opposite side of the stream is a small Town park.

### Biological Considerations

There are no known occurrences of rare, threatened or endangered species or key wildlife habitats in the Proposed Map Amendment Area.

Critical Environmental Area

The approximately 0.5 acres of wetlands within Proposed Map Amendment Area are statutory Critical Environmental Areas (CEA) pursuant to the Adirondack Park Agency Act.

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## **ENVIRONMENTAL IMPACTS OF THE PROPOSED ACTIONS**

In order to evaluate the impacts resulting from the proposed map amendment, the Agency assumes that development of the area will occur at the maximum level permitted by the proposed land use classification.

- E. On-site Sewage Disposal Discharge and Leaching: There are no public sewage treatment facilities available to the area. One of the most important natural characteristics in determining the potential for development of land without access to public sewer treatment facilities are the types and depths of soils and their ability to accommodate construction and effectively treat on-site wastewater. The primary soil in the Proposed Map Amendment Area is Monadnock fine sandy loam. Under ideal conditions, well-drained soils such as Monadnock soils will support properly functioning septic systems. Improperly sited or poorly functioning systems can cause pollution to groundwater and/or nearby surface water.
- F. Developed Area Storm Water Runoff: 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.
- G. 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.
- H. 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.

- I. Economic Gain to the Local Community: Subdivision and improvement of undeveloped lands may add to the local tax base. The net benefit of new development depends on the exact nature of the development that occurs and its additions to local tax and business revenues when compared to increased cost associated with solid waste disposal, schools and other community services.
- J. Demand on Other Community Facilities: Residential, commercial or industrial development may require public services from both local and neighboring governments. Increased development would increase the demand for public services that both local and neighboring governments, as well as the private sector, must provide. Some of the services most affected by increased commercial and/or residential development are: solid waste disposal, public water, public school systems, roads and road maintenance (snow removal, traffic control, repair, etc.), police, fire and ambulance service. An increase in demand may reduce costs by spreading the costs of these services to more individuals.
- K. Effect on Existing Residential Development in and Adjacent to the Map Amendment Area: Land uses in and adjacent to this area is residential and commercial. The change in the Map, which would allow a greater density of development, could change the existing character and uses in the area.
- L. Effect on Noise Quality: The predominant low levels of noise from existing undeveloped areas or predominantly residential areas could change dramatically with an increase in commercial or industrial uses. Both fauna and nearby residential use could be affected by noise from traffic serving an industrial, commercial or residential use, the activity itself and/or associated or subordinate uses.
- M. Effect on Air Quality: The predominant determination of air quality in the area is wind speed and direction and the presence and activity of upwind pollution sources. The change in classification from Low Intensity Use to Hamlet will not create any actual or potential sources of air pollution. However, since many existing dwellings rely on wood as a primary or secondary heat source, an increase in development may result in a minor increase in the amount of wood smoke. Localized impacts would also result from any increase in traffic serving commercial and residential development.
- N. Effect on Park Character: Changes in overall intensity guidelines may cause a change in the character of an area by permitting development or preventing development not in keeping with the character of an area. The specific physical setting may help determine the area character and the character may be susceptible to changes resulting from map amendments. Impacts may be positive or have positive social impacts when changes in land use area occur which are in keeping with the character of an area. The character of an area

is determined by the types of uses and the manner of their creation, as well as the relative intensity of use.

### **ADVERSE ENVIRONMENTAL IMPACTS WHICH CANNOT BE AVOIDED**

Reclassification to a new Adirondack Park Land Use and Development Plan land use area itself does not create environmental impacts. However, the development that could result may create impacts as outlined above and as specified in the Generic Environmental Impact Statement. These effects can be mitigated by State and local permit requirements or mitigation measures identified in the discussion of alternatives.

### **IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

Potential environmental impacts are outlined above. To the extent that development occurs as a result of the map amendment, the consequent loss of forest and open space resources and degradation of water quality are the primary irreversible commitment of resources.

### **MITIGATION MEASURES**

The only means of mitigating impacts is the exclusion of locations within the area most affected or impacted by the reclassification. Therefore, the discussion of alternatives in this DSEIS becomes necessarily a discussion of mitigation.

### **GROWTH-INDUCING ASPECTS**

The area is presently classified Low Intensity Use on the Official Adirondack Park Land Use and Development Plan Map. As stated above, the statutory “overall intensity guidelines” for Low Intensity Use allows one principal building for every 3.2 acres and for Moderate Intensity Use, one principal building for every 1.3 acres. There are no overall intensity guidelines for Hamlet areas. Therefore the proposed amendment would allow a potential net increase in principal buildings within the map amendment area. (See Land Area and Population Trends for the current land use area acreage and census information for the Town of Minerva)

### **USE AND CONSERVATION OF ENERGY**

Increasing the number of allowable principal buildings in the amendment area will potentially increase energy use in proportion to the number, type and energy efficiency of principal buildings actually built.



## **SOLID WASTE**

An increase in the number of principal buildings (see section on Growth-Inducing Aspects) would lead to an increase in the amount of solid waste generated. Solid waste reduction/reuse/recycling programs could lessen disposal costs.

## **HISTORIC IMPACTS**

The Proposed Map Amendment Area is not located within an archeological sensitive area. The proposed map amendment will not cause any change in the quality of “registered”, “eligible” or “inventoried” property for the purposes of implementing Section 14.09 of the New York State Historic Preservation act of 1980.

## **ALTERNATIVE ACTIONS**

There are two categories of alternatives addressed by this document, alternative boundaries and alternative classifications. Since the request is to reclassify the land from Low Intensity Use to Hamlet, Moderate Intensity Use is an intermediate classification that could be considered. The two other categories of alternatives are:

A. No action

One alternative action is “no action” or denial of the request. The Agency may determine that the current classification is appropriate for an area under consideration for a map amendment. A failure to approve any change would preserve the present pattern of regulatory control.

B. Alternative regional boundaries

The redefinition of the proposed map amendment areas along alternative regional boundaries could be employed to reduce the size of the area.

Alternative Area 1 reduces the size of a potential map amendment from approximately 6.1 acres to approximately 4.2 acres in size.

## **POTENTIAL DEVELOPMENT**

If a map amendment is approved, different Agency regulations that affect development potential would apply. A change in land use classification will affect regulatory thresholds related to overall intensity guidelines and compatible uses as set forth in Section 805 of the Act. Potential for development criteria would also depend on whether an Agency permit is required pursuant to Section 810 of the Act, the number of lawfully pre-existing lots and structures and development privileges for such pre-existing lots based on Section 811 of the Act, and constraints resulting from environmental factors.

The overall intensity guidelines allow one “principal building” (single family residences or their legal equivalent under the Adirondack Park Agency Act) per 3.2 acres (average lot size) in lands classified as Low Intensity Use while lands classified as Moderate Intensity Use allow a 1.3 acre average lot size. There are no overall intensity guidelines for land classified as Hamlet. Under the current classification of Low Intensity Use, the Proposed Map Amendment Area could potentially allow 2 principal buildings (a single family dwelling or its equivalent under the APA Act). If reclassified to Moderate Intensity Use, the Proposed Map Amendment Area could potentially allow 5 principal buildings. There would be no limit to the number of principal buildings if classified as Hamlet. The above calculations are approximations and do not take into account existing development, lot configurations, resource constraints or existing permit conditions. This area contains all or a portion of eight lots, all of which are currently smaller than 3.2 acres, and approximately 6 residential structures.

## **LAND AREA AND POPULATION TRENDS**

The Town of Minerva is approximately 101,568 acres in size, including water bodies, and is classified on the Official Adirondack Park Land Use and Development Plan Map as follows:

<b>Land Classification</b>	<b>Acreage</b>
Hamlet	583
Moderate Intensity Use	457
Low Intensity Use	9,580
Rural Use	7,733
Resource Management	16,523
State Land	64,323

*Table 3. Approximate acreage of land use classifications in the Town of Minerva*

Population Growth Trends: The population of the Town of Minerva was estimated to be 591 in 2014, a decrease of 218 persons (27%) since 2010. Table 4 compares population growth of the Town of Minerva in both absolute and percentage terms as compared to the seven towns that surround Minerva.

Population of Minerva and Surrounding Towns  
(ranked by rate of growth)

Town/Village	2014	2010	Change from 2010-2014	
			Number	Percentage
Newcomb	493	463	30	6%
Chester	3,335	3,355	-20	-1%
Indian Lake	1,114	1,352	-238	-18%
Schroon	1,348	1,654	-306	-19%
Johnsburg	1,773	2,395	-622	-26%
<b>Minerva</b>	<b>591</b>	<b>809</b>	<b>-218</b>	<b>-27%</b>
North Hudson	172	240	-68	-28%
Long Lake	482	711	-229	-32%

*Table 4. Population Trends (Source: U.S. Census Bureau, 2010 Census, 2014 Census Estimate)*

## **STUDIES, REPORTS AND OTHER DATA SOURCES**

- New York State Environmental Conservation Law, Articles 8 and 24; New York State Executive Law, Article 27
- Soil Survey for Essex County
- United States Geological Survey Topographic map (7.5' series; scale 1:24,000)
- Air Photo Inventory, Adirondack Park Agency
- New York Natural Heritage Database
- NYS Office of Real Property Services
- Essex County Digital Tax Parcel Data
- U. S. Census Bureau
- Adirondack Park Agency Geographic Information Systems Data
- New York State Parks, Recreation and Historic Preservation National Register Internet Application

## **APPENDICES**

- A. APPLICATION FOR AMENDMENTS TO THE OFFICIAL ADIRONDACK PARK  
LAND USE AND DEVELOPMENT PLAN**
- B. LAND USE AREA DESCRIPTIONS, SETBACK AND COMPATIBLE USE LIST**
- C. LAND USE AREA CLASSIFICATION DETERMINANTS**
- D. PUBLIC HEARING NOTICE**
- E. DSEIS FILE LIST**

DRAFT

# APPENDIX A

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

NYS Adirondack Park Agency  
P.O. Box 99  
1133nys Route 86  
Ray Brook, NY 12977

Michael Kelly  
P.O. Box 81  
Olmstedville, NY 12857

April 1, 2016

**Adirondack Park Agency**

Request the Adirondack Park Agency approve Application FOR AMENDMENT TO THE OFFICIAL ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN MAP submitted by Michael Kelly property owner of the property listed as 612 Morse Memorial Highway ( 15400 164.23-2-4.000) to be changed from low density to hamlet.

The subject property is located in the heart of the hamlet of Olmstedville Town of Minerva but, not within the official hamlet. Approval of the application will properly classify a property that meets the description of hamlet described by the Adirondack Park Agency. Furthermore, it will facilitate achieving the goals and objectives in "Planning for Smart Growth and Expansion of Hamlets in the Adirondack Park". Since 1869 the property has been used for commercial activity including retail store, shop, US Post Office, and restaurant. The immediate area contains: US Post Office, gasoline/store, apartment house, restaurant, fire station/rescue squad, and Historical Society Museum.

The property diagonally across from the subject property was a commercial property in the hamlet. That property was acquired by the Town of Minerva and converted to a public park, which diminished the available area in the hamlet available for economic activity. Approval of this request would help restore the economic footprint of the hamlet.

An acknowledgement of receipt of this request and a time line for a decision on the request would be appreciated.

**Attachments:**

#1. Copy of Deed

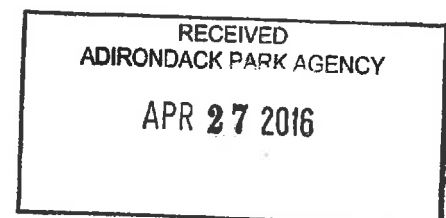
#2. Concurrence of adjacent and nearby property owners Names and addresses of property owners attached.

#3. Resolution of the Minerva Town Board endorsing and supporting the application.

#4. Tax Map

#5. Response to Adirondack Park Agency History Item 3. (B).

  
Michael Kelly



**EITHER PART A OR PART B MUST BE FILLED IN; BOTH ARE FILLED IN ONLY IF THE OWNER OF RECORD OF THE LAND INVOLVED AND THE LEGISLATIVE BODY OF THE LOCAL GOVERNMENT APPLY TOGETHER.**

**PART A** (to be filled out only by a landowner requesting a change in the Official Map)

**1. OWNER OF RECORD**

Name MICHAEL KELLY

Address P.O. Box 81

OLMSTEDVILLE, N.Y. 12857

Telephone \_\_\_\_\_

Cell Phone 518-321-7866

**2. APPLICANT'S REPRESENTATIVE**

Name PAUL J. KELLY, ESA

Local Address 27 Cobble Hill Drive, Conesvort, NY 12831

\* Please use local address for this matter

MAIN 2959 FIRST AVENUE NORTH

ST. PETERSBURG, FL 33713

Telephone \_\_\_\_\_

Cell Phone 904-226-8128

**3. THE LANDOWNER MUST SUBMIT THE INSTRUMENT OF TITLE (USUALLY A DEED)**

**4. THE APPLICANT MUST PROVIDE THE NAMES AND ADDRESSES OF BOTH ADJACENT LANDOWNERS AND THOSE WITHIN THE AREA BEING REQUESTED FOR RECLASSIFICATION, FROM THE LATEST COMPLETED TAX ASSIGNMENT ROLL**



**PART B** (to be filled out only if a local government is applicant or co-applicant)

**1. LEGISLATIVE BODY OF LOCAL GOVERNMENT**

Supervisor or Mayor Stephen R. McNally

Address 5 MORSE MEMORIAL HIGHWAY  
P.O. Box 937  
MINERVA, N.Y. 12851

Telephone 518 251 2869

Cell Phone \_\_\_\_\_

**2. APPLICANT'S REPRESENTATIVE**

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone \_\_\_\_\_

Cell Phone \_\_\_\_\_

**3. SECTION 583.1(c) OF THE AGENCY'S RULES AND REGULATIONS REQUIRES THAT THE REQUEST SHALL BE MADE BY RESOLUTION OF THE LEGISLATIVE BODY AND A CERTIFIED COPY SUBMITTED TO THE AGENCY**

**4. THE APPLICANT MUST PROVIDE THE NAMES AND ADDRESSES OF BOTH THE ADJOINING LANDOWNERS AS WELL AS THOSE WITHIN AND NEARBY THE AREA BEING REQUESTED FOR RECLASSIFICATION, FROM THE LATEST COMPLETED TAX ASSIGNMENT ROLL**

**PART C** (to be filled out by all applicants)

**1. GENERAL DESCRIPTION OF LAND**

- A. Town MINERVA  
County ESSEX  
Village OLMSTEDVILLE
- B. What is the size of the parcel to be considered? 1.4 acres
- C. Current Land Use area classification(s) LOW INTENSITY
- D. Requested classification(s) HAMLET

**2. ADIRONDACK PARK AGENCY HISTORY**  
(to be filled out by landowner/applicant only)

**3. A. Tax Map Description**

Map(Section) 164.23  
Block 3  
Parcel(s) 4.000

**B. Has this property been a part of any previous agency permit, letter of non-jurisdiction, map amendment or enforcement action?**

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, number and date of permit \_\_\_\_\_

Date of non-jurisdictional letter \_\_\_\_\_

Map Amendment number \_\_\_\_\_

Enforcement File Number \_\_\_\_\_

**Request for amendments must be accompanied by maps of a sufficient scale to allow the Agency to identify the boundaries of the requested amendment area. Copies of the Tax Map(s) delineating the area will suffice.**

COPY

**WARRANTY DEED**

THIS INDENTURE made this \_\_\_ day of March, Two-Thousand and Sixteen.

BETWEEN SCOTT MORRISON Grantor  
176 Jenkins Lane  
Sylvania, Georgia 30467

THERESA MORRISON Grantor  
176 Jenkins Lane  
Sylvania, Georgia 30467

AND

MICHAEL R. KELLY Grantee  
PO Box 81  
Olmstedville, New York 12857

WITNESSETH that the Grantor, in consideration of One Dollar and other valuable consideration, paid by the Grantee, does hereby grant and release unto the Grantee, his heirs, successors and assigns forever

ALL THAT TRACT, PART, PIECE, OR PARCEL of land situate in the Town of Minerva, Essex County, New York and described on "SCHEDULE A" annexed hereto and made a part hereof.

TOGETHER WITH the appurtenances and all the estate and rights of the Grantor in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the Grantee, his heirs, successors and assigns forever.

AND the Grantor covenants as follows:

FIRST, That the Grantor is seized of the said premises in fee simple, and has good right to convey the same.

SECOND, That the Grantee shall quietly enjoy said premises;

THIRD, That the Grantor will forever WARRANT the title to said premises;

FOURTH, That, in compliance with Section 13 of the Lien Law, the Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of improvement before using any part of the total of the same for any other purpose.

MOUNTAIN ABSTRACT CO., INC.  
(2016-577)

above written.

Scott Morrison  
SCOTT MORRISON

STATE OF GEORGIA )  
COUNTY OF Bulloch )

On the 1 day of March, 2016, before me, the undersigned, personally appeared SCOTT MORRISON, personally known to me or proved to me on the basis of satisfactory evidence Driver's license to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument in the Town/City of Statesboro and State of Georgia.

Jasaja M. Kent  
Notary Public  
My Commission Expires: MY COMMISSION EXPIRES  
JULY 18, 2017

Seal:

Theresa Morrison  
THERESA MORRISON

STATE OF GEORGIA )  
COUNTY OF )

On the 1 day of March, 2016, before me, the undersigned, personally appeared THERESA MORRISON, personally known to me or proved to me on the basis of satisfactory evidence Driver's license to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument in the Town/City of Statesboro and State of Georgia.

Jasaja M. Kent  
Notary Public  
My Commission Expires: MY COMMISSION EXPIRES  
JULY 18, 2017

Seal:

STATE OF NEW YORK )  
COUNTY OF ESSEX )

Michael R. Kelly

On the 3 day of March, 2016, before me, the undersigned, personally appeared MICHAEL R. KELLY, personally known to me or proved to me on the basis of satisfactory evidence Driver's license to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on

the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument in the Town/City of Schroon and State of New York.

DIANE M. TYRBELL  
Notary Public, State of New York  
Registration No. 01TY0000132  
Qualified in Essex County  
Commission Expires Aug. 10, 2018

Seal:

Diane M Tyrbell  
Notary Public

My Commission Expires: 8-10-18

**WARRANTY DEED WITH FULL COVENANTS  
SCOTT MORRISON AND THERESA MORRISON  
TO  
MICHAEL R. KELLY**

RECORD + RETURN TO:

Schedule "A"

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Minerva, County of Essex and State of New York, described as being part of Lot (40) Township twenty-five, Dominick's Patent, Tottenand Crossfield purchase, bounded as follows: Beginning in the center of the four corners of the highway in the village of Olmstedville, N. Y., running northerly along the center of highway one (1) chain and ninety-two (92) links to the southeast corner of Miss Bessie Walls Land; thence North seventy-nine (79) degrees and fifteen (15) minutes west along south line of Miss Bessie Walls land one (1) chain and thirty links; thence North seven (7) degree and thirty (30) minutes east along west line of Miss Bessie Walls land eighty-two (82) links to the south line of Mrs. E.A. Walls land; thence North seventy four (74) degrees and fifteen (15) minutes west along the south line of Mrs. E. A. Walls land, two (2) chains and sixty (60) links to the east line of Edward Lavery's land; thence South six (6) degree west along east line of Edward Lavery's and Charles P. Doherty's land, three (3) chains and forty-seven (47) links to the center of the highway leading to North Creek at the north west corner of Alex St. Onges land; thence Easterly along the center of the highway three (3) chains and fifty-two (52) links to the place of beginning, containing one and four tenths (1 4/10) acres of land more or less.

Excepting those premises conveyed to Charles Barnes by deed from Wesley Barnes dated 1-20-14, recorded 1-22-14 in Liber 150 cp.. 96 of the Essex County Clerk's Office.

Excepting those premises conveyed to Charles Barnes by deed from Wesley Barnes dated 4-29-35, recorded 8-30-35 in Liber 211 cp.. 416 of the Essex County Clerk's Office.

**BEING** the same premises conveyed to CATHERINE (KATE) E. SULLIVAN and HELEN B. KEENAN jointly by will of WESLEY BARNES, admitted to probate in the Essex County Surrogate's Court on September 11, 1943 and recorded in the Essex County Clerk's Office September 11, 1943 in Book 235 of Deeds at page 575.

CATHERINE (KATE) E. SULLIVAN died December 3, 1945.

HELEN B. KEENAN died January 24, 1971. By terms of her will admitted to Probate in the Essex County Surrogate's Court February 18, 1971 and recorded in Book 20 of Wills a page 133, a life estate in the premises herein conveyed was devised to DORIS SULLIVAN. DORIS SULLIVAN died January 31, 1987.

Also being the same premises identified on the Essex County Tax Maps as Section 164.23 Block 02 Lot 04.

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part and the heirs or successors and assigns of the party of the second part forever.

Said premises were seized for nonpayment of internal revenue taxes from R.L. Hanburgh & Sons Inc. and were sold by public sale on the 10<sup>th</sup> day of January, 1995. On that date, said premises were declared purchased by the party of the second part for the sum of \$6,150.12 it being the highest sum bid for said premises. The seizure, sale and issuance of this indenture were

**Schedule "A"**

**conducted in accordance with the provisions of subchapter D, Chapter 64 of the Internal Revenue Code of 1954 and the regulations promulgated there under.**

**Being the same premises conveyed on July 11, 1995 from Catherine Carrigan, as Chief, Special Procedures of the Internal Revenue for the Albany, New York District, to George Halloran, and recorded in the Essex County Clerk's Office on July 26, 1995 in Liber 1092 at page 177.**

**Being the same premises conveyed on the 8<sup>th</sup> day of August, 2003 from George Halloran to Scott S. and Theresa M. Morrison, as husband and wife and recorded in Book 1369 and Page 0296 of the Official Records of Essex County, New York.**

Property and mailing address	Mailing address when different than property address	xxx
Whitney Danial R 1410County Route 29	153400 154.23-2-5.002	P.O. Box 156 Olmstedville NY 12857
Arndt Theodore K 610 Morse Memorial Highway 19 Wagner St	153400 154.23-2-3.000	Olmstedville NY 12857 Ft Plain, NY 13339
Taylor Scott 608 Morse Memorial Highway	153400 154.23-2-2.000	Olmstedville NY 12857
Wilson Phillip R 1409 County Route 29	153400 164.23-4-1.000	P.O. Box 95 Olmstedville NY 12857
Mc Call Douglas 1401 County Route 29 1485 County Route 29	153400 164.23-4-2.000	Olmstedville NY 12857 North Creek, NY 12853
Duffy Darlene 1396 County Route 29	153400 164.23-4-5.211	Olmstedville NY 12857
Kelly Caroline 607 Morse Memorial Highway	153400 164.23-4-5.214	Olmstedville NY 12857
Bailey William J 605 Morse Memorial Highway	153400 164.23-4-5.216	P.O. Box 21 Olmstedville NY 12857
Borchers Robert A 600 Morse Memorial Highway 28 Forest Ave	153400 164.23-2-1.000	Olmstedville NY 12857 Saratoga Springs, NY 12866
Hogan Sean P 1396 County Route 29 759 Church Rd	153400 164.23-4-7.000	Olmstedville NY 12857
O'Malley Thomas L 1378 County Route 29	153400 164.23-3-20.000	Olmstedville NY 12857
Galusha Gerald J 1377 County Route 29 653 Church Rd	153400 164.23-4-8.000	Olmstedville NY 12857
Halloran George County Route 29 16B Hilton Haven Dr	153400 164.23-4-2.000	Olmstedville NY 12857 Key West, Fl 33040
		xxx



Property and mailing address

Mailing address when different than property address

xxx

Waddell Melinda 6590 B Arthur Rd  
Lowville, NY 133367

153400 164.23-2-7.000

6590 B Arthur Rd  
Lowville, NY 133367

xxx

Property and mailing address

Mailing address listed under property address when different

Kelly Michael

1389 County Route 29  
1390 County Route 20  
599 Morse Memorial Highway  
Morse Memorial Highway

153400 164.23-4-6.000  
153400 164.23-3-23.000  
153400 164.23-3-2.000  
153400 164.23-3-3.000

P.O. Box 81  
Olmstedville NY 12857

Pursuant to the requirements and instructions listed in APPLICATION FOR AMENDMENT TO THE OFFICIAL ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN MAP we the undersigned endorse and support the request to reclassify the property listed on the tax rolls as 612 Morse Memorial Highway ( 153400 164.23-2-4.000) from low intensity to hamlet.

Names and addresses of landowners within the area being requested for reclassification from low intensity to hamlet.

Name & Property address	Mailing Address
----------------------------	-----------------

164.23-3-20.000

OMalley Kathleen M

OMalley Thomas J

1378 County Route 29

Olmstedville, Ny 12857

*Kathleen O'Malley 2/6/16*  
*Thomas J. O'Malley 2/6/16*

164.23-4-8.000

Galusha Gerald J

Galusha Martha J

1377 County Route 29

Olmstedville, Ny 12857

*Gerald J. Galusha*  
*Martha J. Galusha*

164.23-4-7.000

Hogan Sean P

Hogan Jan M

1385 County Route 29

Olmstedville, Ny 12857

*Sean P Hogan*  
*Jan M Hogan*

OMalley Kathleen M

OMalley Thomas J

1378 County Route 29

Olmstedville, Ny 12857

Galusha Gerald J

Galusha Martha J

653 Church Rd

Olmstedville, Ny 12857

*2/9/16*  
*2/5/16*

Hogan Sean P

Hogan Sean P

759 Church Rd

Olmstedville, Ny 12857

*2/7/16*  
*2/7/16*

Pursuant to the requirements and instructions listed in APPLICATION FOR AMENDMENT TO THE OFFICIAL ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN MAP we the undersigned endorse and support the request to reclassify the property listed on the tax rolls as 612 Morse Memorial Highway ( 153400 164.23-2-4.000) from low intensity to hamlet.

Names and addresses of adjacent landowners to the property being requested for reclassification from low intensity to hamlet.

Olmstedville  
 Name Property Address Tax Map Use

Whitney Panial R  
 David R. Ruby  
 1410 County Route 29  
~~1~~ 30 2016  
 153400 164.23-2-5.002  
 Low Intensity

Arndt Theodore K  
 1/30/16  
 610 Morse Memorial Highway  
 153400 164.23-2-3.000  
 Low Intensity

Taylor Scott  
 1/29/16  
 608 Morse Memorial Highway  
 153400 164.23-2-2000  
 Low Intensity

Names and addresses of a landowners within the area being requested for reclassification from low intensity to hamlet.

Olmstedville  
 Name Property Address Tax Map Use

Wilson Phillip R  
 1-28-16  
 1409 County Route 29  
 153400 164.23-4-1000  
 Hamlet

Mc Call Douglas  
 2-2-16  
 1401 County Route 29  
 153400 164.23-4-2000  
 Hamlet

Duffy Darlene  
 1/28/2016  
 1396 County Route 29  
 153400 164.23-3-24.002  
 Hamlet

# 3981

Names and addresses of a landowners within the area being requested for reclassification from low intensity to hamlet.

Olmstedville

Name	Property Address	Tax Map	Use
Kelly Caroline	607 Morse Memorial Highway	153400 164.23-3-27.000	Hamlet
<i>Caroline Kelly</i>	<i>211/16</i>		
Bailey William J	605 Morse Memorial Highway	153400 164.23-3-25.001	Hamlet
<i>William Bailey</i>	<i>211/16</i>		

Pursuant to the requirements and instructions listed in APPLICATION FOR AMENDMENT TO THE OFFICIAL ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN MAP the undersigned endorse and support the request to reclassify the property listed on the tax rolls as 612 Morse Memorial Highway ( 153400 164.23-2-4.000) from low intensity to hamlet.

Name and address of a landowner within the area being requested for reclassification from low intensity to hamlet.

Name &  
Property address

Mailing Address

153400 164.23-3-1.100  
Borchers Robert A  
600 Morse Memorial Highway  
Olmstedville, NY 12857

Borchers Robert A  
28 Forest Ave  
Saratoga Springs NY 12866

SIGNED Robert A Borchers  
DATE 2/21/2015

Pursuant to the requirements and instructions listed in APPLICATION FOR AMENDMENT TO THE OFFICIAL ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN MAP the undersigned endorse and support the request to reclassify the property listed on the tax rolls as 612 Morse Memorial Highway ( 153400 164.23-2-4.000) from low intensity to hamlet.

Name and address of a landowner within the area being requested for reclassification from low intensity to hamlet.

Name &  
Property address

164.23-4-2.000  
Halloran George  
County Route 29  
Olmstedville, NY 12857

Mailing Address

Halloran George  
16B Hilton Haven Dr.  
Key West Fl. 33040

*George Halloran*  
*3/10/2016*

Pursuant to the requirements and instructions listed in APPLICATION FOR AMENDMENT TO THE OFFICIAL  
ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN MAP the undersigned endorse and support  
the request to reclassify the property listed on the tax rolls as 612 Morse Memorial Highway ( 153400 164.23-2-4.000)  
from low intensity to hamet.

Name and address of a landowner within the area being requested for reclassification from low intensity  
to hamlet.

Name & Property address	Mailing Address
164.23-2-7.000 Waddell Melinda County Route 29 Olmstedville, NY 12857	Waddell Melinda 6590 B Arthur Rd Lowville, NY 13367

sign:



date:





Property and mailing address

Mailing address listed under property address when different

Michael Kelly

1389 County Route 29

153400 164.23-4-6.000

P.O. Box 81 Olmstedville NY 12857

1390 County Route 20

153400 164.23-3-23.000

599 Morse Memorial Highway

153400 164.23-3-2.000

Morse Memorial Highway

153400 164.23-3-3.000

**Resolution of Support for Application for Amendment to  
Official Adirondack Park Land Use and Development Plan Map**

The following resolution was offered by McCall who moved its adoption.

WHEREAS The Town of Minerva contains the property located at 612 Morse Memorial Highway, parcel 15400 164.23-2-4.000; and

WHEREAS The prospective purchaser, Michael Kelly, is applying for an Amendment to the Official Adirondack Park Land Use and Development Plan Map, requesting that the parcel be changed from low intensity to hamlet; and

WHEREAS Michael Kelly has asked for the Town Board's support for this reclassification;

BE IT RESOLVED The Town Board of the Town of Minerva is in full support of the reclassification of said parcel from low intensity to hamlet.

This resolution was duly seconded by Iversen. A vote was taken with the following results:

AYES:  Dubay  
 McCall  
 LaBar  
 Iversen  
 McNally

NOES: \_\_\_\_\_ Dubay  
\_\_\_\_\_ McCall  
\_\_\_\_\_ LaBar  
\_\_\_\_\_ Iversen  
\_\_\_\_\_ McNally

As the duly elected Town Clerk of the municipality known as the Town of Minerva, I do hereby certify the following resolution was offered and duly seconded at the regular bimonthly board meeting held on 2-4-2016 with the results of said resolution noted above.

Dated: 2-4-2016

Signature Diana Mason  
Diana Mason, Town Clerk

TOWN SEAL

Property submitted for reclassification



Colored areas. Property owners supporting application.

Hamlet

Low Intensity

**#5. I do not have specific knowledge of the history of the subject property and the Adirondack Park Agency with the exception that previous owners have applied for various use permits. In addition, the property was apparently part of an application to reclassify several areas in the Town of Minerva (MA2006-02). In the attachment note Area N +/- 7 acres. Subject property represents 1.4 acres of the 7 acres.**

Public Hearing Notice

MA2006-02

Page 7

AREA N: Low Intensity Use to Hamlet; 7+/- acres

Beginning at a point at the intersection of the centerlines of County Route 30 and Minerva Stream; thence in a southerly direction along the centerline of County Route 30; thence in a westerly direction along the centerline of County Route 29 to a point one-tenth mile east of the centerline of County Route 30; thence in a northerly direction at a constant and parallel distance of one-tenth mile east of the centerline of County Route 30 to a point on the centerline of Minerva Stream; thence in a easterly direction along the centerline Minerva Stream to the point of beginning.

AREA O: Low Intensity Use to Rural Use; 139+/- acres


Beginning at a point on the Minerva Town boundary on the northern shore of Jackson Pong; thence in a westerly direction along the northern shore of Jackson Pond as it winds and turns; thence continuing in a westerly direction along the centerline of the Jackson Pong outlet; thence in a northerly direction along the eastern boundaries of Third and Fourth Lakes as it winds and turns to a point on the Minerva Town boundary; thence in a southerly direction along the Minerva Town Boundary 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.

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

4/17/09

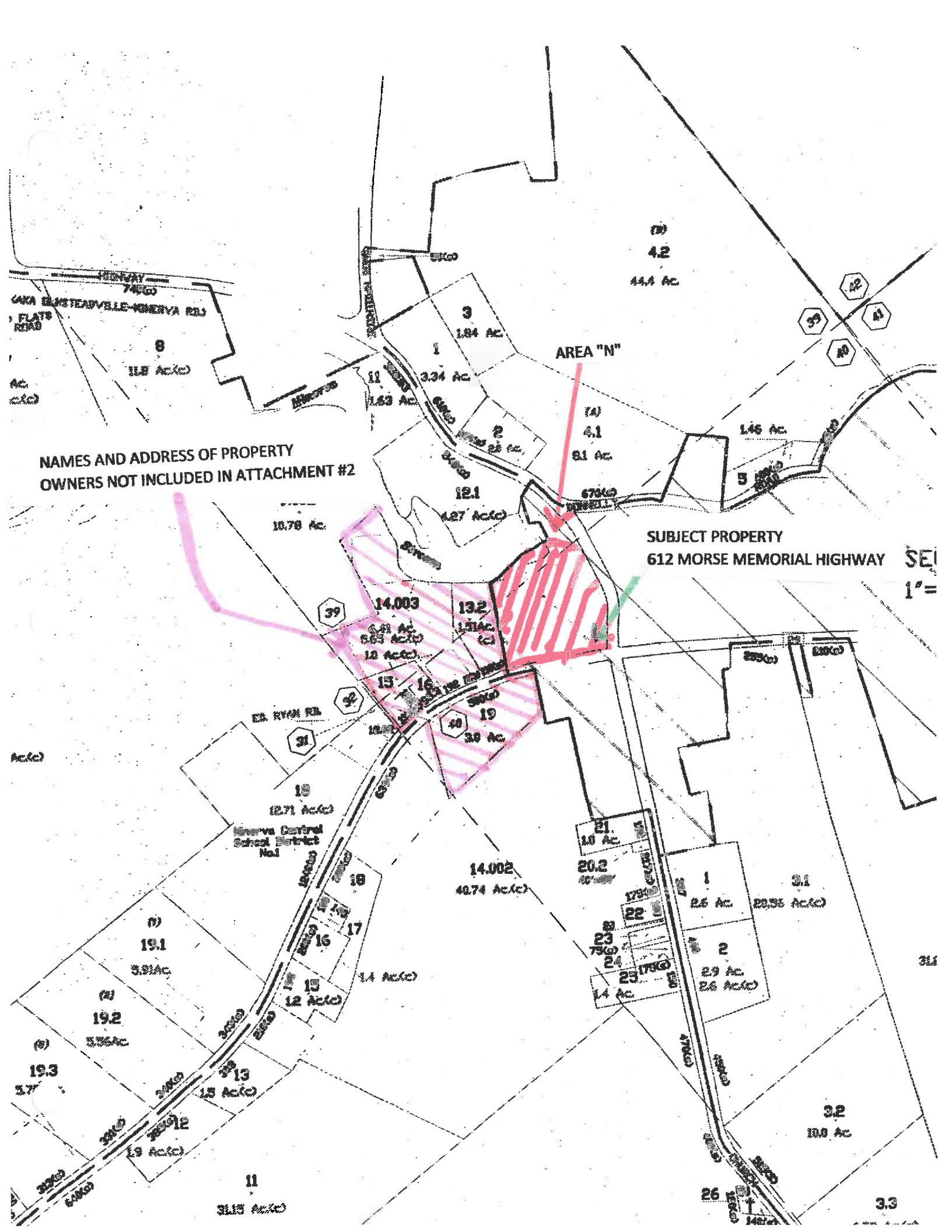
Date

  
James E. Connolly  
Acting Executive Director

cc: Agency Members and Designees

**NAME AND ADDRESS OF PROPERTY OWNERS NEARBY AREA OF AREA "N" NOT CONTACTED AS THOSE IN ATTACHMENT #2**

	Property and mailing address	Mailing address listed under property address when different from property address	
Loiselle Natalie	1418 County Route 29	153400 164.1-1-13.200	P.O. Box 182 Olmstedville, NY 12857
Moriarty Kevin	1428 County Route 29	153400 164.1-1-14.003	P.O.Box 2 Olmstedville, NY 12857
McNally Stephen R	1434 County Route 29	153400 164.1-1-16.000	P.O. Box 151 Olmstedville, NY 12857
Duffy Darlene D	1438 County Route 29	153400 164.1-1-15.000	P.O.Box 25 Olmstedville, NY 12857
Christian Carl C	1427 County Route 29	153400 164.1-2-19.000	Olmstedville, NY 12857 51 American Ave Coran, NY 11721



NAMES AND ADDRESS OF PROPERTY OWNERS NOT INCLUDED IN ATTACHMENT #2

SUBJECT PROPERTY  
612 MORSE MEMORIAL HIGHWAY

SCALE  
1" = 1'

11  
31.13 AC.

33



Property submitted for reclassification



Colored areas. Property owners supporting application.

Hamlet

Low Intensity



# APPENDIX B

Land Use 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.

## **RESOURCE MANAGEMENT AREAS**

*Character description:* Resource management areas, delineated in green on the plan map, are those lands where the need to protect, manage and enhance forest, agricultural, recreational and open space resources is of paramount importance because of overriding natural resource and public considerations. Open space uses, including forest management, agriculture and recreational activities, are found throughout these areas.

Many resource management areas are characterized by substantial acreages of one or more of the following: shallow soils, severe slopes, elevations of over twenty-five hundred feet, flood plains, proximity to designated or proposed wild or scenic rivers, wetlands, critical wildlife habitats or habitats of rare and endangered plant and animal species.

Other resource management areas include extensive tracts under active forest management that are vital to the wood using industry and necessary to insure its raw material needs.

Important and viable agricultural areas are included in resource management areas, with many farms exhibiting a high level of capital investment for agricultural buildings and equipment. These agricultural areas are of considerable economic importance to segments of the park and provide for a type of open space which is compatible with the park's character.

*Purposes, policies and objectives:* The basic purposes and objectives of resource management areas are to protect the delicate physical and biological resources, encourage proper and economic management of forest, agricultural and recreational resources and preserve the open spaces that are essential and basic to the unique character of the park. Another objective of these areas is to prevent strip development along major travel corridors in order to enhance the aesthetic and economic benefits derived from a park atmosphere along these corridors.

Finally, resource management areas will allow for residential development on substantial acreages or in small clusters on carefully selected and well designed sites.

*Guidelines for overall intensity of development:* The overall intensity of development for land located in any resource management area should not exceed approximately

Minimum shoreline lot widths and building setbacks are 200 and 100 feet respectively, and, in general, any subdivision 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, purposed 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

## **RESOURCE MANAGEMENT**

Primary uses in resource management areas:

1. Agricultural uses.
2. Agricultural use structures.
3. Open space recreation uses.
4. Forestry uses.
5. Forestry use structures.
6. Game preserves and private parks.
7. Private roads.
8. Private sand and gravel extractions.
9. Public utility uses.

10. Hunting and fishing cabins and hunting and fishing and other private club structures involving less than five hundred square feet of floor space.

11. Accessory uses and structures to any use classified as a compatible use.

Secondary uses in resource management areas:

1. Single family dwellings.

2. Individual mobile homes.

3. Hunting and fishing cabins and hunting and fishing and other private club structures involving five hundred square feet or more of floor space.

4. Campgrounds.

5. Group camps.

6. Ski centers and related tourist accommodations.

7. Agricultural service uses.

8. Sawmills, chipping mills, pallet mills and similar wood using facilities.

9. Commercial sand and gravel extractions.

10. Mineral extractions.

11. Mineral extraction structures.

12. Watershed management and flood control projects.

13. Sewage treatment plants.

14. Major public utility uses.

15. Municipal roads.

16. Golf courses.



# APPENDIX C

## 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 D

Public Hearing Notice

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# APPENDIX E

DSEIS File List

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