

COVER SHEET
and
NOTICE OF COMPLETION
of
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT (DSEIS)
MA 2017-01 (Essex)

NAME OF LEAD AGENCY AND PREPARER OF DSEIS:

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

PROJECT LOCATION:

Town of Essex
Essex County

PROPOSED ACTION:

Amendments to the Official Adirondack Park Land Use and Development Plan Map in the Town of Essex, Essex County (Map Amendment 2017-01) to reclassify fifteen areas, totaling approximately 5,518 acres pursuant to Section 805 (2)(c)(3) of the Adirondack Park Agency Act.

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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:

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EXECUTIVE SUMMARY
MA 2016-03

SUMMARY OF PROPOSED ACTION

The Town of Essex has requested a series of 15 amendments to the Official Adirondack Park Land Use and Development Plan Map (the Official Map) pursuant to the Section 805 (2) (c) (3) of the Adirondack Park Agency Act (Executive Law, Article 27). These 15 areas are located throughout the Town and range in size from approximately 2.3 acres to 2,599 acres and include changes to more and less restrictive classifications. Table 1 is a list of the 15 areas and their existing and proposed classifications. The requested map amendment areas are 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). Figure 1 is a map showing the location of the 15 proposed map amendment areas.

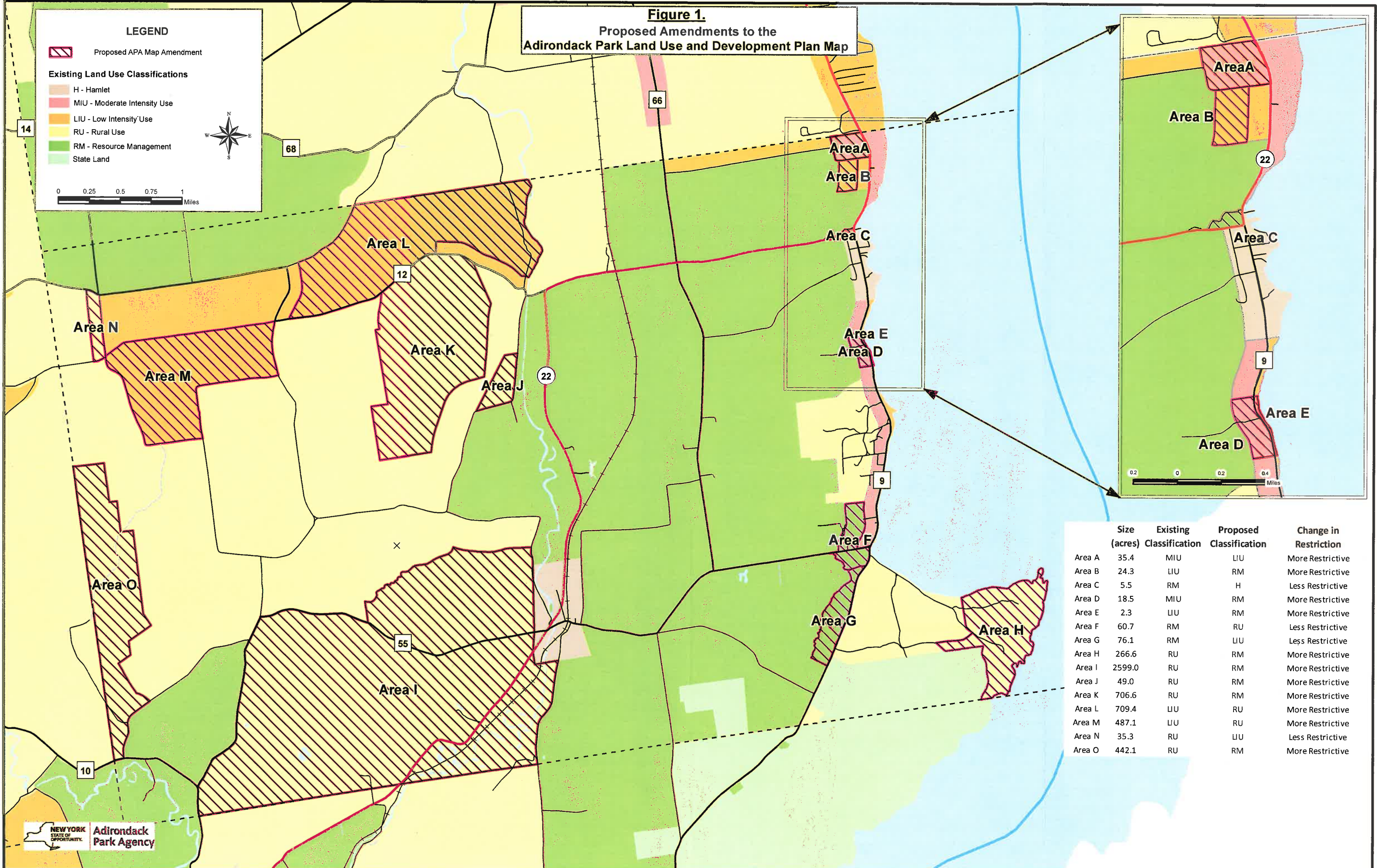
	Size (acres)	Existing Classification	Proposed Classification	Change
Area A	35.4	Moderate Intensity Use	Low Intensity Use	More Restrictive
Area B	24.3	Low Intensity Use	Resource Management	More Restrictive
Area C	5.5	Resource Management	Hamlet	Less Restrictive
Area D	18.5	Moderate Intensity Use	Resource Management	More Restrictive
Area E	2.3	Low Intensity Use	Resource Management	More Restrictive
Area F	60.7	Resource Management	Rural Use	Less Restrictive
Area G	76.1	Resource Management	Low Intensity Use	Less Restrictive
Area H	266.6	Rural Use	Resource Management	More Restrictive
Area I	2599.0	Rural Use	Resource Management	More Restrictive
Area J	49.0	Rural Use	Resource Management	More Restrictive
Area K	706.6	Rural Use	Resource Management	More Restrictive
Area L	709.4	Low Intensity Use	Rural Use	More Restrictive
Area M	487.1	Low Intensity Use	Rural Use	More Restrictive
Area N	35.3	Rural Use	Low Intensity Use	Less Restrictive
Area O	442.1	Rural Use	Resource Management	More Restrictive

Table 1. The proposed map amendments and their existing and proposed changes

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Figure 1.
Proposed Amendments to the
Adirondack Park Land Use and Development Plan Map



	Size (acres)	Existing Classification	Proposed Classification	Change in Restriction
Area A	35.4	MIU	LIU	More Restrictive
Area B	24.3	LIU	RM	More Restrictive
Area C	5.5	RM	H	Less Restrictive
Area D	18.5	MIU	RM	More Restrictive
Area E	2.3	LIU	RM	More Restrictive
Area F	60.7	RM	RU	Less Restrictive
Area G	76.1	RM	LIU	Less Restrictive
Area H	266.6	RU	RM	More Restrictive
Area I	2599.0	RU	RM	More Restrictive
Area J	49.0	RU	RM	More Restrictive
Area K	706.6	RU	RM	More Restrictive
Area L	709.4	LIU	RU	More Restrictive
Area M	487.1	LIU	RU	More Restrictive
Area N	35.3	RU	LIU	Less Restrictive
Area O	442.1	RU	RM	More Restrictive

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.

Four of the proposed amendments would result in a change to a less restrictive classification. 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 15 "principal buildings" (single family residences or their legal equivalent under the Adirondack Park Agency Act) per square mile (42.7 acres average lot size) in lands classified as Resource Management, 75 principal buildings per square mile (8.5 acres average lot size) in lands classified as Rural Use, 200 principal buildings per square mile (3.2 acres average lot size) in lands classified as Low Intensity Use, 500 principal buildings per square mile (1.3 acres average lot size) in lands classified as Moderate Intensity Use, while lands classified as Hamlet have no overall intensity guidelines. Please see Potential Development Section (Page 165) for a discussion on the potential build-out of these areas under different land use area classifications.

Potential environmental impacts include:

- A. Developed Area Storm Water Runoff: The request for Area C is to be reclassified as Hamlet. 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.
- B. Decrease in Water Quality: The request for Areas F, G and H is to be reclassified to less restrictive classification which would result in overall intensity guidelines that would permit a higher density of development in an area that is not served by public sewer. These three areas contain some soils that pose moderate or severe limitations for conventional on-site wastewater treatment systems to function properly. Improperly functioning wastewater treatment systems can cause pollution to groundwater and/or nearby surface water.

- C. Erosion and Sedimentation: The request for Areas C, F, G and H is to be reclassified to less restrictive classification which would result in overall intensity guidelines that would permit a higher density of development. 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: Areas F and G both contain wetlands. 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. 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 areas 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) (4) 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) (3) 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 reclassification effects a comprehensive review and evaluation of the plan map, at the request of the legislative body of a local government which has (a) completed and submitted to the agency a current and comprehensive inventory and analysis of the natural resource, open space, public, economic and other land use factors as may reflect the relative development amenability and limitations of the lands within its entire jurisdiction, and (b) formally adopted after public hearing a comprehensive master plan prepared pursuant to section two hundred seventy-two-a of the town law or section 7-722 of the village law, after public hearing thereon and upon an affirmative vote of a majority of its members. If the agency grants the amendment request in part, it shall not enter or file the amendment or amendments for a period of sixty days thereafter, during which time the legislative body of the local government may withdraw its request.

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 G.

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 H. 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.