



SHERMAN CRAIG
Chairman

TERRY MARTINO
Executive Director

In the Matter of the Application of

Town of Crown Point.

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

**SEQR FINDINGS
STATEMENT AND ORDER**

MA 2017-02

SUMMARY

The Adirondack Park Agency received an application from the Town of Crown Point, Essex County, for an amendment to the Official Adirondack Park Land Use and Development Plan Map, pursuant to Section 805 (2)(c)(1) of the Adirondack Park Agency Act, to reclassify approximately 201.6 acres from Low Intensity to Moderate Intensity Use.

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

Pursuant to the FGEIS, a Draft Supplemental Environmental Impact Statement (DSEIS) was filed on May 12, 2017. A public hearing was held on June 15, 2017, at the Crown Point Town Hall. On November____, 2017 the Agency filed a Final Supplemental Environmental Impact Statement (FSEIS).

After review of the FGEIS, based upon the facts and conclusions in the Draft and FSEIS, as set forth following, and based upon the criteria set forth in Section 805 of the Adirondack Park Agency Act, the Agency approves amending the proposed map amendment area from Low Intensity Use to Moderate Intensity Use.

At its regular monthly meeting in Ray Brook, New York on November 16, 2017, the Adirondack Park Agency adopted the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

MA2017-02: Low Intensity Use to Moderate Intensity Use; 201.6 +/- acres

1. The map amendment area is described as follows:

Beginning at a point at the intersection of the centerlines of Creek Road and an unnamed stream, said point being approximately 350 west of the intersection Creek Road and Porter Mill Road; thence in a northerly direction along the centerline of said unnamed stream to a point one-tenth mile from the centerline of Creek Road; thence in a northwesterly direction to a point that is the intersection of the centerline of Putnam Creek and the boundary between Lots 16 & 17 of the A. Campbell Tract; thence in a westerly direction along the centerline of Putnam Creek to a point one-tenth mile from the centerline of Creek Road; thence in a westerly direction at a constant distance of one-tenth mile from the centerline of Creek Road to a point on the northern boundary of the R. Grant Patent; thence in a westerly direction along the northern boundary of the R. Grant Patent to a point one-tenth mile west of the centerline of Factoryville Road; thence in a southerly direction at a constant distance on one-tenth mile from the centerline of Factoryville Road and Creek Road for a distance of approximately 2,800 feet to a point on a line that runs perpendicular to the centerline of Creek Road through a point that is the intersection of the centerline of Creek Road and an unnamed road; thence in a southeasterly direction along said perpendicular line to Creek Road to a point on the centerline of Creek Road; thence in a northerly direction along the centerline of Creek Road to its intersection with the centerline of Factoryville Road; thence in an easterly direction to a point that is the intersection of a line that is one-tenth mile east of the centerline of Putnam Creek and a line that is one-tenth mile south of the centerline of Creek Road; thence in a easterly direction at a constant distance of one-tenth mile from the centerline of Creek Road to a point one-tenth mile west of the boundary between Lots 19 & 31 of R. Grant Patent; thence in a southerly direction parallel to the boundary between Lots 19 & 31 to a point on the centerline of Pearl Street;

thence in a easterly direction along the centerline of Pearl Street to its intersection with Creek Road; thence in a easterly direction along the centerline of Creek Road to the point of beginning.

2. The Natural Resources Conservation Service Soil Survey has identified seven soils types: Dunkirk (3.1%), Howard (13.7%), Factoryville-Colonie (8.4%), Factoryville-Dunkirk (6.2%), Hartland (59.3%), Occum (6.9%) and Rippowam (2.4%).
3. Approximately 37% of the area contains slopes in the 0-3% range; 49% of the area contains slopes in the 3-8% range; 8% of the area contains slopes in the 8-15% range; 4% of the area contains slopes in the 12-25% range; and 2% of the area contains slopes above 25%.
4. The elevation in this area ranges from approximately 120 feet to approximately 300 feet in elevation.
5. There are approximately 20.8 acres of wetlands within this area.
6. The major hydrological features in the proposed map amendment area are Putnam Creek and an unnamed tributary to Putnam Creek. These streams are classified as C(T) streams by the Department of Environmental Conservation (DEC). A C(T) stream indicates that the stream's best use is fishing, and it is designated as a trout stream. Putnam Creek runs into Lake Champlain approximately 2 miles east of the proposed map amendment area. There is a floodplain located along Putnam Creek and its tributary.
7. The map amendment area is located along and visible from three county roads.
8. According to New York State Natural Heritage Program, there are no known occurrences of rare, threatened or endangered species in the proposed map amendment area, however, this area is located within a large area identified as potential habitat for Elusive Clubtail (*Stylurus notatus*), a species of dragonfly. The mapping accuracy of this potential habitat is very low. This species has a State ranking of SH, meaning it is historically known from New York State but has not been seen in the past 35 years. This species global ranking is G3, meaning it is either rare or found locally (even abundantly at some of its locations) in a restricted range, or vulnerable to extinction throughout its range because of other factors. The US Fish and Wildlife Service does not list any specific information regarding critical habitat or conservation plans for this species.
9. The wetlands within this area are a statutory Critical Environmental Areas (CEA) pursuant to the Adirondack Park Agency Act.

10. The proposed map amendment area is serviced by three county roads: County Route 46 (Factoryville Road), County Route 47 (Pearl Street) and County Route 2 (Creek Road). The area also contains Miller Drive, an approximately 500 feet long spur road that accesses the northwestern portion of the proposed map amendment area from County Route 2.
11. The Hamlet of Crown Point lies approximately 500 feet east of the area via County Route 2.
12. Public water, electric and telephone services are available to the area.

ENVIRONMENTAL EFFECTS

Environmental impacts may result from changes to less restrictive classifications. These potential impacts are described in the Draft and Final Supplemental Environmental Impact Statements published for this action, and detailed in the maps therein, showing the locations of sensitive resources, and summarized as follows:

- A. Decrease in Water Quality: The proposed map amendment would result in overall intensity guidelines that would permit a higher density of development in an area that is not served by public sewer. Approximately 27% of the soils in this area 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.
- B. Erosion and Sedimentation: The proposed map amendment 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, resulting in increased runoff, soil erosion, and stream sedimentation. Erosion and sedimentation may destroy aquatic life, ruin spawning areas and increase flooding potential.
- C. Adverse Impacts to Flora and Fauna: The proposed map amendment area contains approximately 20.8 acres of 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.

CONCLUSIONS OF LAW

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

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

THE REQUEST having regularly come for consideration and due deliberation having been had, and the Agency having voted to approve Map Amendment 2017-02;

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

ORDERED that the above-described request for amendments to the Official Adirondack Park Land Use and Development Plan Map for MA2017-02 in the Town of Crown Point, Essex County, be approved in the following manner:

Low Intensity Use to Moderate Intensity Use; 201.6 acres

ENTER

ADIRONDACK PARK AGENCY

By _____
Kathleen D. Regan
Deputy Director, Planning

ORDER issued this ___th

Day of November, 2017

at Ray Brook, NY