

**COVER SHEET**  
**and**  
**NOTICE OF COMPLETION**  
**of**  
**FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT (FSEIS)**  
**MA 2017-02 (Crown Point)**

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

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

**PROJECT LOCATION:**

Town of Crown Point  
Essex County

**PROPOSED ACTION:**

Amendment to the Official Adirondack Park Land Use and Development Plan Map in the Town of Crown Point, Essex County (Map Amendment 2017-02) to reclassify approximately 201.6 acres from Low Intensity Use to Moderate Intensity Use pursuant to Section 805 (2)(c)(1) of the Adirondack Park Agency Act.

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**DATE OF ACCEPTANCE OF FSEIS BY LEAD AGENCY:**

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## **EXECUTIVE SUMMARY**

MA 2017-02

### **SUMMARY OF PROPOSED ACTION**

The Town of Crown Point has requested an amendment to the Official Adirondack Park Land Use and Development Plan Map (the Official Map) pursuant to the Section 805 (2) (c) (1) of the Adirondack Park Agency Act (Executive Law, Article 27). The requested area is approximately 201.6 acres in size and located in the eastern portion of the Town, near the existing Hamlet of Crown Point. The Town is requesting the classification for this area be changed from Low Intensity Use to Moderate Intensity Use, a less restrictive classification. The requested map amendment area is defined by “regional boundaries” as required by Section 805 (2) (c) (5) of the Adirondack Park Agency Act (APA Act) and described in the Agency’s Final Generic Environmental Impact Statement (FGEIS) on the map amendment process (August 1, 1979).

On May 12, 2017, a Draft Supplemental Environmental Impact Statement (DSEIS) was completed. A public hearing was held on June 15, 2017 at the Crown Point Town Hall and the public comment period concluded on July 3, 2017. A summary of the public hearing can be found in **Appendix #** of this FSEIS and all written comments submitted are in **Appendix #** of this FSEIS.

The Agency has review the character of the area and relevant land use area determinants and the preferred alternative is to approve the town’s request by amending the 201.6 acres from Low Intensity Use to Moderate Intensity Use. Please see the Preferred Alternative section on **page ##** for more information.

### **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 proposed amendment 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 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, and 500 principal buildings per square mile (1.3 acres average lot size) in lands classified as

Moderate Intensity Use. Please see Potential Development Section (Page 22) for a discussion on the potential build-out of this area under different land use area classifications.

Potential environmental impacts include:

- A. Decrease in Water Quality: The request for the proposed map amendment area is to be reclassified to a 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. 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: Reclassifying the proposed map amendment area to a less restrictive classification 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.
- C. Adverse impacts to flora and fauna: The proposed map amendment area contains approximately 21 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.

The maps and discussions of soils, topography, hydrology and biological considerations that follow show the portions of the proposed map amendment area that is subject to these environmental issues.

## **SUMMARY OF PROCEDURES UNDER SEQRA**

This Final Supplemental Environmental Impact Statement (FSEIS) 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 DSEIS, the Agency holds a combined public hearing on both the proposed map amendment and the DSEIS, and incorporates all comments into a 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) (5) 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 affirmative 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) (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.

## FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

### MA 2017-02 (Town of Crown Point)

#### **PROPOSED ACTION**

The Town of Crown Point has requested an amendment to the Official Adirondack Park Land Use and Development Plan Map. The requested area is approximately 201.6 acres in size and located in the eastern portion of the Town, near the existing Hamlet of Crown Point. The Town is requesting that the classification change from Low Intensity Use to Moderate Intensity Use. 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 proposed map amendment area conforms to regional boundary criteria and therefore can be examined in comparison to the statutory "purposes, policies and objectives" and the "character descriptions" for their proposed classifications, 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 the relevant land use areas are 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 relatively intense development does not exist are characterized by deep soils on moderate slopes and are 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.



## **ENVIRONMENTAL SETTING**

### Adirondack Park Land Use and Development Plan Map

The proposed map amendment area is approximately 201.6 acres in size and currently classified as Low Intensity Use. The proposed map amendment would reclassify this area as Moderate Intensity Use, a less restrictive classification. The proposed map amendment is located in the eastern portion of the Town, between the Hamlets of Crown Point and Crown Point Center. It is a portion of an approximately 4,200 acre Low Intensity Use area. Figure 1 shows the proposed map amendment area on the Adirondack Park Land Use and Development Plan Map. The proposed map amendment 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 of 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 of 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 an 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 an easterly direction along the centerline of Pearl Street to its intersection with Creek Road; thence in an easterly direction along the centerline of Creek Road to the point of beginning.

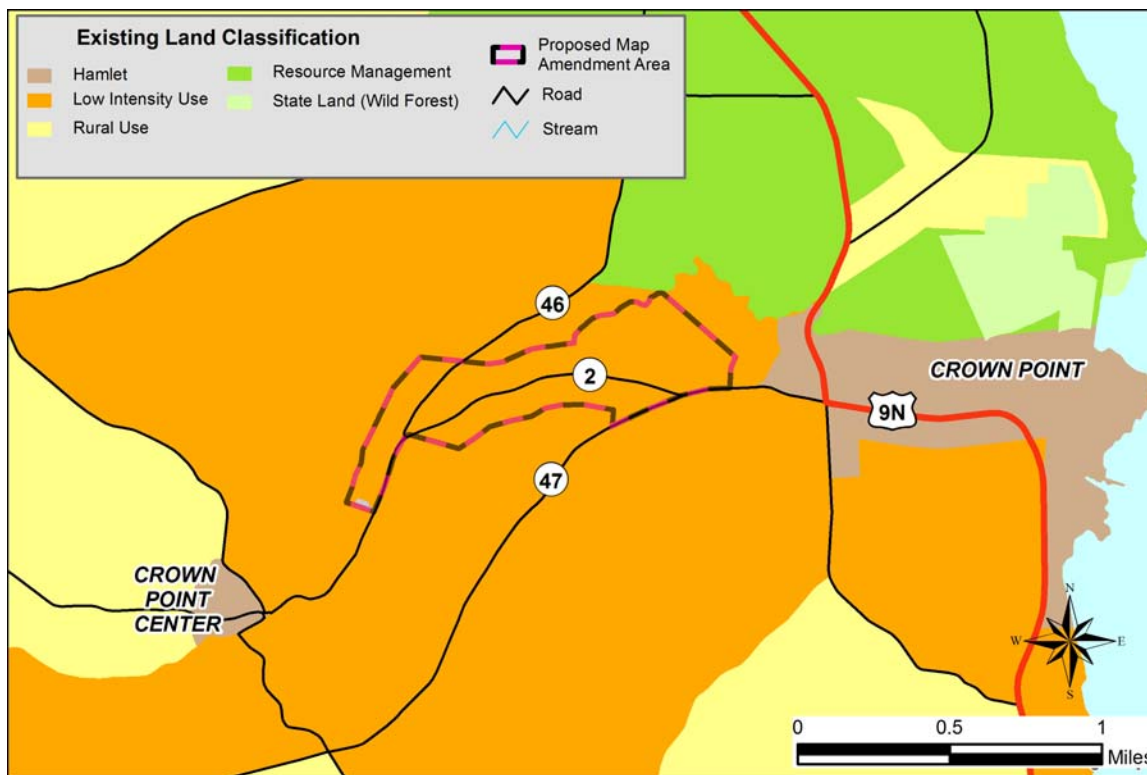


Figure 1. The proposed map amendment area shown on the Adirondack Park Land Use and Development Plan Map.

### Existing Land Use and Services

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. The Hamlet of Crown Point lies approximately 500 feet east of the area via County Route 2. Public electric and telephone services are available to the area along the road network. The area is served by a public water system but there is no sewer service available. Figure 2 shows the parcels and the existing land use in the area and Figure 3 shows an aerial image of the area.

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

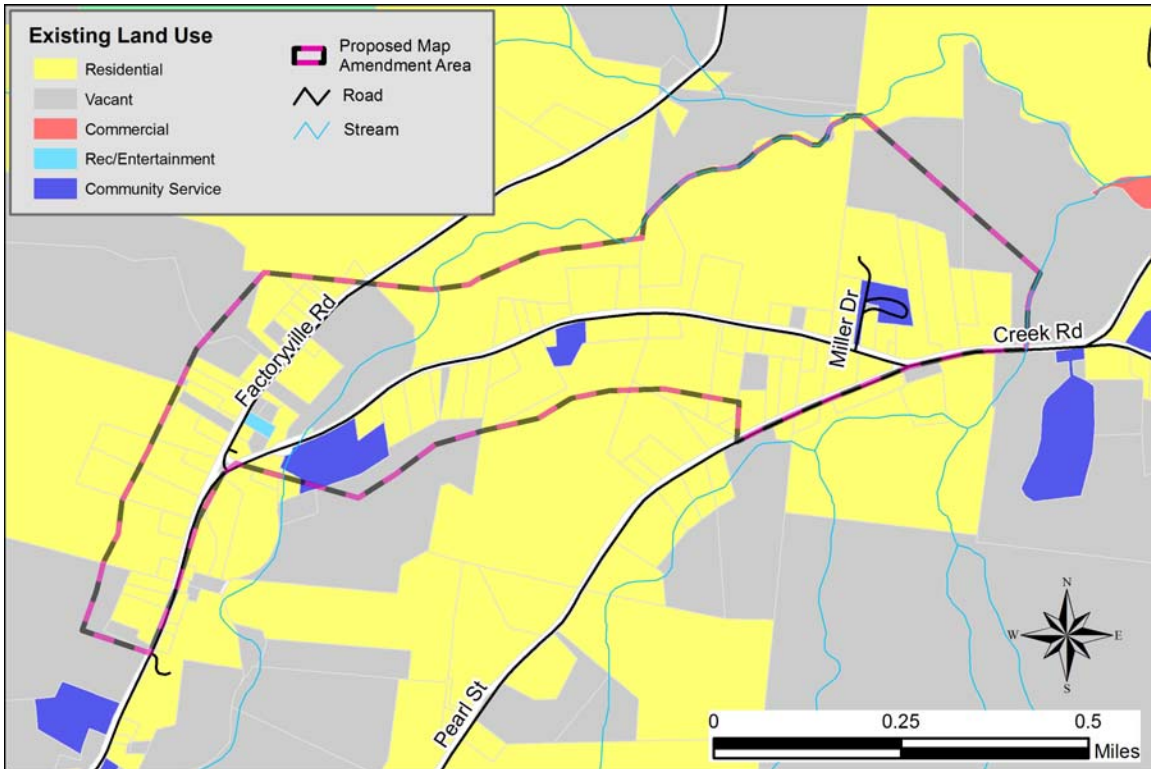


Figure 2. Existing land use in and adjacent to the proposed map amendment area. Inconsistencies exist between tax parcel maps, deeded property descriptions and the Adirondack Park Land Use and Development Plan Map. White areas are not considered part of any tax parcel according to the Essex County Property Tax Maps. (Source Essex Co, NYS ORPS)

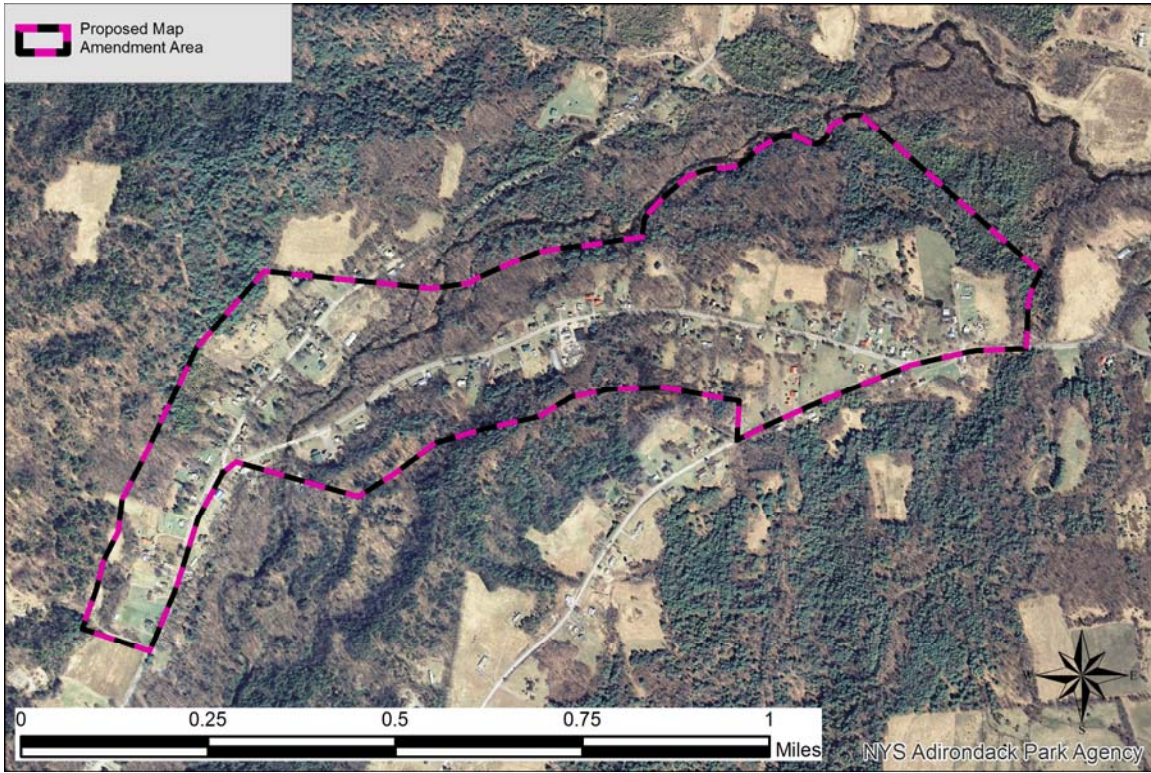


Figure 3. 2009 aerial image of the proposed map amendment area.

## 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 seven soil map units within the proposed map amendment area.

Table 4 contains the seven soil map units, their relative limitation for onsite wastewater treatment systems, their primary characteristics that limit their suitability for onsite wastewater treatment systems and their abundance within the proposed map amendment area.

Map Unit Symbol	Soil Series Name	Percentage of Map Amendment Area	Limitations for Onsite Wastewater Treatment Systems	Limiting Factor
DuD	Dunkirk	3.1%	Severe	Steep Slopes
FcB	Factoryville-Colonie	3.5%	Moderate	Factoryville component has a shallow seasonal high watertable
FcC	Factoryville-Colonie	2.1%	Moderate	Factoryville component has a shallow seasonal high watertable
FcD	Factoryville-Colonie	2.8%	Severe	Steep Slopes
FdF	Factoryville-Dunkirk	6.2%	Severe	Steep Slopes
HcB	Hartland	33.2%	Few	
HdB	Hartland	26.1%	Few	
HgB	Howard	13.7%	Few	
OmA	Occum	6.9%	Severe	Occasionally flooded
Pd	Pits	0.0%	N/A	
RmA	Rippowam	2.4%	Severe	Shallow seasonal high watertable

*Table 1. Soil map units, their relative limitation for onsite wastewater treatment systems, their primary characteristics that limit their suitability for onsite wastewater treatment systems and their abundance within the proposed map amendment area*

Figure 4 is a map showing the detailed soils mapping and their relative limitations on onsite wastewater treatment systems for the proposed map amendment area. Approximately 73% of the area contains soils which can be expected to be suitable for onsite wastewater treatment systems with few limitations, 6% of the area contains soils which can be expected to be suitable for onsite wastewater treatment systems with moderate limitations and 21% of the area contains soils which are expected to pose severe limitations for onsite wastewater treatment systems.

Detailed soil mapping also provides slope categories for each soil map unit which represents the general slope throughout a particular soil map unit and may not reflect the actual slope for all portions of a soil map unit. Please refer to the discussion of topography below for more detailed information on slopes.

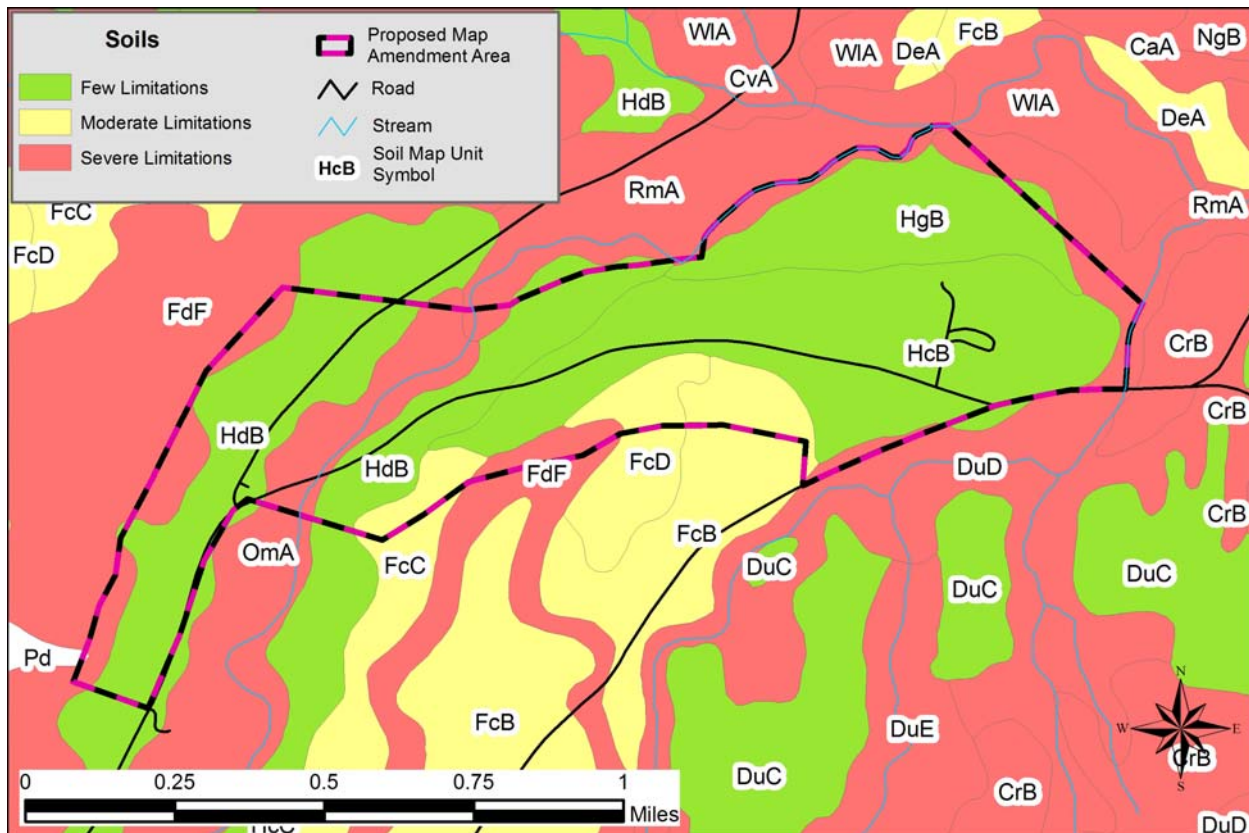


Figure 4. Soil Survey of Essex County detailed soil delineation in The proposed map amendment area . (Source NRCS )

## Topography

The topography of the proposed map amendment area ranges from flat to gently sloping. Slopes ranging from 0 to 3% comprise approximately 37% of the 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 49% of the 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 8% of the 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 4% of the area. Slopes in this range can pose moderate to severe limitations for development. Slopes above 25%, which pose severe limitations for development, comprise approximately 2% of the area. Figure 5 shows the slopes in the proposed map amendment area.

Slope	Portion of Area	Description	Relative Limitations
0-3%	37%	Relatively Flat	Slight
3-8%	49%	Gentle Slope	Few
8-15%	8%	Moderate Slopes	Moderate
15-25%	4%	Steep Slopes	Severe
>25%	2%	Severe Slopes	Severe

Table 2. Slope categories in the proposed map amendment area.

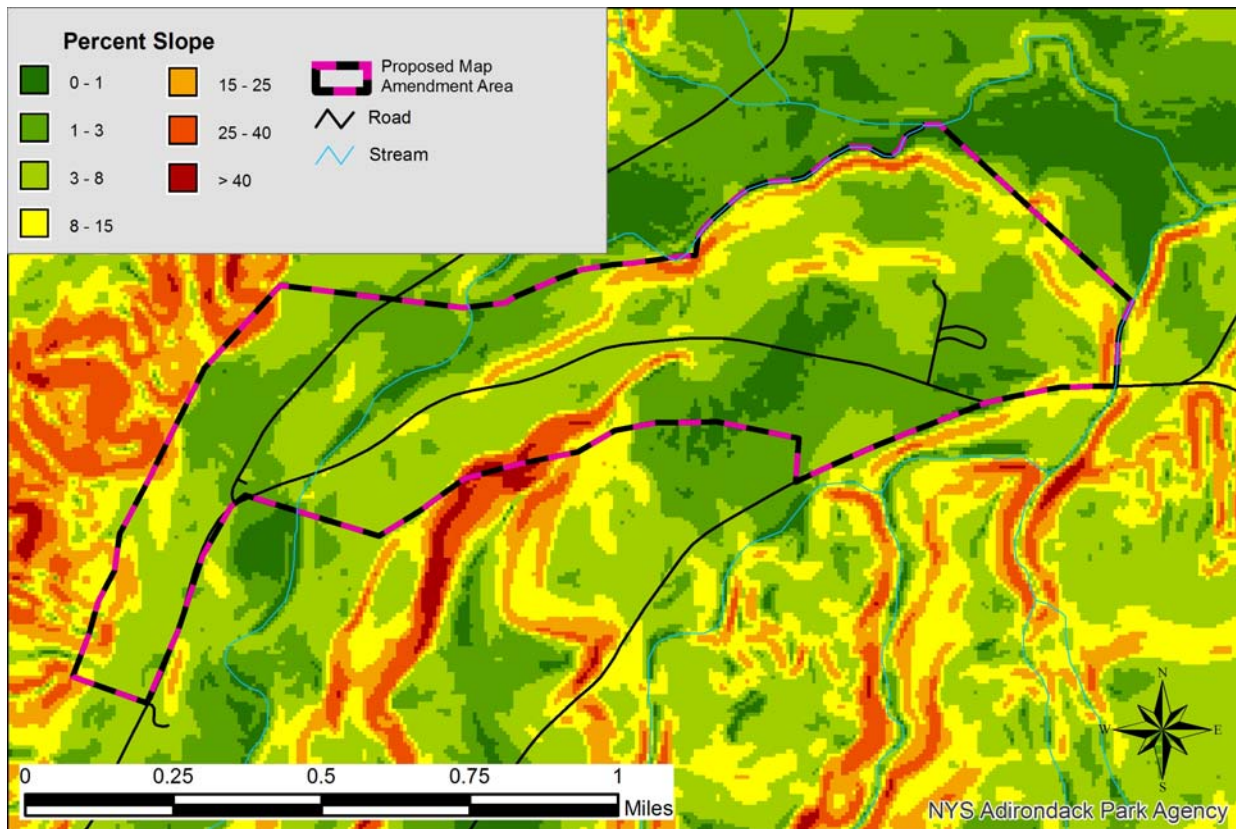


Figure 5. Slopes in the proposed map amendment area. (Source 10M DEM)

### Elevations

The elevation in the proposed map amendment area ranges from approximately 120 feet to approximately 300 feet in elevation.

### Wetlands

Figure 7 shows the approximate locations of mapped wetlands in the vicinity of the proposed map amendment area. There is an approximately 20.8 acre wetland in the area.

## Hydrology

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. The only floodplain mapping available is the Flood Insurance Rate Maps (FIRM, produced by the Federal Emergency Management Agency, which map the 100 year flood plain (1% change of flooding on any given year). There have been 22 amendments to the Crown Point FIRM over the years in which landowners have disputed the maps. The 22 amendments removed parcels or individual structures from the flood hazard area, therefore the accuracy of the FIRM is questionable.

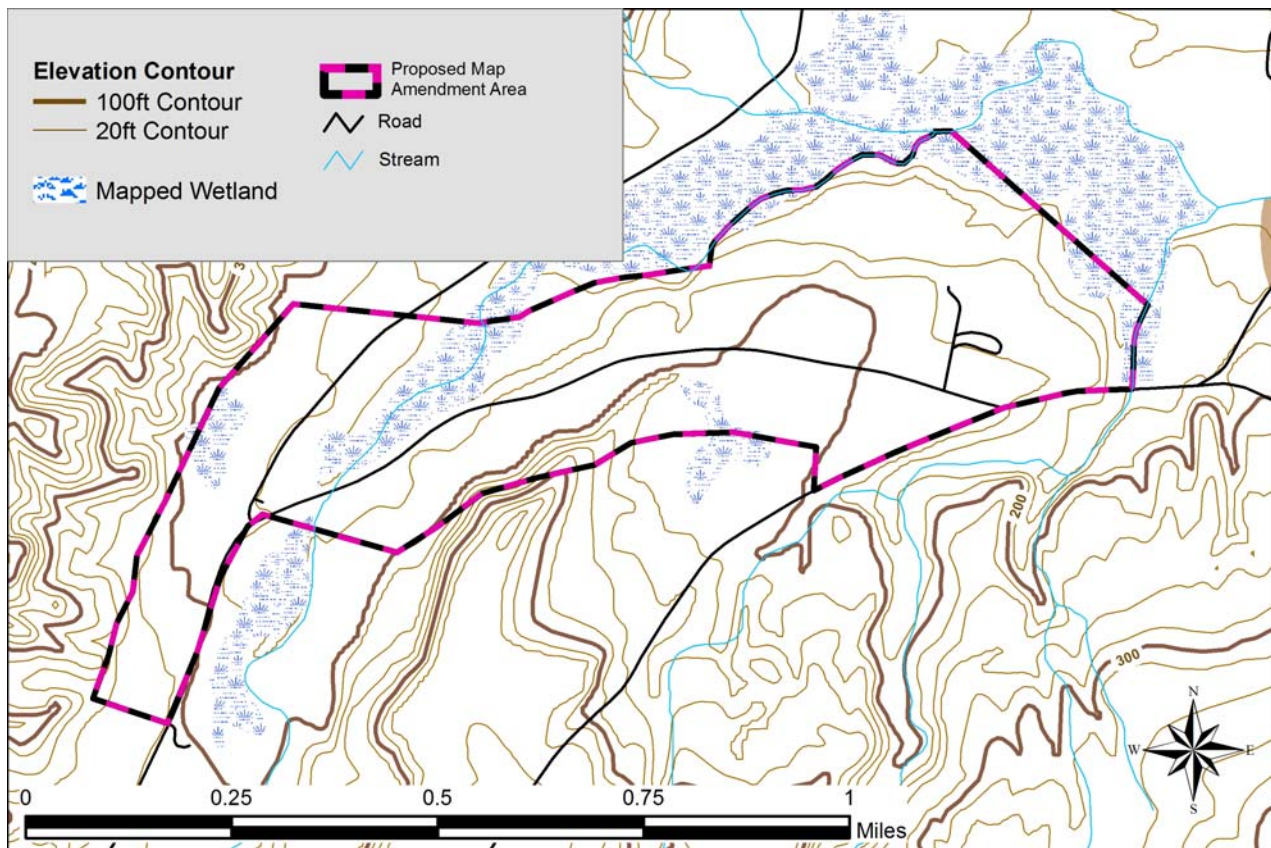


Figure 6. Topography and wetlands within and adjacent to the proposed map amendment area.



### Visual Considerations

The proposed map amendment area is located along three county roads. There is not traffic count data available for these roads. The area does not appear to be visible from any State highways or major public vistas.

### Biological Considerations

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 not 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.

### Critical Environmental Area

The wetlands in the proposed map amendment area are a statutory Critical Environmental Areas (CEA) pursuant to the Adirondack Park Agency Act.

## **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.

Potential environmental impacts include:

- 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 21 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.
- D. 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 and its additions to local tax and business revenues when compared to increased cost associated with solid waste disposal, schools and other community services.
- E. 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.
- F. Effect on Existing Residential Development in and Adjacent to the Map Amendment Area: Land uses in and adjacent to the area are primarily residential. The proposed change to the Map, which would allow a greater density of development, will likely not change the existing character and uses in this area.
- G. Effect on Noise Quality: The levels of noise could change dramatically with some 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.
- H. 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 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.

- I. Effect on Park Character: Changes in overall intensity guidelines may cause a change in the character of an area by permitting development or by 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 impacts are more likely to occur in areas where the character is important as a factor in determining the overall character of the Park. Land use classification determinants that relate to Park character include scenic vistas, undeveloped areas adjacent to travel corridors, proximity to key public lands and proximity to existing communities.

### **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**

Environmental effects will be mitigated by applying statutory criteria for map amendments. These criteria balance the various physical, biological and public resource considerations and provide development opportunities in areas with tolerant resources, thereby protecting the public interest. Sensitive or intolerant natural or public resources are generally found in the more restrictive land use areas. There they are protected by lower permitted densities, a greater possibility of projects being reviewed and more rigorous shoreline setback and lot width standards.

Development opportunities are provided in and around the Hamlet areas where existing services are found and in areas with natural resource characteristics (e.g. slight slopes) economically conducive to development. In these counterpoint areas lower development costs, higher permitted densities and less strict standards promote development of these areas. Another means of mitigating impacts is the exclusion of locations where the physical resources are less suitable for development. Therefore, the discussion of alternatives in this FSEIS becomes necessarily a discussion of mitigation.

### **GROWTH-INDUCING ASPECTS**

The proposed amendment to the Official Map would change the maximum density allowed pursuant to the Adirondack Park Agency Act by changing the “overall intensity guidelines” for this specific area. As stated above, the statutory “overall intensity guidelines” for Low Intensity Use allows one principal building for every 3.2 acres, while Moderate Intensity Use allows one principal building for every 1.3 acres. (See Land Area and Population Trends for the current land use area acreage and census information for the Town of Crown Point)

### **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 three categories of alternatives that could be considered for a map amendment.

A. No action - For the proposed map amendment, one alternative action is “no action” or denial of the request. The Agency may determine that the current classification is appropriate for the 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 area along alternative regional boundaries could be employed. Alternative boundaries can be used to exclude areas that pose physical limitations for development or other concerns. For this proposed map amendment, the areas of concern are areas with soils that can pose severe limitations for development and wetlands. Many of these areas are along the perimeter of the proposed map amendment area and difficult to exclude with alternative regional boundaries without significantly reducing the size of the area. The primary area of concern in the interior of the proposed map amendment area is the area along Putnam Creek. This area contains significant wetlands, poor soils for development and is within the floodplain of this creek. One potential geographic alternative would be to remove the area along the creek, creating two separate Moderate Intensity Use areas.

C. Alternative classifications –The proposed map amendment area is currently classified as Low Intensity Use and the proposal would reclassify this areas as Moderate Intensity Use, therefore there are no intermediate classifications to consider.

### **PREFERRED ALTERNATIVE**

The preferred alternative is to reclassify this area from Low Intensity Use to Moderate Intensity Use. The Agency has reviewed the character of the proposed map amendment area and determined that this area meets the character description of the Moderate Intensity Use classification. Moderate Intensities use areas 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. Some of the relevant land use area determinants that factor into the preferred alternative for this area include existing land uses, soils, topography, and proximity to the Hamlet of Crown Point.

The natural resources in this area is capable of supporting the density of development allowed by Moderate Intensity Use. Approximately 73% of the area contains soils that could support onsite wastewater treatment systems and appositely 6% of soils are expected to poses moderate limitations for on-site wastewater treatment systems. The remaining 21% of the area contains soils expected to pose severe limitations for these systems. These severely limiting soils are primarily located along Putnam Creek and tributary, and a steep section in the southern central portion of this area. These areas along the streams and this steep area also contain most of the steep slopes while 94% of the area contains slopes of less than 15%.

This area is located approximately just west of the existing Hamlet of Crown Point. This existing development in this portion of the Town has established a primarily residential character for this area. The area has three major roads through it which provide easy access to the Hamlet area. The area is served by the Town's water system.

One of primary concern with allowing more development this area is the amount of wetlands. There are approximately 20.8 acres of wetlands in this area, or approximately 10% of the area. The majority of the wetlands are located along the two streams that form part of the map amendment boundary. This preferred alternative would allow a higher density of development upland of these wetlands, however, the wetlands will continue to be protected under State law in all classifications.

### **POTENTIAL DEVELOPMENT**

If the map amendment is approved, different Agency regulations that affect development potential would apply. A change in 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 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, and 500 principal buildings per square mile (1.3 acres average lot size) in lands classified as Moderate Intensity Use. Table 7 shows the mathematical build-out for this area. These calculations are approximations and do not take into account existing development, lot configurations, resource constraints or existing permit conditions.

Size (acres)	Existing Classification	Existing Average Lots Size per OIG	Total Mathematical PBs under Existing Classification	Proposed Classification	Proposed Average Lots Size per OIG	Total Mathematical PBs under Proposed Classification
201.6	Low Intensity Use	3.2	63	Moderate Intensity Use	1.3	155

Table 3. Mathematical build-out estimates of the proposed map amendment area under the existing and proposed classifications. These figures were calculated by dividing the acreage for each area by the current and proposed classifications average lot size under the OIGs.

### LAND AREA AND POPULATION TRENDS

The Town of Crown Point is approximately 50,218 acres in size, including water bodies, and is classified on the Official Adirondack Park Land Use and Development Plan Map as follows:

Land Classification	Acreage
Hamlet	404
Moderate Intensity Use	0
Low Intensity Use	5,545
Rural Use	18,973
Resource Management	18,455
State Land	6,841

Table 4. Approximate acreage of land use classifications in the Town of Crown Point



Population Growth Trends: The population of the Town of Crown Point was estimated to be 2,024 in 2010, a decrease of 95 persons (4%) since 2000. Table 6 compares population growth of the Town of Crown Point in both absolute and percentage terms as compared to the seven towns that surround Crown Point.

Population of Crown Point and Surrounding Towns  
(ranked by rate of growth)

Town/Village	2010	2000	Change from 2000-2010	
			Number	Percentage
Moriah	4,798	4,879	-81	-2%
Ticonderoga	5,042	5,167	-125	-2%
<b>Crown Point</b>	<b>2,024</b>	<b>2,119</b>	<b>-95</b>	<b>-4%</b>
Schroon	1,654	1,759	-105	-6%
North Hudson	240	266	-26	-10%

Table 5. Population Trends (Source: U.S. Census Bureau, 2010 Census, 2000 Census)

**RESPONSE TO COMMENTS**

Below is a summary of relevant comments received and a response to those comments. The comments listed below are paraphrased. If multiple comments received are similar, they are only listed once. Multiple comments on a similar theme are grouped together.

**The DSEIS does not fully address critical natural resource concerns and needs to better balance long-term development impacts with offsetting resource protections so that there is at minimum a neutral cumulative impact. Recent map amendments by other towns have shown that these amendments can include classification changes that are multi-dimensional and sensible at a landscape scale. They balance modest shifts in lands from more-restrictive classifications to less-restrictive ones by moving lands with high resource management values into a more restrictive classification.**

A request for a map amendment pursuant to Section 805(2)(c)(1) requires a comprehensive look at the natural resource capability throughout a town. Typically, this kind of town-wide analysis would result in changes to both more and less restrictive classifications. Map Amendment 2017-02 is a request pursuant to Section 805(2)(c)(1), which is a request by a town or landowner for a specific area. The decision criteria for this type of request involves an analysis of the character of the requested area. There is no requirement that a map amendment request for a less restrictive classification pursuant to Section 805(2)(c)(1) be balanced with a request

map amendment to a more restrictive classification. The Agency does not have the authority to initiate a map amendment to a more restrictive classification if one is not requested.

**The DSEIS evaluates the potential impacts the proposed reclassification will have on development, the environment, and the local economy at an inappropriate scale. We believe this reclassification proposal needs to be reviewed from a Town-wide scale in order to help prevent fragmented or incompatible land use decisions.**

The APLUDP is a regional land use plan. The DSEIS includes Town-wide and regional data.

**As currently drafted, the Agency notes how the change in building densities would affect the number of future principle buildings (PBs) within the area but does not capture the realistic impact this change could have over time. Currently, there are approximately 65 PBs within the amendment area under Low Intensity Use (LIU), while the area has an anticipated PB capacity of around 155 under the proposed classification. Where would these additional 90 dwellings go and what is the feasible (not mathematical) number of buildings that could be built under MIU considering slope, soil, or wetland limitations? The discussion of potential development necessitates a far more robust analysis to determine what the realistic impacts would be.**

A map amendment changes the regulations that govern land use and development. It does not authorize any specific development proposals. Determining how and where development will occur in the future would be strictly speculative. The mathematical principal building calculations are based on the average lot size for a particular classification. Since principal buildings may be transferred within a land use area, the presence of steep slopes, poorly suited soils or wetlands do not necessarily affect the total number of PB's within a land use area.

**This map amendment could create an informal "Hamlet-like" corridor between Crown Point and Crown Point Center. The proposed MIU area is clearly located in close proximity between these two Hamlet areas and it is not unreasonable to foresee a future where this MIU area is part of a renewed Hamlet reclassification effort, which would only pull this area farther away from the overall intent and integrity of the original LUDPM classification.**

Section 805(3)d)(2) of the Adirondack Park Agency act states that Moderate Intensity 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. Any future map amendment

proposal to Hamlet would be reviewed and evaluation based on the facts as they exist at that time.

**The DSEIS notes that Putnam Creek is a class C (T) trout stream but does not account for the Department of Environmental Conservation's (DECs) permanent PFR easements that run almost through the entirety of the tract. The DSEIS does not capture the value of these PFR rights, how a change in building densities would impact runoff and water quality, the recreational experience, nor the public's access to these significant trout fishing waters.**

There are Public Fishing Rights (PFR) easements along Putnam Creek. These easements are located in lands currently classified as Resource Management, Low Intensity Use and Hamlet. The land classification change of some of these lands from Low Intensity Use to Moderate Intensity Use is unlikely to affect the public's access to these permanent easements. The DSEIS acknowledges the potential adverse environmental impacts to these streams.

**As the DSEIS acknowledges, the only floodplain mapping that is available is based on questionable Flood Insurance Rate Maps. The reliance on these maps raises concerns about the ability of future development decisions to be both balanced and well-designed. If a prospective development is proposed within the Putnam Creek floodplain, a resident can appeal to FEMA to amend the map and based on past decisions, it is highly likely such a request would be approved. While separating the parcel into two separate MIU areas (such as is noted in Alternative B) would potentially address the primary area of concern along Putnam Creek, this would also to a great extent remove the jurisdictional role the APA has concerning wetlands.**

The comment regards the geographic alternative has been noted. Regarding the floodplain mapping, for FEMA to remove a structure from the flood hazard area, the lowest ground touching the structure must be at or above the base flood elevation level.

SIGNIFICANT CHANGES MADE TO DRAFT SUPPLEMENTAL EIS

The following changes were made to the DSEIS:

- A discussion of the preferred alternative was added to the executive summary
- A Preferred Alternative section was added.
- A Response to Comments section was added
- A Significant Changes Made to Draft Supplemental EIS section was added.
- A correction was made to references to road names. Pearl Street and Factoryville Roads end where they intersect at Creek Road.
- Summary of the Public Hearing and Comment Letters were added to the Appendix.

**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. TOWN OF CROWN POINT RESOLUTION REQUESTING 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. FSEIS FILE LIST**