

APA MAP AMENDMENT 2019-01  
APPLICATION OF TOWN OF LAKE LUZERNE  
FINAL ENVIRONMENTAL IMPACT  
STATEMENT

**APPENDIX E**

**SUMMARY OF PUBLIC COMMENTS AND  
RESPONSES**

## **SUMMARY OF PUBLIC COMMENTS AND RESPONSES**

The Adirondack Park Agency (APA or Agency) issued the Draft Supplemental Environmental Impact Statement (DSEIS) for the Map Amendment 2019-01 in May 18, 2020. The public had an opportunity to provide oral comments during a remotely held public hearing on May 18, 2020, and to submit written comments throughout the comment period. Seventeen individuals and groups provided comments during the public comment period, which ended on June 2, 2020. A summary of the public hearing can be found in Appendix E, and Appendix F contains all written comments received during and after the comment period.

These comments were considered carefully by the Agency and staff. This section contains a summary of the comments received during the comment period and a response to substantive comments by Agency staff. Most comments expressed an opinion or preference on this action, and many comments also contained statements or questions relevant to the DSEIS or the criteria the Agency uses in decision on map amendment requests. The public comments below are grouped by subject matter and many are summarized and paraphrased.

### Soils

#### Comments:

- *The Agency's DSEIS wholly belies the requisite statutory findings, noting first the absence of public sewer or water. Next, Figure 6, p. 13 depicts a large area of HpE soils and a smaller one of WoE, both of which are those with severe development constraints. The WoE soils are also extremely steep (Figure 8, p. 16)*

#### Response:

Public water and sewer service are typically found in Hamlet areas where higher intensity development can support the high costs of the systems. Moderate Intensity Use areas are generally characterized by deep well, drained soils on moderate slopes, which makes these areas suitable for onsite wastewater treatment systems. In addition to identifying the soil series, detailed soil mapping provides slope categories for each soil map unit which represent the general slope throughout a particular soil map unit. The soil minimum soil map unit is approximately 4 acres, so the slope category may not reflect the actual slope for the portion of a soil map unit within the map amendment area. The data used in the Topography section to estimate slopes have a map unit of approximately 500 square feet and is a more detailed model of the slopes in the area. Approximately 98% of the area in the area are less than 15%. The Preferred Alternative will not have any adverse environmental impacts on soils.

## Water Resources

### Comments:

- The stream located close to the northern section of Hidden Valley Road is an integral part of the wetland and forest; the development of this property would have a severe impact on the stream and on the smaller stream, located near the southern end of Hidden Valley Road.
- Can the project be guaranteed to not pollute surface water? Both streams flow, eventually, into Lake Luzerne and then into the Hudson River.
- My biggest concern is what the change will do to the water of Lake Vanare. The area gets very wet in the springtime and if you pave the area, put in houses and cement, the water will have to go somewhere, likely onto my property and into the lake, carrying sediment with it.
- Changing the potential intensity from 75 principal buildings per square mile to 500 principal buildings per square mile might detrimentally affect the water quality of streams and groundwater entering Lake Vanare.

### Response:

The Agency is not reviewing a specific project at this time. Increasing the amount of development in an area can increase runoff, soil erosion, stream sedimentation, destroy aquatic life, and increase flooding potential. Land use area determinants, specifically natural resource determinants, are used to identify areas that are capable of sustaining development without significant adverse impacts. Page 19 of the FSEIS outlines the potential adverse impacts of development on water resources. The Preferred Alternative will not have any adverse environmental impacts on water resources.

## Wetlands

### Comment:

- *Wetlands are a fragile part of our ecosystem, serve many purposes, and, one destroyed / impacted, are gone forever. This wetland alone should be enough to give serious pause to the project.*

### Response:

Wetlands in the Adirondack Park are a statutory critical environmental area in all land use area classifications, including the requested Moderate Intensity Use classification.

### Comment:

- The document states that 13.7 acres are a wetland seasonal pond. (one wetland, 8.5 acres; second wetland, 7 acres). I noted that this is an APA wetland and a National Wetland Inventory site; I was wondering why this is not a state-designated wetland and / or a federally designated wetland?

Response:

Numerous federal and state laws are involved in the protection of wetlands, and each may define wetlands differently. Inside the Adirondack Park, the Adirondack Park Agency defines a wetland as being one acre or more in size or with free interchange of water with an adjacent waterbody. In New York State, outside of the Park, wetlands generally need to be at least 12.4 acres in size to be regulated under the Freshwater Wetlands Act. Agency staff used aerial imagery interpretation to map the wetlands in this area specifically for the review of this map amendment request. The Preferred Alternative will not have any adverse environmental impact on wetlands.

Wildlife

Comments:

- *It seems that our Town Board allowed this proposal to move forward without needed evaluation of the current natural habitats that are part of it. Insects, reptiles, amphibians, mammals have made this forest and wetland their home for generations - it is sad that the Town and the property owners has given little consideration to the degrading of that habitat. I have seen eastern musk turtles in that area; they are a high priority species, I believe. I have also seen bald eagles in the area; I believe these remain a Threatened Species. It is also possible that Blanding's turtles can be found in the wetlands area; there presence has been documented less than 20 miles away (Wilton, NY) and are known to travel extensively. An in-depth survey by qualified personnel certainly needs to take place before any "rural use to moderate intensity use" is acted on*
- *Observed environmental impacts. A pair of pileated woodpeckers, who are territorial, come flying on to my trees from within the parcels. While not endangered, they are protected by the US Migratory Birds Act. There is a bear den back there somewhere. I can hear hooting and I saw a set of twin cubs just two years ago. Wildlife patterns Every spring I see a turkey hen, and ultimately her chicks, emerge from behind my house. A herd of five deer, and a one lone one, have a routine path. I see them regularly cross the road opposite from my father's house (his land abuts against the Charles Wood/Double H property), traveling through his 12 acres, then diagonally across the top corner of mine, and then SW into the parcel in question. There is an old creek bed and former snowmobile trails that are part of their trail system. I am guessing if the land was developed that old trail would be a prime place for roadways and completely disrupt their normal travel pattern. Quite a flock of turkeys call this large parcel of land home as well. There were 12 of them the last time I saw them a couple weeks ago.*

Response:

Wildlife, including rare species and key habitats, are land use classification determinants that the Agency uses to evaluate map amendments. The Agency uses the New York Natural Heritage Program (NYNHP) database to determine if there are known instances of species of communities of concern.

There were no known instances of rare species or communities in this map amendment area. Some of the species mentioned in the comments are species that the NYNHP considers rare. NYNHP program accepts public reports of known rare species.

The Preferred Alternative will not have any adverse environmental impacts on wildlife.

## Large Forest Block

### Comments:

- *Of overarching importance is the huge critically important forest area identified by the Wildlife Conservation Society, one of Parkwide significance, which takes up fully EIGHTY of the 105 acres (pp. 17-18). The existing development map (Figure 5, p. 11) shows that it is held in large ownerships, key to preserving the open space which makes the Park unique, as the Adirondack Park Agency Act recognizes.*
- *The 18000 acre block of Rural Use which includes these 105 acres is not only significant in terms of its representation of the open space character of the Park – a key stated purpose of Rural Use in the statute – but also a part of a regionally important forest block identified by the Wildlife Conservation Society.*
- *The block of Rural Use is not only significant in terms of its representation of the open space character of the Park – a key stated purpose of Rural Use in the statute – but also form a part of a regionally important forest block identified by the Wildlife Conservation Society.*

### Response:

A portion of the Proposed Map Amendment Area does occur within a forest matrix block identified as regionally important by the Wildlife Conservation Society (WCS). WCS matrix blocks are identified only by size (6,000 – 15,000 acres). . The WCS data could be considered in evaluating the open space character of an area. The Preferred Alternative will not have any adverse environmental impacts on a forest matrix block.

## Climate Change

### Comment:

- *Under the 2019 Climate Leadership and Community Protection Act (CLCPA), state agencies are supposed to weigh the impact of climate change in their decisions. Section 7(2) of CLCPA requires all State agencies to determine whether their administrative approvals are consistent with the attainment of, or will interfere with the attainment of, the statewide greenhouse gas emission limits in ECL Article 75. If inconsistent, they are required to explain why, and to identify alternatives or mitigation measures. In this case, the directive to the APA from CLCPA is to assess the impacts of possibly adding 70+/- buildings to this area. In his book "Climate Change in the Adirondacks" (2010) scientist Jerry Jenkins calculated that construction of a new 2,060-square-foot house creates a 4 ton carbon debt. (p 139) Even more important is the carbon debt that Jenkins calculates from the clearing of forest land for a building lot. Jenkins assesses the loss of carbon storage and the release of carbon into the atmosphere from forest clearing. Jenkins wrote "Clearing an acre of forest creates a debt of 257 tons." Clearly the development of 105 acres under MIU density would lead to significantly more land clearing and carbon pollution. The APA must comply with CLCPA in its decision on MA-2019-1*

### Response:

The Agency cannot consider potential private land development proposals in its deliberation on a map amendment request (9 NYCRR §583.2(b)). However, the Preferred Alternative maintains the status quo and will not have any adverse environmental impacts on climate change.

## Character of the Area- Open Space

### Comment:

- Consistency is important so, in considering the existing "land use for tax purposes" map, why is it that the Wood Foundation property, which is heavily wooded is called "vacant land" while the less wooded parcel to its south is called "forest land". I realize that tax purposes is not part of this decision but that map was in the presentation and one participant objected to taking land out of "forest land". There may have been no objection if it was also considered "vacant land" at this time. It was also the map used by participant Gwendolyn Craig in the May 22 Adirondack Explorer which clearly was intended to sway people's thoughts on Land Classification using the Land Use for Tax Purposes map.

### Response:

Existing land use is one of the land use area determinants that is used in review of map amendments. New York State has developed a uniform statewide system of property classification codes to be used for property tax assessments. The Agency uses the classification codes for regional planning purposes because they are the only Parkwide, parcel level data of existing land uses. These property class codes are commonly used in land use planning, including the Town of Lake Luzerne's comprehensive plan

Comment:

- *The area does not appear to fit the character description, purposes, policies and objectives of Moderate Intensity Use, the desired reclassification. It is not "readily accessible to existing hamlets... where community services can most readily and economically be provided" (APA Act). There is no public sewer or water. While both residential and commercial development is heavy at one end of Hidden Valley Road, it is not on the Rural Use end. While a portion is "located along highways or accessible shorelines where existing development has established the character of the area" (APA Act), the majority of the area is not so located, but part of a larger, interior block of Rural Use. While it is true that 4000 acres of Moderate Intensity adjoins the area to the east and south, 18,000 acres of Rural Use adjoins the area to the east, north and west and are far more reflective of the area's character. The 105-acres of Rural Use are "consistent with and reflects the regional nature of the land use and development plan and the regional scale and approach used in its preparation" (Section 805(c)(5)).*

Response:

Noted.

Comment:

- *The change to MIU – with potential intensity going from 75 principal buildings per square mile to 500 PBs/sq.mi would seriously erode the resources and the character of the area which was properly identified as RU.*

Response:

Noted.

Comment:

- *In Part D of the Draft, "Justification", the presence of Double H Ranch is given as a rationale for permitting the project to move forward. Double H is a seasonal business, with very little winter activity and limited activity in other seasons - how this or the existence of several seasonal cabin businesses can provide rationale for this project is a stretch of the imagination. (Double H and the small cabin businesses on that road have been located there for over 50 years, before the public became more conscious of the dangers of overuse of forests, wetlands, streams.*

Response:

Noted

Comment:

- *The area does not appear to fit the character description, purposes, policies and objectives of Moderate Intensity Use, the desired reclassification. It is not “readily accessible to existing hamlets... where community services can most readily and economically be provided” (APA Act).*

Response:

Readily accessible is not defined in the Agency’s laws or regulations. The area has frontage on two public roads and is located approximately 5 miles from the Hamlets of Lake Luzerne and Lake George. The area is immediately adjacent to a Moderate Intensity Use area that extends along NYS Route 9N in the direction of both Hamlets.

Comment:

- *While both residential and commercial development is heavy at one end of Hidden Valley Road, it is not on the Rural Use end. While a portion is “located along highways or accessible shorelines where existing development has established the character of the area” (APA Act), the majority of the area is not so located, but part of a larger, interior block of Rural Use. While it is true that 4000 acres of Moderate Intensity adjoins the area to the east and south, 18,000 acres of Rural Use adjoins the area to the east, north and west and are far more reflective of the area’s character. The 105-acres of Rural Use are “consistent with and reflects the regional nature of the land use and development plan and the regional scale and approach used in its preparation” (Section 805(c)(5)).*

Response:

Noted

Comment

- *The significant blocks of vacant land in forest condition now, 15 acres of wetlands, and the map amendment area seems different than the other areas around Lake Vanare and properly classified as Rural Use.*

Response:

Noted

Comment:

- *There are major differences between RU and MIU areas. Rural Use areas are lands where “the preservation of the open spaces” are “essential and basic to the unique character of the park.” The difference in development rates is significant. MIU areas are zoned to allow a maximum of 500 principal dwellings per square mile, an average of one per 1.28 acres (640/500). Rural Use areas are zoned to*



*allow a maximum of 75 principal dwellings per square mile, an average of one per 8.53 acres (640/75). The proposed reclassification would allow an increase from 12-13 principal buildings on the 105 acres to 82.*

Response:  
Noted

Comment:

- *New homes mean a greater tax base, but also financial and personnel impacts on the school, Transfer Station services, and EMS and Fire services.*

Response:

The APLUDP encourages denser development in areas where services could be provided more economically. Increasing development can increase demand on these services but can also spread costs over more users. The Preferred Alternative, to deny the application for a map amendment, will not have a significant impact on public services.

Comments:

- *Many of these parcels were less than 8.5 acres and already in use as moderate intensity when the APA was formed. Thus the reasonable question: why did the moderate density corridor abruptly end in the middle of Hidden Valley Dude Ranch property?*
- *Much of the land in the Lake Vanare area is zoned "red" or moderate density. The entire southeast side of Hidden Valley Road is zoned moderate. About half of the northwest side is moderate and then suddenly turns to Rural. The land characteristics don't change much at that point. Actually part of that roadside in the 70s was already being used by Hidden Valley Dude Ranch, three home sites and what was the Ranch House restaurant at that time. Niagara Mohawk power lines have been installed across part of the vacant land in between. The APA uses "land use determinants" to set "land classification." Those characteristics in the proposed "grid" work well with existing red areas of Hidden Valley Road. The Town of Lake Luzerne's proposal to extend the moderate classification to this area is well thought out based upon the nature of the land and its current use.*

Response:

Each land use area on the map reflects an assessment of the general character of the lands within its boundaries. The boundary between land use areas on the map does not represent precise changes in characteristics. Roads are a common land use area boundary.

Comments:

- *The amendment sought would result in the elimination of Agency "critical environmental area" project review jurisdiction along the 1300 feet of State Route 9N in the amendment area and allow much more strip development, for the most part unregulated by it. The existing development map shows only four improved parcels there now.*

Response:

Noted.

Comment

- *From an environmental view, nearly all of the 100+ acres contain soils similar to the adjoining "red" zone and are conducive to moderate intensity use.*
- *It makes sense that both sides of Hidden Valley Road should be zoned the same since they share the same land characteristics.*
- *Moderate Intensity Use comes half-way along Hidden Valley Road it make sense to have Moderate Intensity Use on both sides of the road, for practical reasons*
- *Sometimes it is helpful to show a comparison to make a point. The south end of Gage Hill Road enters Route 9N nearly across from the northern end of Hidden Valley Road. It goes up a rather steep hill, steeper than Hidden Valley Road. It has many homes as well as horse farms. The land characteristics are very similar to Hidden Valley Road with the exception of the rise. Yet is considered moderate on both sides. While Hidden Valley Road is not. Implementing Map Amendment 2019-01 makes sense.*

Response:

Each land use area on the map reflects an assessment of the general character of the lands within its boundaries. The boundary between land use areas on the map do not represent precise changes in characteristics.

Comment:

- *Several other parcels in the area are for sale, which are currently protected by the rural use and wild forest classifications. The marketing materials for these lands clearly state that subdivision is a possibility.*

Response:

An area does not need to be exhausted of building opportunities for it to be reclassified to a less restrictive classification. The APA does not consider specific development proposals in determining whether a map amendment is approved (9 NYCRR §583.2(b)).

Comment

- *18,000 acres of adjacent rural use doesn't all have to be resourced constrained development. This area contributed to the rural open space atmosphere of the park, which is statutorily part of the Rural Use classification, which is a major contribution.*

Response

Each land use area on the map reflects an assessment of the general character of the lands within its boundaries. The boundary between land use areas on the map do not represent precise changes in characteristics.

Comment:

- *By increasing the potential intensity of development, from 15 principal buildings per square mile up to 500 principal buildings per square mile, you change the character of the area increase the amount of strip development along Rt 9N which he believes the current classification was trying to prevent. This area is between two Hamlet areas, Lake George and Lake Luzerne and by increasing the intensity here to such a degree, you almost create a new hamlet environment between two Hamlets, which leads to fragmenting the forest, which is recognized as a large block that is important ecologically the park, and spreading sprawl in that area. The area was designed to be a larger block of Rural Use that protects the open space atmosphere. For those reasons and a regional planning perspective, the area was properly classified.*

Response

Noted.

## Local Planning

Comments:

- *The Draft Environmental Impact Statement contains no information whatsoever regarding the Town of Lake Luzerne's planning for this portion of the town. The lack of such planning is a serious problem with this proposal to vastly increase potential development intensity. The lack of planning here means that the town is asking APA to do little more than react on an ad hoc basis to proposals like this which have larger regional planning considerations and context.*
- *As a resident and property owner in the Town of Lake Luzerne since 1996, I have been active in prior planning efforts undertaken by the town to develop a Master Plan so I am knowledgeable of the process and appreciative of the amount of work and effort that a detailed and comprehensive planning process requires on the part of all stakeholders. While I am generally opposed to most development efforts that I feel would detrimentally impact the overall quality of life and the aesthetic quality of the town and its many lakes, I am deeply disturbed that the Town leadership would undertake an initiative of this type without disclosing the interests they purport to represent and, perhaps more fundamentally, that a*

*municipal leader elected to represent the interests of all the town's residents, should undertake this initiative in the first place. I hope you will give my input due consideration and deny the request for the zoning change. Further, I would encourage you to redirect the Town and any parties interested in undertaking this change to pursue this through the normal land use planning process.*

Response:

A local government can request a map amendment in conjunction with a comprehensive master plan prepared pursuant to Section 805(2)(c)(3), but the proposed amendment was requested pursuant to Section 805(2)(c)(1), which does not require a specific local planning process.

## Consideration of Proposed Development

Comments:

- *I understand the importance of Lake Luzerne having more industry to increase its tax base. I also understand the importance of maintaining the current rural quality of life in the town. It's sometimes difficult to find an acceptable compromise between the two needs which often seem to conflict. I'm having trouble deciding the degree to which the amendment can meet both needs due to the fact that I don't know the nature of the proposed project. It's entirely possible that the project will be beneficial to the town's finances without negatively impacting and perhaps even enhancing the rural character of the area. However, what if the amendment passes and the project eventually fails? What could happen to the parcel of land then? We'll be left with acreage which could legitimately be used in a way which would significantly detract from our ability to enjoy the town we love so much.*
- *Town applied for this to accommodate a development project on an involved landowner's property that could not happen under the current classification. It would be wrong, illegal and spot zoning.*
- *Agency's regulations and DSEIS recognizes landowner development plans are wholly irrelevant. He stated that in Mr. Kendall's opening remarks that the Agency's practice is to allow landowner to discuss potential projects in their comments, but not consider it, which does not make sense and you will have that any time someone requests an amendment.*
- *Proposed development should be considered before a reclassification decision is made.*

Response:

The Agency cannot consider private land development proposals as relevant in its deliberation on a map amendment request (9 NYCRR §583.2(b)). Often, local governments or landowners request map amendments because they have specific development goals or plans. While the Agency cannot consider these as relevant in its

decision, it cannot preclude a landowner from informing the public about the plans for their property.

## Future Review/Permitting

### Comments:

- *In any area that is questionable, both the Town of Lake Luzerne and the APA can control any building via the permitting process.*
- *There are a couple of wetlands that can be protected because both the Town and APA have procedure for approving lots and septic systems on a lot-by-lot basis so the land can be protected*
- *The town has not provided specifics regarding the proposed use of the land. I understand that the APA does not consider those details when deciding on reclassification. But the town's assertion that local zoning and the permitting process would provide sufficient protections does not seem likely, considering that their goal is more economic development*

### Response:

In addition to changing the Overall Intensity Guidelines (OIG's), a map amendment also changes the threshold for Agency jurisdiction. For example, under current classification a residential subdivision of 5 or more lots would require a permit from the Agency if there were no other basis for Agency jurisdiction. If the requested map amendment were approved and the area was classified as Moderate Intensity Use, a residential subdivision of up to 14 lots could occur without a permit if there were no other basis for Agency jurisdiction.

## Economics

### Comment:

*It makes sense to evaluate this proposal from both the potential environmental impact and the economic value. The state of New York lost about a quarter of a million population in the past 5 years. Lake Luzerne population also decreased. This is not good economically for either. That increases taxes for those who stayed because school taxes and property taxes have not gone down. It makes it easier for all if there is more development, from an economic standpoint.*

### Response:

A decrease in population does not demonstrate a public need for increased density which could result from the requested map amendment.

## Process

### Comment:

- *The Town's application is incorrect. Part B.4. states the Town "must provide names and addresses of both adjacent landowners and those within the area being requested for reclassification." The back of my property and that of at least three other landowners connects to the land now owned by a landowner involved and we are not on the list, nor were we notified of this proposal.*

### Response:

The Agency notified owners of lands adjoining the requested map amendment area, and any owners of lands separated from the requested map amendment area by road, railroad, right-of-way, and by stream, as required by 9 NYCRR § 583.5(f).

## Precedent

### Comment:

- *By agreeing to the proposed change, the APA would be signaling that the classifications protecting all land in the area are negotiable.*

### Response:

Section 805(2)(c) of the APA Act authorizes the Agency to amend the APLUDP Map at the request of local governments and landowners. Each request the Agency receives is reviewed on its own merit by evaluation the characteristics of the area and the statutory criteria of the proposed classification. In this case, the Agency is not agreeing to the proposed change, based on the statutory and regulatory criteria and the lack of an adequate record to support the change.

## General Support/Need

### Comment:

- *I have seen much change over the years as the nature of business in the area evolved. Recent loss of population has not helped our businesses or our property and school taxes. We are fortunate that our location in the Adirondacks supports residential colonies with little, if any, negative effect on the environment. This is as true today as it has been since I have been here. This symbiotic relationship needs to grow in order to support the greater Lake Luzerne community. I see the Map Amendment 2019-01 as a very beneficial change to the Adirondack Park Land Use and Development Plan and wish to express my support for it.*

### Response:

Noted.

## General Opposition

### Comment:

- *Given no public utilities, the presence of 15 acres of wetlands and streams and of undeveloped blocks of forest on the 105 acres, this area continues to meet the description of Rural Use, not Moderate Intensity Use.*

### Response:

Noted.

### Comment:

- *This is counter to the feelings of many of us living in the Fourth Lake Luzerne area. Although it makes “good sense” to increase the tax base for the town, it makes poor sense for those of us who came up from NYC to enjoy the beauty and silence of the Adirondacks*

### Response:

Noted.

### Comment:

- *This is not the suburbs and I moved there because it’s the Adirondacks. I feels like its too much, its classified correctly and that it should stay that way*

### Response:

Noted

### Comments:

- *APA’s 9-Part Test for Assessing a Proposed Map Amendment The 9 determinants are: Soil, Topography, Water, Fragile Ecosystem, Vegetation, Wildlife, Park Character, Public Facility, Existing Land Use. In its application, the Town of Lake Luzerne stated “the land under consideration for the action reflects the same characteristics as the adjacent Moderate Intensity Use lands and the classification change would reflect the current usage.” The Town also states that there “would be an economic benefit to the Town from this reclassification action.” We dispute both statements and also point out that neither the regulations nor Appendix Q-8 include an “economic benefit” test. After review of the Draft Supplemental Environmental Impact Statement (DSEIS), we find that MA 2019-1 fails 6 of the 9 tests required for a successful map amendment.*

*Soil: That 27% of the tract is unsuitable for development raises many questions about a change from lands that currently could be lightly developed to lands that are heavily developed. This proposal fails the “soils” test.*

*Topography: The tract in question has few areas with steep slopes that would limit the viability of increased development, with 98% of the site containing slopes of less than 15%. (p. 14)*

*Water: The DSEIS states “The proposed action may lead to adverse impacts to surface and groundwater quality. This area contains a protected stream as classified by New York State Department of Environmental Conservation. Lake Vanare is located approximately 200 feet down stream of the of the Proposed Map Amendment Area and the area is adjacent to a mapped aquifer.” (p. 19) It’s difficult to predict the impacts to water resources from the potential changes to the 105 acres in question.*

*Fragile Ecosystem: The proposed tract is part of a larger area identified as a ‘regionally important’ forest block by the Wildlife Conservation Society (WCS). The proposed map amendment, which could lead to a 6-fold increase in development, would be detrimental to these lands. This proposal fails the “fragile ecosystem” test.*

*Vegetation: New development in an intact forest area negatively impacts vegetation. Research by the Wildlife Conservation Society has shown that development changes the composition of the forest understory and edge species. (p. 17) Through a standard ecological impact zone analysis, using a 200 meter impact zone, the impacts of 82 principal buildings spread throughout 105 acres would dramatically change and negatively impact the vegetation throughout this tract. This proposal fails the “vegetation” test.*

*Wildlife: New development in an intact forest area negatively impacts wildlife. Research by the Wildlife Conservation Society (WCS) has shown that development in a forest area changes the composition of birds, amphibians, rodents, and small mammals. Through a standard ecological impact zone analysis, using a 200 meter impact zone, the impacts of 82 principal buildings spread throughout 105 acres would dramatically impact wildlife on this tract. A WCS study “Make Room for Wildlife: A Resource for Landowners in the Northern Forest” (2013) states: “The impacts on wildlife from development can extend away from the house, up to 600 feet. This is due to factors like noise, nighttime lighting, use of pesticides, pets running free, and physical changes to the forest. As a result, a new house has a ‘wildlife shadow’ of 15 – 30 acres.” (p. 2) The study also states: “When residential development occurs, wildlife often still live nearby, but the species tend to be different. Development creates conditions that attract generalist species (common species able to use a wide range of resources for food and shelter) like raccoons and blue jays, while more rare, specialized species such as martens and warblers do not thrive near houses. Scientists refer to this as biotic homogenization or a loss of biotic integrity.” (p. 2) The WCS study is attached. This proposal fails the “wildlife” test.*



*Park Character: This part of Lake Luzerne is characterized by strip commercial development on Route 9N and small rural shoreline lots on Lake Vanare. There are many more open lots than camps on Hidden Valley Road, which is characterized by sparse rural development. The DSEIS states “To the extent that development occurs as a result of a map amendment, the consequent loss of forest and open space resources and degradation of water quality are the primary irreversible commitment of resources.” (p.20) The changes to the character of the area from as many as 82 principal buildings spread throughout 105 acres would be significant. This proposal fails the “park character” test.*

*Existing Land Use: This proposal would facilitate more intensive development in an area that is currently lightly developed in the upper reaches of the Lake Vanare watershed. The DSEIS states “According to data obtained from the County and ORPS, the requested map amendment area consists of all or a portion of three commercial parcels, three residential parcels, two recreation and entertainment parcels, five vacant parcels, and one private forest lands parcel.” (p. 11) The map amendment would zone these lands for over 80 principal buildings. This proposal fails the “existing land use” test.*

*Based on the foregoing MA-2019-1 fails 6 of the 9 tests that a proposed amendment needs to pass in order to be approved and should be denied.*

Response:  
Noted.