

APPENDIX G

*WRITTEN COMMENTS*

**From:** Robert Glennon  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** MA2019-01 (Lake Luzerne)  
**Date:** Friday, May 15, 2020 6:07:23 PM

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My folks had what we generously called a "camp" on Lake Luzerne; I spent all my childhood summers there. I am familiar with the area.

In order to amend the Official Map, the Agency must find that the reclassification would be consistent with the statutory character description and purposes, policies and objectives of the land use area to which reclassification is proposed. §805(2)(c)(5).

It would have to find that "the capability of the natural resources and the anticipated need for future development indicate that relatively intense development...is possible, desirable and suitable" here. That's from the statutory character description of Moderate Intensity Use areas in §805(3)(d)(1). And that the area is one "where development will not significantly harm the relatively tolerant physical and biological resources." §805(3)(d)(2).

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).

A large mapped wetland and a classified stream are shown on Figure 8 as well. Moreover, the area is close to a large aquifer (Figure 9).

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.

In addition, 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.

In conclusion, the Agency's own DSEIS convincingly demonstrates that the statutory provisions with respect to the present Rural Use classification are correct. The area is one where "natural resource limitations and public considerations necessitate fairly stringent development constraints...." It is "characterized by a low level of development and variety of rural uses that are generally compatible with the protection of the relatively intolerant natural resources and the preservation of open space." §805(3)(f)(1). And it is one that "provide[s] for and encourage[s] those rural land uses that are consistent and compatible with the relatively low tolerance of [such] areas' natural resources...[, contributes to] the preservation of the open spaces that are essential and basic to the unique character of the park..." and "prevent[s] strip development along major travel corridors...." §805(3)(f)(2).

Lastly, the Agency's regulations provide, as the DSEIS notes, that development plans are

wholly irrelevant to Map amendment decisions. Gwendolyn Craig's May 8 article in the Adirondack Explorer points out that the Town of Lake Luzerne Zoning Officer and its Supervisor submitted the request after being approached by an owner of land within the area "about a project that he realized he could not do under the APA's rural use classification," "to assist this person."

I respectfully submit that for all the above reasons the Agency must deny the request.

Robert C. Glennon, on behalf of Protect the Adirondacks! Inc.  
P.O. Box 84  
Ray Brook NY 12977

**From:** Thomas Reed  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** 2019-01  
**Date:** Monday, May 18, 2020 12:24:02 PM

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I am one of the property owners that has a portion of my property within the proposed land use change. It makes sense to evaluate this proposal from both the potential environmental impact and the economic value to the state and the community.

First, 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. In any area that is questionable, both the Town of Lake Luzerne and the APA can control any building via the permitting process.

Second, it makes sense that both sides of Hidden Valley Road should be zoned the same since they share the same land characteristics. In changing to moderate intensity along this path we control development into the area of Lake Vanare which is actually one of the intentions of the APA to have population centers.

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, Increasing the development in the proposed area is beneficial to both and, with conscientious land use, no negative environmental impact.

**From:** David H Gibson  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** FW: MA2019-01 Lake Luzerne  
**Date:** Monday, May 18, 2020 12:47:53 PM

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*ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.*

To: Matt Kendall  
From: Adirondack Wild: Friends of the Forest Preserve

Matt,

Prior to today's hearing at 11 AM, we wanted to send preliminary comments and concerns with respect to this proposed map amendment.

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.

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.

The change to MIU – with potential intensity going from 15 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.

Finally, 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.

Given all of this, the proposals seems not to be "consistent with and reflective of the regional nature of the land use and development plan and the regional scale and approach used in its preparation (Section 805 of the Act)

These are our preliminary comments. We will submit a more explanatory letter to the APA after today's hearing.

Sincerely,  
David Gibson, Managing Partner

Adirondack Wild: Friends of the Forest Preserve

*David Gibson*

*Managing Partner*

*Adirondack Wild: Friends of the Forest Preserve*

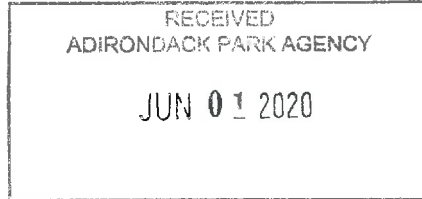
[dgibson@adirondackwild.org](mailto:dgibson@adirondackwild.org)

518-469-4081 (work cell #)



Virus-free. [www.avast.com](http://www.avast.com)

D Jeffery Slovak  
1312 Lake Avenue  
Lake Luzerne, NY 12846  
518-696-3275



May 21, 2020

Adirondack Park Agency  
PO Box 99  
1133 NYS Route 86  
Ray Brook, NY 12977

Re: Map Amendment 2019-01

I am a retired Lt Colonel from the Air National Guard as a pilot and served for 14 years as Chairman of the Town of Lake Luzerne Planning Board. Although I am now retired I am actively involved in the community, especially as a volunteer at the Double H Ranch.

I have lived in the hamlet of Lake Vanare in the Northwoods Association since 1967. 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.

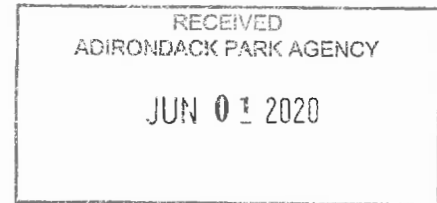
Thank you.

Sincerely,



D. Jeffrey Slovak

**Thomas & Anne Reed**  
**10 Forest Lake Road**  
**Lake Luzerne, NY 12846**  
(518) 527-4899 (T)  
(518) 527-3445 (A)



May 26, 2020

Matt Kendall  
Adirondack Park Agency  
PO Box 99  
1133 St Route 86  
Ray Brook, NY 12977

Re: Map Amendment 2019-01

According to maps provided by the APA 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 yellow. 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.

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 it is considered moderate on both sides while Hidden Valley Road is not. Implementing Map Amendment 2019-01 makes sense.

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.

Thank you for considering these comments.

Very Truly yours,

A handwritten signature in black ink, appearing to read "Thomas Reed". The signature is fluid and cursive, with a large loop at the end.

Thomas Reed



**From:** gec0522  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** MA2020-01 (Lake Luzerne)  
**Date:** Wednesday, May 27, 2020 9:28:29 AM

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*ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.*

As a resident of Lake Luzerne, I am writing to oppose the current proposal to change the classification of this area of the town.

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.

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

George Countryman  
519 Howe Rd.  
Lake Luzerne

Sent from my Galaxy Tab® E

**From:** Jade Eddy  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** MA2020-01 (Lake Luzerne)  
**Date:** Wednesday, May 27, 2020 12:43:59 PM

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ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hello,

My name is Jade Eddy and I live in Lake Luzerne. I wanted to voice my opinion against the zoning amendment that our town supervisor is trying to get. As you may know, Mr. Merlino has tried to force housing developments into our communities for years. When he first introduced the idea of Mont Luzerne, I was concerned. At the age of 23 I started what would become a 7 year battle against the project. I met with school and tax officials, who all informed me that the development would have a negative impact on local residents' taxes. We also reached out to the DEC about concerns on the property the development was to take place. Despite having no approvals of any kind, the developers had been blasting beaver dams and trying to force Nine Mile Swamp to become a property useful to their plans. The DEC officer found 18 violations on said property. Mr. Merlino did not stop or reprimand the developers from doing any of this. I believe he encouraged it. The property mention also had a zoning change. A group of residents and myself demanded a sunset clause to return the zoning to normal if the project fell through. Mr. Merlino removed that as well. He is an ambitious city man, who wants to build Luzerne into something it is not. I do not trust him with our town's development and I will continue to fight his desire to morph our tiny, nature friendly town into something it is not. I do hope that you do your research on him and these issues. Giving Gordon Woodworth from The Chronicle may not be a bad idea, as he covered all of our town meetings. Thank you for your time.

Jade Eddy

Sent from my iPhone

**From:** Danielle M  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** MA2020-01 (Lake Luzerne)  
**Date:** Wednesday, May 27, 2020 1:37:39 PM

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ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Good afternoon,

My name is Danielle and I'm a long term resident of lake luzerne. I actually was born in Glens falls in 1985 and spent the rest of my years growing in Hadley luzerne. I remember riding bicycles and exploring our woods. I also remember many things you could do to explore our history that are no longer an option. As capitalism rises and the greed for money grows (see Merlino's last 15 years) bigger and bigger houses are being built. More traffic. More pollution. The buttermilk land which was always sacred is often trashed and not taken care of. Luzerne rarely plows the roads when there is snow and don't take care of any of their back roads. Often times county or town workers are doing the most mundane and random things rather than trying to boost the town's economy (there has been an empty store for 8 years? On Main Street) As the time has gone the river has washed away land and the trees are falling. In my 30s and a mother of an elementary student- we've become fond of exploring the town and history. But there is a problem. These beautiful lands that used to be open to view and enjoy are now privately owned. No trespassing. Many of these are summer home owners. Or people who've chosen to recently relocate. The warmth of our small town village is being taken over like a mini lake George. My father who was also born and raised here says he can tell in a few years this town won't be enjoyable to live. We've lost so much of the woods, river, mountains. Mostly to big houses and empty lots. Luzerne really needs a make over of all the old eye sore houses and sidewalks and side roads. But it absolutely doesn't need more rich people with their huge houses, boats, cars.... cutting down and taking away our natural land.

I hope you'll consider that we only have one earth. There are many empty buildings in HI that could be taken care of or rebuilt. But once we take all the trees and the water not only will we lose all the history but we will lose ways of life.

I'd also like to note that lake George, Queensbury and Glens falls have all become owners of huge developments that sit empty because the people can't afford that lifestyle.

Thank you for your time in reading,  
Danielle M. Meyer

Sent from my iPhone

**From:** Wayne Ouderkirk  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** MA2020-01 (Lake Luzerne)  
**Date:** Thursday, May 28, 2020 11:23:33 AM

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It seems to me that the proposed classification in the Town of Lake Luzerne is not justified. Future developments on this tract would seriously compromise the ecology of the forest, and adversely affect the water quality in Lake Vanare.

**From:** Robert W. English  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** Luzerne Map Amendments  
**Date:** Friday, May 29, 2020 2:18:17 PM

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Dear Mr. Kendall,

I am writing to you as a concerned resident of the Lake Luzerne/Lake Vanare area concerning the proposed map amendment (MA-2019-1), proposing to reclassify 105 acres from Rural Use to Moderate Intensity Use. I am strongly against this proposal.

You are in receipt of a letter from Peter Bauer of Protect the Adirondacks regarding this matter. I refer you to his letter, and wholeheartedly agree with his arguments.

Such a proposal would alter this area drastically, and I see no reason for it other than opportunism and greed. Mr. Bauer clearly lays out the 9 determinants the APA has set for map amendment requests. As he states, this request fails 6 of the 9 tests required for approval. It is abundantly clear that MA-2019-1 should be denied.

The Adirondack Park is a treasure, and it is the specific purpose and function of the APA to review and control encroachments upon the land unless such proposals meet the strict guidelines laid out clearly in its charter. MA-2019-1 utterly fails to qualify. I do not know the reason this proposal was put forth, nor the entities responsible. I only know that the APA was created to review all proposals according to its guidelines, and issue rulings upon them.

As a taxpaying citizen and a lover of the this area, I strongly urge you to reject this proposal based upon your own criteria.

Robert W. English

13 Fourth Avenue

Lake Luzerne, NY

**From:** joe quellman  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** MA2020-01 (Lake Luzerne)  
**Date:** Saturday, May 30, 2020 5:40:59 AM

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especially if related to double H camp expansion, i would have no objection to this zoning request.

await details....

i am,

jquellman

399 gailey hill rd

lk luzerne, ny/12846

"better than wages"

capt.ADK'er

**From:** Maureen Jones  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** Fw: Luzerne subdivision  
**Date:** Saturday, May 30, 2020 6:09:03 PM

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OK, another try from a Luzerne resident against the zoning change,  
Maureen Jones

----- Forwarded Message -----

**From:** Maureen Jones <maureenjones12846@yahoo.com>  
**To:** [mapamendments\\_comments@apa.ny.gov](mailto:mapamendments_comments@apa.ny.gov) <[mapamendments\\_comments@apa.ny.gov](mailto:mapamendments_comments@apa.ny.gov)>  
**Sent:** Saturday, May 30, 2020, 05:50:23 PM EDT  
**Subject:** Fw: Luzerne subdivision

Hello to the APA, had trouble sending so I am resending  
Maureen Jones

----- Forwarded Message -----

**From:** Maureen Jones <maureenjones12846@yahoo.com>  
**To:** [mapamendment\\_comment@apa.gov](mailto:mapamendment_comment@apa.gov) <[mapamendment\\_comment@apa.gov](mailto:mapamendment_comment@apa.gov)>  
**Sent:** Friday, May 29, 2020, 04:42:07 PM EDT  
**Subject:** Luzerne subdivision

May 29, 2020

Hello Mr. Kendall,

I am a resident of Lake Luzerne with a life long interest in conservation. I am also a high school teacher, mother outdoor guide and member of several non-profits that encourage preserving our Adirondack resources.

I read your draft, frequently walk on Hidden Valley Road, and have the following comments and questions:

1. 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? 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.
2. The Stream located close to the northern section of Hidden Valley Road is a 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.
3. 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 inn 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.
4. 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 over use of forests, wetlands, streams.)
5. I am not a professional but can the project be **guaranteed** to not pollute surface water? Both streams

flow, eventually, in to Lake Luzerne and then into the Hudson River.  
6. The exact nature of the proposed development / project is not clear.  
For the above reasons, I am against the zoning change from Rural Use to Moderate Intensity Use.  
Thanks to you and your agency for helping to protect the Adirondacks.

Maureen Jones  
PO Box 53  
315 East River Drive  
Lake Luzerne NY  
518-654-7731



**From:** Curtis Carlton  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** MA2020-01 (Lake Luzerne)  
**Date:** Sunday, May 31, 2020 8:46:27 PM

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I as a 36 year old life time member of this community adamantly oppose the change that the town requests for theyre own agenda. Though I don't agree with the APA tyranny of the land of the people of this region i do not want the big businesses to move in nor have more summer homes of people who don't appreciate the history of the land they wish to destroy. That land should stay the way it is and preserve the area

Sincerely

Curtis Carlton

Lake Luzerne resident

**From:** Patricia Goldberg  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** Lake Luzerne proposed change  
**Date:** Monday, June 01, 2020 7:14:59 PM

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*ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.*

Mr. Matthew Kendall  
Environmental Program Specialist

Dear Mr. Kendall,

I am writing about the proposed map amendment for a portion of Lake Luzerne from rural use to moderate-intensity use. I'm sorry that I was unable to attend the Adirondack Park Agency teleconference public hearing on the issue.

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.

If I'm correct, it's possible for a variance to be issued which could solve the problem for the developer and still protect the citizenry from unwanted future construction. I hope that's a viable option and one worth considering.

Thank you,

Patricia Goldberg

9 Hillcrest Drive

Lake Luzerne, NY 12846



June 1, 2020

Matt Kendall, Environmental Program Specialist  
NYS Adirondack Park Agency  
P.O. Box 99  
Ray Brook, NY 12977

**Re. APA Map Amendment 2019-01, Lake Luzerne**

Dear Mr. Kendall,

We write to follow-up our verbal comments at the agency's May public hearing concerned with the proposed map amendment in the Town of Lake Luzerne. Following the hearing, we investigated the area along Hidden Valley Road outside the hamlet of Lake Luzerne. In terms of its roadside character, the Rural Use area off that road contrasts sharply with the Moderate Intensity Use area on the same road. There are far fewer structures, driveways and commercial uses on the Rural Use side of Hidden Valley Road. Most of that area appears thickly forested from the roadway, consistent with maps provided in the Draft Supplemental EIS (DSEIS).

In brief, the 105 acres appear to fit well the "low level of development" description of Rural Use in the Act. Also, this acreage appears to be five miles between the existing hamlets of Lake Luzerne and Lake George, which qualifies as being reasonably "remote from existing hamlet areas" (APA Act).

By the same token, 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)).

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.

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

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, and might also detrimentally affect the water quality of streams and groundwater entering Lake Vanare.

Finally, the DSEIS contains no information whatsoever regarding the Town of Lake Luzerne's planning for this portion of the town. The lack of such planning is also a serious problem with the proposal to greatly increase potential development intensity. It means that the town is asking APA to do little more than react, on an ad hoc basis, to proposals which may have a much larger regional planning context and impact.

We conclude that the proposed reclassification is inconsistent with the Land Use and Development Plan because it fails to conform to the character description, purposes, policies and objectives of Moderate Intensity Use and because it is not "consistent with and reflective of the regional nature of the land use and development plan and the regional scale and approach used in its preparation (Section 805 of the Act). Therefore, the proposal fails to meet your statutory standard for amendments to the APA map.

Thank you for considering our comments.

Sincerely,



David Gibson, Managing Partner  
Adirondack Wild: Friends of the Forest Preserve

P.O. Box 9247. Niskayuna. NY. 12309  
[www.adirondackwild.org](http://www.adirondackwild.org)  
518-469-4081

Cc: Agency Members and Designees  
Terry Martino  
Richard Weber



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Roger Gray

Evelyn Greene

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Mark Lawton

Peter O'Shea

Barbara Rottier

Philip Terrie

Peter Bauer

**Executive Director**

June 2, 2020

Matt Kendall

NYS APA

PO Box 99

Ray Brook, NY 12977

**RE: APA Map Amendment 2019-1 in the Town of Lake Luzerne**

Dear Matt Kendall:

Please accept these comments from Protect the Adirondacks on the proposed Adirondack Park Agency (APA) amendment (MA-2019-1) to the Land Use and Development Plan map seeking to reclassify 105 acres from Rural Use to Moderate Intensity Use. Protect the Adirondacks opposes the proposed amendment to the Official Map seeking to reclassify 105 acres of Rural Use lands in the watershed of Lake Vanare to Moderate Intensity Use. The amendment, which would result in a 6-fold increase in the amount of development allowed on the lands in question, utterly fails to meet the applicable legal criteria.

When a map amendment is proposed for a single ownership or small acreage, such as in the case of the Town of Lake Luzerne in MA-2019-1, it raises concerns that the proposal is in effect an effort to "spot zone" a tract of land or pursue some kind of political favor for a landowner. Protect the Adirondacks is concerned about the process undertaken by the Town of Lake Luzerne to propose a map amendment that largely benefits one landowner. We believe a map amendment submission by an Adirondack town is appropriate for consideration when it is the product of a natural resource analysis and inventory as part of a larger comprehensive community planning effort, which hopefully results in an APA approved local land use program or an update/amendment to an existing locally approved plan. Such comprehensive amendments, such as that approved for the Town of Chester, among others, often sees lands reclassified to both enhance and reduce protections and zoning densities.

**Protect the Adirondacks**

PO Box 48, North Creek, NY 12853 518.251.2700

[www.protectadks.org](http://www.protectadks.org) [info@protectadks.org](mailto:info@protectadks.org)

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## Proposal to Change from Rural Use to Moderate Intensity Use

Under the APA Act, Rural Use and Moderate Intensity Use areas are very different land classifications.

Section 805 of the APA Act describes Rural Use (RU) as:

(1) Character description. Rural use areas, delineated in yellow on the plan map, are those areas where natural resource limitations and public considerations necessitate fairly stringent development constraints. These areas are characterized by substantial acreages of one or more of the following: fairly shallow soils, relatively severe slopes, significant ecotones, critical wildlife habitats, proximity to scenic vistas or key public lands. In addition, these areas are frequently remote from existing hamlet areas or are not readily accessible.

Consequently, these areas are characterized by a low level of development and variety of rural uses that are generally compatible with the protection of the relatively intolerant natural resources and the preservation of open space. These areas and the resource management areas provide the essential open space atmosphere that characterizes the park.

(2) Purposes, policies and objectives. The basic purpose and objective of rural use areas is to provide for and encourage those rural land uses that are consistent and compatible with the relatively low tolerance of the areas' natural resources and the preservation of the open spaces that are essential and basic to the unique character of the park. Another objective of rural use areas is to prevent strip development along major travel corridors in order to enhance the aesthetic and economic benefit derived from a park atmosphere along these corridors.

Residential development and related development and uses should occur on large lots or in relatively small clusters on carefully selected and well designed sites. This will provide for further diversity in residential and related development opportunities in the park.

(3) Guideline for overall intensity of development. The overall intensity of development for land located in any rural use area should not exceed approximately seventy-five principal buildings per square mile.

Section 805 of the APA Act describes Moderate Intensity Use (MIU) Areas as:

d. Moderate intensity use areas.

(1) Character description. Moderate intensity use areas, delineated in red on the plan map, are those areas where the capability of the natural resources and the anticipated need for future development indicate that relatively intense development, primarily residential in character, is possible, desirable and suitable.

These areas are primarily located near or adjacent to hamlets to provide for residential expansion. They are also located along highways or accessible shorelines where existing development has established the character of the area.

Those areas identified as moderate intensity use where relatively intense development does not already exist are generally characterized by deep soils on moderate slopes and are readily accessible to existing hamlets.

(2) Purposes, policies and objectives. Moderate intensity use areas will provide for development opportunities in areas where development will not significantly harm the relatively tolerant physical and biological resources. These areas are designed to provide for residential expansion and growth and to accommodate uses related to residential uses in the vicinity of hamlets where community services can most readily and economically be provided. Such growth and the services related to it will generally be at less intense levels than in hamlet areas.

(3) Guidelines for overall intensity of development. The overall intensity of development for land located in any moderate intensity use area should not exceed approximately five hundred principal buildings per square mile.

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.

There are, of course, major differences between the intensity of development allowed in RU and MIU areas. Where the APA has permit jurisdiction, the overall intensity guidelines require an average lot size of 8.53 acres in RU, but only 1.28 acres in MIU (and it has far less permit jurisdiction in MIU than it does in RU). If all subdivision on 105 acres of RU required an APA permit, 13 principal buildings would be allowed; in the case of MIU, 82, a more than 6-fold increase.

A 6-fold increase is a major change by any standard and merits scrutiny.

#### APA Criteria for Proposed Map Amendments

Section 583.2 of the APA's regulations provides that it will refer to the 9 "land use area classification determinants" in 9 NYCRR Appendix Q-8, as augmented by field inspection, in considering map amendment requests. Importantly, it also provides that "The agency will not consider as relevant to its determination any private land development proposals or any enacted or proposed local land use controls."

#### APA's 9-Part Test for Assessing a Proposed Map Amendment

The 9 determinants are:

- A. Soil
- B. Topography
- C. Water
- D. Fragile Ecosystem
- E. Vegetation
- F. Wildlife
- G. Park Character
- H. Public Facility
- I. 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." Protect the Adirondacks disputes both statements. We 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:** The DSEIS states that 73% of the proposed lands "contains soils that are expected to pose few limitations for on-site wastewater treatment systems." (p.13) This, of course, means that more than 25% of the 105 acres have soils that are inadequate for development. The 105 acres in question are not served by municipal sewer facilities.

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 that has been identified for its ecological importance. The DSEIS states “Approximately 80 acres of the area are within an 11,800-acre area identified ‘regionally important’ forest block by the Wildlife Conservation Society (WCS). WCS identifies these areas due to their size (6,000 acres – 15,000 acres). This forest block is one of 115 regionally important forest blocks identified in the Adirondack Park.” (p 17) 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.

**Public Facility:** The proposed map amendment does not appear to impact any public facilities. The DSEIS states “There are no public sewer or water facilities available to Proposed Map Amendment.” (p 10)

**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.

#### Possible APA Approval

Section 805(2)(c)(1) of the APA Act requires “an affirmative vote of two-thirds of the APA members” to amend the Official Map as sought here. 9 NYCRR 583.6 states: “Eight affirmative votes shall be required for the agency to grant any map amendment whenever a two-thirds vote is statutorily required.”

## Climate Change

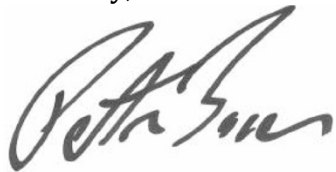
Under the 2019 Climate Leadership and Community Protection Act (CLCPA), state agencies are supposed to weigh the impact of climate change in their decisions. Section 7(2) of CLCPA requires all State agencies to determine whether their administrative approvals are consistent with the attainment of, or 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.

## Conclusion

The proposed map amendment MA-2019-1 should be denied.

On behalf of the Board of Directors of Protect the Adirondacks, please accept our gratitude for the opportunity to present our concerns about the proposed map amendment in the Town of Lake Luzerne.

Sincerely,

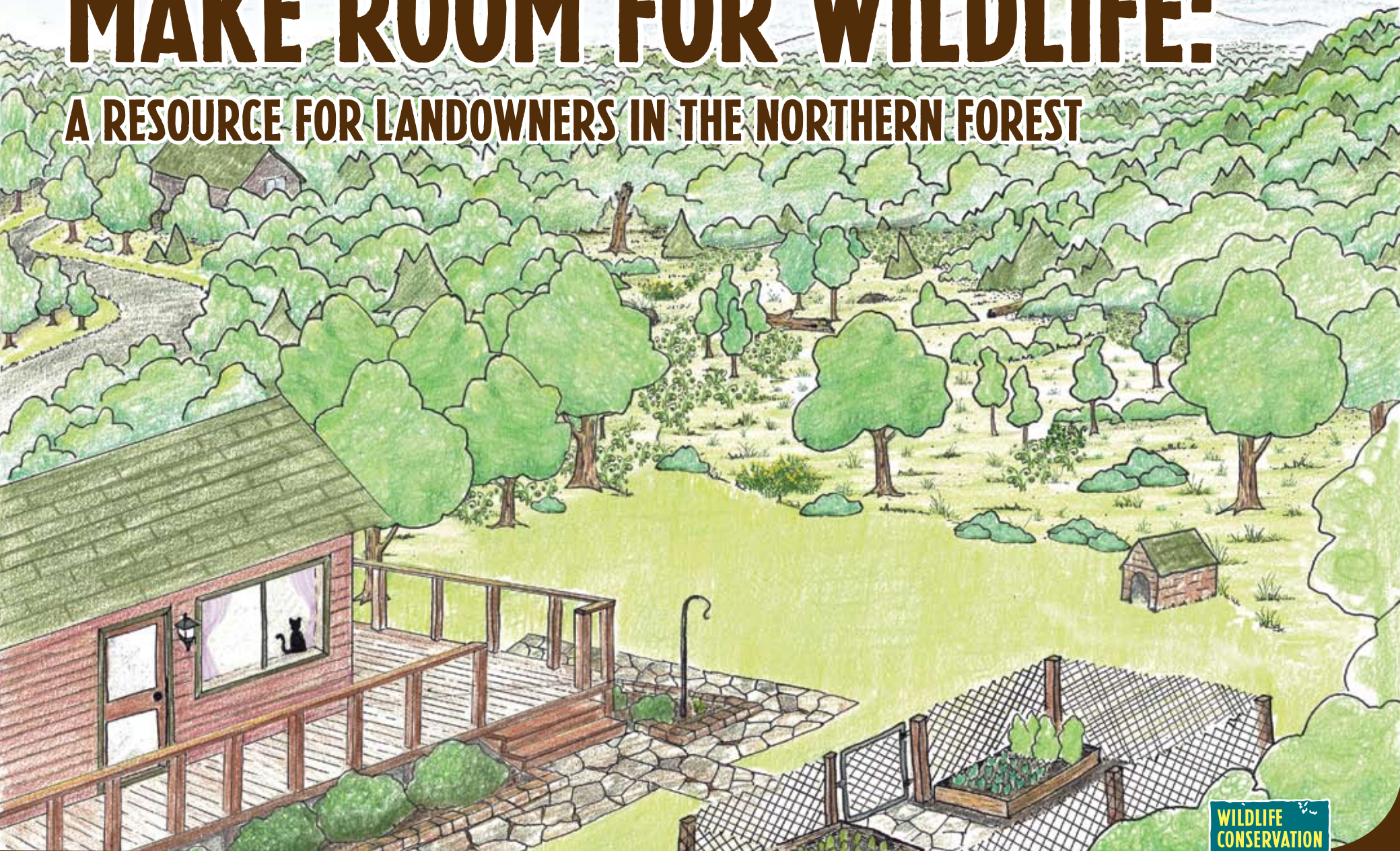
A handwritten signature in black ink, appearing to read "Peter Bauer". The signature is fluid and cursive, with a large initial "P" and "B".

Peter Bauer,  
Executive Director



# MAKE ROOM FOR WILDLIFE:

A RESOURCE FOR LANDOWNERS IN THE NORTHERN FOREST



Wildlife Conservation Society







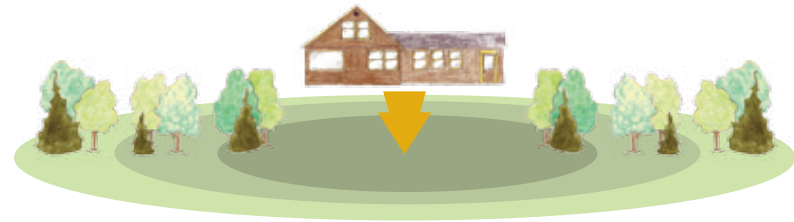
## WILDLIFE AND PRIVATE LANDS

This pamphlet will help landowners in the Northern Forest consider wildlife when managing their property or building a home. Although some large expanses of habitat in this region are protected by state and federal governments, many animals require or prefer habitats found on privately owned lands. Other species must travel long distances across a mix of public and private lands to meet their basic needs. To maintain the native wildlife found here, Northern Forest residents must be thoughtful and smart about how to live on our private lands.

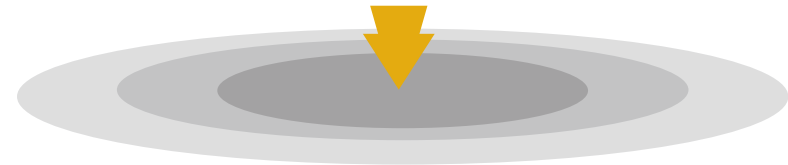
Decisions—both small and large—made by landowners have as much power as state and federal agencies in determining the future of wildlife in this region.

Habitat loss and fragmentation are two of the most significant threats facing wildlife. However, landowners can make informed decisions that will minimize adverse effects and protect wildlife.

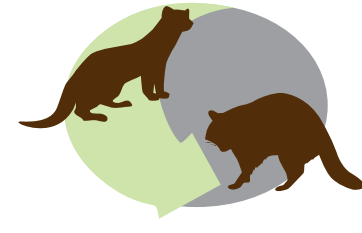
## IF A HOUSE “FALLS” IN A FOREST, DO THE WILDLIFE “HEAR” IT?



WCS has been studying the impact that houses have on wildlife, and through our research we have learned that even if a house is surrounded by native vegetation (such as forest), it changes the wildlife community in ways that are measurable.



- 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.



- 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.

# WHAT ROLE DOES YOUR LAND PLAY?

As wildlife travel through our human landscape, they rely on a combination of landscape features to ensure safe passage.

## Where does your land fit in?

### Core habitat

Large blocks of contiguous forest provide the necessary habitat for animals to find food and shelter, and to reproduce. In order to maintain healthy populations and genetic diversity, however, animals must be able to move between these large blocks of habitat.

### Hedgerows

Many Northern Forest species prefer not to pass through open or agricultural areas, and take advantage of the cover provided by hedgerows between fields.

### Riparian areas

Rivers, streams and their banks provide important habitat along which animals often travel. Maintaining cover (trees and shrubs) in these areas provides safer and more secure corridors for wildlife.

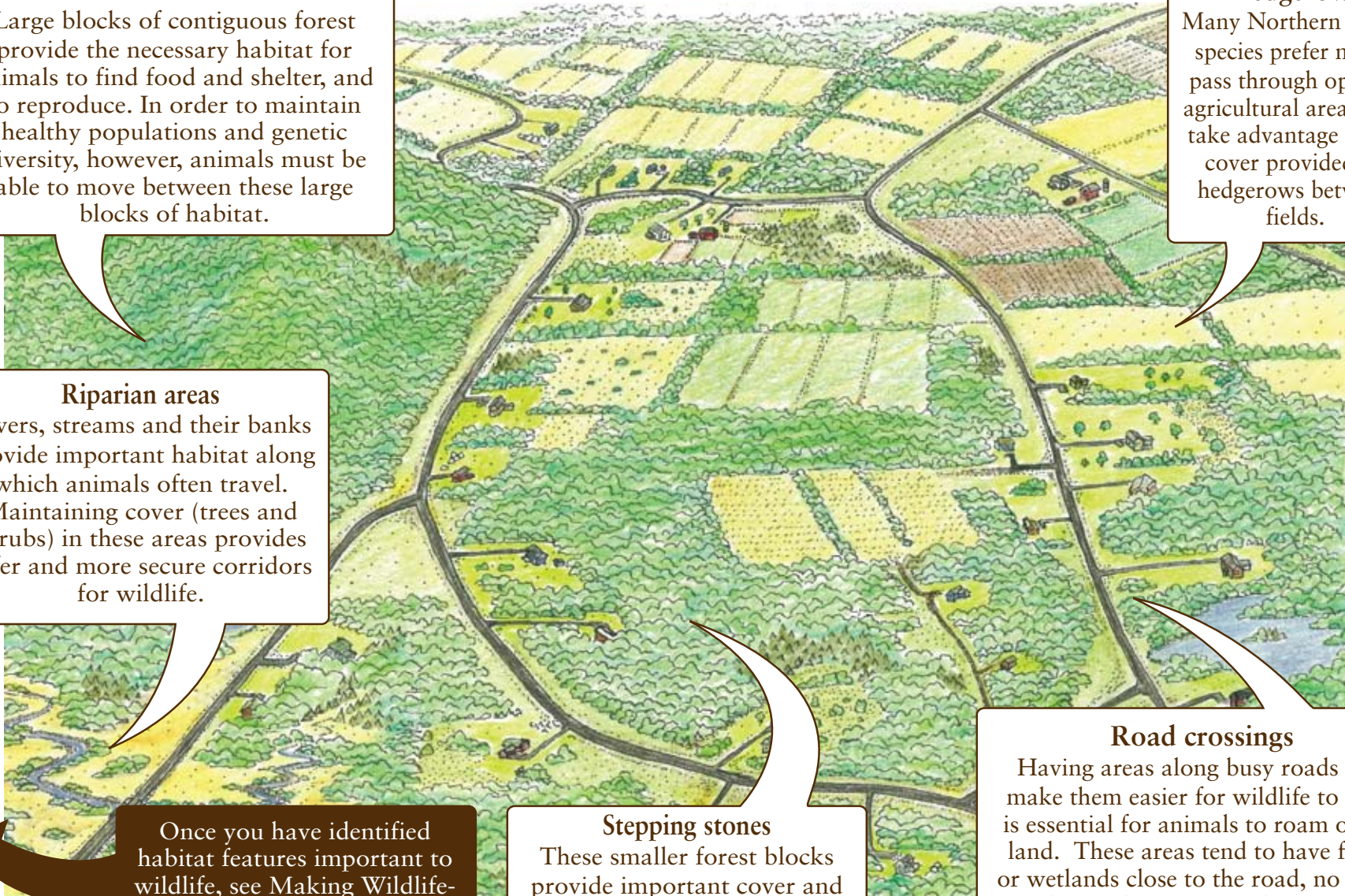
### Road crossings

Having areas along busy roads that make them easier for wildlife to cross is essential for animals to roam on the land. These areas tend to have forest or wetlands close to the road, no guard rails, gentle terrain, and sometimes wildlife crossing structures.

Once you have identified habitat features important to wildlife, see Making Wildlife-Sensitive Decisions for ideas about how to preserve them.

### Stepping stones

These smaller forest blocks provide important cover and food as animals roam between blocks of core habitat.





# IF YOU CHOOSE TO BUILD A HOME

Your house will permanently change the landscape; take time to think carefully about how you can make sensitive decisions while maximizing your own enjoyment of your property.

## Know your site

Take the time to get to know your property; learn about its natural features and the wildlife habitats it provides, such as wetlands, riparian areas (near waterbodies), mature forests, nesting and wintering sites, vernal pools and other features. Once you have identified these features (with help from a naturalist and forester if necessary), you will be better able to plan to protect them.

## Think about your site in context

Your property may offer a locally unique attribute (such as the only stand of conifer trees for miles). It may be part of a large connected forest, or the only block of forest in a sea of farmland. Factors like these influence the ecological role of your land; consider these before you decide how to develop your site.

## Design and landscape thoughtfully

This is your best opportunity to address many long-term issues in your house. For example, size and site glass windows appropriately or use bird-friendly glass to prevent bird mortality. Plan to use native, non-invasive plants when landscaping.

## Build carefully

Select a contractor who will be responsive to your desire to minimize environmental impacts. Mark trees and snags to protect and be clear about a no-impact zone. Avoid undertaking construction in relevant locations during critical amphibian movement periods or bird nesting seasons. Plan and budget for post-construction restoration.

## The most important decision: where to build your home

Once you are armed with information and perspective about the natural value of your property, you are ready to think about how to develop the site sensitively. Here are some guiding questions to help you make these decisions:

- What steps can you take to protect the natural features that you have identified through your research? Remember to think BOTH about the features on the site and the big picture of your land's regional context.
- Can you site the house on or near part of the property that has been cleared previously or has been heavily impacted by human activities in the past?
- Can you achieve adequate privacy while building reasonably close to the parcel boundary, neighbors' houses, or the road? Your home will have a "wildlife shadow"—area of impact—of 15 – 30 acres. By keeping the driveway short and locating the house close to other structures, you will maximize the space available for wildlife.
- Can you maintain buffers from sensitive features? Clearing and building should ideally not occur within 300 feet of sensitive habitats like rivers, lakes, streams and wetlands.

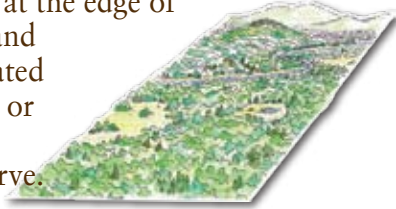


# MAKING WILDLIFE-SENSITIVE DECISIONS

If you own or manage land in the Northern Forest, you make decisions that affect wildlife and the environment.

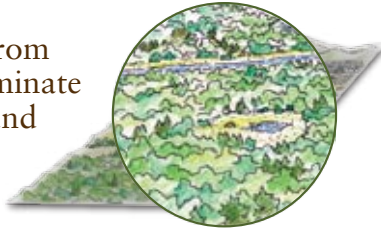
## Maximize ecological connectivity

You can do this by: keeping large stands of forest or habitat intact; concentrating ecological disturbances at the edge of large blocks of habitat; and by maintaining and improving connecting features such as vegetated riparian buffers alongside streams and lakes, or hedgerows through fields. The wider these features can be, the more species they will serve. Try for buffer widths of 100 feet or more.



## Maintain healthy habitat

You can do this by: protecting important ecological features such as vernal pools from disturbance; letting natural processes dominate (for example, maintaining native plants and letting deadfall decompose in place); and by planning for the needs of particular species.



## Minimize ecological disturbances

You can do this by: minimizing the amount of pavement and hardened surface you introduce, including the length and width of roads; using best practices for erosion and sediment control; or by harvesting carefully if you are logging your land.



## Create and restore habitat

You can do this by: improving degraded areas of your property with vegetation; removing non-native plants and planting native species in their place; and adding habitat opportunities such as nest boxes.



**WHAT:** Take birdfeeders down from May to September.

**WHY:** Birds have ample natural foods during the summer, and birdfeeders left up in the summer can attract bears or other unwanted wildlife to your yard.



**WHAT:** Minimize outdoor lighting and select light fixtures that direct light downward to where it is needed by humans, not out and up to where it creates light pollution. Close your blinds at night to cover large, brightly lit windows.

**WHY:** Night lighting is disorienting to wildlife and can adversely affect animals.



**WHAT:** Clean your grill regularly, or keep it in your garage or shed.

**WHY:** Bears have an excellent sense of smell, and they can be attracted to small pieces of food or grease on the grill. Once habituated to human food sources such as grills, bears often become increasingly problematic.



**WHAT:** Don't leave garbage outside overnight.

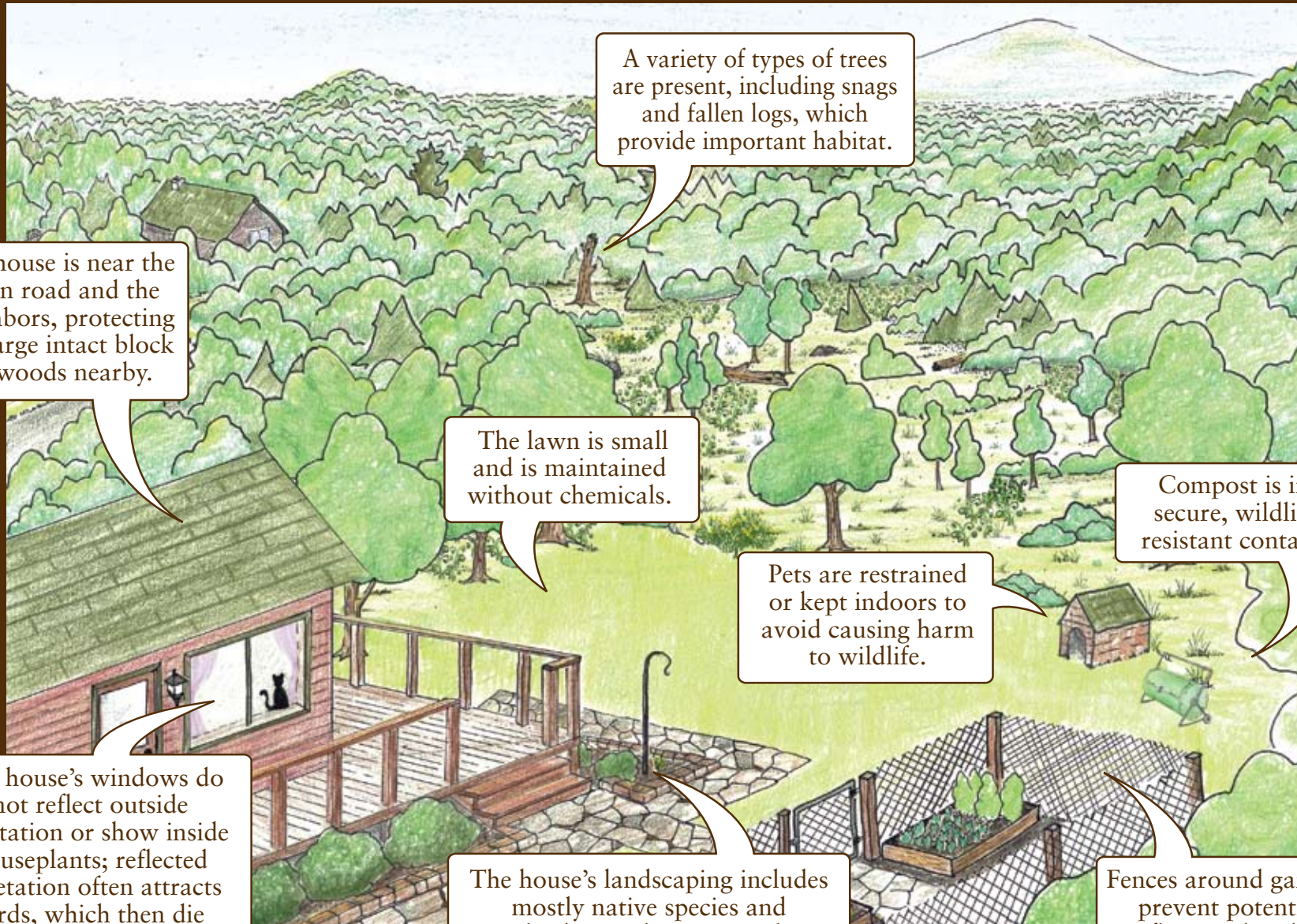
**WHY:** Trash is another human food source that can attract bears and other animals. By minimizing unwanted interactions with wildlife, you can protect your own property and safety and also the health of wildlife.





# A WILDLIFE-SENSITIVE HOME IN THE NORTHERN FOREST

Whether you are building a new home or making management decisions in your existing home, you have a variety of opportunities to minimize adverse impacts and maximize benefits to wildlife.



A variety of types of trees are present, including snags and fallen logs, which provide important habitat.

The house is near the main road and the neighbors, protecting the large intact block of woods nearby.

The lawn is small and is maintained without chemicals.

Compost is in a secure, wildlife-resistant container.

Pets are restrained or kept indoors to avoid causing harm to wildlife.

The house's windows do not reflect outside vegetation or show inside houseplants; reflected vegetation often attracts birds, which then die when they hit the glass.

The house's landscaping includes mostly native species and completely avoids invasive plants.

Fences around gardens prevent potential conflicts with wildlife.

# PLANNING FOR THE FUTURE OF YOUR LAND

## You can have a lasting legacy of stewardship

Think beyond subdivision. Keeping your land intact is one of the best ways to protect ecological connectivity. Check out the ideas below on alternatives to subdivision.

- Gather information. Learn about natural features and wildlife on your land as a great step towards careful management of it, for you or for future stewards.
- Consider an easement. Conservation easements allow you to protect your land from development in perpetuity, even if you sell the land. Easements have tax benefits as well, and you can determine the terms that work for you. Your local land trust can help you learn about the process and your options.
- Learn about alternative revenue opportunities. If you feel the need to sell or subdivide to pay your property taxes, you may be able to generate revenue with the help of government-funded land and habitat management programs, well-managed forestry, or alternative opportunities such as emerging markets for carbon sequestration and other ecosystem services.
- Get help. Estate planners can help you think about the tax considerations and the family implications of your long-term planning decisions. Consulting foresters can provide insights about potential revenue options. The Natural Resources Conservation Service manages several habitat management programs.

Long-term thinking will benefit not just wildlife. You will also be protecting air and water quality, reducing the severity of flooding, keeping land available for traditional economic and recreational activities, and maintaining the rural character of our landscape.

## GETTING STARTED

There are many resources available to help you learn more about opportunities to protect the wildlife on your land. You may want to seek out other organizations: from state agencies to non-profits, many groups can help you be a good steward. WCS staff are also happy to answer questions; please contact us. Additional resources and links on this topic are also available at our website, [www.wcsadironclacks.org](http://www.wcsadironclacks.org).

## ABOUT US

The Wildlife Conservation Society (WCS) saves wildlife and wild lands through careful science, international conservation, education, and the management of the world's largest system of urban wildlife parks.

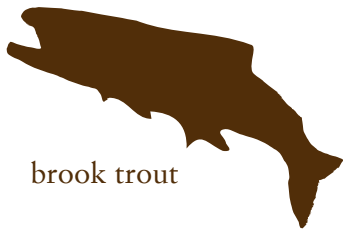
WCS's Adirondack Program is based in Saranac Lake, NY. WCS is a partner in the Staying Connected Initiative (SCI), a transboundary collaborative to maintain and restore a network of connected lands for wildlife across the region.

WCS' Make Room for Wildlife Program has received generous support from the Doris Duke Charitable Foundation through the Wildlife Action Opportunities Fund, International Paper Foundation, and SCI's US Fish and Wildlife Service Competitive State Wildlife Grant.



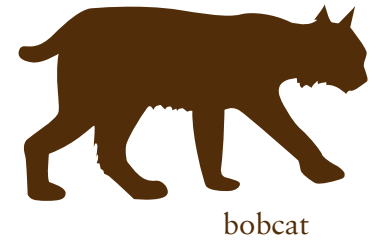


# WHICH WILDLIFE WILL THANK YOU?



## Wide-ranging animals

Black bear, bobcat, marten, and moose are examples of species that need lots of space and will appreciate planning that protects large, well-connected forest blocks. Conserving ecological connections may require coordination between multiple landowners since wildlife do not heed property boundaries. These efforts will help maintain healthy wildlife populations.



## Amphibians and reptiles

Amphibians and reptiles are particularly susceptible to the impacts of roads and other fragmenting features because they use a variety of habitat types during their life cycle. Some, like turtles, do not even begin to reproduce until they are quite old (> 20 years). Knowing the parts of your property that are most important for these animals will allow you to avoid building structures or roads near these critical habitats.



## Interior forest dwellers

Edges between forests and openings like roads or lawns pose many dangers, and some species will not use forests that are fragmented by roads and houses. Maintaining large forest blocks with plenty of interior habitat will ensure suitable areas for species like scarlet tanager, ovenbird and American marten.

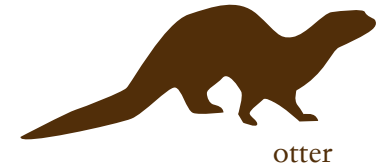


## Small mammals

Species such as shrews, voles and flying squirrels are an important part of the food chain and the ecosystem of the Northern Forest. Maintaining snags and downed woody debris provides habitat for these animals. Minimizing driveways, roads and the size of lawns helps curb threats to these species—as does keeping domestic pets indoors.

## Aquatic birds and mammals

Whether an animal lives on a lake, stream or river, or simply uses these features for periodic habitat or as travel corridors, these aquatic habitats are essential. Buffering water features from shoreline development and enhancing riparian corridors with native plants protects water quality and the value of these ecosystems for wildlife.



## ADIRONDACK PROGRAM

Saranac Lake, New York  
518-891-8872 ~ [www.wcsadironacks.org](http://www.wcsadironacks.org)  
[accp@wcs.org](mailto:accp@wcs.org)

This brochure is printed on donated paper made at International Paper's Ticonderoga Mill, from trees harvested in working Adirondack forests managed in accordance with the principles of the Sustainable Forestry Initiative and the Forest Stewardship Council.

Design and illustrations by j.w.smith designs.

**From:** R VanDerzee  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** MA2020-01 (Lake Luzerne)  
**Date:** Tuesday, June 02, 2020 7:55:26 AM

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*ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.*

I am commenting on the proposal by the Town of Lake Luzerne to amend 105 acres within the APA from Rural Use to Moderate Intensity Use. This land primarily faces Hidden Valley Road. This will be a short narrative, as I only found out about this proposal by word of mouth a few days ago.

- My first point is that 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 (286.-1-16) and that of at least three other landowners connects to the land now owned by Thomas Reed and we are not on the list, nor were we notified of this proposal.
  
- Consideration needs to be given to the fact that these parcels were purchased by the previous owner 4/8/2005. And Gene has been Town Supervisor as far back as at least 2007. So, why the request for reclassification now? The timing is perhaps coincidental, probably not. The parcels were purchased by a new owner last June and the application from the Town came just four months later, dated 10/21/2019. If I read between the lines that tells me the new landowner fully intends to develop the land at its fullest.
  - Current class would allow for up to 12 home on the property.
  - New class, up to 80 homes
  
- 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.

I will be sending a copy of this to the Town as well, so want to also say, that I moved back to Luzerne because it was the way it is. Due to a divorce, I did move outside the Town for a few years. I did not move here hoping and praying that someday I would get to see potentially 80 new homes clustered in one area, let alone right behind me completely changing enjoyment of my property and neighborhood. Let's not forget, new homes mean greater tax base, yes. But also financial and personnel impacts on the school, Transfer Station services, and EMS and Fire services.

Thank you for your consideration.

Roberta VanDerzee

PO Box 386, 80 Hall Hill Rd

Lake Luzerne, NY 12846

518.955.2324

Public Information

[Sent from Yahoo Mail on Android](#)

**From:** Henry Sobell  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** The question of abolishing properties along route 9N as being "forever wild"  
**Date:** Monday, June 01, 2020 10:11:19 AM

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Gentlemen and gentlewomen -- I continue to see that the town has continued to look kindly on abolishing properties along route 9N as being "forever wild" on properties along 9N and to allow them to be developed by real estate developers.

This is counter to the feelings of many of us living in the Fourth Lake Luzerne area.

Although it make "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.

I have appeared before you in previous years; however, my wife and I are 84 and 86 – and no longer able to meet with you in person.

We are speaking on behalf of our children (along with others in the Fourth Lake Community) who share similar sentiments – many of us VOTING in the elections going on for the town supervisors.

Please be certain the reply to this letter.

Sincerely,

Henry M. Sobell  
Lourdes M. Sobell

[sobell@localnet.com](mailto:sobell@localnet.com)

518-696-2982

P.O. Box 685

Lake Luzerne, NY 12846



This email has been checked for viruses by Avast antivirus software.

[www.avast.com](http://www.avast.com)

**From:** howard@hsmediamarketing.com  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** COMMENT / Amendment MA-2019-1 (Lake Luzerne)  
**Date:** Tuesday, June 02, 2020 6:52:20 PM

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**ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.**

To the APA Board:

In 1899, Governor Theodore Roosevelt, during his tenure as Governor of New York, had the vision to see the long-term value of preserving and conserving our Adirondack Park; he was also wise enough to understand economic needs – yet realized that the precious lands we know as “The Adirondacks” are irreplaceable.

If he were alive today, Roosevelt would give great praise to the leadership of the APA – yet would no doubt wonder why the APA would even consider granting permission to the Town of Like Luzerne to reclassify the Hidden Valley 105 acres from *Rural Use* to *Moderate Intensity*. Allowing the category change would enable spot zoning and could easily result in the start of urban sprawl in the Southern Adirondacks. Please don't let it happen!

If Theodore Roosevelt were alive today, how do you think he would vote on this proposal?

Respectfully submitted,  
Howard Schaffer  
Lake Luzerne Resident  
518-458-1600



**From:** tracy-ireland@juno.com  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** Recent request by Town of Lake Luzerne to change zoning designation for a parcel along Hidden Valley Rd  
**Date:** Tuesday, June 02, 2020 9:14:03 AM

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ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear Friends at the APA,

I write in opposition to this request for the many well articulated reasons contained in Peter Bauer's informative brief previously sent to you. 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.

Thank you for your time and consideration. I am,

Sincerely yours,

Michael Tracy-Ireland  
48 and 56 Lake Shore Rd  
Lake Luzerne, NY 12846  
518.878.8708

June 2, 2020

Matt Kendall  
Adirondack Parl Agency  
PO Box 99  
1133 Route 86  
Ray Brook, NY 12977

I intentionally waited until June 2 to send this to you because it is a personal observation regarding how two participants in the public hearing used their platforms to reflect the Town of Lake Luzerne's proposed land use change in Map Amendment 2019-01.

Back when the APA was formed there already was much mixed use development in the 105 acre “grid” that is being proposed for moderate use. Hidden Valley Dude Ranch, which was zoned moderate in 1975, occupies the northern end of the proposed grid and is now Wood Foundation land occupied by the Double H Ranch. A home on approximately 1 acre, now owned by 77 Hidden Valley Rd LLC, is carved out of that land. My 1.7 acre parcel formerly owned by T Brennan is in the grid. A 2.77 acre Richard Pavone homesite is in the grid. A 5.78 acre Francis Hurley homesite, formerly the Silver Dollar bar, is in the grid. A 7.47 acre site currently owned by Magliato Realty LLC, and operated as Mountain Air Campground, is in the grid. The corner of NY Rte 9N and Hidden Valley Road was the Ranch House diner in 1975, then became Bailey's Horses, and is now Tubby Tubes. A portion of the 67.4 acre parcel I own is also under the grid. The point is that many of these parcels were less tha 8.5 acres and already in use as moderate intensity back then. Thus the reasonable question: why did the moderate density corridor abruptly end in the middle of Hidden Valley Dude Ranch property?

Gwendolyn Craig, in May 25, 2020 Adirondack Explorer, used a “tax map” while discussing “land use”. This tax map reflects the above parcels. What this does is mislead readers into thinking “tax map” and “land use” mean the same thing. Interesting thing about tax maps is that they definitely show target zoning (“spot zoning”) which the APA land use absolutely stays away from!

George Davis, in May 26,2020 adirondackalmanac.com, basically representing Adirondack Wild, referred to the “tourist facilities, cottages, camps and homes” on the lake side of Hidden Valley Road and then referred to the 105 acres under consideration as “mostly woods” leaving out the fact that it includes Wood Foundation property actively used by the Double H Ranch, Adirondack Air campground, the former Silver Dollar Bar, Tubby Tubes recreation business and Pavone private home. Why were these not mentioned?

I don't know these folks, and they may be the nicest people in the world, but it bothers me that these people use their respected positions in public forums to make their points to their readers using questionable data and incomplete information.

Anyway, these articles don't change the validity of the Town of Lake Luzerne proposal to recognize the area in Map Amendment 2019-01 as having the characteristics of Moderate intensity land use.

Thanks for listening.

*Tom Reed (sig)*

Tom Reed

**From:** Ellen Lyons  
**To:** [MapAmendment\\_comments@apa.ny.gov](mailto:MapAmendment_comments@apa.ny.gov)  
**Subject:** 2019-01 (Lake Luzerne)  
**Date:** Tuesday, June 02, 2020 12:11:04 PM

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Regarding the proposed amendment to the official Adirondack Park Land use and development plan 2019-01

We are opposed to the reclassification of approximately 105 acres from Rural Use to Moderate Intensity Use. We feel the APA has land properly classified to protect the Adirondacks. This area has wetlands on it. This could cause drainage to Lake Vanare, congestion, and the loss of our beautiful Adirondack Park.

Thank you,  
Ellen and John Lyons

Sent from my iPad