

From: dgibson@adirondackwild.org
To: [Lynch, Ariel D \(APA\)](#); [Burth, John M \(APA\)](#); [Rice, Barbara \(APA\)](#); [Cooper, Christopher \(APA\)](#)
Cc: ["John Ernst"](#)
Subject: Permit Writing Form, P2022-0008
Date: Tuesday, December 13, 2022 5:05:50 PM
Attachments: [image001.png](#)
[Letter to the APA Re. P2022-2008, Winney.docx](#)

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ADIRONDACK WILD
FRIENDS OF THE FOREST PRESERVE

Ariel Lynch, John Burth, Barbara Rice, Chris Cooper

Cc: Chair Ernst

Re. P2022-0008

Dear Ms. Lynch, Ms. Rice, Mr. Cooper and all,

I recognize the comment period is over, but hope you would be willing to add this comment, attached, on this Tuesday before your meeting.

Thank you for your consideration.

Dave Gibson

David Gibson
Adirondack Wild: Friends of the Forest Preserve
www.adirondackwild.org
518-469-4081



David Gibson, managing partner
Adirondack Wild: Friends of the Forest Preserve
518-469-4081
dgibson@adirondackwild.org

www.adirondackwild.org



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Ariel Lynch, John Burth, Barbara Rice, Chris Cooper
NYS Adirondack Park Agency
P.O. Box 99
Ray Brook, NY 12977



Re. P2022-0008

Dear Ms. Lynch, Ms. Rice, Mr. Burch, Mr. Cooper,

I recognize the comment period is over for this project before you but hope you would be willing to add this comment on this Tuesday before your Thursday meeting.

The Winney RV Park off Wood Hollow Road in Mayfield is just the latest complex project permit that does not benefit, from the public's point of view, from the Permit Writing Form. The latter is no substitute for written permit Findings of Fact and Conclusions of Law that were standard at the Agency until c. 2019, and which disappeared from all private land use and development project permits since.

As I noted in a comment one year ago, the APA's now customary and routine permit writing form reduces all project history and background, site description, and all Agency review of pertinent Development Considerations - from water resources, to wetlands, to wildlife habitats, to project impacts, etc. - to a series of binary choices, meaning Yes/No check off boxes with occasional, highly abbreviated staff comments in small typeface.

Instead of reading in the Permit itself how staff reached a conclusion, using plain English, complete sentences and analytical judgement, APA members and the public are given a separate list of checked off boxes. Project impacts are hard to distinguish on the form. Worse, it is impossible to gauge from the Form how Agency permit conditions relate to or address any staff identified project impacts.

With respect to P2022-0008, the Permit Writing Form is opaque with respect to a number of potential project impacts and development considerations.

- With respect to wetlands, any indirect impacts to APA jurisdictional and ACOE jurisdictional wetlands from receiving stormwater runoff from Catchment A receives no mention in the Permit Form.
- With respect to stormwater discharge, the form continues this: "Protection of wetland and water quality post-development." How do Agency members and the public know what this non-sentence means?
- With respect to intensity, I suspect it is as difficult for the Agency members as for the public to glean from the Permit Writing Form how to interpret the overall density calculation.

- With respect to coordinated review, the Form contains no mention of the Hudson River-Black River Regulating District and the State Land around Great Sacandaga Lake, the shoreline of which is just 150 feet or so feet away from project infrastructure.
- With respect to vegetation, there is no characterization on the Form of the trees or stands of trees or forest habitats occupying the site.

The Permit Writing Form has its place and purpose. But for the reasons expressed it remains a highly inadequate replacement for written Findings of Fact and Conclusions of Law. We once again ask the Agency to include written Findings in your Draft Permits so that Agency members and the public can evaluate whether a conclusion of No Undue Adverse Impact to the resources of the Adirondack Park can be reached.

Thank you.

Very sincerely,



David Gibson, Managing Partner
Adirondack Wild: Friends of the Forest Preserve
www.adirondackwild.org
518-469-4081

Cc: John Ernst, Chair