



Department of
Environmental
Conservation

**CONSTRUCTION OF A FACILITY FOR THE
INTERMENT OF 18TH CENTURY HUMAN REMAINS
FROM THE LAKE GEORGE AREA**

PUBLIC DRAFT AMENDMENT

to the

1981 Lake George Beach and Battlefield Park
Unit Management Plan

Warren County

January 3, 2024, DRAFT

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NYS DEC, Region 5, Division of Operations

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UNIT MANAGEMENT PLAN AMENDMENT #2

PREFACE

This amendment to the 1981 Unit Management Plan for the Lake George Beach and Battlefield Park Intensive Use Area has been developed pursuant to, and is consistent with, relevant provisions of the Environmental Conservation Law (ECL), the Executive Law, the Adirondack Park State Land Master Plan (“Master Plan”), Department of Environmental Conservation (“Department”) rules and regulations, Department policies and procedures, the State Environmental Quality Review Act and the State Historic Preservation Act.

The Lake George Battlefield Park is classified by the Adirondack Park State Land Master Plan as an Intensive Use Day Use Area and is managed by the Department as such with an emphasis on the area’s historic value. By statute, the lands purchased for the Lake George Battlefield Park “shall belong to the state forever” for use as a historic site and public park. Through an act to provide for acquiring lands to commemorate the battle of Lake George, L. 1897, c. 279, § 3; and an act to provide for acquiring and care of lands to commemorate the battle of Lake George and making an appropriation therefor L. 1900, c. 391, § 5, the legislature authorized the purchase. The Department has general jurisdiction to manage historic sites pursuant to ECL §§ 3-0301(1)(p); 9-0105(2); and 41-0105. In addition to the above authority, ECL § 9-0901 charges the Department with the care, custody, control, and management of the Lake George Battlefield Park.

The Adirondack Park State Land Master Plan was initially adopted in 1972 by the Adirondack Park Agency (“APA”), with advice from and in consultation with the Department, pursuant to Executive Law §807, now recodified as Executive Law §816. The Master Plan provides the overall framework for the development and management of State lands in the Adirondack Park, including those State lands which are the subject of this amendment.

Executive Law §816 requires the Department to develop, in consultation with the APA, individual unit management plans (UMPs) for each unit of land under the Department’s jurisdiction which is classified in one of the nine classifications set forth in the Master Plan. The UMPs must conform to the guidelines and criteria set forth in the Master Plan. Thus, UMPs implement and apply the Master Plan’s general guidelines for areas of land within the Adirondack Park. To put the implementation of the guidelines and criteria set forth in the Master Plan into actual practice, the Department and APA have signed a Memorandum of Understanding concerning the implementation of the State Land Master Plan for the Adirondack Park. The document defines the roles and responsibilities of the two agencies, outlines procedures for coordination and communication, defines a process for the revision of the Master Plan, as well as outlines procedures for State land classification, the review of UMPs, state land project management, and state land activity compliance.

This Unit Management Plan Amendment for the Lake George Battlefield Park seeks to reinter the remains of Revolutionary War era soldiers discovered on Courtland Street within the Village of Lake George in 2019-2020 consistent with the above statutory authority and the Master Plan.

BACKGROUND

The Lake George Battlefield Park is located at the south end of Lake George in the Town of Lake George in Warren County. The DEC Division of Operations manages the site.

The Battlefield Park was created in 1898 when the state legislature appropriated funds, directing the State Comptroller to acquire land within the area of the 1755 Battles of Lake George for the purpose of creating a park to commemorate that battle. The Park was initially managed by the New York State Historical Association. Jurisdiction was assigned to the Conservation Commission (Department) in the 1920s and the blue line was extended to encompass the battlefield in 1931, bringing the area into the Adirondack Park. Land acquisition to expand the Park, Beach and Campground continued into the 1970s.



Figure 1 Johnson-Hendrick Monument

The early history of Battlefield Park paralleled that of other historic battlefields such as Gettysburg National Military Park and later Saratoga National Historical Park. Each of these developed as “commemorative parks” intended not only as protected open spaces but also places to recognize and contemplate the past.

Over time, numerous monuments and other commemorative and interpretive features were added to the landscape. The first was the William Johnson – King Hendrik monumental bronze sculpture installed in 1903, commemorating the two leaders of the Provincial forces, in the 1755 Battle of Lake George. The Mohawk Warrior Fountain was erected in 1921. The memorial to the Revolutionary War Knox Trail was placed on the site in 1925. In 1935, the remains of four individuals believed to have been American Provincial casualties of the Battle of Lake George, Bloody Morning Scout, were reinterred on site. The remains had been disturbed during road construction along Route 9 near where the ambush that initiated the Battle of Lake George took place. The last significant monument to be erected on the site was a bronze sculpture of Saint Isaac Jogues in 1939. A number of smaller monuments are also scattered around the Park.

The Park contains an archaeological record that spans from immediately after deglaciation through the late 18th century. A significant indigenous archaeological site, that may have been occupied as early as 8,000 BC, was investigated when Beach Road and the swimming beach parking lot were reconstructed. The area was intensely used during the French and Indian War (1754-1763) and to an extent during the American Revolution (1775-1783). The Battle of Lake George was fought on the site in 1755. The elevated portion of the site was fortified and most of the British and American garrison was located, in an entrenched camp there, during the 1757 siege of Fort William Henry. Construction of what we now call Fort George began in 1759. What was to be a 3-acre Vauban pattern stone fortification was never finished because the successes of the 1759 campaign made it

unnecessary. The foundations of barracks, storehouses and workshops associated with the military use of the area are scattered across the site.

The Battlefield also includes graves associated with this historic military use. During the 1759 construction of Fort George a mass grave, probably associated with the aftermath of the 1757 capture of Fort William Henry, was found in the area where the bastion of Fort George stands today. The bodies of about 20 British and American soldiers had apparently been buried in a quarry pit cut into the limestone bedrock (Webster 1954). The disposition of these remains is unknown. The historian Francis Parkman noted the presence of marked graves, including one with a 1776 date, near Fort George in his visit to the site in 1843 (Mason 1947). The 1935 grave was noted above. Isolated human bone has also been recovered in archaeological investigations on the site. A fragment of a humerus (upper arm) was found in the builder's trench of a (1758) barracks foundation in 2000.

Fort George was repaired and reoccupied after being captured early in the American Revolution. It served as General Phillip Schuyler's headquarters during the Quebec Campaign of 1775 and 1776. After smallpox broke out in the Army returning from the failed 1775-1776 invasion of Quebec, a hospital was set up near Fort George. The Fort was recaptured by the British in 1777 (Burgoyne campaign) and again in 1780 (Carleton's Raid), (DeCosta 1871, Bellico 2010, HAA 2018). Throughout the Revolution, the entirety of the area used for military purposes was referred to as Fort George.

After the American Revolution, the area that would become the Battlefield Park was held out of early land sales as a military reservation. By the end of the 18th century the land had been granted to Union College and Columbia College (University) for sale to create endowments for those schools. The land was in private hands for much of the 19th century. It became part of several farms but was never intensively developed before the state began reacquiring the property in 1897. In 2011, the Park was listed on the State and National Register of Historic Places as the Lake George Battlefield Park Historic District.

THE COURTLAND STREET "BURYING GROUND," FORT GEORGE AND THE BATTLEFIELD

Since the middle of the 19th century there have been over three dozen newspaper reports of human remains being discovered in the village and town of Lake George. Thus, it was not surprising when human skeletons were discovered during basement excavation for the construction of a triplex apartment on Courtland Street in the village of Lake George, in February 2019. Unlike most other discoveries, which were usually the remains of single individuals, the basement excavation for the triplex disturbed numerous graves. In two days of salvage excavations, eleven partially disturbed graves containing the incomplete remains of thirteen individuals were recorded and recovered. Fragmentary human bone was recovered from the large (800 cu yd) pile of mechanically excavated soil piled on the site. Uniform buttons found in one grave and in the soil pile were identified as having been associated with the First Pennsylvania Battalion, a Continental Army regiment raised in November 1775 and disbanded in November 1776. The unit served with the army that invaded Quebec from 1775 and into 1776. Over the next 15 months (with a COVID-19 hiatus) the remains of many additional individuals were found during screening of the mechanically excavated soil. In all, the incomplete remains of a total number of 44 individuals were recovered. The remains found are primarily male and were predominantly late adolescent or young adults, further supporting the conclusion of a likely military origin. Well over 100 volunteer professional and avocational archaeologists participated in this effort (Vandrei et al, 2020).

Evidence supports that the graves disturbed on Courtland Street were associated with the hospital established at Fort George in July 1776. At the outset of the American Revolution there was a belief in New England and New York that the French-Canadian citizens of Quebec would join in the revolt against British rule. In furtherance of this goal an American army invaded Quebec in the fall of 1775 (Cubbison 2010). However, a devastating smallpox outbreak and British reinforcements forced the Army to retreat in the late spring of 1776. Having reached Crown Point, the decision was made to mount a defense at Fort Ticonderoga and Mount Independence. To separate the sick from the well and manage the ongoing smallpox outbreak, a hospital was established at Fort George (Cubbison 2010). At the time, Fort George consisted of the stone-faced earthwork bastion that survives today surrounded by a palisade. Two or three other buildings also may have been present nearby. These were insufficient to house the well over 1,000 sick soldiers so tents and shelters were erected around the south shore of Lake George. This appears to have extended to the site of the ruins of Fort William Henry. Later, in 1777, a journal entry describes a building on the site of Fort William Henry as a hospital (DeCosta 1871). This appears to have been constructed during the summer of 1776. Several thousand soldiers passed through the Fort George hospital between July and November 1776. Records are incomplete but period letters and journals indicate that hundreds of patients died that summer and were buried nearby. The remains recovered on Courtland Street represent a few of those individuals.

Discussion about the treatment and disposition of the Courtland Street remains began while recovery was still under way. The Lake George community expressed strong interest in having the remains of these soldiers stay in the area where they were found. That interest led to the Town of Lake George to ask the Department to consider the proposal and to this proposed amendment.

The Courtland Street remains are classified as active-duty casualties by the United States Army. Their burial location must be approved by the Secretary of the Army. The Director and staff from the Office of Army Cemeteries have visited the site. The Office is amenable to, but has not yet formally approved, the proposed reinterment site. Should this plan be approved, that approval will be formally requested.

MANAGEMENT ALTERNATIVES AND SELECTION OF PREFERRED ALTERNATIVE

Alternative 1 - No Action Alternative

The remains are currently housed in the Bioarchaeology Laboratory of the New York State Museum at the Empire State Plaza in Albany. If no suitable location is found where the remains can be interred, they would likely be turned over to the Office of US Army Cemeteries. There are Army Cemeteries located at the Watervliet Arsenal and the United State Military at West Point. The Department of Veterans Affairs maintains cemeteries at Saratoga (Schuylerville) and Bath as well. Disposition would be at the discretion of the Army and there is no guarantee that they would remain in New York State. This alternative would be unacceptable to the community that would like the remains to be reburied near where they were found. It would also relocate the remains to a place that is distant from where hundreds of their comrades remain buried in the Lake George area.

Alternative 2 - Reburial near the Courtland Street Site

Early in the recovery effort at the Courtland Street burial location there was discussion about whether the remains could be interred near or perhaps adjacent to the location where they were disinterred. The area is a fully developed residential neighborhood, consisting primarily of small lots occupied by single family homes. The buildings of the Sacred Heart Roman Catholic Church are nearby. Caldwell Cemetery, the oldest in the Town of Lake George, is located just to the North. As a result, it does not appear that there is a suitable location for reinterment in the immediate vicinity of where the remains were found. Nearly all the properties in the area are private homes and are fully developed. The Caldwell Cemetery has little, if any, space remaining. Over the decades, there have been numerous inadvertent discoveries of human remains in and around the Courtland Street site. Reintering the remains in this area might well disturb additional graves. The character of the area makes this alternative infeasible.

Alternative 3 – Reburial in another nearby State Land Unit

This option would locate the reinterment project on state land elsewhere in the southern Lake George basin. There are several nearby state land units including, the Lake George Battleground Public Campground adjacent to Battlefield Park, the nearby Lake George Beach Day Use Area and the Prospect Mountain Memorial Highway located nearby on the west side of Route 9 (Canada Street). Additionally, Hearthstone Point Public Campground is located two miles to the north of the Village of Lake George. However, only the Battleground Campground is within the area used by military forces in the 18th century. Of all the land units in the southern basin of Lake George, the only existing state land unit associated with the Courtland Street remains is the Lake George Battlefield Park. The purpose of the Park is also consistent with this proposed use whereas a campground is much less so. The public use and management goals of the other land units are also inconsistent with the respectful treatment of human remains. Prospect Mountain, and Hearthstone Point are also probably too distant to be satisfactory and also have the same contrasting purpose.

Alternative 4 – Earth Contour Enclosed Vault on the Battlefield Park

Consideration was given to making use of the topography of Battlefield Park to create a semi-subterranean structure to house the remains. This would involve locating a stone or concrete structure between two knolls and then enclosing and covering the vault with earth. There are several possible locations for such a structure with the park, primarily in the wooded area north of the entry gate and east of Fort George Road. Construction would, however, require significant ground disturbance in areas that do not appear to have been previously disturbed. Bedrock excavation would be necessary in some cases. Tree removal and additional archaeological investigations would be necessary as well. The amount of site disturbance associated with this alternative makes this option unacceptable.

Alternative 5 – Interment in a Grave or Graves on the Battlefield Park

The remains could be interred in a grave (several might be necessary) somewhere on Battlefield Park. It is unlikely that sufficient soil cover would be available in the portion of the park that is to the east of Fort George Road. This is the area where burials are already known to exist on the site and is where most of the monuments are located. If a suitable location could be found, tree cutting may or

may not be necessary. Locating a grave in this area would almost certainly disturb the archaeological components of the site. Sufficient soil cover may be available in the meadow area between Fort George Road and West Brook Road. Both areas have seen considerable modification from what their original character was. The area along West Brook Road was at least partially taken up by the wooded wetland/delta that formed the mouth of West Brook. This area is naturally low and wet and is labeled as a “morass” on many 18th century maps. Later the area was filled, and West Brook channelized to its current configuration. The area south of Beach Road was, until the late 1950s, a small railroad yard. This served as the turnaround point for the branch of the Delaware and Hudson Railroad that served Glens Falls and Lake George. The shoreline has also been filled north Beach Road.

A burial site and memorial located in the meadow area would significantly affect the aesthetic character of the area. Currently when viewed from the lake the visual field between the Lake George Beach bathhouse and the Lake George Steamboat Company office and dock is very park-like. The broad meadow that forms the northwestern section of Battlefield Park is open and natural, with scattered trees. The area is surrounded by the forested portions of the Park, Lake George Battleground Campground and Charles Woods Park. Even the three stories of the Lake George Park Commission office and Visitor Center are for the most part screened from view and thus there is very little visual impact. Additionally, it is inappropriate to entomb the remains in fill.

Alternative 6 – Mausoleum Structure on the Battlefield Park

A mausoleum structure could be built to house the remains. The most likely location for such a structure would be in the part of the park that is west of Fort George Road. Currently this area is an open grassed meadow, with trees in the background. The structure would be at least the size of a large shed or small vehicle garage. It could be a significant intrusion on the landscape and would draw visual attention. Additional archaeological investigations would be necessary. Even a small structure would change the visual and aesthetic character of the area, thus this alternative is unacceptable.

Alternative 7 (Preferred Alternative) - Low Profile Columbarium Structures

As the recovery of the Courtland Street remains progressed several members of the Lake George community, including the Lake George Town Board, expressed interest in having the remains reinterred in the Lake George Battlefield Park. Additionally, the Board of Trustees for the Village of Lake George passed a resolution calling for the remains to be reinterred at the Battlefield Park in March 2019. The Lake George Town Supervisor requested that the Department consider the idea. The Town arranged for the drawings that are included in this plan to illustrate its proposal. The location proposed for the reinterment of the soldiers' remains from Courtland Street is on the east side of Fort George Road. The Lake George Park Commission office and Battlefield Park Visitor Center are nearby. The site is a level rise slightly above Fort George Road. The terrain begins to rise immediately east of the site at the brush/tree line. The site covers approximately 0.2 acres. Vegetation cover is grass with a single 30-inch DBH White Pine nearly in the center of the site. This tree will remain and will be incorporated into the memorial site. Soils consist of glacial outwash sand with a few limestone bedrock exposures. The New York State Museum's Cultural Resource Survey Program conducted a Phase 1B archeological survey of the site and nothing of significance was found.



Figure 2 Proposed Project Location

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The preferred alternative makes use of above ground columbarium structures of the type used to house cremated remains in traditional cemeteries. Six structures six feet long and three feet high are proposed. They will be made of gray Barre granite.



Figure 3 Project Site looking East from Fort George Road

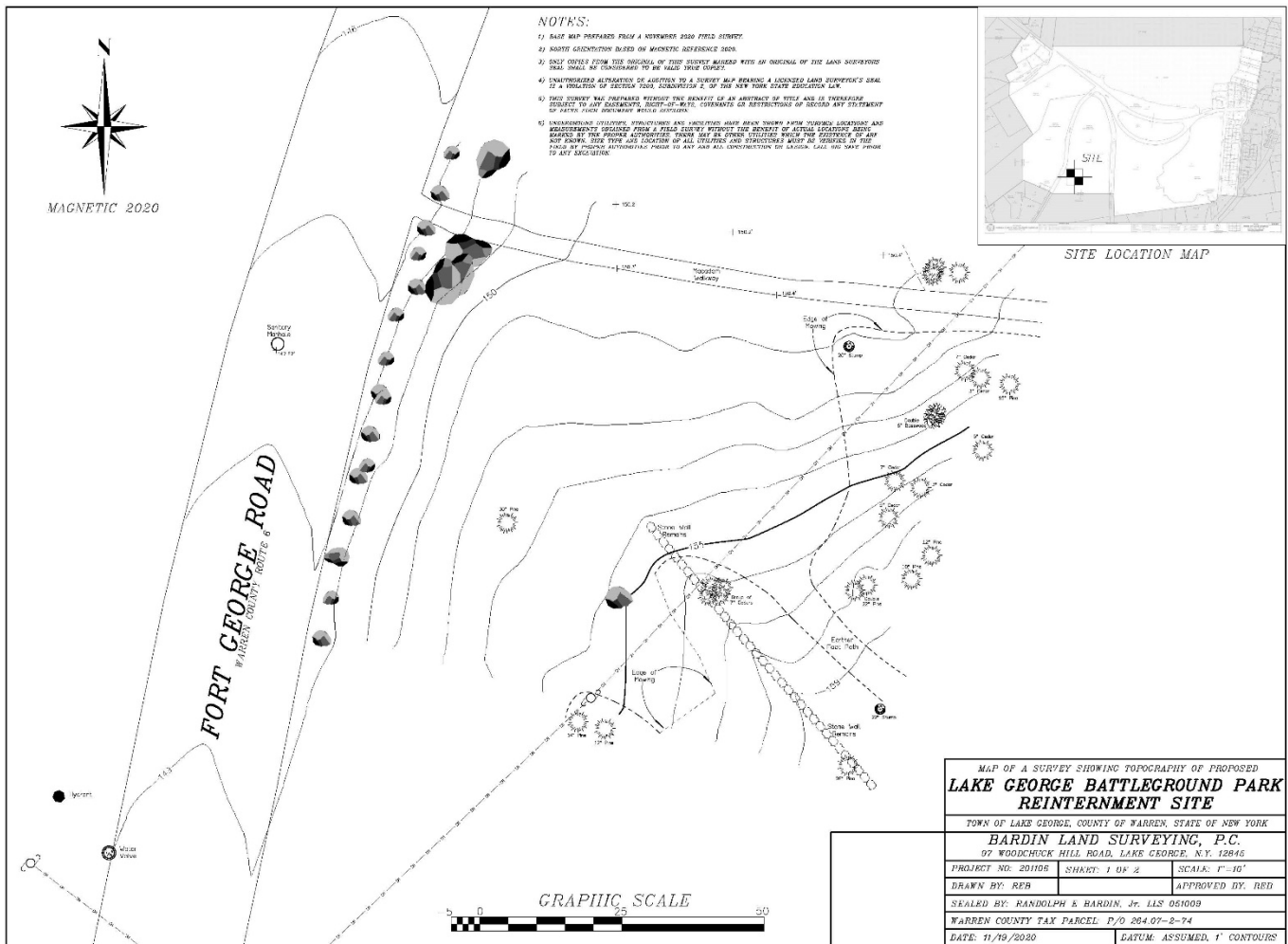


Figure 4 Topography of the Project Site - courtesy of Bardin Land Surveying, P. C.

Most of the remains are very fragmentary, having been impacted by construction machinery. There are a handful of partial individual sets of remains. These will be interred together. The bulk of the remains are comingled fragments which will be placed in smaller containers inside the structures. Prior to construction, some of the sifted soil from the site where the remains were recovered will be spread several inches deep across the proposed site to serve as a base for construction.

The six columbarium structures will be placed along the base of the slope, at the east edge of the site. This will blend their silhouettes into the wooded rising slope which will be in the background. A walkway of pavers and gravel will be created in the level area in front of the columbaria and around the White Pine mentioned above. A flagpole, stone benches and interpretive signage will also be provided. Site plantings will make use of native plants and will be blended into the surrounding landscape. These are shown in the appended concept plan and perspective drawings. Note that the columbaria shown in these drawings are larger than will be necessary.

Maintenance responsibilities for the facility will be shared by the Town of Lake George and the Lake George Battlefield Park (Fort George) Alliance with oversight by the Department. The Alliance is a “friends” group for Battlefield Park, founded in 2001 and chartered by the New York State Board of

Regents. The Department has a cooperative agreement with the Alliance for the group's assistance with the Lake George Battlefield Park Visitor Interpretive Center and other activities. A cooperative agreement will be developed with the Town of Lake George for the maintenance of the reinterment site.



Figure 5 Panoramic Photo of the Project Site looking North.

Alternatives Analysis Conclusion

This alternatives assessment evaluated the feasibility of all known potential opportunities to achieve the stated project goals of adequate modern office space coupled with a new Lake George Battlefield Park Visitor Interpretive Center, as follows:

Alternative 1 – No Action Alternative

Alternative 2 – Reburial near the Courtland Street Site

Alternative 3 - Reburial in another nearby state land unit

Alternative 4 – Earth Contour Enclosed Vault on the Battlefield Park

Alternative 5 – Interment in a Grave or Graves on the Battlefield Park

Alternative 6 – Mausoleum Structure on the Battlefield Park

Alternative 7 (Preferred) – Low Profile Columbarium Structures

The preferred alternative was selected based on several factors, including:

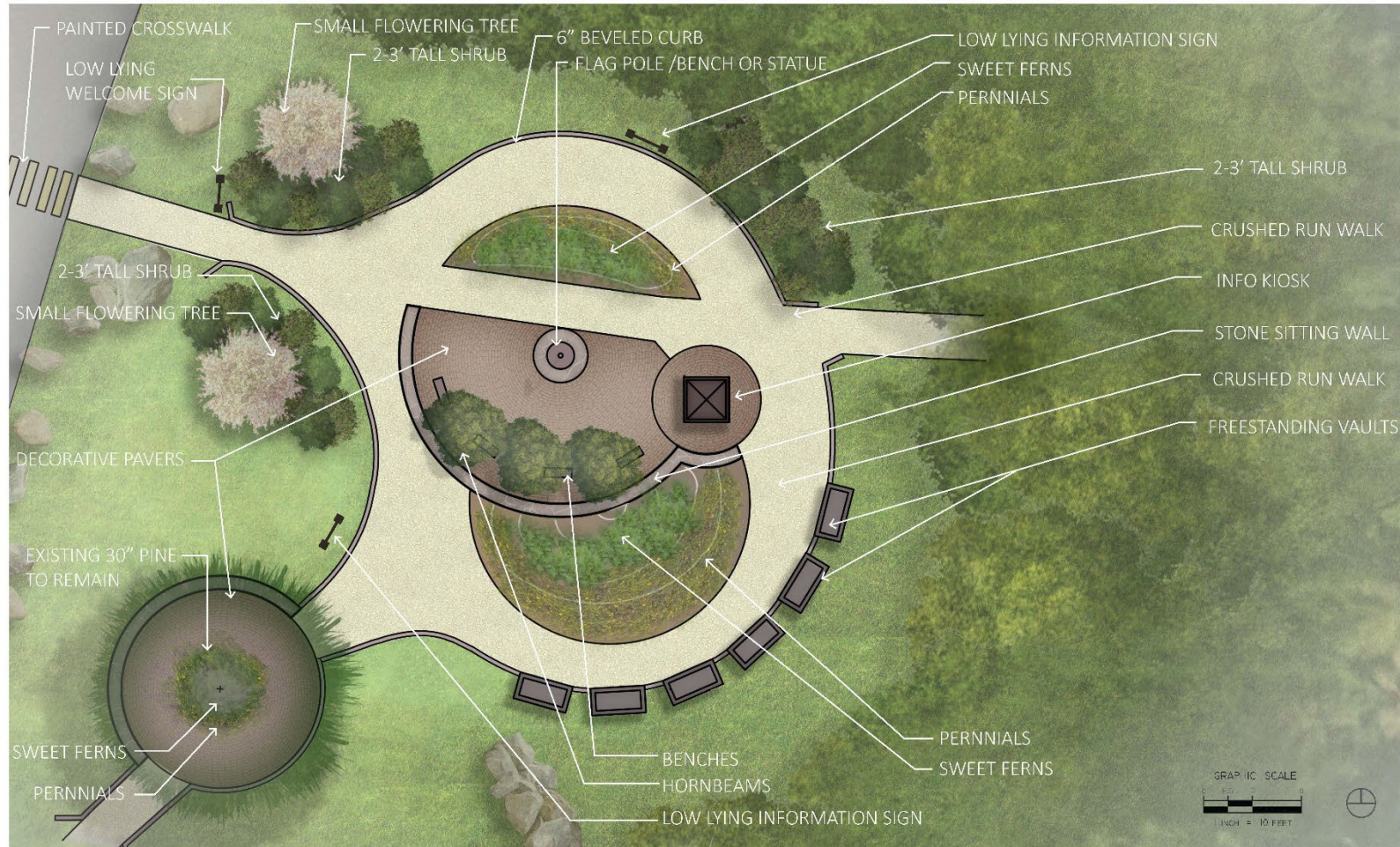
- Effectiveness of achieving stated project goals.
- Project site has an established commemorative purpose.
- Future disturbance of remains is extremely unlikely.
- Provides for a low key, yet present, memorial minimizing visual and aesthetic impacts.
- Project site is located near the original burial site.
- Minimizes impact to archaeological resources.
- Minimizes vegetation removal and landscape modification.

The Lake George Battlefield Park was set aside for protection and preservation because of its association with events and persons who played significant roles in New York State and United States History. Existing burials associated with that history are known to be present on the site. Alternative 7 is recommended because it provides for respectful reinterment while assuring the best fit with the Battlefield Park history and setting.

FACILITIES DEVELOPMENT AND MAINTENANCE

1. Mow grass as close as possible to the ground surface, install stormwater controls.
2. Spread several inches of soil across the site.
3. Install columbaria and construct walkways.
4. Repair and repave the existing connecting park path.
5. Place remains in columbarium structures, close and seal.
6. Complete finished grading, revegetate site, and install plantings as per approved plans.

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TITLE TO BE DETERMINED

CONCEPT PLAN

11/29/21 • SA PROJECT NO. 21048

38 HIGH ROCK AVE SUITE 324 • SARATOGA SPRINGS NY • 12866

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Landscape Architecture • Engineering, DPC

Figure 6



TITLE TO BE DETERMINED

GATHERING SPACE

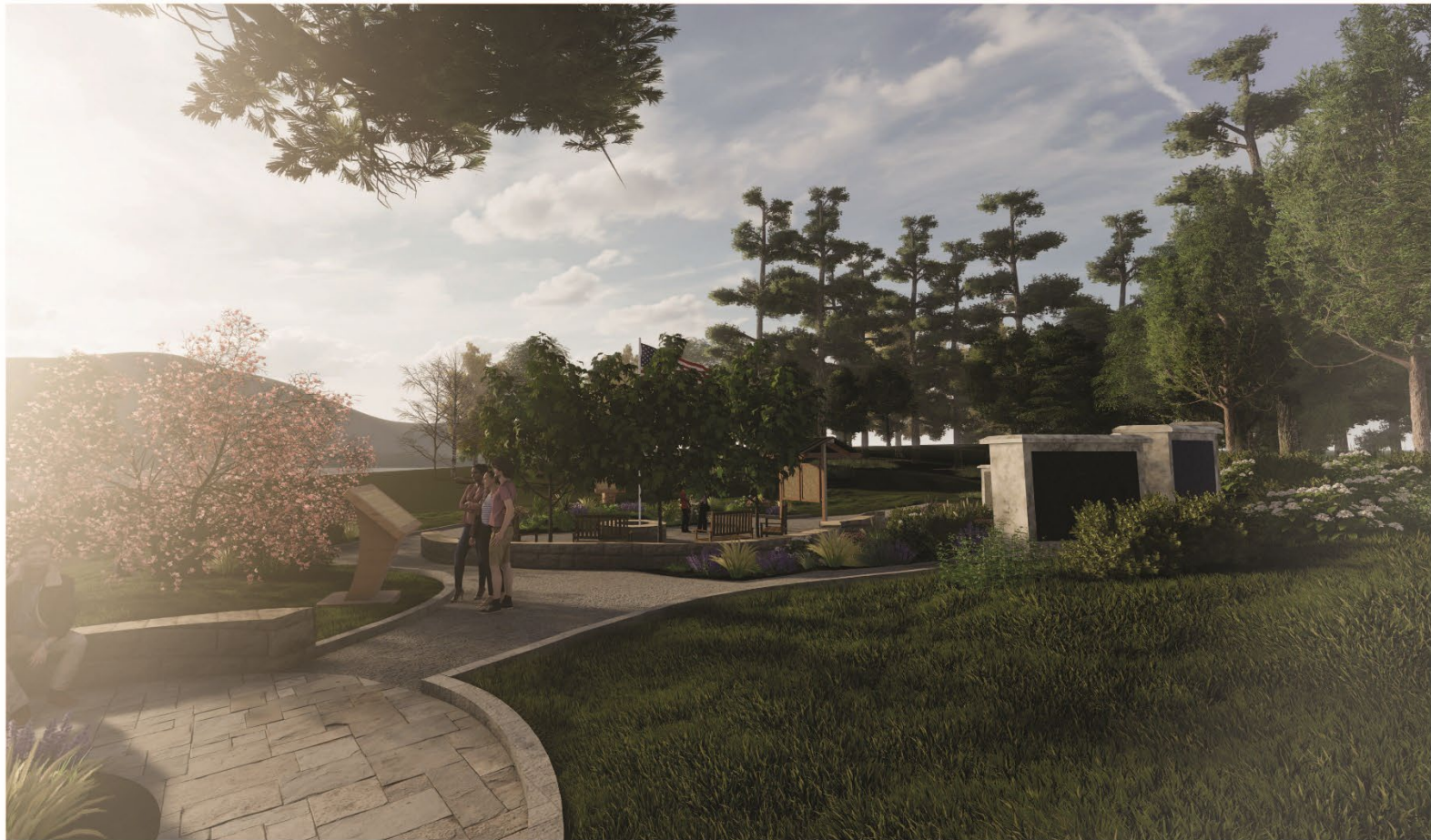
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Figure 7



TITLE TO BE DETERMINED

VIEW OF THE LAKE

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Figure 8





TITLE TO BE DETERMINED

VIEW OF COLUMBARIUMS
11/29/21 • SA PROJECT NO. 21048

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Figure 9





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