Notice of Completion
FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT

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Descriptive Title: The Process of Amending the Adirondack Park Private Land Use and Development Plan Map

Project Location: Adirondack Park

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I. Summary

This Final Environmental Impact Statement describes the process by which the Adirondack Park Agency amends the Adirondack Park Land Use and Development Plan Map under the statutory authority of the Adirondack Park Agency Act.

Existing Conditions

The Plan Map is a primary component of the comprehensive land use regulatory mechanisms which control and channel growth on private lands within the Adirondack Park. The various classifications on the Plan Map reflect intrinsic resource characteristics. To each classification are keyed various standards and criteria, the most important of which is the permissible density of new development. The Legislature has provided a mechanism for amendment of the Plan Map and specified the procedures and criteria under which the Agency may make such amendments.

Proposed Action and Environmental Effects

The State Environmental Quality Review Act requires that potential, significant environmental impacts arising from these future actions, that is, amendments to the Plan Map, must be assessed.

The actions are first described by the classes of change they will bring about, such as the potential for more principal buildings. These classes of change will have certain common effects on environmental characteristics, and therefore the environmental impacts can be assessed by analyzing the common effects. More buildings in an area, for example, may have the effect of increasing the runoff of water and decreasing the groundwater recharge. This in turn may result in increasing water temperature and turbidity in ponds and streams.

Environmental impact in an area is closely associated with particular site conditions. Negative environmental effects are likely to occur where resource characteristics are sensitive; the resource may even be intolerant to higher levels of use.

Positive environmental impact is possible as a result of map amendment action. Increased residential development in an area that can support it, for example, could increase the amount of clearing of woodlands, which would then favor a wildlife species characteristically found in open fields or woodland edges.

Social and Economic Effects

A broader assessment of the importance of collective specific site characteristics is called for both by SEQRA and the Adirondack Park Agency Act. The potential use of land may directly affect social or economic conditions, for example the character of a neighborhood or the viability of a resource-based industry. The value of open space or of a natural area, among other intrinsic characteristics of a piece of land, must be measured by the relative social value of the particular site, judged from a park-wide or regional perspective.

Measures to Mitigate Environmental Effects

Resource tolerance and sensitivity were taken into account in establishing the criteria for each land use classification under the Adirondack Park Agency Act. Resources of critical concern, such as steep slopes, key wildlife habitats and visually sensitive areas, were given higher levels of regulatory control, so that they will receive greater protection.

The Plan Map generally follows a "growth center" concept. By restricting new land uses in sensitive areas, development is encouraged to take place in areas of tolerant resources and in locations with higher levels of existing use. Channeling growth in this way minimizes the burden on community facilities and services, promotes greater efficiency of energy use, and eases the pressure on the more fragile resources of the Park.

Conclusion

Application of the existing statutory criteria and standards governing Agency action on Map Amendments fulfill the general requirements for environmental impact assessment as specified by SEQRA. Moreover, the only manner in which the Agency may determine whether or not to act in amending the Adirondack Park Land Use and Development Plan Map is by the use of the statutory criteria and standards.

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II. Description of Existing Conditions

A. The Adirondack Park

The Adirondack Park, located in Northeastern New York (Figure 1) is 6 million acres in size, or one-fifth of the area of New York State. Population is only 120,000 people, or less than one percent of the state population. Within the Adirondack Park "Blue Line", approximately 2.4 million acres of state-owned Forest Preserve and 3.6 million acres of privately-owned land are intermingled in a patchwork quilt pattern.

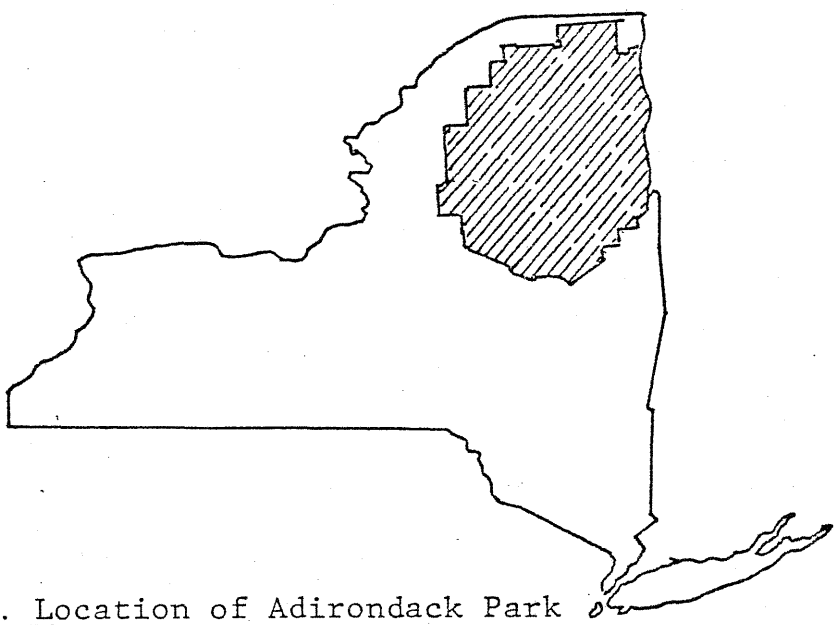


Figure 1. Location of Adirondack Park

In such a vast area there exists tremendous diversity in landform, vegetation, water and land use. More than 40 mountains have elevations in excess of 4,000 feet above sea level. A variety of vegetative type exist, from the Alpine zones of the highest peaks to rainfall dependent bogs and glacial kettleholes. Conifers are found on the mountain summits and in the wetlands. Deciduous species, including sugar maple, yellow birch, and beech, comprise 53 percent of the Adirondack forest cover, whereas spruce-fir forests comprise 9.8 percent; aspen 10.6 percent; elm, ash and soft maple 13.4 percent; oak, 3.4 percent, pine 7.6 percent; and coniferous plantation, 2 percent.

The headwaters of five major water basins are located in the Park: the Hudson River Basin, the Lake Champlain Basin, the St. Lawrence Basin, the Mohawk River Basin, and the Black River Basin. Protection of these watersheds was one major reason for the creation of the Adirondack forest preserve in 1885. Over 1,200 miles of Adirondack rivers are classified under the state's Wild, Scenic and Recreational Rivers System. Park water bodies are of exceptional quality, and are of supreme importance to the people of the State as water sources and fishery resources.

Wet or shallow soils and steep slope conditions, over a majority of the Adirondacks, pose severe limitations to development. Moreover, the harsh climate and short growing season allow a less than normal regenerative capacity to the land which contributes to the sensitivity of the Adirondack environment.

Approximately 80 percent of the Park's private land is devoted to open space uses including farming, forest industry and recreation. The undeveloped nature of this land is invaluable in determining the overall character of the Park. The combination of scenic landforms such as streams and lakes, mountains, and fields creates a landscape quality unparalled in the Northeast.

The Adirondack Park because of its size, location and unique qualities is a resource of tremendous state and national significance. The opportunity for private ownership of land within the Park, especially to seasonal and year-round residents, enhances the uniqueness of the Park, but poses potential for land use conflicts.

B. Economic Profile

Adirondack communities (totally or partially within the Park) have experienced a 7.6 percent increase in population between 1970 and 1975, compared to a 1.5 percent increase in the rest of upstate New York. Although the labor force increased, the unemployment rate also increased, from 5.8 to 11.6 percent in the 1970 to 1976 period. There are no separate statistics for areas exclusively within the Blue Line, but a common estimate for current permanent population is 120,000. with an additional seasonal population of 90,000[1]

Many of the factors which contribute so strongly to the attractiveness and diversity of the Adirondack environment also have a significant impact on the economy. The mountainous topography, water bodies and wetlands naturally restrict access to the Park. This basic transportation problem in the Adirondacks is further complicated by the long and severe winters. The climate also affects the growing season. Only in the Champlain Valley where Lake Champlain moderates temperatures are climatic and soil conditions favorable for relatively extensive agricultural activity.

1. Legislative Commission on Expenditure Review, Adirondack Park Planning and Regulation, Program Audit 4/1/78, July 31, 1978, the Legislature of New York.

These same natural resource characteristics, including the mountains, the forests, and the quality of the air and water combine to provide almost unlimited recreation opportunities. The climate plays an enhancing role, offering moderate temperatures in summer and abundant snowfall in winter. Tourism, the region's most vital industry, is supported by a wide range of winter and summer recreational activities. The forests also provide the necessary material for a timber industry, just as the mineral composition of Adirondack rocks has provided raw materials for a mining industry.

Several unique aspects of the Adirondack economy attributable to environmental factors are therefore evident. Both natural resource and tourist related industries have inherent strengths, while agriculture and transportation have their limitations.

A peculiar characteristic of the park economy is the heavy reliance of local economies in some areas on single employers or industries. For example, Old Forge is heavily reliant on recreation; Tupper Lake - forest products; Star Lake - mining and processing; and Essex - farming. Overall in the Park, tourism and recreational support industries rank in economic importance followed by forest products, government, and mining.

C. Land Use and Development Patterns

Residential use is the primary, intensive use of land in the Park and may be either year round or seasonal. This use is principally concentrated around existing villages or hamlets, the so-called growth centers, or near attractive resources such as lake shorelines.

Public facilities to support Park residents are located at the county and town level (health, education, fire, police, retail stores, sewer, power, road maintenance) and are found mainly in villages or hamlets. These hamlets, by providing the services and facilities necessary for human use of the Adirondacks, are the counterpoint to the open space areas.

Transportation facilities in the Park are limited. A strong reliance on road networks exists - sometimes for travelling long distances on a daily basis. The automobile will continue as the only mode of transportation available to most Adirondackers.

D. Historical Profile

The Adirondack Mountain region has been a subject of state and national interest since the mid-1800's. Continued concern by residents of the state over the need to protect watershed integrity and wilderness qualities provoked the New York State Legislature in 1885 to designate state lands in certain northern New York counties as Forest Preserve. Further protection was offered in 1894 with an amendment to the State Constitution - now known as Article 14 - which prohibits the cutting, removal or destruction of trees on state lands of the forest preserve and provides that these lands shall be kept "forever" as wild forest land. Article 14 remains substantially unchanged to this day, and vividly indicates the concern of New York residents for what transpires within the Adirondack Park.

Both a proposal to turn the heart of the Adirondack Park - including the High Peaks region - into a National Park, and increased development pressures as a result of the new accessibility posed by the Adirondack Northway Interstate Highway, spurred renewed interest in the fate of the Park. In 1968, Governor Rockefeller appointed the Temporary Study Commission on the Future of the Adirondacks, which called for the creation of a bipartisan, independent Adirondack Park Agency (APA) with general powers over the use of public and private lands.

After its creation in 1971, the Agency developed, pursuant to statutory direction, a State Land Master Plan governing the management of the Park's state-owned lands. The Agency also recommended an Adirondack Park Private Land Use and Development Plan which was enacted into law by the Legislature in 1973 as part of the Adirondack Park Agency Act.

E. Private Land Use and Development Plan

The Adirondack Park Agency Act, (Executive Law, Article 27) entrusts to the Agency the administration of the Adirondack Park Land Use and Development Plan. The purposes of the Act include:

> "... to insure optimum overall conservation, protection, preservation, development and use of the unique, scenic, aesthetic, wildlife, recreational, open space, historic, ecological, and natural resources of the Adirondack Park."

The Act also states:

> " this article recognizes the complementary needs of all the people of the state, for the preservation of the Park's resources and open space character, and of the Park's permanent, seasonal and transient populations for growth and service areas, employment and a strong economic base as well. In support of the essential interdependence of these needs, the plan represents a sensibly balanced apportionment of land to each."

The Land Use and Development Plan (described in Section 805 of Article 27 - Appendix A) is the heart of the Act's comprehensive land use regulations, and the plan is keyed to the Plan Map. The Plan Map shows various "land use areas," with each having maximum building densities (the overall intensity guidelines), shoreline development standards (the shoreline restrictions), and compatible use lists. The Plan Map seeks to restrict development in areas of critical resource characteristics and channel growth to areas of where the level of existing development is high or where tolerant resource characteristics exist. For these reasons the Plan Map is of critical importance to furthering the Act's stated purposes.

1. Preparation of Plan Map

The Agency adopted a land capability approach articulated in the "Private Land Resource Capability Report" (Appendix B) adopted by the Agency in December, 1971 as the policy document guiding its inventory of private lands.

The land resource characteristics identified in the report, including soil factors, slope, hydrology, wildlife habitats, and scenic vistas, were inventoried and mapped. To each of these characteristics were assigned relative limitations posed to development in the form of shades of black on a map. These limitations were synthesized into three overlays (physical, biological, and public resources).

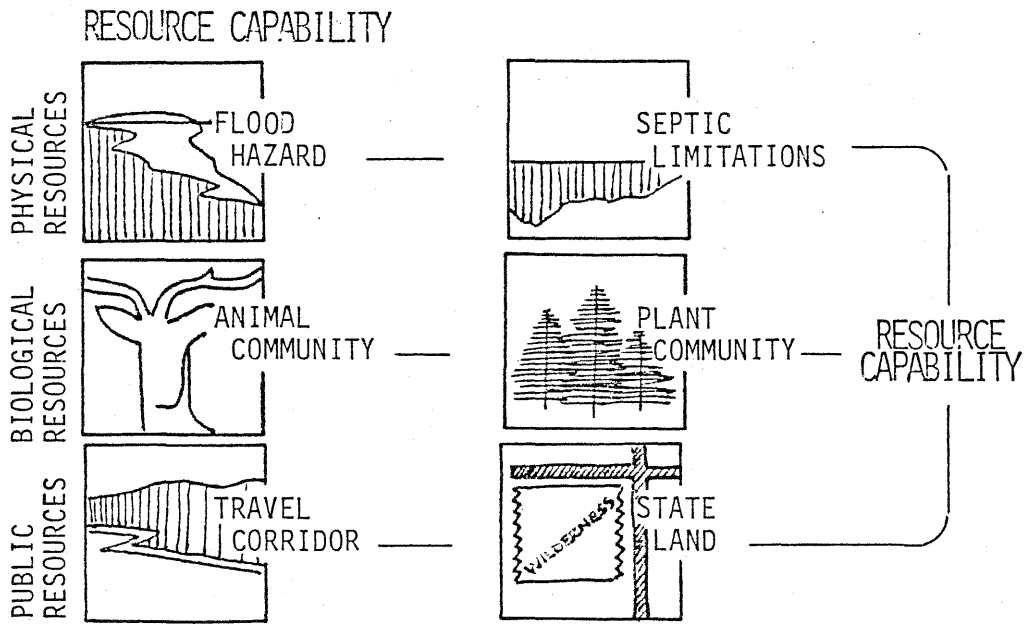


Figure 2. Inventory of Natural Resource Capability Factors

Since this information included measured resource capabilities which were not dependent on other factors, it was possible to add them to create a composite reflecting cumulative land capability.

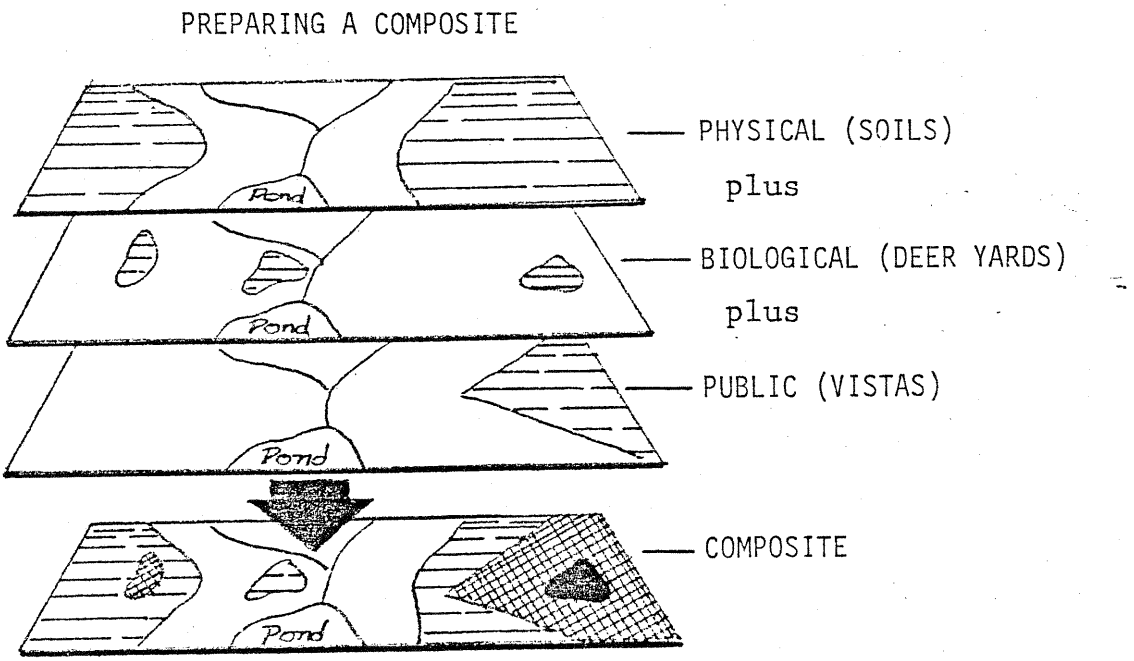


Figure 3. The Mechanical Process of Generating the Resource Composite

Next a public facility, land use and community resource inventory

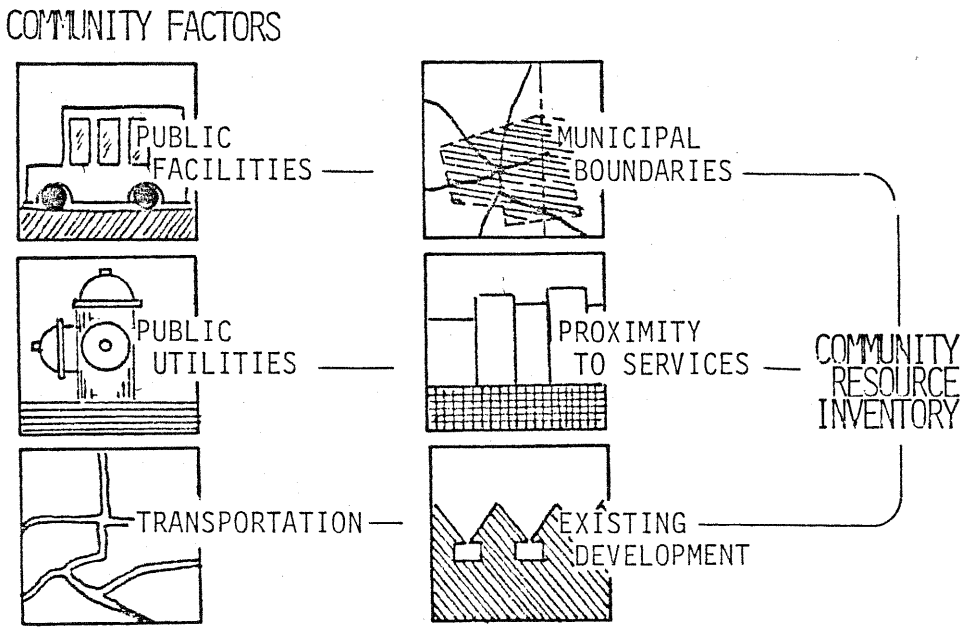


Figure 4. Inventory of Community Resource Factors

was generated and then from the two facets - the natural resource and community planning determinants - the Preliminary Plan Map was drafted. This map showed the types of land use areas now comprising the Plan Map, with the exception that Hamlet was shown as two separate classifications (urban hamlet and rural hamlet).

An important concept used in defining the bounds of each land use area on the map was that the boundaries did not necessarily precisely define changes in land-based resource characteristics, but that they did separate areas with different overall characteristics. Therefore, each land use area on the map reflects an assessment of the general character of the lands within its boundaries.

These boundaries used to define the separate land use areas were regionally identifiable lines: roads, rivers, streams, political boundaries, great lot or tract lines and standard setbacks of 1/10, 1/8, or 1/4 mile from any of the above. An example of how these boundaries are used is found in Figure 5. The less restrictive land use areas (Hamlet, Moderate Intensity, and Low Intensity) generally cover smaller areas on the Park Plan Map; hence a more refined definition of these areas using an increasingly complex system of boundaries is used with the result that these areas cover more specific areas.

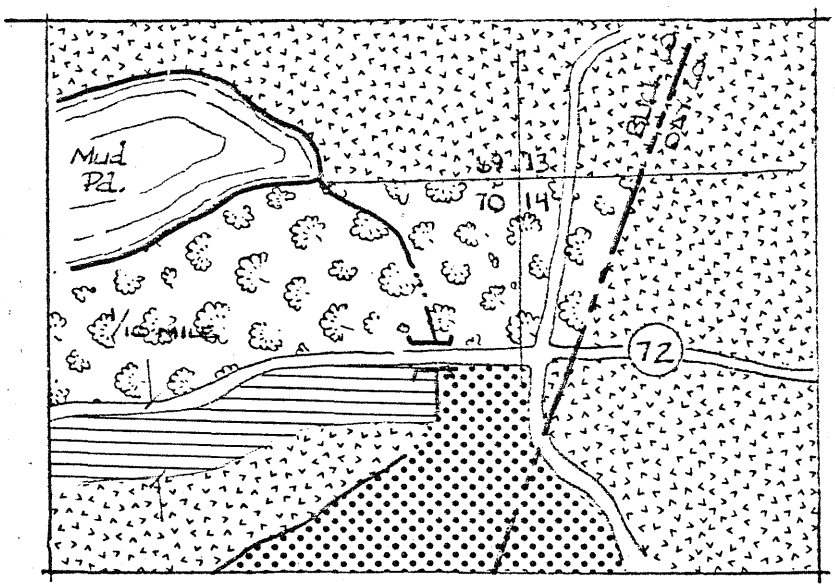


Figure 5. Regional Boundaries Used in Preparing the Plan

Regional boundaries do not include private landowner property lines, contour lines, vegetation lines or watershed boundaries.

After the Agency adopted the Preliminary Plan Map on November 3, 1972, local governments and landowners were consulted at public hearings held during December of 1972 and January, and February of 1973. Many requests for changes in the Plan Map were made at this time, and approximately 500 amendments resulted. The Plan and Plan Map were enacted into law in May of 1973 and took effect August 1, 1973.

2. Description of Land Use Areas

The Plan sets forth character descriptions and purposes, policies and objectives for each type of land use area on the Plan Map (see summary chart, Appendix C).

The land use areas range from Resource Management - where an overall intensity guideline of 15 principal buildings per square mile is specified - to Hamlet areas - where the density of development is not controlled. Intermediate land use areas include Moderate Intensity Use with a guideline of 500 principal buildings per square mile, Low Intensity Use, with 200 buildings per square mile, and Rural Use, with 75 buildings per square mile. An Industrial Use classification is also established, principally to recognize and accept existing industrial uses, with no intensity guidelines. Figure 6 presents the various Land Use Areas showing the development objectives they each may be said fulfill, resulting in a balanced approach to overall land use.

DEVELOPMENT OBJECTIVES

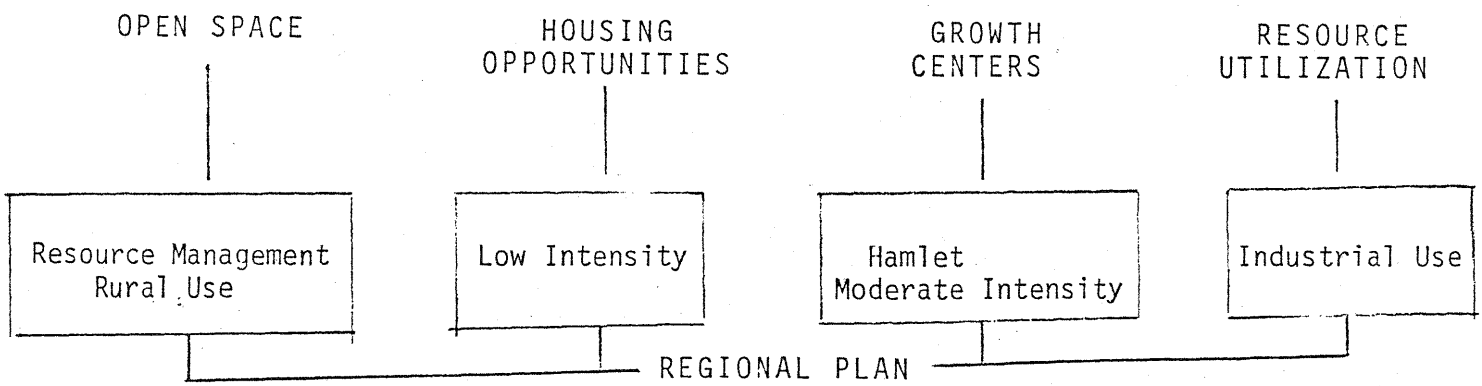


Figure 6. Providing Different Community Growth and Land Use Objectives

3. Provisions for Future Amendments

In Section 805 of the Adirondack Park Agency Act the Legislature established a method for future reevaluation and amendment of the Plan Map by the Agency. The amendment provisions recognize that more effective or equitable apportionment of land to the many uses may further the Legislative objectives of conserving, protecting, preserving and developing the resources of the Park by providing for

protection of the Park character while supporting permanent, seasonal and transient populations' need for growth and service areas, employment and a strong economic base.

Agency decisions on whether or not to amend the Plan Map are based on the character descriptions, purposes and policies and objectives; the development amenability and relative land capability. The Rules and Regulations further define the criteria to be employed: "The Agency will refer to the land use area classification determinations"... (Appendix B)..."and augmented by field inspection."

a. Types of Amendments. Procedures for amendments are set forth by the Statute with varying public hearing requirements based upon the size, the land involved and the proponent of the amendment.

Figure 7 summarizes the various characteristics of each of the amendment types.

Figure 7. Summary Characteristics of Map Amendment Types

Type	Land Use Areas	Public Hearing Required	Size	Required Agency Vote
Paragraph 1 - Proponent - Landowner	to any	Yes	less than 2500 acres	2/3
2 - Proponent - Agency or local government	to greater intensity	Yes	less than 2500 acres	2/3
3 - Proponent - Local Government with local land use program*	to any	Yes	greater than 2500 acres	2/3
4 - Proponent - Local Government with local land use program*	to any	No	less than 2500 acres	Maj.
5 - Technical Amendment - anyone	to any	No	Any	Maj.

* Being initially approved by the Agency

Technical map amendments (Paragraph 5) may be considered when a clear cartographic error is identified as in the case when a boundary bewteen state and private land is improperly located. (Figure 8). The Agency Rules and Regulations specify that technical amendments are limited to changes which allow no administrative discretion.

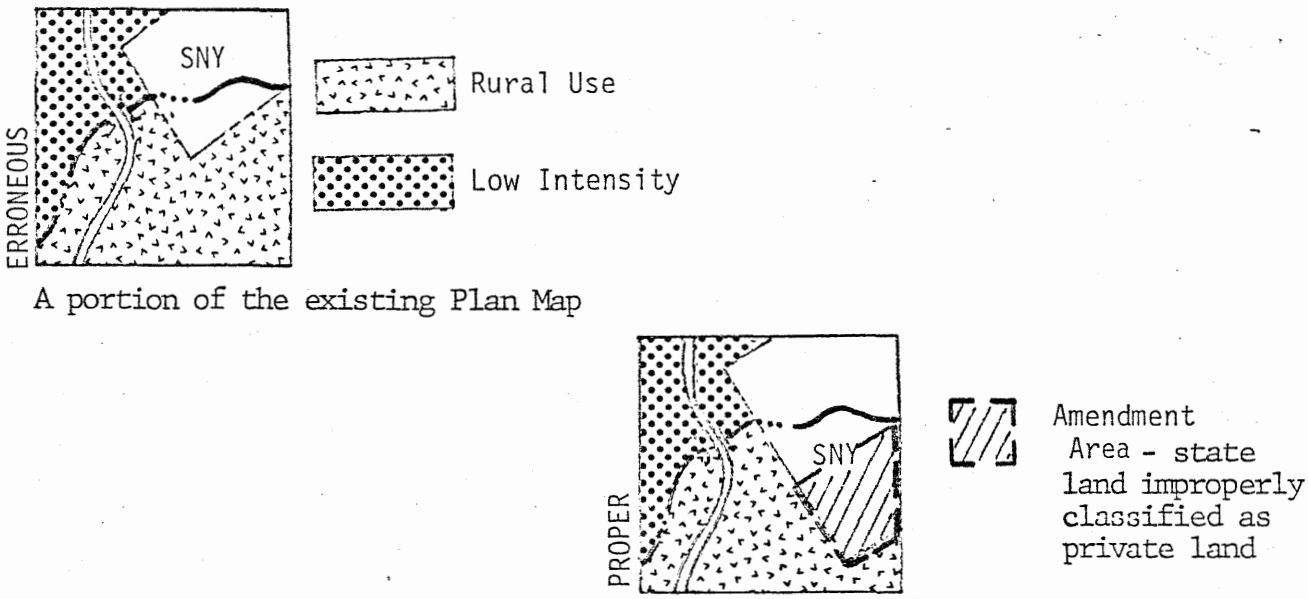


Figure 8. A "Technical Amendment"

Since the map is based upon intrinsic land characteristics, and no provisions for conditional amendments exist, proposed development plans or intentions have no bearing upon a map amendment request. Likewise, local land use plans or controls are not considered to be a factor, again because of their lack of relationship to intrinsic land characteristics.

b. Procedures in Conjunction with Local Land Use Plans- The Act makes a distinction between map amendments requested by local governments as part of the initial approval of their local land use program and other map amendments (Section 805 2.c.). This recognizes the role of local governments as spokesmen for community goals and assessors of the suitability of areas for increased community services and development. The Act places a heavy reliance on the process whereby local governments refine the Park Plan, both by "distributing" intensities in a land use area without exceeding the maximum number of principal buildings permitted and by the initiation of map amendments. For example, on requests of less than 2,500 acres associated with the Agency approval of a local land use program, no public hearings are required and a simple majority vote of the Agency is needed to amend. Public hearings are not required partially because of the public exposure which amendments will receive at town board and planning board hearings. However, the Agency may in some instances exercise its perogative to hold public hearings if, for example, it determines that more public exposure is needed.

Towns or villages wishing to have Agency guidance to the approvability of proposed "local government plan map amendments" may seek a "Resolution of Preliminary Approval" from the Agency prior to submitting their Town Plan for final approval. Such preliminarily approved amendments shall take effect only upon final Agency action, including review and evaluation. At this time the Agency will take into account newly discovered or presented information relating to the criteria for approving map amendments which are pertinent to the action at hand.

Map amendment actions pertaining to this provision of the Act (Section 805 2.c. (4)) result only from the Agency's initial approval of a local land use program.

c. Map Amendments Greater than 2500 Acres - The Agency can generally amend the Plan Map (Section 805 2C (1,2)) only when the land area amended, within any one contiguous land use area amounts to less than 2500 acres. However, when the reclassification results from the initial approval of a local land use program (805 2.c. 3), a public hearing and a 2/3 vote of the total Agency membership, an area greater than 2500 acres may be amended.

4. Amendment Review

a. Application - The Agency has specified the nature of the material to be supplied by an applicant (See Appendix D from Agency Rules and Regulations). A map of sufficient scale to allow the Agency to identify the boundaries of the request, the instrument of title, and the names of adjoining landowners to the request shall be included. In instances when the request is initiated by a local government, it is necessary for the proponent to supply the names and addresses of landowners within the area requested. An application form contains two pages of information and asks the applicant to provide his justification for the request (See sample form and cover sheet included, Appendix E).

Although the burden of proof rests with the applicant, and he must assume the responsibility for justifying any change in land use area classification, the Agency staff generally compiles as much information as is available for consideration by the Agency prior to Action.

b. Staff review - Data relative to the land use area's classification determinants is compiled from the 1973 data base used for preliminary Park Plan Map, any local government planning resource inventory, and from any field inspections conducted on the area of the request.

Field personnel conduct the initial review and consultation and prepare a written report containing findings relative to the request. These findings are consolidated with other applicable information and applied to the criteria for map amendment. Field inspections may be comprehensive and of sufficient detail to map new characteristics of the land under review or the inspection may involve spot checks to verify the information contained on invensoty maps.

c. Potential map amendments - Prior to action on a request it is often necessary to extend the area under consideration, consistent with the regional scale and approach of the Plan Map, to include areas nearby with similar characteristics.

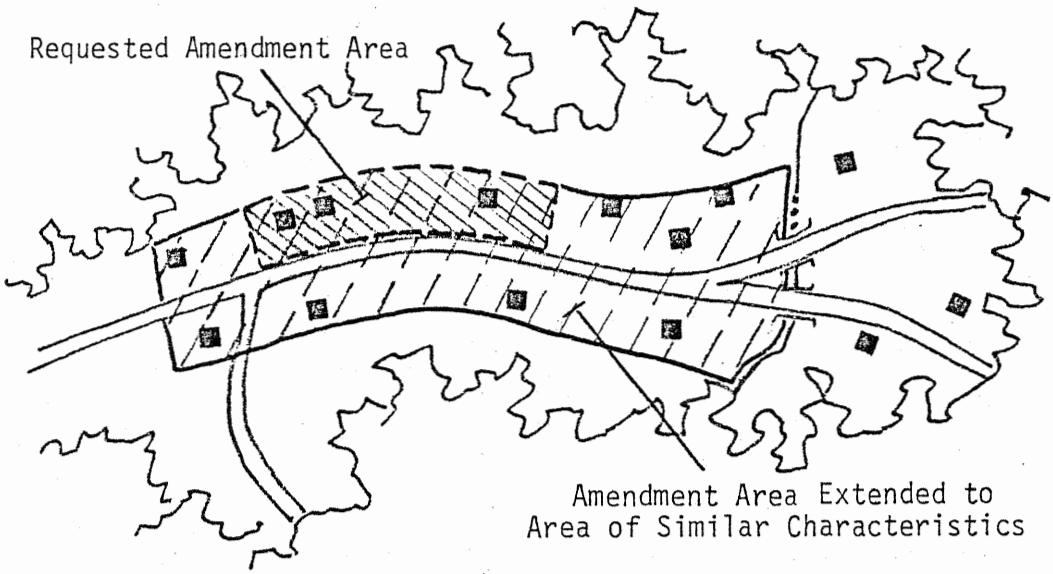


Figure 9. Expansion of Amendment Request

A larger area is also considered where highly variable resource characteristics within the land use area necessitate considering a larger area as the functional unit (See Figure 10).

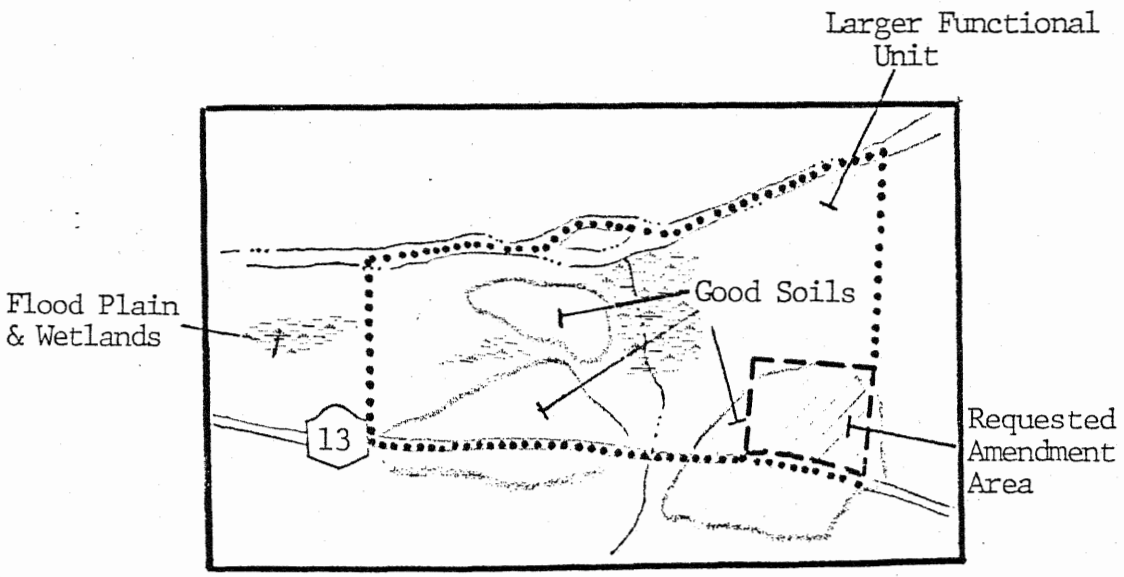


Figure 10. Extension of Request to Regional Area

Map amendments may be made when new information is developed or when conditions which led to the original classification change. Figure 11 sets forth an example of such a situation; in this case a change in the level of information relating to soils would result in a change in land use classifications from Low Intensity Use and Rural Use to Moderate Intensity Use.

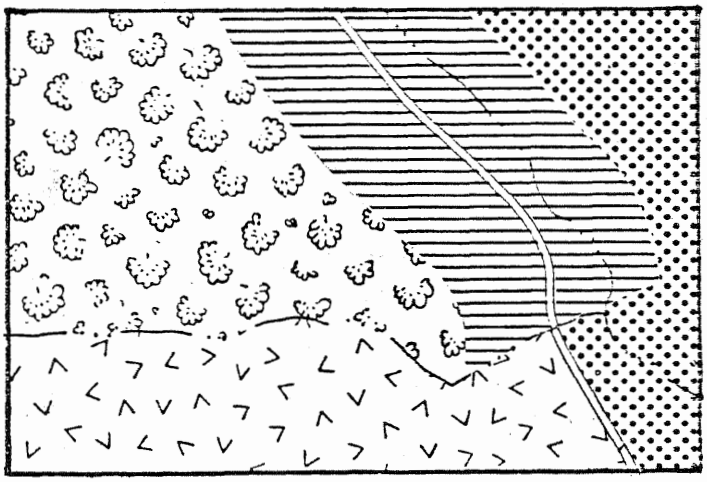
GENERAL SOILS

14 Deep Sand

20 Sand and Gravel

22 Fragipan, boulders

42 Rock outcrop



(NEW INFORMATION) MESO SOILS

7 Sandy, gravely

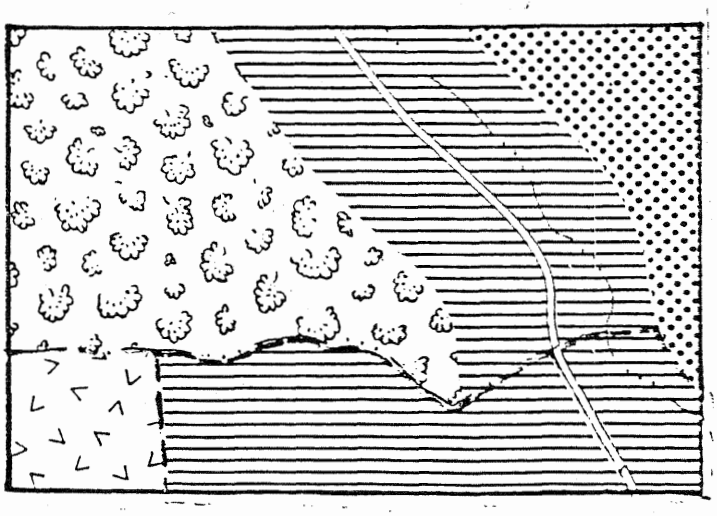
8 Fragipan, boulders

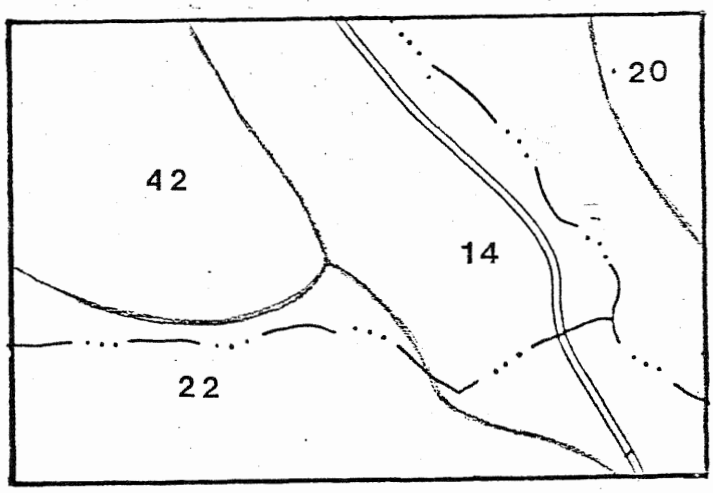
12 Rock outcrop

Deep sand w/ cobbles 15

Sandy 19

Deep sand 21





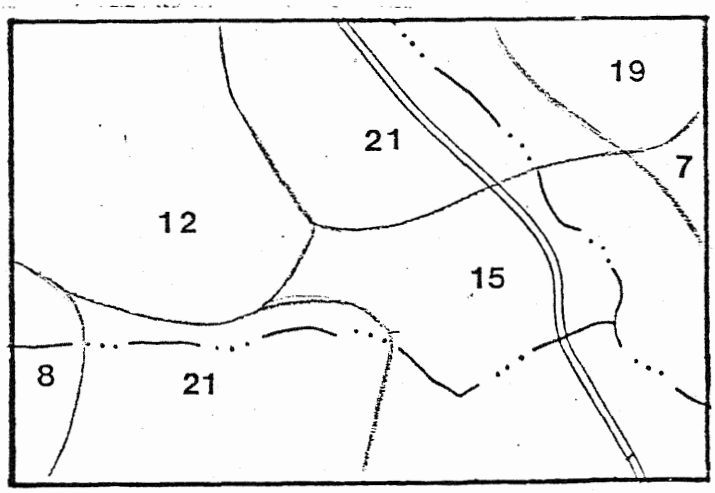
EXISTING CLASSIFICATION

Moderate Intensity

Low Intensity

Rural Use

Resource Management



MAP AMENDMENT

Figure 11. New Information May Warrant Map Amendment

In the example given, a general soils map was used in the preparation of the Park Plan Map. During inventory work for town planning purposes a "meso intensity" soils map was generated which showed not only more detailed soils information, but that the overall development limitations in the Low Intensity Use and Rural Use areas were less restrictive than originally thought from the general soils map. (Soil #22 changes to #21 and #15). In this instance, barring other overriding land characteristics, portions of the more developable areas would be amended to Moderate Intensity.

If the refinement of the General Soils Map showed more severe conditions on the land, a map amendment to a more restrictive land use category would be appropriate; however, if overall the General and the Meso Soils Maps were comparable, and no other factors had changed, no map amendment would be justified.

Changing conditions, such as the presence and operation of a community sewage treatment plant in an area with excessive percolation rates, might warrant a map amendment to a less restrictive land use area (See Figure 12), barring other overriding land characteristics.

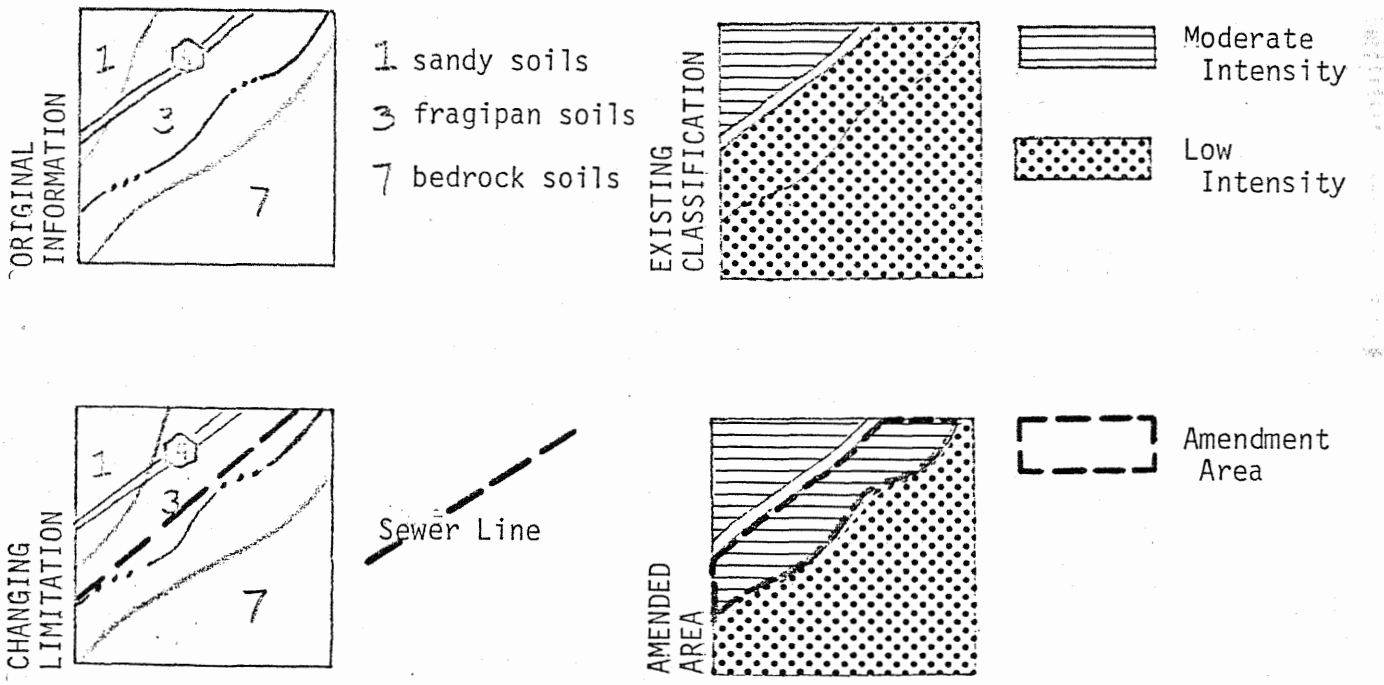


Figure 12. Changing Conditions May Warrant Map Amendment

d. Agency action - Agency members act on each amendment request. In most instances requests will be discussed at the staff level the week prior to the Agency meeting. Agency deliberations on requests begin at the Committee level; the Map Amendment Committee generally convenes the day prior to the full Agency meeting. The initial Agency action on a request, except in the instance of technical map amendments, may be to either deny the request or direct the staff to schedule a public hearing.

Public hearings differ from those held for pending projects (see part 580 of the Agency Rules and Regulations) and are legislative in nature; that is, fact-finding proceedings not necessarily following strict rules of evidence or procedures. Records for public hearings may be in the form of certified transcripts or tape recordings; an independent hearing officer may in some instances conduct the public hearing. In any event, public hearings are held prior to approval of any non-technical map amendment. The prime function of a public hearing is to solicit information relative to the map amendment request and provide a forum for its public scrutiny of it. Agency staff members participating in the hearing may in some instances express opinions as to the request's relationship to the statutory criteria for amendment.

III. Proposed Action:

Amendment of the Adirondack Park Land Use and Development Plan Map

The action subject to this Final EIS is the amendment of the Adirondack Park Land Use and Development Plan Map. The fundamental criteria, established by the Legislature upon adoption of the Plan Map to guide and limit the Agency as it amends the map, are not the subject of this assessment. Rather, an assessment of the significant environmental impacts arising from the process of amending the Plan Map will be made. The general impacts and the consequence of the transfer in a land use classification will be carefully assessed by first determining the classes of change which the future actions entail - (Such as the potential for more or less principal buildings) - and secondly by determining the likely impacts arising from these changes.

A. Classes of Change

Changes from one land use area to another land use area have statutory implications (See Appendix F) which pertain to the land use impacts. Most significant environmental impacts arise from increases in the development potential, and are therefore discussed in more detail when land area changes which permit higher densities of development occur. Technical amendments from State to private land, even though the private land was improperly classified, have potential implications regardless of the land use area chosen for the classification. Where administrative discretion is involved a public hearing is held.

Technical amendments from private to state land, although the state land was improperly classified, have limited implications in scope. When it is determined that state land is improperly classified as private land, the Agency will act to correct the classification. However, the particular state land classification- for example; Primitive Area or Wildforest Area - may only be accomplished by action of the Governor. The Agency's action is limited to solely correcting the Plan Map to reflect the fact that the land is state owned.

Changes in land use area classifications result in certain statutory changes applicable to the land in question. These changes involve the overall intensity guidelines, (Section 806), compatible uses (Section 805), shoreline restrictions (Section 806), thresholds governing Agency project review jurisdiction (under Adirondack Park Agency Act, Section 810, and Wild, Scenic and Recreational Rivers System Regulations) and the character descriptions, purposes, policies and objectives of the land use areas involved (Section 805).

B. Impacts of Map Amendments on Existing Conditions

1. Impacts on Physical and Biological Resources

Amendments resulting in an overall intensity guideline permitting a higher density of development within an area may cause increased sedimentation; increased nutrients or pathogens in water bodies or ground water; and accelerated loss of vegetation which may be 1) stabilizing soil, 2) cooling streams, or 3) serving as a commercial or aesthetic resource. Furthermore, increased building activity in an area may cause accelerated loss of soil; changes in water quality; disruption of existing drainage or runoff patterns; disruption of the rate of ground water recharge to existing water tables; and disruption by direct or indirect human activity of fish and wildlife nesting, breeding, spawning, shelter or migrating areas, or other critical habitat.

Adverse impacts are more likely in areas with a particular, sensitive land characteristic such as erodable, stony, bouldery, or rocky soils, steep slopes, high groundwater, shallow depth to bedrock, or periodic flooding; and impacts are more likely in areas with important environmental characteristics such as lake, river and stream systems, wetlands, critical fish and wildlife habitat, habitats of rare and endangered plant or animal species, and elevations greater than 2500 feet.

Changes in the applicable compatible use lists may facilitate the construction of particular types of uses which are more likely to disrupt physical or biological resources. For example, a commercial use which attracts higher numbers of people to an area may disrupt wildlife use of a critical habitat.

Changes in the applicable shoreline restrictions (minimum lot width and minimum building and sewage system setbacks), may allow a greater intrusion of development near shorelines and increase the likelihood of impact on water resources. Changes in the thresholds for review associated with each land use area may decrease the likelihood that projects of greater magnitude and higher likelihood of regional impact on physical and biological resources will be reviewed by the Agency or local governments.

2. Impacts on Area Character

Changes in the applicable overall intensity guidelines, shoreline restrictions or compatible uses list may facilitate a change in the character of an area by permitting development or preventing development not in keeping with the character of an area.

Impacts may be positive or have positive social impacts when changes in land use area occur which better reflect the character of an area. In this case the existing use, for example, agricultural production uses, may be protected by the change in land use area classification. On the other hand, a change to a greater intensity of development may facilitate increased residential development, or other uses which concentrate people, and cause use conflicts which may eliminate the current use.

The character of an area is determined by the types of uses and the manner of their creation (such as distance from shorelines and amount of vegetation retained), as well as the relative intensity of use. The specific physical setting may help determine the area character, and when character is determined by the vegetation, (woodlands versus farmland) an ephemeral resource, the character may be susceptible to changes resulting from map amendments.

Adverse environmental impact is more likely in areas where the character is important as a factor in determining the overall character of the Park. For example the use of land for agricultural production is an important ingredient of the overall Park character.

3. Impacts on Scenic Resources

Changes in the permitted density at buildout may increase the visibility of buildings or associated uses in areas of scenic quality, including areas near vistas, travel corridors, or points of intensive public visitation. In addition to the impacts from an increased level of development, sensitive visual resources may be adversely impacted by changes in the shoreline restrictions, project review thresholds and compatible uses list.

In any event the significance of the environmental impacts depend on the scenic resource's qualities and the degree to which the qualities are reduced or diminished by development. Unusual scenic resources are among the most sensitive and are of high importance to the economic base which is supported by tourism.

4. Impacts of Adjacent Private Lands

Since the Plan Map is regional in nature, amendments must cover an area the size of which is of significance to the whole Adirondack Park, using identifiable boundaries. Amendments because of their size can then affect use or character of adjacent private lands via changes in permitted intensity, compatible uses, or character descriptions. Impact to adjacent land is facilitiated by being directed and concentrated by travel corridors, the day to day orientation and perspective given most residents and transients. A road or river is said to possess certain characteristics rather than attributing to that small portion of the travel corridor or

to areas isolated from the mainstream of movement. Furthermore impacts are especially critical when they involve critical resource areas such as lakes, rivers, shorelines, and recreational or open space areas.

5. Impacts on State Lands

State lands classified as Wilderness, Primitive, Canoe or Wild Forest Areas are important for their wildness and lack of permanent intrusion by people and are hence sensitive to impacts from development on private lands which might affect these values. Changes in intensity of use, project review thresholds or types of permitted uses may increase noise levels, disrupt visual qualities or adversely increase use of adjacent state land.

6. Impacts on Local and Regional Economy

One economic foundation of the Park Plan Map is that properly directed growth and development is less costly than inefficient and scattered growth. In this manner increased growth, which results from greater development opportunities, may increase the tax base of local economies by accelerating growth.

On the other hand, unplanned growth in a locality may stretch the available governmental services and create inefficient demands not supported by taxes generated from development. Significant disruption of existing conditions, depending on the location, may seriously affect the natural resources or community characteristics upon which local and regional economies are based. Changes in permitted intensities or changes in project review thresholds may facilitate disruption of these conditions and adversely affect the economic base.

IV. Unavoidable Adverse Environmental Effects

Amendments which permit more development or development pressure as a natural consequence lead to increased adverse environmental effects; however, the resource's tolerance and value determines the significance of these impacts.

V. Measures to Mitigate Potential Adverse Environmental Effects

A. Application of Statutory Criteria

Environmental effects will be mitigated by applying to all amendment requests the statutory criteria for map amendments. These criteria balance the various physical, biological and public resource considerations and provide development opportunities in areas with tolerant resources, thereby protecting the public interest.

Sensitive or intolerant natural or public resources are generally found in the more restrictive land use areas (Rural Use and Resource Management). There they are protected by lower permitted densities, a greater possibility of projects being reviewed and more rigorous shoreline setback and lot width standards. Development opportunities are provided in and around the Hamlet areas where existing services are found and in areas with natural resource characteristics (e.g. slight slopes) economically conducive to development. In these counterpoint areas lower development costs, higher permitted densities and less strict standards promote development of these areas.

B. Administrative Recognition of Resource Capability

Land-based resource characteristics, the foundation used to define the land use areas, are not always easily placed in simply defined categories. Therefore it is important to recognize that a continuous range of land capabilities are encompassed by the statutory criteria and that application of land-based characteristics within this range will administratively further the statutory criteria. This will be done in keeping with the thrust of the criteria for each area for characteristics not specifically mentioned (for example-high ground water soils have low development potential).

According to the statutory character descriptions, found with Resource Management areas are shallow soils and severe slopes, although other characteristics may outweigh soil and slope factors. Shallow soils are those less than 1 1/2 feet in thickness and severe slopes are over 25% ("Private Land Resource Capability Report"). Other land use classification determinants are defined in "Private Land Resource Capability Report". Other factors which are not mentioned but have implied significance because they relate to development amenability include exposed bedrock, fragipan or hardpan soils, rapidly permeable soils, and waterlogged soils.

As another example, Low Intensity Use areas contain fairly tolerant physical and biological resources (such as moderate slopes or fairly deep soils). Moderate slopes are administratively defined to be less than 16% and fairly deep soils are greater than 4 feet deep ("Private Land Resource Capability Report"). Low Intensity areas then are generally not characterized by intolerant physical or biological resources such as floodplains or marshes.

1. Recognition of Open Space Resources

The Adirondack Park Agency Act sets forth open space protection as one of the key areas of state interest. Recognition of the presence of open space issues when contemplating map amendments will further the application of the statutory criteria by the Agency.

Open space resources may be related to visibility; especially as seen from vistas or travel corridors (roads, streams, lakes or hiking trails) in areas devoted to recreational, forestry, or agricultural uses. Open space is frequently important for its own sake in areas where natural forces predominate. Moreover, natural area open space values are of greater importance when associated with special features such as gorges or waterfalls, free flowing streams, or diverse wildlife habitats. These special features add to the unique character of an area enhancing the contribution of that particular open space to the character of the Park.

Large open space areas are of the essential for the preservation of large wildlife species (including deer, bear or currently extirpated species). These species require a large range area to survive without maintenance by man. High quality water resources are critical for the survival of trout and related species are associated with very low levels of human occupancy and use within the watersheds.

The concept of open space as a resource characteristic worthy of protection is inherent in the scheme of channeling development away from Resource Management and Rural Use areas. In these areas open space resources are protected by limiting the level of permitted development, and where development is allowed, by encouraging clustering of buildings to protect more sensitive areas.

These concepts will be implemented as guide posts to proposed amendments of the Park Plan Map.

2. Community Resource Factors

The existing use of land in 1973 was an important factor in determining the land use classifications of the original map. Recognition of existing use factors will help to promote orderly growth and ease the demand on services, by providing for efficient implementation of public services. Hamlet areas are service centers or villages with high levels of existing development and many available public services. Moderate Intensity Use areas are either areas near or adjacent to Hamlets where the natural resources can accommodate relative intense development or areas where the high levels of existing development have established the character of an area. Low Intensity Use areas provide housing opportunities and are reasonably near Hamlets, with tolerant physical and biological resources. Resource Management and Rural Use areas may be devoted to rural land uses, agricultural, forestry, recreational uses, or open space uses and may be remote from growth centers. Industrial Use areas are characterized by existing mining, milling, or industrial processing facilities or by economically important mineral deposits.

The availability of land for specific development purposes within an area is not a factor found in the statutory criteria for map amendment action; as a result the supply of land and the demand generated by development are not considered.

VI. Effect on the Use and Conservation of Energy Resources

Adherence to the criteria for approval of map amendments will help to minimize the unnecessary use of energy. The growth center concept for community development may minimize distances required for transportation and encourages more efficient and orderly controlled growth. The concept of "overall intensity guidelines" allows clustering of housing sites which facilitates the collective use of improvements (such as utilities or roads) and helps to minimize the cost and use of resources. Development in physically amenable locations conserves construction materials and resources and thus conserves energy.

VII. Committments of Resources

Subdivision of land to small lots and the creation of individual building sites is a committment of land resources. Many amendments, by allowing higher density, may facilitate such committment of resources. This is especially critical to agricultural, forest production or open space uses when they are incompatible with intensive development of some specific use.

Amendments may affect the character of an area, determining future character or, because of an over supply of developable land, preclude alternative growth or expansion areas. Once the character of an area is determined there may result a major committment of public services and support facilities.

VIII. Alternative Actions

No feasible alternative actions exist. The Agency must apply the statutory criteria when amending the Plan Map.

IX. Exceptions

Actions which are not covered by this Environmental Impact Statement are those which do not follow the criteria set forth, that is, the legislative criteria for map amendments.

X. Supplemental Statement

Either a determination of non-significance ("negative declaration") or a Supplemental Environmental Impact Statement will be prepared for all proposed map amendments classified Type I actions (See Rules and Regulations, Part 586; Appendix D) and filed as required by law.

A public hearing will be held prior to the granting of any map amendment, excepting those associated with the initial approval of a local land use program in which case a hearing is discretionary; if no hearing is held on a local land use program - related request, publi notice will be given indicating that a map amendment request(s) has been made and soliciting information and interest. Such notice will include individual notice to landowners and local government officia , posting of the land involved, or public notice in local newspapers.

The supplemental statement shall utilize as a base the delineation of the potential environmental impact found in this generic statement, upon which a reliance will be assumed. The Map Amendment Order or Decision (sample attached, Appendix G) itemizes certain facts relating to the character of the resources involved (soils, slopes, biology, proximity to public services and land use characteristics) and applies the legislative criteria which are set forth as the basis for action. To the extent feasible, a Draft Map Amendment Order shall serve as the Draft Supplemental Impact Statement with the exception that significant issues which are identified in the course of review shall be the subject of further elaboration in the Supplemental Environmental Impact Statement, if not adequately treated in the Map Amendment Order.

XI. Supporting Documents

Adirondack Park Economic Profile. Adirondack Park Agency - Robert Craig and Thomas Gardner. 1976.

Direct Testimony of George D. Davis in the Matter of the Application of Wambat (#74-20) for Amendments to the Adirondack Park Plan Map. 1974.

Local Planning Technical Memo No. 1
"Preparation of a Local Comprehensive Plan and Land Use Control Program in the Adirondack Park" - Adirondack Park Agency - 1975.

Local Planning Technical Memo No. 3
"Procedures for Map Amendments" - Adirondack Park Agency - 1975.

"Preliminary Adirondack Park Private Land Use and Development Plan" - Adirondack Park Agency - 1972.

"Private Land Resource Capability Report" - Adirondack Park Agency - 1972.

"Report of the Temporary Study Commission on the Future of the Adirondack Park" - 1971.

XII. Appendices

Appendix A.	Article 27; Section 805
Appendix B.	"Private Land Resource Capability Report"
Appendix C.	Summary of the Character Descriptions, Purposes, Policies and Objectives for Each Land Use Area
Appendix D.	APA Rules and Regulations Part 583 and Part 586
Appendix E.	Sample Form for Amendment Request and Explanatory Sheet
Appendix F.	Functional Aspects of Map Amendments
Appendix G.	Map Amendment Order or Decision

SECTION 805

Adirondack Park Land Use and Development Plan

2. OFFICIAL ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN MAP.

a. The official Adirondack Park Land Use and Development Plan Map shall have the land use planning and regulatory effect authorized under this article.

b. Within twenty days after the enactment of this section, the agency shall file the Official Adirondack Park Land Use and Development Plan Map, as approved by the agency on March 3, 1973, and filed in the capitol, at its headquarters and a certified copy thereof with the secretary of state and reasonable facsimiles thereof with the review board and the clerk of each county and local government wholly or partially within the Adirondack Park. Within 20 days after any amendment to the plan map, whether by law or by the agency, the agency shall enter such amendment on the plan map filed at its headquarters and file a certified copy thereof with the review board and each of the state and local officers with whom a copy of the plan map is on file hereunder. Such state and local officers shall enter such amendment on the plan map on file with them upon receipt of such certified copy in accordance with procedures prescribed by the agency. Such amendments shall take effect upon conclusion of such 20-day filing period.

c. The agency may make the following amendments to the plan map in the following manner:

1. Any amendment to reclassify land from any land use area to any other land use area or areas, if the land involved is less than 2,500 acres, after public hearing thereon and upon an affirmative vote of two-thirds of its members, at the request of any owner of record of the land involved.

2. Any amendment to reclassify land from any land use area to any other land use area or areas for which a greater intensity of development is allowed under the overall intensity guidelines if the land involved is less than 2,500 acres, after public hearing thereon and upon an affirmative vote of two-thirds of its members, on its own initiative or at the request of the legislative body of a local government.

3. Any amendment to reclassify land from one land use area to any other land use area or areas if the land involved is 2,500 acres or more and the reclassification results from the initial approval by the agency of a local land use program, after public hearing thereon and upon an affirmative vote of two-thirds of its members.

4. Any amendment to reclassify land from any land use area to any other land use area or areas, if the land involved is less than 2,500 acres, and the reclassification results from the initial approval by the agency of a local land use program, upon an affirmative vote of a majority of its members and without public hearing thereon, unless the agency determines that a public hearing is appropriate.

5. Any amendment to clarify the boundaries of the land use areas as shown on the plan map, to correct any errors on the map or effect other technical changes on the map, upon an affirmative vote of a majority of its members and without a public hearing thereon, unless the agency determines that a public hearing is appropriate, on its own motion or at the request of the legislative body of a local government or at the request of any owner of record of the land involved.

(6) Before making any plan map amendment, except pursuant to subparagraph five of this paragraph, the agency must find that the reclassification would accurately reflect the legislative findings and purposes of section eight hundred one of this article and would be consistent with the land use and development plan, including the character description and purposes, policies and objectives of the land use area to which reclassification is proposed, taking into account such existing natural resource, open space, public, and other land use factors as may reflect the relative development amenability and limitations of the land in question. The agency's determination shall be consistent with and reflect the regional nature of the land use and development plan and the regional scale and approach used in its preparation.

d. The agency may, after consultation with the Adirondack Park Local Government Review Board, recommend to the governor and legislature any other amendments to the plan map after public hearing thereon and upon an affirmative vote of a majority of its members.

e. The public hearings required or authorized in this subdivision shall be held by the agency in each local government wherein such land is located after not less than 15 days notice thereof by publication at least once in a newspaper of general circulation in such local government or local governments, by conspicuous posting of the land involved, and by individual notice served by certified mail upon:

1. Each owner of such land to the extent discernible from the latest completed tax assessment role;
2. The chairman of the planning board, if any, and the clerk of each such local government;
3. The chairman of the county planning agency, if any, and the clerk of each county wherein such land is located;
4. The chairman of the regional planning agency, if any, within whose jurisdiction such land is located;
5. The Adirondack Park Local Government Review Board; and
6. Any local government within 500 feet of the land involved.

3. LAND USE AREAS: CHARACTER DESCRIPTIONS, AND PURPOSES, POLICIES AND OBJECTIVES; OVERALL INTENSITY GUIDELINES; CLASSIFICATION OF COMPATIBLE USES LISTS.

a. The primary uses on the classification of compatible uses list for each land use area except hamlet areas, as set forth in this subdivision,

are those uses generally considered compatible with the character, purposes, policies and objectives of such land use area, so long as they are in keeping with the overall intensity guidelines for such area. The secondary uses on such list are those which are generally compatible with such area depending upon their particular location and impact upon nearby uses and conformity with the overall intensity guideline for such area.

b. The classification of compatible uses lists shall also include any additions thereto by agency amendment pursuant to this section, and the agency may, after consultation with the Adirondack Park Local Government Review Board, recommend subtractions thereto to the governor and legislature upon an affirmative vote of a majority of its members and after public hearing thereon. The agency may amend the classification of compatible uses lists to make additions thereto after public hearing thereon and upon an affirmative vote of two-thirds of its members. A certified copy of the agency's resolution adopting such amendment shall, within 20 days after adoption thereof, be filed by the agency with the Adirondack Park Local Government Review Board and the same state and local officers with whom amendments to the plan map are required to be filed under paragraph b of subdivision two and with the legislature. Such amendments shall take effect upon conclusion of such 20-day filing period. The public hearings authorized or required in this paragraph shall be held in any county wholly or partially within the Adirondack Park after not less than 15 days notice thereof by publication at least once in a newspaper of general circulation in each county wholly or partially within the park and in at least three metropolitan areas of the state, and individual notice served by certified mail upon:
   1. The chairman of the planning board, if any, and the clerk of each local government, and the chairman of the county planning agency, if any, and the clerk of each county, wholly or partially within the park;
   2. The chairman of each regional planning agency whose jurisdiction is wholly or partially within the park; and
   3. The Adirondack Park Local Government Review Board.

c. HAMLET AREAS
   1. **Character description.** Hamlet areas, delineated in brown on the plan map, range from large, varied communities that contain a sizeable permanent, seasonal and transient population with a great diversity of residential, commercial, tourist and industrial development and a high level of public services and facilities, to smaller, less varied communities with a lesser degree and diversity of development and a generally lower level of public services and facilities.

   2. **Purposes, policies and objectives.** Hamlet areas will serve as the service and growth centers in the park. They are intended to accommodate a large portion of the necessary and natural expansion of the park's housing, commercial and industrial activities. In these areas, a wide variety of housing, commercial, recreational, social and professional needs of the park's permanent, seasonal and transient populations will be met. The building intensities that may occur in such areas will allow a high and desirable level of public and institutional services to be economically feasible. Because a hamlet is concentrated in character and located in areas where existing development patterns indicate the demand for and viability of service and growth centers, these areas will discourage the haphazard location and dispersion of intense building development in the park's open space areas. These areas will continue to provide services to park residents and visitors and, in conjunction with other land use areas and activities on both private and public land, will provide a diversity of land uses that will satisfy the needs of a wide variety of people.

      The delineation of hamlet areas on the plan map is designed to provide reasonable expansion areas for the existing hamlets, where the surrounding resources permit such expansion. Local government should take the initiative in suggesting appropriate expansions of the presently delineated hamlet boundaries, both prior to and at the time of enactment of local land use programs.

   3. **All land uses and development are considered compatible with the character, purposes and objectives of hamlet areas.**

   4. **No overall intensity guideline is applicable to hamlet areas.**

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. **Guideline for overall intensity of development.** The overall intensity of development for land located in any moderate intensity use area should not exceed approximately 500 principal buildings per square mile.

4. **Classification of compatible uses.**

   Primary uses in moderate intensity use areas:

   1. Single family dwellings.
   2. Individual mobile homes.
   3. Open space recreation uses.
   4. Agricultural uses.
   5. Agricultural use structures.
   6. Forestry uses.
   7. Forestry use structures.
   8. Hunting and fishing cabins and hunting and fishing and other private club structures.
   9. Game preserves and private parks.
   10. Cemeteries.
   11. Private roads.
   12. Private sand and gravel extractions.
   13. Public utility uses.
   14. Accessory uses and structures to any use classified as a compatible use.

   Secondary uses in moderate intensity use areas:

   1. Multiple family dwellings.
   2. Mobile home courts.
   3. Public and semi-public buildings.
   4. Municipal roads.
   5. Agricultural service uses.
   6. Commercial uses.
   7. Tourist accommodations.
   8. Tourist attractions.
   9. Marinas, boatyards and boat launching sites.
   10. Campgrounds.
   11. Group camps.
   12. Golf courses.
   13. Ski centers.
   14. Commercial seaplane bases.
   15. Commercial or private airports.
   16. Sawmills, chipping mills, pallet mills and similar wood using facilities.
   17. Commercial sand and gravel extractions.
   18. Mineral extractions.
   19. Mineral extraction structures.
   20. Watershed management and flood control projects.
   21. Sewage treatment plants.
   22. Major public utility uses.
   23. Industrial uses.

e. LOW INTENSITY USE AREAS

1. **Character description.** Low intensity use areas, delineated in orange on the plan map, are those readily accessible areas, normally within reasonable proximity to a hamlet, where the physical and biological resources are fairly tolerant and can withstand development at an intensity somewhat lower than found in hamlets and moderate intensity use areas. While these areas often exhibit wide variability in the land's capability to support development, they are generally areas with fairly deep soils, moderate slopes and no large acreages of critical biological importance. Where these areas are adjacent to or near hamlets, clustering homes on the most developable portions of

these areas makes possible a relatively high level of residential units and local services.

2. **Purposes, policies and objectives.** The purpose of low intensity use areas is to provide for development opportunities at levels that will protect the physical and biological resources, while still providing for orderly growth and development of the park. It is anticipated that these areas will primarily be used to provide housing development opportunities not only for park residents but also for the growing seasonal home market. In addition, services and uses related to residential uses may be located at a lower intensity than in hamlets or moderate intensity use areas.

3. **Guidelines for overall intensity of development.** The overall intensity of development for land located in any low intensity use area should not exceed approximately 200 principal buildings per square mile.

4. **Classification of compatible uses.**
Primary uses in low intensity use areas:
   1. Single family dwellings.
   2. Individual mobile homes.
   3. Open space recreation uses.
   4. Agricultural uses.
   5. Agricultural use structures.
   6. Forestry uses.
   7. Forestry use structures.
   8. Hunting and fishing cabins and hunting and fishing and other private club structures.
   9. Game preserves and private parks.
   10. Private roads.
   11. Cemeteries.
   12. Private sand and gravel extractions.
   13. Public utility uses.
   14. Accessory uses and structures to any use classified as a compatible use.

Secondary uses in low intensity use areas:
   1. Multiple family dwellings.
   2. Mobile home courts.
   3. Public and semi-public buildings.
   4. Municipal roads.
   5. Agricultural service uses.
   6. Commercial uses.
   7. Tourist accommodations.
   8. Tourist attractions.
   9. Marinas, boatyards and boat launching sites.
   10. Golf courses.
   11. Campgrounds.
   12. Group camps.
   13. Ski centers.
   14. Commercial seaplane bases.
   15. Commercial or private airports.
   16. Sawmills, chipping mills, pallet mills and similar wood using facilities.
   17. Commercial sand and gravel extractions.
   18. Mineral extractions.
   19. Mineral extraction structures.
   20. Watershed management and flood control projects.
   21. Sewage treatment plants.
   22. Waste disposal areas.
   23. Junkyards.
   24. Major public utility uses.
   25. Industrial uses.

f. RURAL USE AREAS

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 75 principal buildings per square mile.

4. **Classification of compatible uses.**
Primary uses in rural use areas:

1. Single family dwellings.
2. Individual mobile homes.
3. Open space recreation uses.
4. Agricultural uses.
5. Agricultural use structures.
6. Forestry uses.
7. Forestry use structures.
8. Hunting and fishing cabins and hunting and fishing and other private club structures.
9. Game preserves and private parks.
10. Cemeteries.
11. Private roads.
12. Private sand and gravel extractions.
13. Public utility uses.
14. Accessory uses and structures to any use classified as a compatible use.

Secondary uses in rural use areas:

1. Multiple family dwellings.
2. Mobile home courts.
3. Public and semi-public buildings.
4. Municipal roads.
5. Agricultural service uses.
6. Commercial uses.
7. Tourist accommodations.
8. Marinas, boatyards and boat launching sites.
9. Golf courses.
10. Campgrounds.
11. Group camps.
12. Ski centers.
13. Commercial seaplane bases.
14. Commercial or private airports.
15. Sawmills, chipping mills, pallet mills and similar wood using facilities.
16. Commercial sand and gravel extractions.
17. Mineral extractions.
18. Mineral extraction structures.
19. Watershed management and flood control projects.
20. Sewage treatment plants.
21. Waste disposal areas.
22. Junkyards.
23. Major public utility uses.
24. Industrial uses.

g. RESOURCE MANAGEMENT AREAS

1. **Character description.** Resource management areas, delineated in green on the plan map, are those lands where the need to protect, manage and enhance forest, agricultural, recreational and open space resources is of paramount importance because of overriding natural resource and public considerations. Open space uses, including forest management, agriculture and recreational activities, are found throughout these areas.

Many resource management areas are characterized by substantial acreages of one or more of the following: shallow soils, severe slopes, elevations of over 2,500 feet, flood plains, proximity to designated or proposed wild or scenic rivers, wetlands, critical wildlife habitats or habitats of rare and endangered plant and animal species.

Other resource management areas include extensive tracts under active forest management that are vital to the wood using industry and necessary to insure its raw material needs.

Important and viable agricultural areas are included in resource management areas, with many farms exhibiting a high level of capital investment for agricultural buildings and equipment. These agricultural areas are of considerable economic importance to segments of the park and provide for a type of open space which is compatible with the park's character.

2. **Purposes, policies and objectives.** The basic purposes and objectives of resource management areas are to protect the delicate physical and biological resources, encourage

proper and economic management of forest, agricultural and recreational resources and preserve the open spaces that are essential and basic to the unique character of the park. Another objective of these areas is to prevent strip development along major travel corridors in order to enhance the aesthetic and economic benefits derived from a park atmosphere along these corridors.

Finally, resource management areas will allow for residential development on substantial acreages or in small clusters on carefully selected and well designed sites.

3. **Guidelines for overall intensity of development.** The overall intensity of development for land located in any resource management area should not exceed approximately 15 principal buildings per square mile.

4. **Classification of compatible uses.**
Primary uses in resource management areas:
   1. Agricultural uses.
   2. Agricultural use structures.
   3. Open space recreation uses.
   4. Forestry uses.
   5. Forestry use structures.
   6. Game preserves and private parks.
   7. Private roads.
   8. Private sand and gravel extractions.
   9. Public utility uses.
   10. Hunting and fishing cabins and hunting and fishing and other private club structures involving less than 500 square feet of floor space.
   11. Accessory uses and structures to any use classified as a compatible use.

Secondary uses in resource management areas:
   1. Single family dwellings.
   2. Individual mobile homes.
   3. Hunting and fishing cabins and hunting and fishing and other private club structures involving 500 square feet or more of floor space.
   4. Campgrounds.
   5. Group camps.
   6. Ski centers and related tourist accommodations.
   7. Agricultural service uses.
   8. Sawmills, chipping mills, pallet mills and similar wood using facilities.
   9. Commercial sand and gravel extractions.
   10. Mineral extractions.
   11. Mineral extraction structures.
   12. Watershed management and flood control projects.
   13. Sewage treatment plants.
   14. Major public utility uses.
   15. Municipal roads.
   16. Golf courses.

h. INDUSTRIAL USE AREAS

1. **Character description.** Industrial use areas, delineated in purple on the plan map, include those areas that are substantial in size and located outside of hamlet areas and are areas (1) where existing land uses are predominantly of an industrial or mineral extraction nature or (2) identified by local and state officials as having potential for new industrial development.

2. **Purposes, policies and objectives.** Industrial use areas will encourage the continued operation of major existing industrial and mineral extraction uses important to the economy of the Adirondack region and will provide suitable locations for new industrial and mineral extraction activities that may contribute to the economic growth of the park without detracting from its character. Land uses that might conflict with existing or potential industrial or mineral extraction uses are discouraged in industrial use areas.

3. **Classification of compatible uses.**
Primary uses in industrial use areas:
   1. Industrial uses.
   2. Mineral extractions.
   3. Mineral extraction structures.
   4. Private sand and gravel extractions.
   5. Commercial sand and gravel extractions.
   6. Sawmills, chipping mills, pallet mills and similar wood using facilities.
   7. Forestry uses.
   8. Forestry use structures.
   9. Agricultural uses.
   10. Agricultural use structures.
   11. Private roads.
   12. Open space recreation uses.
   13. Hunting and fishing cabins and hunting and fishing and other private club structures.
   14. Public utility uses.
   15. Major public utility uses.
   16. Accessory uses and structures to any use classified as a compatible use.

Secondary uses in industrial use areas:

1. Commercial uses.
2. Agricultural service uses.
3. Public and semi-public buildings.
4. Municipal roads.
5. Sewage treatment plants.
6. Waste disposal areas.
7. Junkyards.

4. **No overall intensity guideline is applicable to industrial use areas.**

APPENDIX B

PRIVATE LAND

RESOURCE CAPABILITY

INVENTORY REPORT 1

ADIRONDACK PARK AGENCY

AUGUST 1972

PRIVATE LAND RESOURCE

CAPABILITY INVENTORY

I. INTRODUCTION

There are many elements to land use planning and although some are traditional in any planning process, others vary with the area for which the plan is to be prepared. The inhabitants, the region and the needs of society define those elements which receive primary emphasis.

The resources of the Adirondack Park determine to a large degree the use and economy of the area. The Park fulfills outdoor recreational needs of both a local and transient population, provides a lumber and pulp fiber resource bank for a healthy wood using industry, contains a mineral storehouse for mining interests and protects the critical headwaters of five major drainage basins that eventually serve a population of well over twenty million people.

While the natural resources of the Park have provided these needs, their inherent limitations have also limited to some degree the more intensive types of development found elsewhere in the northeast. These inherent limitations have preserved the open space character of the Park. Now, however, population growth, increased leisure time and discretionary income, and the desire to escape the intensely developed urban areas have increased pressure for land use, particularly with respect to second home development. This poses potential economic enhancement for a depressed region and at the same time presents both environmental and economic problems. The outcome of this environmental dilemna, which has plagued many developing areas, will largely be determined by the location, type and degree of future development. In addition, the Park atmosphere, which is so essential to future economic growth of the region, must be protected while the Park undergoes development. It is the purpose of this study to inventory the land's capabilities so that growth can be channeled to those areas where the land itself and the park-like atmosphere dictate what is feasible, acceptable and, indeed, desirable.

Careful consideration of the physiography and natural resources of the area being planned for should be of critical concern in any planning program. Land use laws and regulations tend to be negative in nature; they act to constrain. Although such controls are necessary, they should be supplemented with planning based on natural characteristics and capabilities that can be used in a positive vein to encourage development in those areas best suited for it. Perhaps the best known of the modern planners using natural characteristics to design growth patterns is Ian McHarg of the University of Pennsylvania. Lewis Mumford, the father of American planning, says of McHarg, "He seeks, not arbitrarily to impose design, but to use to the fullest the potentialities - and with them, necessarily, the restrictive conditions - that nature offers."[1]

McHarg defines his method of planning as follows:

> "The method employed is described as ecological planning. Simply, it means understanding Wilmington and Dover as a natural system, recognizing that the natural elements which compose regions are also social values. Certain places are better suited for towns, parks, farms and ski slopes than others. If the Towns can be described as a natural system, and if the elements that compose it can be seen as social values, then it becomes possible to plan. It is then necessary to identify places hazardous to life and health on the one hand, and areas which are intrinsically fitting for all of the prospective uses which are likely in the future."[2]

The study from which the above quote is taken concerns an area in Vermont similar to the Adirondacks. In the epilogue of this study report, McHarg states:

> "Where should development be located? The sites are clearly revealed. They provide the maximum edge to recreational opportunity and scenic value, the best climate areas, the most propitious factors of slope, soils, water and accessibility. Here man can build new complementary communities

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1. Mumford, Introduction to I. McHarg, Design with Nature, at viii, Natural History Press (1969).
2. Wallace, McHarg, Roberts and Todd, An Ecological Planning Study for Wilmington and Dover, Vermont, at 4, Vermont State Planning Office (1972).

> employing the best sites in the Towns, enhancing them with buildings, places and spaces consonant with the land, the people and their history."[3]

The methodology utilized in this inventory study follows very closely the McHarg approach to planning. The primary purpose of the study is to identify those areas in the Adirondack Park that, from a natural resource standpoint, are best suited for development. Additionally, it identifies those areas where the physical characteristics of the land will require that certain standards be imposed if development is to provide positive values to both the Park and the community in which it is located. Finally, areas have been identified where the potential costs of development to the developer, the community and the prospective home owner are so great that serious consideration should be given to other kinds of uses.

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3. Id. at 39.

II. METHODOLOGY

Evaluation of resources, including their capacities for development and the environmental impact of development on any given site, must be approached systematically. Generalized regions of vulnerable resources or outstanding natural characteristics must be identified. Conversely, areas where the resources are more durable and can withstand development must also be inventoried. Naturally, there will be variations within these broad categories; development should not always be eliminated from the former nor should it be allowed to run rampant in the latter. A knowledge of the Park as a whole provides an insight into its character and variability, thus facilitating planning for individual areas within the Park.

The first step in this inventory was to select base maps and delineate the public and private lands. The 15' U. S. G. S. topographic quadrangles (scale 1:62,500) were chosen as the work map. Supplementing this, aerial photographs (scale 1:20,000) were used for inventory purposes.

A total of fifty-eight topographic quads are necessary to provide coverage of the entire Park. Following the delineation of public and private lands, several other considerations were superimposed on these maps by the use of overlays. The first overlay depicted state land resources and facilities to show interrelationships with private lands. Additional overlays were then used to indicate physical, biological and public resource considerations on private lands. In each of these latter three considerations, the environmental impact of development was evaluated. The minimum geographical area depicted by the overlays was approximately 300 acres. However, in cases where existing knowledge or unusual resource characteristics made it possible, smaller areas were inventoried.

On each of the resource overlays, several factors were evaluated to reflect the environmental impact that might result from development. The resource capabilities for development were analyzed and those geographical areas that contained similar potential for development were delineated. This determination was based on both the magnitude and importance of the potential impact relative to the overall use and protection of the Park. Although the selection of relative values might vary somewhat with the evaluator, the method used provides a reasonably

objective basis for discussion. The objective basis used in this method is similar to that employed by the use of matrixes in preparing environmental impact statements.[4] It identifies areas where modification of standard building practices might be necessary to achieve desirable development and minimize environmental impact. Once such areas are defined, it becomes possible to consider what modifications may be necessary.

Five resource capability categories were used in preparing this resource inventory. These categories are described in Table 1. The screening referred to in Table 1 represents a graphic method of portraying a category on a map overlay. The use of screening allows the limitations of various factors to be graphically accumulated. Because all factors mapped are mutually exclusive, this accumulative effect more accurately depicts the total environmental impact that might result from development in any specific geographic area. Factors were aggregated within each of the three classifications: physical, biological and public. Individual overlays were then created for each classification. The three overlays were then superimposed to illustrate the relative development potential or hazard for any particular geographic area. This resulted in a resource capability map that provides a base which reflects the various resource potentials of the Park.

TABLE 1

RESOURCE DEVELOPMENT CAPABILITY CLASSIFICATION

Category	Overlay Screening	Development Capability and Expected Impact
1	0%	No special resource limitations for development and no significant environmental impact expected.
2	20%	Minor resource limitations for development that need to be taken into account to avoid adverse environmental impact.

4. See for example, Leopold, Clarke, Hanshaw and Balsley, A Procedure for Evaluating Environmental Impact: Geological Survey Circular 645; United States Department of the Interior (1971).

TABLE 1 (continued)

Category	Overlay Screening	Development Capability and Expected Impact
3	40%	Moderate resource limitations for development that will require special considerations to avoid adverse environmental impact.
4	60%	Severe resource limitations for development that would make it very difficult to avoid adverse environmental impact.
5	80%	Overriding resource limitations that make development without unacceptable environmental impact unlikely.

A. Physical Resources

The overlay used to illustrate physical resources portrays development limitations expressed by the soil, such as erosion characteristics, drainage, seasonal flooding (i.e. flood plains) and effluent capacity; slope; elevation; water resources and unique physical features such as waterfalls or interesting rock formations.

Soils: Soil data for the Adirondacks are not readily available. Soil surveys by the United States Department of Agriculture's Soil Conservation Service are not available for the entire Park and, where available, they vary considerably in survey intensity. However, the Soil Conservation Service generously mapped the remainder of the Park for the Agency on the basis of aerial photo interpretation. Although no field checking was possible due to time constraints, this soil typing provides basic information that was not previously available. Additionally, the Soil Conservation Service and the New York State Cooperative Extension Service provided the Agency staff with many hours of training in soil interpretation and evaluation.

The importance of the soil resource to the success of a development cannot be understated. Factors considered in evaluating the development potential of a soil include depth to bedrock, sewage effluent capacity, depth to seasonal water table, drainage, permeability, erosion hazard and bearing capacity.[5] Particular emphasis was given to flood plain identification. A knowledge of these factors aids the developer, resident and local government in avoiding future problems in the Park by indicating proper design and construction criteria. For example, in an area where the landowner wishes to develop second home sites with individual septic systems and wells, a permeable soil warns him that the wells should be cased and, where possible, drilled uphill and 100 feet from the septic system tile field. Without such precautions, water contamination might result, creating a health hazard and necessitating remedial action at a higher cost than would have been necessary if such precautions had been incorporated in the initial design.

Appendix 2 lists all the known soil associations in the Park and the overlay screening assigned to each. Screening is based on the soil properties described in Soil Survey Interpretations of Soils in New York State[6] and related bulletins.

It should be understood that because most Adirondack soils are of glacial origin, they often do not relate directly to the underlying bedrock and, more important, they may exhibit extreme variability over relatively small surface distances.

Slope: Slope is an important factor that relates to the erosion potential of soil and to various construction problems. As the slope increases, development generally poses more potential environmental problems. Those relating to erosion, sewage disposal and visibility are of particular importance. In preparing a land use plan to cover a multitude of potential uses, slope categories must be narrow enough to be applicable to many potential uses

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5. See sample Soil Conservation Service form NY-187 attached as Appendix 1 to this report. Such forms provided much of the data base used in the evaluation process.
6. Department of Agronomy, Cornell University Soil Conservation Service and Cooperative Extension Service, Soil Survey Interpretation of Soils in New York State, Cornell University (1972).

and yet easy to work with. The categories which were employed in this resource inventory are based on McHarg[7] and Bailey.[8] They are: 0-5%, 6-15%, 16-25%, and over 25%. Reflecting the potential problems that might be incurred, slopes of 0-5% and 6-15% were not screened, 16-25% slopes were screened twenty per cent and slopes over 25% were screened forty per cent.

Elevation: Most development limitations that are caused by elevation are reflected by soil and slope factors. In addition, areas above 2,500 feet elevation reflect climatic conditions quite different from lower elevations. The higher precipitation and lower temperatures, coupled with the increased water holding capacity of the highly organic forest soils at these higher elevations, were considered important enough to justify special consideration being given to these elevations. Reflecting these values, all lands above 2,500 feet were screened forty per cent. This screening reflects only the climatological and water storage factors. The soil, vegetative and wildlife factors are taken into account elsewhere in the inventory. It should be noted that the State of Vermont, recognizing the importance of similar high elevation lands,[9] has granted them special protection.[10]

Water Resources: Water resources such as ponds, lakes, reservoirs, streams and rivers were identified. The environmental impact of development adjacent to these resources depends on soils, fisheries and such public considerations as designated or proposed wild, scenic or recreational rivers. All of these considerations are taken into account elsewhere in this inventory.

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7. I. McHarg, supra note 1, at 139.
8. R. Bailey, A Hierarchical Landscape Classification for Recreational Land Use Planning in the Finger Lakes Region of New York State, 1972 (unpublished Ph. D. thesis, Cornell University).
9. Vogelmann, Marvin and McCormack, Ecology of the Higher Elevations in the Green Mountains of Vermont, 1969 (mimeographed report to the Governor's Commission on Environmental Control).
10. 10 Vt. Stat. Ann. Ch. 151, § 6001-6091 (1970).

Unique Features: Unique physical features, such as waterfalls and striking geologic formations were approached on a case by case basis. The magnitude of impact from development is generally high but depends on how common such sites are in the Park. Screening used to reflect unique physical features was, therefore, chosen on the merits of feature. As these features are more thoroughly inventoried, minor revisions in the inventory may be necessary.

B. Biological Resources

The biological resources overlay was used to portray the relative environmental impact that development might have on prime wildlife habitat and on rare, unique or endangered flora, fauna or ecosystems.

Over eighty per cent of the Park is forested. The remaining land can be categorized as one of the following: developed area; wetland, such as bogs and marshes; agricultural land, primarily in the Lake Champlain basin; brush land, most often occupying abandoned farmland; alpine and subalpine meadows; and barren rock.

Fragile Ecosystems: The bogs, subalpine and alpine areas contain several interesting and often unique plants; additionally, they represent habitat for species of wildlife totally different from those in the forested ecosystems. The plant communities found on these sites are particularly susceptible to development effects such as changing water tables or increased trampling. They also represent a scarce resource in the Park and in the State. For these reasons, such communities were screened sixty per cent on the overlay.

Ecotones: Those areas of dramatic and abrupt change from one ecosystem to another, giving rise to extraordinary diversity, were inventoried. For instance, a heavily shaded north-facing gorge wall displays a great variety and concentration of life as a result of the juxtaposition of distinctly varied habitat. Because of the uniqueness and extreme ecological interest of these areas, they were screened forty per cent.

Flora: Forests representing vestiges of primitive Adirondack conditions were identified and screened sixty per cent as a reflection of their rare status. These stands, often termed "virgin", consist of old growth impressive patriarchs growing on sites particularly suited to the species. Natural areas as identified by the Society of American Foresters[11] were included in this inventory.

The State Museum and Science Services of the New York State Department of Education provided valuable assistance in the inventory of rare plant species. Areas containing endangered species were screened forty per cent or eighty per cent, depending on the species' status.

Except where categorized as virgin or natural areas, hardwood stands were not screened because they are typically more resistant to the effects of development, and generally represent the most common vegetative types in the Park. The importance of hardwood stands as a component of open space is recognized in the public resources section of this inventory. The differences in site conditions, mirrored by pioneer hardwoods as contrasted with climax stands, often reflect soil types and are, therefore, taken into account as part of the physical resources overlay. Similarly, spruce-fir and pine stands were not screened on the biological resources overlay because the site conditions giving rise to these stands are also often soil related.

Wildlife: The habitats of rare, endangered or unique wildlife were identified and screened forty per cent if the species was so classified in the Park only,[12] and eighty per cent if it was considered rare or endangered nationwide.[13]

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11. Society of American Foresters Natural Areas, Journal of Forestry, Vol. 58, No. 11 (November 1960).
12. Benson and Chase, Rare and Endangered Species, Temporary Study Commission on the Future of the Adirondacks, Technical Report 2, State of New York (1970).
13. U. S. Dep't of the Interior, Bureau of Sport Fisheries and Wildlife, Rare and Endangered Fish and Wildlife of the United States, U. S. Government Printing Office (1968).

Key wildlife habitats for species other than those considered rare or endangered were screened forty per cent. Examples of such habitats would be marshes, water bodies with native strains of trout and critical winter deer yards. Such habitats represent less than one-half of one per cent of the Park. Physical site constraints are also quite often associated with these generally swampy areas.

C. Public Resources

The analysis of public resources in a sound land use plan is considerably more difficult and somewhat less objective than an examination of physical and biological considerations.

The creation of the Adirondack Park reflected strong public concerns regarding changes in the character of the area. Ordinarily, park management has three basic purposes: the preservation of an open space atmosphere, the protection of the natural resource base and provision for public use consistent with the first two purposes. Recently, the people of the state, through the enactment of the Adirondack Park Agency law, have reaffirmed their concern for the Adirondack Park. In particular, they have indicated that it is important that increasing population, technological and economic pressures for use and development of the resources of the Park be accommodated within a land use planning framework which assures that these resources are protected and preserved.

It must be emphasized that these purposes do not infer total preservation. Preservation of open space and the resource base is possible without preserving each individual element. For example, a forest atmosphere can be maintained without a prohibition on logging. Similarly, an open space atmosphere can be preserved in a six million acre park without prohibiting all development. A park concept does not necessarily deal with the individual tree, nor the individual building site. Rather, it expresses concern for the general feeling of spaciousness and a forested character that is relative to the extent and location of development and resource utilization. A policy of total preservation within the Adirondack Park would leave no options available except public acquisition of all private land. Very few advocate such a policy.

The public resources of a park deal largely with aesthetics that, almost by definition, vary from individual to individual. Yet, in many cases it is the public resources that create the character and atmosphere that set a park aside as a very special place.

Public resources that were identified and as such exhibit certain capacities or limitations in terms of development include: vistas; proximity to public transportation corridors; proximity to public land; proximity to rivers classified or identified for study in the wild, scenic and recreational river system;[14] and historic sites.

Vistas: The densely forested nature of the Park limits the number of vistas along travel corridors. Wide ranging views are vital in providing an open space atmosphere and the more limited such opportunities are, the more valuable they become to the traveling public. Not only is the position of the viewer important, but protection for the area viewed is necessary. The feeling of open space is dependent on the field of vision and the degree of development. The immediate foreground, that area within one-quarter mile of the viewer's position, was screened sixty per cent. Beyond this distance, scattered residences on lots spacious enough to maintain a forested appearance will not damage the view. However, visible concentrations of buildings within five miles of the viewer's position would have a detrimental effect on the feeling of open space. Therefore, the visible area between one-quarter mile and five miles from the viewer's position was screened forty per cent. Beyond five miles, where a vista provides this deep a field of vision, most development will generally not detract from the scene. Large developments, commercial areas or industries which require a complex of structures, create smoke plumes or leave large scars on the landscape visible from a great distance, will, however, detract from the vista. Such usage and activities should be located outside of the vista. To reflect these potential impacts and necessary limitations, all visible areas beyond five miles were screened twenty per cent.

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14. N. Y. Sess. Laws, ch. 869, § 429-q, 429-r [1972] amending ART. V, N. Y. Conserv. Law.

Travel Corridors: Most areas of the Park seen by the public are not viewed from the relatively few scenic overlooks but are immediately adjacent to public transportation corridors such as highways. Public highways were defined as any federal, state, county, town or village road, open to include the road and the land visible from it, but in no instance were they less than 500 feet on each side of the road. Developed areas were excluded from this inventory. Visible areas within one-half mile of the road were screened forty per cent. Visible areas further than one-half mile of the road were screened twenty per cent.

Travel corridors comprise the portion of the Park most often seen by the visitor. If the Park is to give the visitor the impression of open space and wild land, the protection of those travel corridors still exhibiting an open space nature must be given careful consideration.

Public Land: Private landowners adjacent to forest preserve lands cannot and should not be subject to restrictive land use controls solely because of ownership pattern. However important buffering of the forest preserve might seem to protect its character, the property rights accompanying private ownership must be recognized. However, to ignore the proximity of private property to public lands might allow for development that could have an adverse effect on the character of the constitutionally protected state lands. Each tract of private land adjoining forest preserve land was individually evaluated in light of possible effects of development on the forest preserve, and these public resource effects were evaluated. Those tracts of forest preserve that are classified as wilderness, primitive or canoe represent the most ecologicly and socially sensitive areas.

Areas of private land in sight or sound of the most frequented portions of wilderness, primitive or canoe areas were screened forty per cent on the public resources overlay. Usually, these areas extend no further than one-half mile from the wilderness, primitive or canoe area boundaries and, depending on terrain and vegetation density, are normally less. They are also less where the boundary is nearer than one-half mile to a public highway or other area of motorized activity. In such areas, the noise of motorized vehicles defeats the purpose of buffering.

Wild, Scenic and Recreational Rivers System: All river areas encompassed in the state's wild, scenic or recreational rivers system, as well as the river areas encompassing rivers legislatively mandated to be studied for possible inclusion in this system, are a public resource. River area was generally defined as the river and its immediate environs, including riverbanks and a maximum of one-half mile of land on either side of the river. Where physical barriers to sights and sounds permitted, narrower river areas were used. The river areas of wild or scenic rivers and those portions of the study rivers that meet the legislative criteria for wild or scenic designation, were screened eighty per cent to reflect the statute's restrictive management mandate along such waters. A river area consisting of generally 500 feet on each side of a designated or potential recreational river was screened twenty per cent to reflect the legislative concern for these rivers.

Historic Sites: The Adirondack Park has an interesting and varied history. In order to incorporate historic preservation considerations in the preparation of the land use and development plan, historic sites and areas were inventoried. The Adirondack Museum at Blue Mountain Lake and the New York State Historic Trust provided valuable assistance in this inventory. The inventory included individual structures, such as the Robert Louis Stevenson cottage in Saranac Lake and the old covered bridge in Jay, and occasionally larger areas such as the Crown Point Reservation which is of national historic significance. Although these sites represent a minute portion of the Park and consist only of the immediate environs of the site, they represent a resource which is of considerable interest and value to the public. Their historic value should be highlighted, rather than inadvertently destroyed. Therefore, these sites were screened eighty per cent.

III. COMPILATION

Applying the private land capability methodology results in three overlays to each of the fifty-eight base maps. Because all factors are considered mutually exclusive, they must be aggregated to indicate the extent of the resource capabilities. It cannot, however, be blithely assumed that summation of all the screenings indicates the total environmental impact of development on any one area. The screenings indicate different factors whose importance to the development of the Adirondack Park may vary on a geographical base, although care was taken to evaluate them from a Park-wide standpoint. Still, aggregation of all the factors does give an accurate land capability picture from a resource standpoint.

As one of the elements in the decision making process in preparing a private land use and development plan, these overlays should be used three ways. First, each individual overlay reflects an important group of similar resource considerations and should be viewed individually. Second, superimposition of the physical and biological overlays reflects what could be called land resource limitations. That is, these two overlays used in combination show the natural resource potential of the area. Land use decisions can more effectively be made after reviewing these two overlays in light of resource potentials. At this point, policy could be set by weighing the positive and negative impacts of development on any given site.

The third possibility involves superimposing all three overlays. This adds the intangible, yet vital, public resource considerations to the natural resource potentials. Adding this third overlay emphasizes the fact that we are dealing with a park.

A resource capability map was prepared depicting the results of aggregating all factors considered. This map should be used as a tool to provide an overview of the Park's environmental capabilities. It should not be used as a substitute for a detailed evaluation of each of the factors that preceded its preparation. Even more important, this map should not be considered a land use plan in and of itself. The map is particularly well suited to illustrate the areas that should be retained as open space in order to protect the character of the Adirondack Park. The locations that the map shows most suitable for development are the areas where the traditional planning elements and economic considerations should be used for refinements that will encourage properly channeled development to complement the Park and benefit the resident and visitor alike.

The methodology section of this report discussed the five resource capability categories used in this inventory. In the preparation of the resource capability map, categories one and two, those areas showing the highest capabilities for development, were combined and depicted in purple. Categories four and five, those areas with the least development potential, were combined and shown in green. Category three was depicted in yellow. This category was handled individually because, from a resource standpoint, it reflects areas where density control alone may insure development with no adverse environmental impacts or areas where special building practices, regardless of ensuing densities, might overcome any resource limitations.

It is interesting to note that on the resultant map, land capabilities reflect existing uses to a large degree. That is, the areas with the least resource capabilities are the remote and rugged areas frequently owned by paper companies and estate holders and used for purposes totally compatible with open space and within the resource's capabilities. Conversely, those areas presently developed and a large number of the areas where development is most likely to occur fall in the categories most amenable to development. It is also apparent that there is much more land in the developable categories than is presently developed. In fact, should the resource potential of all the land in this category be fully realized and if other planning considerations were to suggest these areas should be developed, the Park could sustain a resident and seasonal population many times greater than currently exists.

In conclusion, it must be emphasized that the summation map and the overlays themselves should in no instance be utilized as the sole factor to evaluate any individual project. Scale and data available dictate that these aids reflect only a generalized picture. They are valuable, of course, in indicating special resource considerations to be concerned with during on-site inspections in the project review process.

APPENDIX 1

N.Y.-187(REV) 2-68
SYRACUSE, N.Y.

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

WINDSOR SERIES

SOIL TYPES loamy fine sandy loamy sand, sand

MAP SYMBOLS

AREA:

DATE: December 1969

ADVANCE COPY–SUBJECT TO CHANGE

DESCRIPTION OF SOIL

Windsor soils are deep, well drained, strongly acid, coarse textured soils that have formed in deep sandy deposits on glacial outwash terraces. They occupy nearly level or gently rolling areas and, in a few places, steep slopes. Windsor soils have 2 to 2½ feet of rapidly permeable strongly to medium acid sand, loamy sand, or loam fine sand over sand derived mainly from sandstone fragments.

SUITABILITY OF SOIL AS SOURCE OF MATERIAL FOR

TOPSOIL	SAND	GRAVEL	ROAD FILL
Good in upper foot.	Good	Good – upper 2-4 feet is usually sandy.	Fair – usually too sandy.

SOIL FEATURES AFFECTING SPECIFIED ENGINEERING USES

USE	SLOPE	SOIL FEATURES
POND RESERVOIR AREA	All	Sandy material subject to excessibe seepage.
POND EMBANKMENT	All	Compacted permeebility high; sandy material subject to piping.
DRAINAGE	All	Not needed.
SPRINKLER IRRIGATION	A-B C-F	Water intake rate rapid; water holding capacity low; requires frequent applications. Not feasible.
DIVERSIONS	A-C D-F	Usually not nedded; if constructed seepage through the berm likely to be a problem. Not feasible.
GRASSED WATERWAYS	A-C D-F	Rapidly permeable soil; erodible on slopes. Not feasible.
HIGHWAY OR ROAD LOCATION	A-C D-F	Sandy material, erosive on slope, tends to be unstable. Cuts and fills necessary because of slope.
LOW BUILDING FOUNDATION	All	Sandy material with low bearing capacity; shear strength is low.
PIPELINE CONST. AND MAINTENANCE	All	Sandy material, very unstable ditch banks; material likely to flow when wet.

SOME ESTIMATED PHYSICAL AND CHEMICAL PROPERTIES

DEPTH FROM SURFACE	USDA TEXTURE	ENGINEERING CLASSIFICATION		PERCENTAGE PASSING SIEVE			PERMEABILITY IN/HR	AVAILABLE WATER CAPACITY IN/IN	REACTION pH VALUE
		UNIFIED	AASHO	NO.4 4.7MM	NO.10 2.0MM	NO.200 0.074MM			
0-26" 26-60"	ls s	SM SP;SM	A-2 A-1;A-2	95-100 90-100	90-100 80-100	10-20 5-15	6.3-20.0 6.3-20.0	.06-.08 .01-.04	4.5-5.5 5.0-5.5

DEPTH TO BEDROCK 4 feet + usually exceeds 20 feet.
DEPTH TO SEASONAL WATER TABLE 4 feet +

USDA SOIL CONSERVATION SERVICE IN COOPERATION WITH CORNELL UNIVERSITY AGRICULTURAL EXPERIMENT STATION

NATIONAL COOPERATIVE SOIL SURVEY

[illegible] SERIES

COMMUNITY DEVELOPMENT
RECREATION AND FARMLAND USES

USE	SLOPE	DEGREE AND KIND OF LIMITATION[1/]
SEPTIC TANK FILTER FIELDS	A-B C D-F	Slight - few or no adverse conditions. Moderate - slope hazard. Severe - slope hazard.
LOW BUILDINGS a. with basements	A-B C D-F	Slight - few or no adverse conditions. Moderate - slope hazard. Severe - slope hazard.
b. without basements	A-B C D-F	Slight - few or no adverse conditions. Moderate - slope hazard. Severe - slope hazard.
STREETS AND PARKING LOTS	A B C-F	Slight - few or no adverse conditions. Moderate - slope hazard. Severe - slope hazard.
SANITARY LANDFILL	A-F	Severe - rapid permeability at 3 feet and deeper which may make pollution a serious problem.
ATHLETIC FIELDS	A-B C-F	Moderate - sandy texture and slope hazard on B slopes. Severe - slope hazard.
PLAY AND PICNIC AREAS	A-C D-F	Moderate - sandy texture and slope hazard on C slopes. Severe - slope hazard.
CAMP SITES a. Tents	A-C D-F	Moderate - sandy texture and slope hazard on C slopes. Severe - slope hazard.
b. Trailers	A-B C-F	Moderate - sandy texture and slope hazard on C slopes. Severe - slope hazard.
LAWNS LANDSCAPING AND GOLF FAIRWAYS	A-C D-F	Moderate - sandy texture and slope hazard on C slopes. Severe - slope hazard.
FIELD CROPS	A-C D-F	Moderate - sandy texture and slope hazard on C slopes. Severe - slope hazard.
TRUCK CROPS	A-B C-F	Moderate - sandy texture and slope hazard on B slopes. Severe - slope hazard.

WOODLAND USES

DEGREE OF LIMITATION

SLOPE	ORDINATION	EROSION HAZARD	EQUIPMENT LIMITATION	SEEDLING MORTALITY	PLANT COMPETITION		WINDTHROW HAZARD
					CONIFERS	HARDWOODS	
A-C	5s	Slight	Slight	Moderate	Slight	Slight	Slight
D-E	5s	Slight	Moderate	Moderate	Slight	Slight	Slight
F	5s	Moderate	Severe	Moderate	Slight	Slight	Slight
SPECIES TO PLANT	White pine, red pine, larches, scotch pine, Austrian pine.			SPECIES TO FAVOR	White pine, red pine, sugar maple, red oak.		

SUITABILITY FOR WILDLIFE USES

SLOPE	HABITAT ELEMENTS								CLASSES OF WILDLIFE		
	GRAIN	GRASS	HERBS	Hd wd.	CONIF.	WET PL.	MARSH	EXC IMP	OPEN LD.	WOOD LD.	WET LD.
A-E	4	3	3	3	1	4	4	4	3	3	4
F	4	4	3	3	1	4	4	4	4	3	4

1/ THE SOIL IS EVALUATED ONLY TO A DEPTH OF 5 FEET OR LESS. SOILS ARE RATED ON THE BASIS OF THREE CLASSES OF SOIL LIMITATIONS; SLIGHT - RELATIVELY FREE OF LIMITATIONS OR LIMITATIONS ARE EASILY OVERCOME; MODERATE - LIMITATIONS NEED TO BE RECOGNIZED, BUT CAN BE OVERCOME WITH GOOD MANAGEMENT AND CAREFUL DESIGN; SEVERE - LIMITATIONS ARE SEVERE ENOUGH TO MAKE USE QUESTIONABLE.

[illegible]

APPENDIX 2

SOILS OF THE ADIRONDACK PARK

Association	Screening
Adams	0%
Adams-AuGres and Croghan	20%
Adams-Colton	0%
Adams-Croghan	20%
Adams-Walpole	20%
Allis	60%
Alluvial	80%
Angola-Wassaic	60%
Appleton-Darien	60%
AuGres-Scarboro-Peat	60%
Becket	40%
Becket -Canaan	40%
Becket-Colton-Adams	40%
Becket-Herman	40%
Becket-Herman-Waumbek	40%
Becket-Skerry	40%
Benson-Nellis	60%
Bernardston	40%
Bernardston-Nassau	40%
Bonaparte	0%
Broadalbin	40%
Broadalbin-Charlton	40%
Broadalbin-Mosherville	40%
Camroden-Marcy	60%
Camroden-Pinckney-Marcy	60%
Canaan-Rock outcrop	60%
Canandaigua	60%
Carlisle and Palms Muck	80%
Charlton	20%
Charlton-Hinckley-Gloucester	20%
Charlton-Hollis	40%
Charlton-Shapleigh	60%
Charlton-Sutton	40%
Claverack-Cosad	40%
Coloma	0%
Coloma (gravel, FSL)	20%
Colose	0%
Colton	0%
Colton-Adams	0%
Colton-Adams-Gloucester	0%
Colton-Worth	20%
Cossayuna	40%
Croghan-Adams	20%
Dannemora-Westbury-Tughill	60%
Dover-Amenia	20%
Dutchess	40%
Elmwood	40%
Empeyville-Westbury	40%
Empeyville-Westbury-Worth	40%
Empeyville-Worth	40%
Essex-Acton	40%
Essex-Scituate	40%
Farmington-Rock Outcrop	60%
Farmington-Vergennes	60%
Freshwater Marsh	80%
Genesee-Eel	80%
Gloucester	20%
Gloucester-Acton	20%
Gloucester-Ridgebury	40%
Hadley-Winooske-Limerick	80%
Hartland	0%
Hartland-Belgrade	0%
Hartland-Buxton	0%
Hartland-Minoa	20%
Herkimer-Houseville	20%
Hermon	0%
Hermon--Becket	20%
Hermon-Becket-Colton	20%
Hermon-Becket-Ridgebury	40%
Hermon-Colton	0%
Hermon-Ridgebury-Rockland	40%
Hinckley	0

Association	Screening
Hinckley-Windsor	0%
Hinckley-Windsor-Oakville	0%
Hollis-Charlton	60%
Hollis-Charlton-Essex	60%
Hollis-Rock outcrop	60%
Honeoye	40%
Hoosic-Otisville	0%
Howard	0%
Hudson-Rhinebeck	40%
Hudson-Vergennes	40%
Ilion	60%
Kars	0%
Lamson	60%
Lansing	40%
Leicester	60%
Limerick-Saco-Alluvial	80%
Lordstown	40%
Lowville	40%
Madalin	60%
Madrid-Bombay	20%
Manheim-Darien	40%
Massena	40%
Massena-Amenia-Sun	40%
Massena-Bombay	40%
Marcy-Alder-Camroden	60%
Melrose	0%
Merrimac	0%
Mohawk	20%
Moira-Brayton	60%
Mosherville	60%
Mosherville-Broadalbin	40%
Mountain Land	60%
Muck	80%
Muck, Marsh	80%
Muck, Peat	80%
Nassau-Bernardston	60%
Nassau-Rock outcrop	60%
Naumburg-Roscommon	40%
Nellis	40%
Nellis-Amenia	40%
Nellis-Amenia-(shallow)	60%
Nellis-Kendaia	40%
Oakville-Otisville	0%
Orono	60%
Panton	60%
Panton-Covington	60%
Panton-Livingston	60%
Palatine-Vergennes	40%
Parishville-Moira	40%
Paxton-Charlton	40%
Peat	80%
Peat, Muck	80%
Peru	40%
Petoskey-Kars	0%
Pinckney-Manlius-Camroden	40%
Pittsfield-Vergennes	20%
Podunk	80%
Podunk-Ondawa-Saco	80%
Podunk-Rumney	80%
Poland-Mohawk-Manheim	40%
Poland-Turin-Ilion	40%
Potsdam-Colton-Becket	40%
Rhinebeck	60%
Rhinebeck-Churchville	60%
Rhinebeck-Madalin	60%
Ridgebury-Gloucester-Rockland	60%
Rockland	80%
Rock outcrop-Canaan	80%
Rock outcrop-Farmington	80%
Rock outcrop-Hollis	80%
Rough Mountainous	60%
Rough Stony Land	60%
Rumney-Saco	80%
Saco-Rumney	80%
Salmon-Adams	0%
Salmon-Nicholville	0%
Saugatuck-Croghan	40%
Scantic-Buxton	60%
Scarboro	60%
Scarboro-Duane	60%
Shapleigh-Charlton-Essex-Rockland	60%
Skerry-Ridgebury	40%
Sloan-Teel	60%

Association	Screening
Sloan-Wayland	60%
Stafford	60%
Stissing-Sun	40%
Sudbury	40%
Suffield	60%
Sun	60%
Sutton-Charlton	40%
Sutton-Leicester	40%
Swanton-Elmwood	60%
Swanton-Whately	60%
Teel-Hamlin-Limerick	80%
Turin-Ilion	40%
Vergennes	40%
Vergennes (Hudson)	40%
Vergennes-Addison	40%
Vergennes-Kingsbury	60%
Vergennes-Paton	60%
Vergennes-Rock outcrop	60%

Association	Screening
Wallington-Belgrade	60%
Wallington-Birdsall	60%
Walpole	60%
Walpole-AuGres-Scarboro	60%
Wareham	60%
Wassaic	60%
Wassau	40%
Westbury-Tughill-Empeyville	60%
Whately	60%
Whitman	60%
Williamson-Wallington	40%
Windsor	0%
Windsor-Wareham	20%
Worth-Empeyville	40%
Worth-Empeyville-Westbury	40%

Social and Economic Effects

A broader assessment of the importance of collective specific site characteristics is called for both by SEQRA and the Adirondack Park Agency Act. The potential use of land may directly affect social or economic conditions, for example the character of a neighborhood or the viability of a resource-based industry. The value of open space or of a natural area, among other intrinsic characteristics of a piece of land, must be measured by the relative social value of the particular site, judged from a park-wide or regional perspective.

Measures to Mitigate Environmental Effects

Resource tolerance and sensitivity were taken into account in establishing the criteria for each land use classification under the Adirondack Park Agency Act. Resources of critical concern, such as steep slopes, key wildlife habitats and visually sensitive areas, were given higher levels of regulatory control, so that they will receive greater protection.

The Plan Map generally follows a "growth center" concept. By restricting new land uses in sensitive areas, development is encouraged to take place in areas of tolerant resources and in locations with higher levels of existing use. Channeling growth in this way minimizes the burden on community facilities and services, promotes greater efficiency of energy use, and eases the pressure on the more fragile resources of the Park.

Conclusion

Application of the existing statutory criteria and standards governing Agency action on Map Amendments fulfill the general requirements for environmental impact assessment as specified by SEQRA. Moreover, the only manner in which the Agency may determine whether or not to act in amending the Adirondack Park Land Use and Development Plan Map is by the use of the statutory criteria and standards.

TABLE OF CONTENTS

LIST OF FIGURES

APPENDIX C

Character Description

	MI	LI	RU	RM
Deep soils	X			
Fairly Deep Soils		X		
Fairly Shallow Soils			X	
Shallow Soils				X
Moderate Slopes	X	X		
Relatively Severe Slopes			X	
Severe Slopes				X
Located near or adjacent to hamlet	X			
Reasonable proximity to hamlet		X		
Remote from hamlet			X	
Located along highways or accessible shorelines where existing development has established the character of the area	X			
Fairly tolerant physical biological resources		X		
Natural resources accomodate relatively intense development	X			
No large acreages of critical biological importance		X		
Significant ecotones			X	
Critical Wildlife habitats			X	X
Habitats of rare, endangered species				X
Proximity to scenic vistas, key public lands			X	
Public considerations -				X
Proximity to designated/proposed rivers				X
Open space atmosphere, uses			X	X
Important agricultural areas				X
Extensive tacts under active forest management				X
Elevations over 2,500'				X
Flood plains				X
Wetlands				X

Purposes, policites, objectives -

	H	MI	LI	RU	RM	I
Service/growth centers	X	(X)	(X)			
housing	X	X	X	X	X	
commercial	X	(X)	(X)			
industrial	X					X
professional	X	(X)	(X)			
rural land uses				X	X	
forestry/rec./agriculture					X	
open space preservation				X	X	
prevent strip development				X	X	
protect delicate resources					X	
Development at levels that protects physical and biological resources			X			
			X			
Provide for and encourage those rural land uses that are consistent with and compatible with the relatively low tolerance of the areas' natural resources				X		

(X) - signifies implied in statute

Comparison of Primary Compatible Use Lists

Hamlet All Uses Compatible

		MI	LI	RU	RM	IU
1.	Single family dwellings	X	X	X		
2.	Individual mobile homes	X	X	X		
3.	Open space recreation uses	X	X	X	X	X
4.	Agricultural uses	X	X	X	X	X
5.	Agricultural use structures	X	X	X	X	X
6.	Forestry uses	X	X	X	X	X
7.	Forestry use structures	X	X	X	X	X
8.	Hunting and fishing cabins and hunting and fishing and other private club structures.	X	X	X		X
9.	Hunting and fishing cabins and hunting and fishing and other private club structures involveing less than 500 square feet of floor space.				X	
10.	Game preserves and private parks	X	X	X	X	
11.	Cemetaries	X	X	X		
12.	Private roads	X	X	X	X	X
13.	Private sand and gravel extractions.	X	X	X	X	X
14.	Public utility uses	X	X	X	X	X
15.	Industrial uses					X
16.	Mineral extractions					X
17.	Mineral extraction structures					X
18.	Commercial sand and gravel extractions					X
19.	Sawmills, chipping mills, pallet mills and similar wood using facilities.					X
20.	Major public utility uses					X
21.	Accessory uses and structures to any use classified as a campatible use.	X	X	X	X	X

(To be completed by Agency)

ADIRONDACK PARK AGENCY
Ray Brook, New York 12977
(518) 891-4050

AMENDMENT REQUEST
To The
OFFICIAL ADIRONDACK PARK
LAND USE AND DEVELOPMENT PLAN MAP

Pursuant to Section 805(2) Adirondack Park Agency Act
Article 27, New York State Executive Law

Before completing this application, refer to the Map Amendment Request Explanatory Sheet. Be sure to complete both sides of the application.

SECTION I - Applicant*

)wner of Record of Land Involved: _____

Mailing Address: _____

Phone: _____ NOTE: Section 583.1(b) of the Agency's Rules and Regulations requires that land owner shall submit the instrument of title (copy of deed)

Legislative Body of Local Government: _____

Supervisor or Mayor: _____ Phone: _____

Mailing Address: _____

NOTE: Section 583.1(d) of the Agency's Rules and Regulations requires that the request shall be made by resolution of the legislative body with a certified copy submitted to the Agency.

SECTION II - Description of the Land Involved

ounty: _____ Town: _____ Village: _____

pproximate acreage requested for amendment: _____

eneral location (describe by approximate distance and direction from known roads, village or own lines, etc.): _____

_____

_____

eneral description of boundaries of the parcel of land involved: _____

_____

_____

urrent Land Use Area or Areas: _____

equested Land Use Area or Areas: _____

OTE: A self-explanatory map must accompany this application outlining the area described above. Include the names and addresses of landowners adjacent to the request and within the requested area as found in the latest tax assessment role. Please refer to Explanatory Sheet.

(OVER)

* The applicant must be either the owner of record of the land involved or the legislative body of local government; it is not necessary to complete both items.

SECTION III - Justification

State the specific reasons why the land involved more accurately reflects the character description and the purposes, policies and objectives, as defined in the Land Use and Development Plan, of the land use area or areas being requested than those of the current classification. Identify the determinants (enumerated on the attached Explanatory Sheet) involved and how they relate to the reasons for amendment. (Use additional sheets if necessary.)

Date:_____ Applicant Signature:_____

FUNCTIONAL ASPECTS OF MAP AMENDMENTS

change: **from:** / **to:**

(1) Building Intensity
(2) Building Setback
(3) Subdivision Jurisdiction

change to higher land use intensity

from: \ to:	HAMLET	MODERATE INTENSITY	LOW INTENSITY	RURAL USE	RESOURCE MANAGEMENT	INDUSTRIAL USE
	(1) - no limit (2) - 50 feet (3) - 100 lot	(1) - 500 sq. mi. (2) - 50 feet (3) - 15 lot	(1) - 200/sq.mi. (2) - 75 feet (3) - 10 lot	(1) - 75/sq. mi. (2) - 75 feet (3) - 5 lot	(1) - 15/sq.mi. (2) - 100 feet (3) - 2 lot	(1) - None (2) - None (3) - 2 lot non-in
RESOURCE MANAGEMENT (1) - 15/ mi.^{2} (2) - 100 feet (3) - 2 lot	(1) - (2) - 50 (3) - 98	(1) - 485 more bldgs/sq.mi (2) - bldgs 50 feet closer (3) - 13 more lots	(1) - 185 (2) - 25 (3) - 8	(1) - 60 (2) - 25 (3) - 3		
RURAL USE (1) - 75/sq. mi. (2) - 75 feet (3) - 5 lot	(1) - (2) - 25 (3) - 95	(1) - 425 more bldgs/sq.mi (2) - 25 feet closer (3) - 10 more lots	(1) - 125 (2) - no change (3) - 5	(1) - 60 (2) - 25 (3) - 3		
LOW INTENSITY (1) - 200/sq.mi. (2) - 75 feet (3) - 10 lot	(1) - (2) - 25 (3) - 90	(1) - 300 (2) - 25 (3) - 5	(1) - 125 (2) - no change (3) - 5	(1) - 185 (2) - 25 (3) - 8		
MODERATE INTENSITY (1) - 500 sq. mi. (2) - 50 feet (3) - 15 lot	(1) - (2) - no change (3) - 85	(1) - 300 less b/s.m. (2) - 25 further back (3) - 5	(1) - 425 (2) - 25 (3) - 10	(1) - 485 (2) - 50 (3) - 13		
HAMLET (1) - No limit (2) - 50 feet (3) - 100 lot	No Change	(1) - (2) - No change (3) - 85 less lots	(1) - (2) - 25 (3) - 90 less lots	(1) - (2) - 25 (3) - 95 less lots	(1) - (2) - 50 (3) - 98 less lots	
INDUSTRIAL USE (1) - None (2) - None (3) - 2 lot non-industrial	(1) - No change (2) - 50 (2) - 98	(1) - 560 (2) - 50 (3) - 13	(1) - 200 (2) - 75 (3) - 8	(1) - 75 (2) - 75 (3) - 3	(1) - 15 (2) - 100 (3) - No change	

change to lower land use intensity

APPENDIX D

CHAPTER IV. REGIONAL PLANNING

PART 583

AMENDMENTS TO THE ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN MAP

(Statutory Authority: Executive Law, §805 [2] [c])

Sec.

Section 583.1. Contents of amendment requests. (a) Requests for amendments to the Official Adirondack Park Land Use and Development Plan Map shall be accompanied by maps of a sufficient scale to allow the Agency to identify the boundaries of the requested amendment.

(b) Requests by landowners shall in addition include a copy of the instrument of title to the land involved.

(c) Requests by a town of village shall include a certified copy of a resolution of the town or village board requesting the amendment.

(d) All requests shall include the names and addresses of adjoining landowners, to the extent discernible from the latest completed tax assessment roll.

Section 583.2. Criteria employed. (a) In considering map amendments the Agency will refer to the land use area classification determinants set out as Appendix Q-8 and augmented by field inspection.

(b) The Agency will not consider as relevant to its determination any private land development proposals or any enacted or proposed local land use controls.

Section 583.3. Nature of technical amendments. Amendments made to clarify boundaries, correct errors or effect technical changes pursuant to Section 805(2)(c)(5) of the Adirondack Park Agency Act shall be limited to amendments for which no administrative discretion is called for, such as printing errors, illegibility of boundary lines, or the erroneous classification of State lands as private and vice-versa.

Section 583.4. Notification required; time for agency action. (a) Upon receipt of a request to amend the plan map or upon determining to amend the map on its own initiative, the Agency will provide notice of receipt of the request or notice of the determination and a brief description of the amendment requested or contemplated to the Adirondack Park Local Government Review Board, the chairman of the county planning board, if any, the chairman of the appropriate regional planning board, and to the chief elected officer, clerk and planning board chairman, if any, of the local government wherein the land is located, and invite their comments.

(b) The Agency will act within 120 days of receipt of a request; however, if it determines to hold a public hearing on the request it shall schedule the hearing within 90 days of receipt of the request and shall act within 60 days of the close of the hearing. If a request is received when ground conditions prevent field investigation or in the case of a request or series of related requests exceeding 500 acres, the time periods shall be extended an additional 90 days or until field inspection is possible, whichever is sooner. Any time period may be waived or extended by written request of the applicant or the Agency on consent of the other. Provided, however, that the Agency shall not act until Part 586 of these regulations has been complied with.

Section 583.5. Hearings. (a) Notice of hearings on map amendment requests shall be given not less than 15 days prior to the hearing by:

(1) publication of a copy of the notice at least once in a newspaper of general circulation in the area;

(2) conspicuous posting on the land involved of a notice stating the time, place and statutory authority pursuant to which the hearing is held;

(3) sending a copy of the notice by certified mail to each owner of the land involved, to the extent discernable from the latest completed tax assessment roll;

(4) sending a copy of the notice by mail to:

(i) the chairman of the planning board, if any, and the clerk of each town and/or village wherein the land is located;

(ii) the chairman of the county planning agency, if any, and the clerk of each county wherein the land is located;

(iii) the chairman of the regional planning agency, if any, within whose jurisdiction the land is located;

(iv) the Adirondack Park Local Government Review Board; and

(v) the clerk of each town and/or village within 500 feet of the land involved;

(vi) owners of adjoining land, owners of land separated from the land in question by a public or private road, railroad, utility right-of-way,

river or stream, and, in the case of applications involving shoreline or islands, owners of nearby islands or mainland, to the extent discernible from the latest completed tax assessment roll.

(b) Hearings shall be legislative in nature, and any person or public agency entitled to individual notice pursuant to subdivision (a) of this section, as well as, at the discretion of the Agency or its presiding officer, any other persons or public agencies may participate.

(c) At the request of the applicant, or on its own initiative, the Agency staff may present planning and natural resource information concerning the application of the land use area classification determinants to the land in question.

(d) The presiding officer shall have authority to prescribe the procedure for conducting the hearing.

Section 583.6. Initial review of map amendment requests by Private Land Use Planning Committee. A map amendment request before the Agency for formal action shall be referred initially to the Private Land Use Planning Committee, consisting of at least three Agency Members appointed by the Chairman, which shall have authority to review such requests initially pursuant to the same procedures as set forth for projects in Section 572.13(b) of these regulations. Eight affirmative votes shall be required for the Agency to grant any map amendments wherever a two-thirds vote is statutorily required.

CHAPTER VI. RELATION OF AGENCY ACTIVITIES TO OTHER LAWS

PART 586

IMPLEMENTATION OF STATE ENVIRONMENTAL QUALITY REVIEW ACT

(Statutory authority: Environmental Conservation Law, art. 8)

Sec.

Section 586.1. Purpose of this Part. This Part implements the State Environmental Quality Review Act (SEQR) and establishes criteria for determining whether actions under consideration by the Agency will have a significant effect on the environment.

Section 586.2. Definitions. The definitions contained in Section 8-0105 of SEQR and 6 NYCRR 617.2 apply to this Part. The definitions in Section 570.3 of these regulations also apply, except when in direct conflict with the definitions governing this Part.

Section 586.3. General rule. The Agency will not carry out, fund, approve or issue a final decision on any action until there has been full compliance with SEQR, this Part, and 6 NYCRR Part 617.

Section 586.4. Certain Agency and local actions exempt. An environmental impact statement is not required for review and action upon class A regional projects or class B regional projects by the Agency or by local governments acting pursuant to an Agency-approved local land use program.

Section 586.5. Lists of actions. (a) Type I. The following actions are likely to require preparation of environmental impact statements because they are likely to have a significant effect on the environment:

(1) Review and action upon requests to amend the Official Adirondack Park Land Use and Development Plan Map which would permit the construction of 50 or more principal buildings than presently allowed by the Official Map or approval of any application or series of related applications to amend the Map where the amendments would cumulatively exceed such threshold (including amendments approved as part of the initial approval of a local land use program), except amendments pursuant to Section 805(2)(c)(5) of the Adirondack Park Agency Act.

A generic statement will be prepared upon the process by which the Agency amends the Official Map.

(2) Recommendations to the Governor and Legislature of amendments to the Official Adirondack Park Land Use and Development Plan Map.

(3) Additions to the classification of compatible use lists, or recommendations to the Governor and Legislature of subtractions therefrom, pursuant to Section 805(3)(b) of the Adirondack Park Agency Act.

(4) The process of Agency approval of local land use programs.

A generic statement will be prepared on the local planning assistance program.

(5) The approval of any rivers project which involves the construction of a boathouse, bridge, public road, trail for motorized open space recreational use, river area utility use that will be located within the applicable setback distance in Section 577.6(b) or habitable structure (except a single family dwelling or mobile home), except

(i) projects which are also subject to the jurisdiction of the Agency or local government pursuant to Sections 809 or 808 of the Adirondack Park Agency Act, respectively,

(ii) projects which require a certificate of environmental compatibility and public need under Articles seven or eight of the Public Service Law, or

(iii) subdivisions of less than five lots, parcels or sites.

(6) The preparation and submission to the Governor of major proposals for amendments of the master plan for the management of State lands pursuant to Section 816(2) of the Adirondack Park Agency Act, including,

(i) any proposed reclassification of land from a more restrictive to a less restrictive category,

APPENDIX E

MAP AMENDMENT REQUEST

EXPLANATORY SHEET

SECTION I - Applicant

Application for an amendment to the Official Adirondack Park Land Use and Development Plan Map may be made as follows:

(1) At the request of the owner of record of the land involved, from any land use area to any other land use area or areas, if the land involved is less than 2,500 acres. [A public hearing is required to grant such amendments.]

(2) At the request of the legislative body of a local government. land wholly contained within the geographical area of the local government from any land use area to any other land use area or areas for which a greater intensity of development is allowed under the overall intensity guidelines, if the land involved is less than 2,500 acres. [A public hearing is required to grant such amendments.]

(3) By the Agency, at its own initiative, from any land use area to any other land use area or areas for which a greater intensity of development is allowed under the overall intensity guidelines, if the land involved is less than 2,500 acres. [A public hearing is required to grant such amendments.]

(4) As a result of initial approval by the Agency of a local land use program, from any land use area to any other land use area or areas. [A public hearing is required to grant such amendments, if the land involved is 2,500 acres or more. A public hearing is not required if the land involved is less than 2,500 acres.]

(5) At the request of any owner of record of the land involved, the legislative body of a local government, or by motion of the Agency, any amendment to clarify boundaries, correct errors or effect other technical changes. [A public hearing is not required.]

When a property owner requests an amendment according to (1) above, the Agency Rules and Regulations require that sufficient documentation of ownership be submitted and the names and addresses of adjoining landowners; and local governments when requesting an amendment according to (2) above, a certified copy of the resolution stating such request must be submitted and the names and addresses of landowners within and adjacent to the request.

SECTION II - Description of Land Involved

In addition to completing this section of the application, a map must be prepared at a scale not less than 1" = 1 mile. This map should clearly indicate the boundaries of the land involved in the request for amendment. If more than one land use area is being requested for change, these areas should be clearly labeled as to the requested reclassification.

The Agency's determination must be consistent with the regional scale of the original Plan and, therefore, it may be necessary to consider properties of similar characteristics which are adjacent to those proposed for amendment in this application in order to reflect the regional approach. This can be done by Agency initiative as noted in (3) above.

It should be pointed out that the regional nature of the Plan requires that the Agency use boundaries that can be readily identified. The types of definable, regional boundaries used by the Agency include roads, streams, shorelines, municipal boundaries, and a standard setback of 1/4 or 1/10 of a mile from one of these roads, streams or lines.

SECTION III - Justification

The Agency's rules and regulations [§583.1] provide that before making map amendments, the Agency must find "...that the reclassification would more accurately reflect the policies and purposes of the Adirondack Park Agency Act, the land use and development plan and, more particularly, the character description and purposes, policies, and objectives of the land use area to which it would be reclassified. The Agency's determination shall be consistent with and reflect the regional nature of the plan and the regional scale and approach used in its preparation. Special attention shall be given to any newly discovered or disclosed information, factors or considerations as they directly relate to the land involved. Consideration shall also be given to the particular needs and conditions pertinent to the local government where the land is located..." The same determinants that guided the Agency's initial classification of the Park's private lands into various land use areas must be employed in making amendments to the Official Plan Map. Generally, these determinants involve:

(1) existing land uses and public facilities;
(2) physical characteristics of the land in terms of development capabilities and limitations;
(3) biological characteristics of the land in terms of development impacts;
(4) the statutory requirement for preserving the open space character of the Park;
(5) public considerations such as proximity to state wilderness, primitive or canoe areas, to rivers now designated or under study in connection with the New York State Wild, Scenic, and Recreational Rivers System, to scenic vistas or to sparsely developed public travel corridors.

ADDITIONAL INFORMATION MAY BE REQUIRED

After your application is received, we will review it promptly and advise you if further information is necessary. We will notify you of any Agency determination on your request at the earliest possible date. If a public hearing is to be held on the application, you will received a 15-day notice of the hearing.

For additional information in completing your application, please refer to the accompanying material which is a portion of Section 805 of the Adirondack Park Land Use and Development Plan. These paragraphs deal with the Plan Map and the Land Use Areas, character descriptions and purposes, policies and objectives.

APPENDIX G

At a meeting of the Adirondack Park Agency, at Lake George, New York on the 26th day of January, 1979

PRESENT:

Theodore Ruzow, Acting Chairman
Peter Paine, Commissioner
John Stock, Commissioner
Anne LaBastille, Commissioner
Donald Wadsworth, Commissioner
Richard Persico, Designee, Dept. of Env. Conservation
Thomas Monroe, Designee, Dept. of Env. Conservation
Richard Wild, Designee, Dept. of Env. Conservation
Herman Cole, Designee, Dept. of State
James VanDervort, Designee, Dept. of State
John Flanagan, Designee, Dept. of Commerce

In the Matter of the Application of

Robert S. Ellsworth
Proponent

ORDER

Amendment No. MA78-15

For the amendment to the Adirondack Park Land Use and Development Plan Map pursuant to Section 805 of the Adirondack Park Agency Act.

A request having been made on September 8, 1978 by the proponent for an amendment to the Official Adirondack Park Land Use and Development Plan Map to reclassify from Rural Use to Low Intensity Use a parcel of approximately 93 acres in the Town of Queensbury, Warren County; and the Agency, having ordered on September 21, 1978 that a public hearing be held, and the public hearing having been held on October 23, 1978 at the Town Hall, Town of Queensbury, in Warren County, makes the following findings of fact regarding the area requested for amendment:

1. On its own initiative, the Agency has considered with the proponent's request an additional contiguous area of approximately 632 acres of land presently classified as Rural Use.

2. The area requested for amendment lies west of Bay Road (County Road 7) and N.Y.S. Route 149.

3. The total 725 acre parcel under consideration is more accurately described as follows:

Beginning at a point at the intersection of Bay Road (County Road 7) and N.Y.S. Route 149; thence, in a northerly direction along said Bay Road to a point on an unnamed intermittent stream that crosses Bay Road approximately 1500 feet (457.2 meters) south of the intersection of Bay Road and Pickle Hill Road; thence, along said unnamed stream in a westerly direction to a point one half the distance (approximately 1600 feet [487.7 meters]) of Lot 14, French Mountain Tract; thence, in a southerly direction along said mid line to a point on the southerly line of said lot 14; thence, in a westerly direction along said southerly line for approximately 1600 feet (487.7 meters) to a point on the southwesterly corner of said Lot 14; thence, in a southerly direction along the westerly line of Lot 13, French Mountain Tract to the southwesterly corner of said Lot 13; thence, in a southerly direction at a constant and parallel distance of approximately one quarter mile (402.3 meters) westerly from the westerly boundary of the Joseph Fairlie Lot, French Mountain Tract to a point on the Adirondack Blue Line; thence, along said Blue Line in an easterly direction to a point on N.Y.S. Route 149; thence, along Route 149 in a northeasterly direction to the intersection with Bay Road and the point of origin.

The above-mentioned 93 acres of land owned by the proponent lie in the northwest portion of the total area under consideration.

4. The major percentage of the area under consideration falls within a 10 - 25% slope range. Approximately 15% of the area has slopes in the range of from 3 to 10%. Approximately 70% of the area falls within the 10 - 15% slope category. The remaining 15% of the expanded amendment area contains slopes of over 25%.

5. Soils in the area are variable. Soils data was generated using Soil Conservation Service detailed (4 acre accuracy) soils data. Charlton, Essex-Scituate and Essex soils types predominate the area. Charlton series consists of deep, well drained soils formed in glacial tills; the Essex association is representative of shallow very stony sandy loams, usually with a depth of from 15 to 25 inches to fragipan; Scituate series is characteristic of mantles of fine sandy loams with depths to fragipan ranging from 25 to 35 inches. All soils series noted are associated with high groundwater tables and underlayment of clay, Along Bay Road, the Charlton soils have slight limitations to both community development and septic. Severe soil limitations (Essex and Essex-Scituate soils) begin between contours 600 - 700 feet going up French Mountain with the exception of a steep area south of Bear Brook. In most locations (65% of the area) limitations for community development and on-site disposal are severe (Essex and Essex-Scituate Soils).

6. The amendment area's drainage is divided by a height of land along the northern boundary. Lake George receives a smaller portion of the drainage; Halfway Brook receives the majority of the runoff. A D.E.C. classified AAT intermittent stream crosses the area in the western part. A potential aquifer recharge area designated on the Town Hydrologic Map is located along and partially within the eastern boundary of the area.

7. Existing development in the area is primarily low-density residential. There is one commercial use located in the area; and approximately 13 single family residences.

8. The higher elevations of the French Mountain section of the area are quite visible over extended distances from within and without the Adirondack Park.

9. The area, although not close to a Hamlet area, is located on the southern edge of the Adirondack Park and is near the City of Glens Falls and the developing suburbs of Queensbury. The eastern portion of the area is accessible from Bay Road and Ellsworth Road and on the southern portion by N.Y.S. 149. The northern reaches of the area are not readily accessible.

10. The amendment area is not served by public water or sewer.

HAVING DULY CONSIDERED the above findings of fact, the Agency makes the following conclusion of law:

1. Reclassification from Rural Use to Low Intensity Use of an approximately 125 acre portion of the amendment area, more particularly described below, would be consistent with the policies and purposes of the Adirondack Park Agency Act, the Adirondack Park Land Use and Development Plan and the character description and purposes, policies and objectives of Low Intensity Use area set forth in Section 805 (3)(e), and with the regional scale and approach used in the preparation of the Plan Map.

2. Reclassification from Rural Use to Low Intensity Use of the remaining approximately 600 acres of the area under consideration as described in Findings of Fact #3 would not be consistent the policies and purposes of the Adirondack Park Agency Act, the Adirondack Park Land Use and Development Plan and the character description and purposes, policies and objectives of Low Intensity Use area set forth in Section 805 (3)(e), and with the regional scale and approach used in the preparation of the Plan Map.

The matter having regularly come on for consideration and due deliberation having been had and the Agency having voted in favor of amendment a portion of the area as herein described,

NOW THEREFORE, based upon the application, the record of the public hearing and the exhibits introduced thereat, the above findings of fact and conclusions of law, and the vote duly taken it is

ORDERED that the land use classification of a parcel of approximately 125 acres in the Town of Queensbury, County of Warren, defined by the following boundaries be changed from Rural Use to Low Intensity Use:

> Beginning at a point at the intersection of Bay Road (County Road 7) and N.Y.S. Route 149; thence, in a northerly direction along said Bay Road to point on an unnamed intermittent stream that crosses Bay Road approximately 1500 feet (457.2 meters) south of the intersection of Bay Road and Pickle Hill Road; thence, along said unnamed stream in a westerly direction to a point one half the distance (approximately 1600 feet (487.7 meters) of Lot 14, French Mountain Tract; thence, in a southerly direction along said mid line to a point the southerly line of Lot 13; thence, in a sourtherly- at a constant and parallel distance of approximately 2000 feet (615.6 meters) westerly of the easterly line of the Joseph Fairlie Lot, French Mountain Tract to a point on the outlet from Bear Pond, thence, along said outlet in an easterly direction to a point approximately one quarter mile (402.3 meters) easterly from Bay Road, thence, at a constant and parallel distance of approximately one quarter mile (402.3 meters) from Bay Road in a southerly direction to a point on N.Y.S. Route 149; thence, in a northeasterly direction along said 149 to the intersection with Bay Road and the point of origin.

and it is

ORDERED that within 20 days after the entry of this order, the amendment shall be entered on the Plan Map filed at Agency headquarters and certified, copies thereof be filed with the Adirondack Park Local Government Review Board and each of the State and local officers with whom a copy of the Plan Map is on file pursuant to Section 805 (3)(e) of the Adirondack Park Agency Act, and it is

ORDERED that reclassification of the remaining portion of the area under consideration be denied.

E N T E R

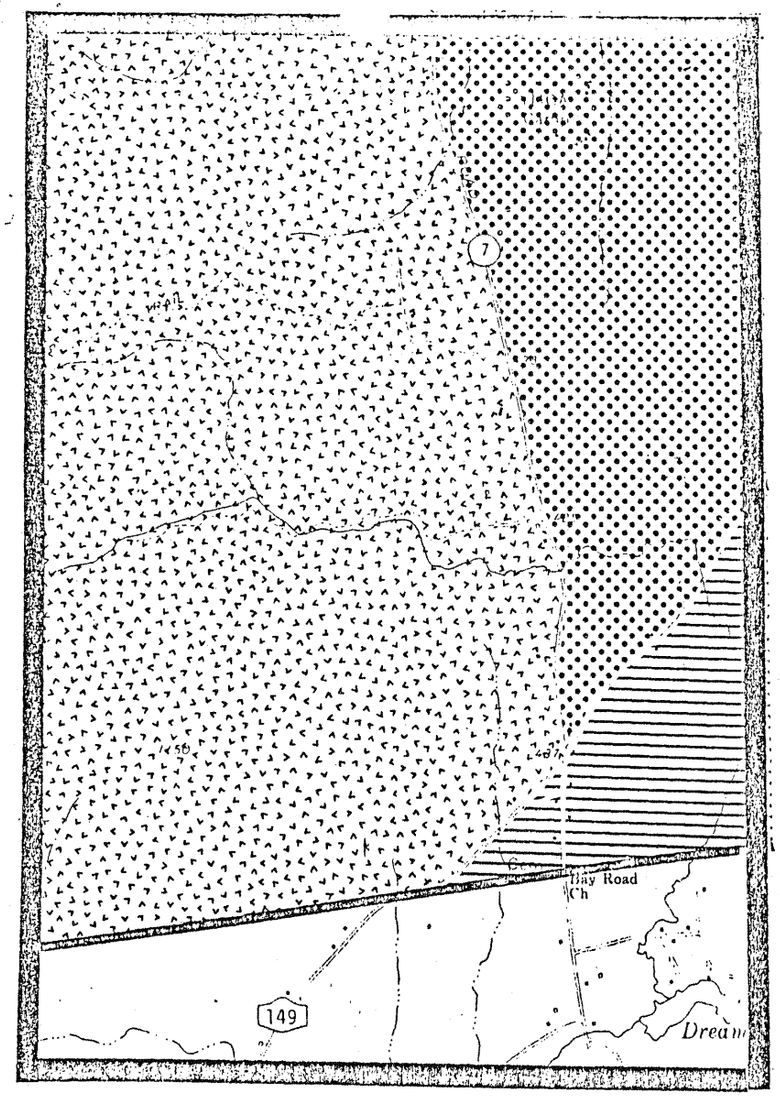
Adirondack Park Agency

BY: Vincent J. Moore
Vincent J. Moore
Executive Director

ORDER issued this 7th day
of February 1979, at
Ray Brook, New York

TOWN OF QUEENSBURY
WARREN COUNTY
Map Amendment No. 78-15

EXISTING CLASSIFICATION



1" = 2000'

N

HAMLET

MODERATE INTENSITY

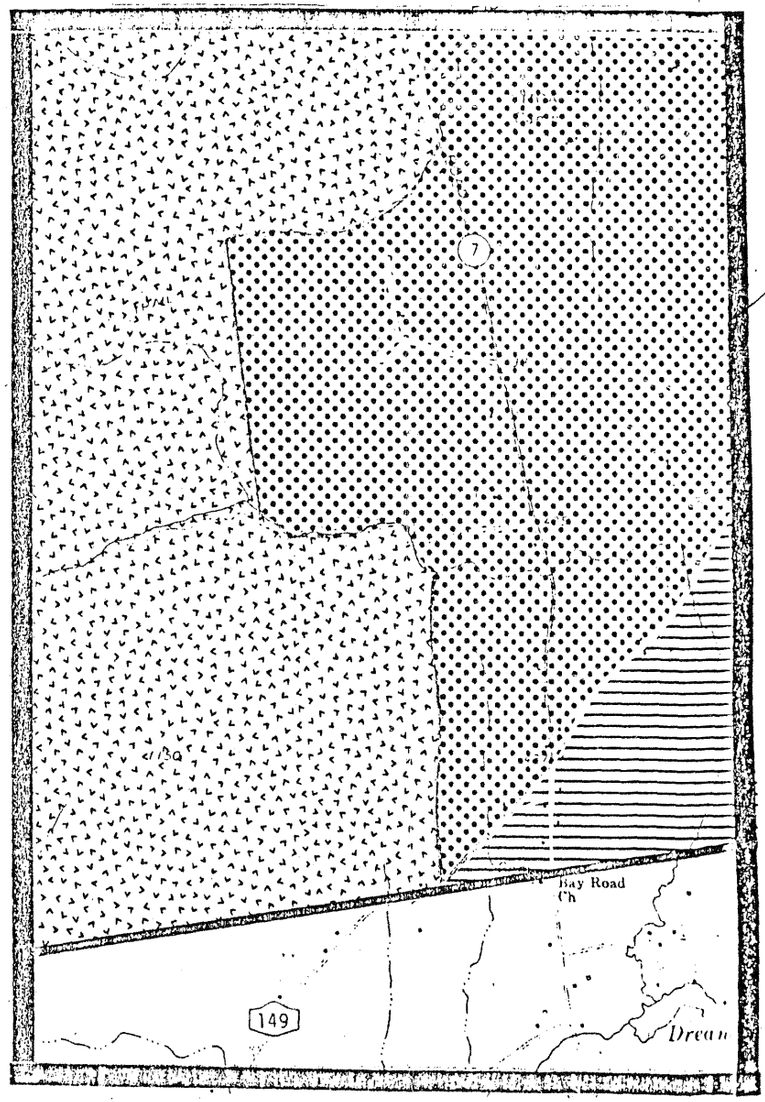
LOW INTENSITY

RURAL USE

RESOURCE MANAGEMENT

INDUSTRIAL USE

PROPOSED AMENDMENT AREA



Comments Received from Gary Randorf:

To: RAY CURRAN

From: GARY RANDORF

Received July 10, 1979 EPB

Subject: Draft Generic EIS on Amending the Adirondack Park Private Land Use and Development Plan Maps

Date: 7/17/79

1. I refer you to this copy of the DGEIS where I have entered into the text some comments in margins, etc. Excuse my getting carried away with editing in the beginning.
2. Perhaps the thing that bothers me most is the absence of criteria or parameters for ~~~~ evaluating individual map amendment requests. Item B. on page 22 lists anticipated impacts that are likely to occur but does not provide any standards to gauge what is acceptable and not acceptable when ~~~~ making ~~~~ individual decisions.
3. Missing is some comment and description of how all of this relates to local plans. The refinement of the existing map in local plans often precludes the necessity of map amendments except where map amendment requests are regional in nature.
4. Shouldn't there be some procedure for evaluating how individual amendments relates to the overall park perspective? In other words how can the aggregate effect of individual amendments be evaluated in terms of impacting overall Park character? Is strip zoning liable to occur? Are shorelines to be overdeveloped with attendant deterioration of aesthetics and water quality? Some framework for long term assessment is necessary. There exists enough historical information on map amendments of the past to enable the development of some long term assessment parameters.

Reply to Comments from Gary Randorf:

1. It is not possible to detail and examine specific environmental impacts or set definitive criteria for assessing the significance of adverse environmental impacts within the document which deals with map amendments in a general fashion. The Agency recognizes the relevance of considering specific impacts in supplemental impact statements covering map amendments.

2. To assess the long-term significance and regional impact of various separate map amendments, the Agency will direct the staff to establish a monitoring program which will allow the Agency to act to mitigate impacts should they be so identified.

Comments Received After the Specified Date from Richard S. Booth:

Cornell University
DEPARTMENT OF CITY AND REGIONAL PLANNING

July 18, 1979

Mr. Raymond Curran
Adirondack Park Agency
Post Office Box 99
Ray Brook, New York 12977

Re: Draft Generic Environmental Impact Statement Regarding Amendment of the Adirondack Park Land Use and Development Plan Map.

Dear Mr. Curran:

Please find below my comments on the above-noted Draft Generic Environmental Impact Statement (hereafter DEIS). At the outset let me say that the difficult conceptual nature of the subject of the DEIS is evident. The Agency has taken on a hard job in writing this DEIS, and I hope these comments are useful in creating a Final EIS.

1. The basic purpose of this generic EIS should be three-fold: a) to assess the short and long term impacts of Agency decisions regarding the amendment of the Adirondack Park Land Use and Development Plan Map (hereafter APLUDPM), b) to provide a framework for the Agency to utilize in evaluating the environmental impacts of future proposed map amendments, including helping the Agency make individual decisions whether to prepare environmental impact statements on individual map amendments in the future, and c) to provide parameters as to what types of map amendments are likely to be looked on favorably by the Agency and what types are likely to be looked at unfavorably. See 6 NYCRR 617.15(b) and (d). I do not believe the DEIS fulfills any of these purposes.

   With respect to (a) above, the DEIS provides little information as to the Agency's vision of the magnitude and phasing (i.e., how rapidly amendments will occur) of amendments to the APLUDPM and the overall long term changes likely to occur in the Park as a result of these amendments. Of course such long term effects cannot be definitely stated, but in a series of alternative scenarios they could be addressed in a realistic and sensible manner. The Agency should try to assess in this EIS what its amendment process is likely to result in over the next ten to fifteen years. How much resource management is likely to become rural use? How

many moderate intensity use areas will become part of hamlet areas? How quickly will amendments occur? In what parts of the Park are amendments most likely to occur? Most importantly, what types of general impacts are likely to result from these amendments, in terms of increased strip development, opening of access to and development of previously undeveloped lands, degradation of water quality, loss of habitat, etc.

With respect to (b) above, the DEIS provides little information for assessing the environmental impacts of individual map amendments and just as importantly, for the Agency's determining whether an individual EIS should be prepared on a specific map amendment. Recognizing that this generic EIS can assess the long term impacts of the Agency's amendments only in a very general manner, it is important that it provide parameters for future Agency decisions.

With respect to (c) above, the generic EIS should provide a general framework for stating what types of proposed map amendments are likely to be approved and what types are likely to be disapproved. Such a discussion would of course leave a large number of proposals in a "gray area" between these two extremes. However, the setting of these outside parameters would be enormously useful for future Agency decisions. For example, this aspect of the EIS could provide general Agency policy for assessing map amendments that would encourage strip development, open up access to previously unaccessible areas, or increase shoreline development.

2. Any generic EIS should assess problems at the levels of (a), (b) and (c) described in item 1. Often the information available for any generic EIS is sketchy. However, that is not, or should not be the case here. Over a six year period the Agency has developed a substantial body of information about map amendments. I would expect that this information can be utilized to put together a reasonably accurate assessment that will address (a), (b) and (c) in item 1. In addition, the Agency could develop a fairly sophisticated assessment of the impacts likely to result from map amendments by taking a look at what has happened in the last six years with respect to some (or all) of the amendments to the draft APLUDPM made by the Agency between December 1972 and March 1973.

A great deal of information the Agency has in one form or another is critical for this EIS - e.g., the size and location of map amendments made, the phasing of amendments in the last six years, the development existing in areas for which amendments were made, development types and rates once amendments were made, environmental impacts from development occurring in amended areas, and rationale for past Agency decisions to deny proposed map amendments. I cannot estimate how much of this type of information should be reflected in this EIS (or how difficult it would be to prepare), but certainly a good deal of it is central to what this EIS is trying to do.

3. This EIS must lay out for the public a clear description of how the APLUDPM was originally created and how the Agency evaluates different factors (including the land use area classification determinants) in determining whether to amend the map. The material in Appendix B was a good start seven years ago, but in this EIS a more detailed, sophisticated and understandable statement is needed. In my opinion the DEIS is much too generally stated to be of major assistance in any real testing of the map in a particular area - i.e., far more detailed information would have to be developed to defend a specific map classification. The DEIS is too general to create a really understandable description of how the APLUDPM was created, or why or how it may be changed. There is no reason for the EIS unless it demystifies the APLUDPM and the process of amending it. I am sorry to say that I do not think it does that.

4. A vast amount of information has been developed in the past ten years about the existing environment (natural, man-made, social and economic) in the Adirondacks. The EIS cannot provide all of that information, but it can and should provide a concise summary of that information with specific references to the source materials that fully describe the existing environment in the Adirondack Park. This EIS is a document of major importance, and it should pull together the tremendous literature developed on the Adirondacks in recent years. In fact, this document should become one of the major reference materials in the Adirondack context.

5. In a lengthy letter dated October 27, 1978 I wrote to Bob Glennon regarding the Agency's interpretation of how large an area may be dealt with by the Agency in a map amendment. In the long term that question is critical, and the EIS should deal with it in detail. Item 3(c) on p. 17 of the DEIS particularly troubles me in this regard.

6. I believe the DEIS needs work in terms of clarity. Examples of instances where clarity is substantially lacking occur in the sentence immediately preceding the diagram on p. 13, the second paragraph on p. 16, the last two sentences on p. 21, the first paragraph under B on p. 25, and the fourth paragraph on p. 23.

7. Given the description of factors considered in Agency amendments provided on pp. 14-15 of the DEIS and the relevance of changing conditions to the amendment process as noted on p. 20, the second paragraph on p. 16 ("Since the map...) is flatly incorrect. Local land use plans relate directly to and incorporate the existence of public facilities such as roads, sewers, utilities, etc. Those factors are obviously pertinent to a map amendment request. It may be correct to say that local land use restrictions such as density and setback requirements will not be considered in a map amendment review, but the paragraph as stated is incorrect.

In addition, the DEIS and the APA Act land use character descriptions and criteria for map amendments make absolutely clear that the APLUDPM is not based solely on "intrinsic land characteristics." Finally, a more detailed explanation is required as to why development proposals are not relevant to map amendment requests.

8. The phrases "functional unit", "consistent with the regional scale and approach of the Plan Map" and "regional area" are derived from the APA Act's language that amendments must "reflect the regional nature of the...Plan and the regional scale and approach used in its preparation." That language makes a great deal of sense in its statutory form - it provides an overall guideline. However, this EIS cannot just parrot that language - it needs to make something of it. The EIS should address what factors indicate a proposed map amendment is or is not of a regional scale. Again, the information base the Agency has on past amendments should be useful in this regard.

   With respect to this issue the first sentence under item 4 on page 23 is unclear and probably incorrect. I doubt seriously that a convincing argument can be made that one of the many small moderate intensity use areas in the southwestern part of the Park, for example, is of "significance to the whole Adirondack Park."

9. As framed the DEIS offers no alternatives that can be discussed. However, if the EIS establishes parameters (as I have suggested it should) for future Agency actions, then major alternatives to the selected parameters could be evaluated.

   For example, the Agency might consider establishing general guidelines to the effect that it would look unfavorably (in other words, a presumption that such a proposal would be disapproved) on any proposal to create a new hamlet area in any area with an existing population of less than _____per square mile; any proposal to create a new moderate intensity use area not adjacent to a hamlet area or an existing public road; any proposal to reduce restrictions by reclassifying any wetland or island; or any proposal to create a new industrial area not served by an existing railroad or public road. Similarly the Agency might consider establishing general guidelines to the effect that it would look favorably on proposals to extend existing hamlet areas where existing public facilities warrant such expansion; and proposals to create small moderate intensity use areas (assuming resources are suitable) where they would adjoin hamlet areas and be served by existing public roads. The examples could go on, and I am not advocating these guidelines. However, once such guidelines are contemplated, then a number of important alternatives are apparent and should be discussed.

10. The DEIS does not begin to sort out the difficult issue of how the Agency's map amendment process should deal with proposals by local governments when they are presenting their local land use programs for initial Agency approval, as opposed to all other proposals for map amendments. The APA Act makes a clear distinction between local government proposals associated with initial approval of a local land use program and other proposed amendments.

11. I would urge that this EIS address the subject of Agency proposals to the Governor and Legislature for amending the APLUDPM.

12. The EIS should deal with the potential impacts of making land use classifications more restrictive (e.g., moderate intensity use to rural use). While such amendments are rare, they should be addressed specifically.

13. I am not certain that the DEIS lines up very well against the subject areas of an EIS as set forth in 6 NYCRR 617.14(f). In particular, the discussion of irreversible and irretrievable commitments of resources is very sparse, and there is no discussion of growth-inducing aspects of proposed map amendments - a particularly crucial deficiency.

14. As a technical matter I would delete references to the Private Land Use and Development Plan. (see title of DEIS) The word "private" in the Adirondack context has caused more than a little confusion. Similarly I would suggest referring to non-State lands throughout the EIS instead of "private lands."

I would appreciate your reaction.

Sincerely,

Richard S. Booth

Richard S. Booth
Assistant Professor

RSB/dlw

cc: Gary Randorf