



**STATEMENT OF FINDINGS
MAP AMENDMENT 2025-01**

NAME OF LEAD AGENCY AND PREPARER OF FSEIS:

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

PROJECT LOCATION:

Town of Lake Luzerne
Warren County

PROPOSED ACTION:

Review of two requests by a landowner to amend the official Adirondack Park Land Use and Development Plan Map (Plan Map) in the Town of Lake Luzerne, Warren County, pursuant to Section 805(2)(c)(1) of the Adirondack Park Agency Act (Executive Law, Article 27), by reclassifying approximately 11.8 acres of Rural Use land to Moderate Intensity Use (Area 1) and approximately 56.5 acres of Rural Use land to Low Intensity Use (Area 2). The APA is required to review such requests and has expanded the applicant's request to be consistent with the regional nature of the Plan Map. This is a Type I action pursuant to SEQRA and APA regulations.

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DATE OF DSEIS ACCEPTANCE: October 9, 2025

DATE OF PUBLIC HEARING: November 6, 2025

DATE BY WHICH PUBLIC COMMENTS WERE RECEIVED: November 17, 2025

DATE OF ACCEPTANCE OF FSEIS BY LEAD AGENCY: January XX, 2026

This Findings Statement is based the review and consideration of the relevant requirements of the Adirondack Park Agency (Agency or APA) Act (Executive Law, Article 27), and the State Environmental Review Act (SEQRA) The Final Supplemental Environmental Impact Statement (FSEIS) documents the necessary information needed for its approval and adoption, consistent with the APA Act, State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617, 9 NYCRR Part 583, 9 NYCRR Part 586, and all other applicable rules, regulations, and policy.

This Statement of Findings is prepared in satisfaction of the requirements found in 6 NYCRR § 617.11 and 9 NYCRR § 586. The Agency must certify that, consistent with social, economic and other essential considerations from among the reasonable alternatives available, the preferred alternative is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures that were identified as practicable. This Findings Statement presents the Agency's consideration of potential significant, adverse environmental impacts associated with the proposed action and set forth in the FSEIS, and provides a rationale for the Agency's determination to deny the proposal to amend the Adirondack Park Land Use and Development Plan Map by reclassifying lands from Rural Use to Moderate Intensity Use and Low Intensity Use.

DESCRIPTION OF THE ACTION

Pursuant to Section 805(2)(c)(1) of the APA Act, the proposed action involves consideration of two requests by a landowner to amend the official Adirondack Park Land Use and Development Plan Map (Plan Map) in the Town of Lake Luzerne, Warren County. The requested map amendment areas are two unconnected portions of one 93.3-acre parcel that the applicant proposes to be reclassified in the following manner:

- Area 1. Rural Use to Moderate Intensity Use; 11.8+/- acres
- Area 2. Rural Use to Low Intensity Use; 56.5+/- acres

Section 805(2)(c)(5) of the APA Act and the Agency's 1979 Final Generic Environmental Impact Statement for the Process of Amending the Adirondack Park Private Land Use and Development Plan Map (FGEIS) require that a map amendment be regional in scale and follow "regionally identifiable boundaries" such as roads, streams, municipal boundaries, Great Lot boundaries or standard setbacks from these boundaries. FGEIS at 18. Following regional boundaries applies uniform boundaries, rather than individual property lines that are more likely to be adjusted or contested, in order to avoid piecemeal carve-outs inconsistent with the regional nature of the Plan

Map. The requested map amendment areas were delineated by private parcel boundaries and soil mapping from a soil survey, which do not conform to the Agency's regional boundary criteria. Therefore, the areas were expanded by Agency staff to include adjacent Rural Use lands of similar character.

The expanded areas are defined by regional boundaries, including Great Lot lines, roads, and setbacks from roads. The two expanded areas, which are referred to in this document as the "proposed map amendment areas," will be reviewed for potential reclassification in the following manner:

Area A. Rural Use to Moderate Intensity Use; 73.9+/- acres

Area B. Rural Use to Low Intensity Use; 123+/- acres

There exists no regional boundary that could be used to separate the two areas requested by the applicant. Therefore, a portion of the area requested to be reclassified as Low Intensity Use falls within Area A, the area that is proposed to be reclassified as Moderate Intensity Use.

As part of its review, the Agency evaluated the potential for alternative actions in each area. In Area A, the Agency considered a "No Action" alternative that would leave Area A classified as Rural Use; explored an alternative boundary that would use a one-tenth mile setback from the highways, rather than the roads; and evaluated an intermediate classification (Low Intensity Use). In Area B, the Agency also considered a "No Action" alternative that would leave the area classified as Rural Use and explored an alternative boundary that would use a one-tenth mile setback from the highways, rather than the roads.

Pursuant to SEQRA (Environmental Conservation Law, Article 8) and its implementing regulations at 6 NYCRR Part 61; APA Act §§ 805(2)(c)(1) and 805(2)(c)(2); and Agency regulations at 9 NYCRR Parts 583 and 586, the Agency issued a Draft Supplemental Environmental Impact Statement (DSEIS) on October 9, 2025 and commenced the public comment period for the proposed action. Comments were accepted through November 17, 2025, and included a public hearing held at the Lake Luzerne Town Hall on November 6, 2025.

The Agency provided notice of completion of the DSEIS, the public comment period, and the public hearing by publication in the Environmental Notice Bulletin and by conspicuous posting on the land involved on October 15, 2025, publishing notice in the Post Star newspaper on October 14, 2025, and by mail to those persons listed in the APA Act and Agency regulations cited above. The Agency also posted notice on its website informing the public that written comments were being accepted by the Agency.

Fifty-eight individuals and entities provided comments on the proposed map amendments and the DSEIS. Fifty-one members of the public attended the public hearing, and fourteen attendees provided verbal comments.

On **January XX, 2026**, the Agency accepted the Final Supplemental Environmental Impact Statement (FSEIS). Notice of Completion and Acceptance of the FSEIS was published in the Environmental Notice Bulletin on **January XX, 2026**.

The Agency proposes to deny the reclassification application and determined that the proposed map amendment areas do not meet the character description, purposes, policies, and objectives of the Low Intensity Use or the Moderate Intensity Use classifications under Section 805 of the APA Act, and would not minimize or avoid adverse environmental effects to the maximum extent practicable pursuant to SEQRA.

PURPOSE, PUBLIC NEED AND BENEFITS

Part of the applicant's submission for the map amendment requests included a justification for the requests. See Appendix A to FSEIS.

The applicant states that the proposed map amendments would more closely align Town Zoning to the Plan Map and achieve goals in the Town's Comprehensive Plan by employing smart growth techniques. The applicant references Hamlets 3 - Planning for Smart Growth and Expansion of Hamlets in the Adirondacks (Hamlets 3),¹ a planning document published by a not-for-profit corporation dedicated to affordable housing. This document outlines an "expansion model" for communities to use in land use planning in and around hamlets in the Adirondacks. Hamlets 3 recognized that there are hamlet-like settlements in the Park that are not classified as Hamlet on the Plan Map, and included these hamlet-like settlements in its study. The nearby settlement of Lake Vanare, much of which is classified as Moderate Intensity Use, is considered one of these hamlet-like settlements.

However, the Plan Map only has one Hamlet classification. There are settlements inside and outside of the Park that are referred to as a hamlet, but the Agency uses the term "Hamlet" specifically referring the land use classification described in Section 805 of the Act. The settlement around Lake Vanare is classified as Moderate Intensity Use, not Hamlet. APA regulations at 9 NYCRR § 583.2(b) state: "The [A]gency will not consider as relevant to its determination any private land development proposals or any enacted or proposed local land use controls," which includes local zoning. However, the Agency relies on the existing characteristics of the area in question, so to the extent that the town zoning has encouraged the development that currently exists and has established the character of the area, it is factored into the Agency's decisions.

SOCIAL AND ECONOMIC CONSIDERATIONS

As explained in the FSEIS, the Agency cannot consider any specific private land development proposals in its review of the proposed map amendments. One economic foundation of the Plan Map is that properly directed growth, and development is less costly than inefficient and scattered growth. Increased development opportunities and accelerated growth that may occur if the proposed map amendment areas were reclassified to less restrictive land use area classifications could lead to an increased tax base of local economies by accelerating growth. However, 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 could also negatively 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.

Moreover, although the proposed map amendments and certain suggested alternatives may benefit a certain landowner economically by creating multiple, small land use areas, these proposals and alternatives are not consistent with the regional nature and scale of the Plan Map.

The proposed action could potentially create a demand for additional community services (e.g., schools, police and fire) by allowing for increased residential density and commercial or industrial development.

The character of an area is determined by the types and intensity of use, and physical setting. A map amendment from Rural Use to Moderate Intensity Use or Low Intensity Use can change the character on an area by altering the overall intensity guidelines and the compatible uses list. Impacts may be positive when changes in land use area occur that better reflect the character of an area. Impacts may be undesirable when a change in land use permits development that is not consistent with the existing character of an area. Here, there is a risk that increased development that could occur as result of a change in land use area classification would cause undesirable changes to the character of the area.

ENVIRONMENTAL IMPACTS

Both Area A and Area B are currently classified as Rural Use. Rural Use areas are areas where natural resource limitations and public considerations necessitate fairly stringent development constraints. Rural Use areas are also characterized by a low level of development, compatible with the protection of open space character.

“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.” APA Act § 805(3)(f)(2). These legislative concerns are reflected in the Plan Map and the Agency’s regulatory land use classification determinants.

Reclassification of Area A

The impacts that may result from increases in the allowable density of development in Area A are described in the Final Supplemental Environmental Impact Statement and summarized below.

1. Open Space Character: Area A has low to moderate slopes and existing low-density development typical of Rural Use lands. National Land Cover Database information shows that approximately 85% of Area A contains land cover categories that indicate that the land is currently undeveloped, including evergreen forest (44% of the area); mixed forest (19% of the area); and woody wetlands (16% of the area). See FSEIS at 27. If this area were reclassified to Moderate Intensity Use, the number of potential principal buildings allowable under the overall intensity guidelines would increase from approximately 9 to 57, representing approximately a six-fold increase. See Table 7, FSEIS at 30. Given this potential for increased development, this proposed map amendment could lead to a loss of open space. The FGEIS provides that “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.” See FGEIS at 26.

As discussed in the FSEIS, approximately 4.5 acres of Area A are within a highway Critical Environmental Area (CEA). There are no highway CEAs for lands classified as Moderate Intensity Use. Therefore, the proposed reclassification would eliminate the CEA that exists within 150 feet of the NYS Route 9N. Sprawl development along the NYS Route 9N corridor may also erode the opportunity for a gateway of natural landscape between the Hamlets of Lake Luzerne and Lake George. Although there are lands classified as Moderate Intensity Use to the east and south of Area A, the loss of the existing highway CEA and deleterious impacts to the undeveloped open space character of the area are factors weighing against reclassification to a less restrictive land use area.

2. Soils: Area A lacks access to municipal sewer and water services. Approximately 43% of Area A contains soil complexes that pose severe expected limitations for on-site wastewater treatment systems. See Table 3, FSEIS at 23. Soil types and depths and their ability to accommodate additional density of development is a key determinant in the evaluation of any land reclassification proposal.
3. Wetlands and Surface Water Resources: Area A contains 6.1 acres of wetlands. The volume of runoff from an area is determined by the amount of precipitation, the filtration characteristics related to soil type, vegetative cover, surface retention, and impervious surfaces.

In New York State's Climate Action Council Scoping Plan, the benefits of maintaining intact wetlands through land use planning is discussed, including sequestering carbon and bolstering community resilience to storm events. The plan goes on to note that "strategic open space conservation can help contain sprawl, direct development into more appropriate areas, and maintain large, vegetated natural lands that contribute to carbon sequestration and storage, while providing an array of additional benefits including wildlife habitat, agricultural production, flood protection, clean water, wood products, and recreation." See NYS Climate Action Council Scoping Plan at 364.

Development at intensities permitted by a less restrictive land use area classification could increase runoff and associated non-point source pollution to wetlands and nearby surface waters. Such problems arise when precipitation runoff drains from the land into surface waters and wetlands. Stormwater runoff may introduce substances into waters resulting in increased nutrient levels and contamination of these waters. Excessive nutrients cause physical and biological change in waters which affect aquatic life and human use and enjoyment of the resources.

Nearby surface waters (Lake Vanare and its unnamed tributary) and wetlands could be impacted by activities which tend to disturb and remove stabilizing vegetation and result in increased soil erosion and sedimentation. Erosion and sedimentation have the potential to negatively impact aquatic life and spawning areas and increase flooding potential. Sedimentation can degrade wetlands by reducing productivity, altering wetland habitat and eventually leading to the loss of wetlands by infilling. An increase in development of the area could lead to an increase in surface runoff to the landscape and nearby wetlands and surface waters, including the deepwater marsh areas within Lake Vanare.

4. Flora and Fauna: The proposed action to change to a less restrictive classification may lead to adverse impacts upon flora and fauna due to the potential increase in development adjacent to wetlands. An increase in development can lead to an increase in ecosystem fragmentation, degradation of habitat, and disruption of wildlife movement patterns. The pollution of surface waters, as discussed above, can also degrade wildlife habitat, including potential trout habitat in the unnamed tributary to Lake Vanare.
5. Visual Impacts: Appendix Q-8 to Agency regulations states: "Travel corridors play an important role in establishing the park image to the majority of park users. Unscreened development within these areas would be detrimental to the open-space character of the park. The allowable intensity of development should not be allowed to substantially alter the present character of these travel corridors." Reclassification of Area A to a less restrictive land use area would conflict with the Act's objective of Rural Use areas 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." APA Act § 805(3)(f)(2).

For the foregoing reasons, reclassification of Area A from Rural Use to a less restrictive land use classification would not be consistent with the legislative findings and purposes of APA Act § 801, the Adirondack Park Land Use and Development Plan, or the Land Use Area Classification Determinants found in Appendix Q-8 of Agency regulations. There are no anticipated environmental impacts from the denial of the map amendment request for Area A. The Rural Use land use area classification will be retained.

Reclassification of Area B

The impacts that may result from increases in the allowable density of development in Area B are described in the Final Supplemental Environmental Impact Statement and summarized below.

1. Open Space Character: Information from the National Land Cover Database shows that approximately 93% of Area B contains land cover categories that indicate that the land is undeveloped, including evergreen forest (53% of the area); mixed forest (35% of the area); and deciduous forest (5% of the area). See FSEIS at 27. If this area were reclassified to Low Intensity Use, the number of potential principal buildings allowable under the overall intensity guidelines would increase from approximately 14 to 38, representing nearly a three-fold increase in possible development. See Table 7, FSEIS at 30. As discussed above, the

potential loss of open space character associated with a reclassification to a less restrictive classification is inconsistent with the purposes, policies, and objectives of Rural Use areas.

Reclassification of Area B from Rural Use to Low Intensity Use would defeat the purpose of the Rural Use classification along the State highway by enabling potential strip development along the travel corridor. The loss of the existing highway Critical Environmental Area and deleterious impacts to the open space character of the area are factors weighing against reclassification to a less restrictive land use area. As discussed in the FSEIS, approximately 8.3 acres of Area A are within a highway Critical Environmental Area (CEA). There are no highway CEAs for lands classified as Low Intensity Use. Therefore, the proposed reclassification would eliminate the CEA that exists and could be developed.

2. Soils and Topography: Some soils and topography of Area B do not lend themselves to a higher intensity of development than is allowable under the current classification of Rural Use. The Woodstock-Rock outcrop soil complex comprises 12% of Area B, which is typically found on hills and ridges, and is expected to impose severe limitations for on-site wastewater systems. Area B also contains several areas with steep slopes greater than 15%, primarily in the southern and western portion. Development on slopes greater than 15% is often prohibitive due to cost, erosion and siltation impacts, and the fact that septic systems will not function properly. See FSEIS at 22-23.
3. Wetland Resources: Area B contains 7.0 acres of wetlands. Increased density of development and expanded impervious surfaces in the proximity of wetland areas pose a potential negative impact to wetland resources, including but not limited to habitat loss, reduced flood attenuation, and degradation of water quality.

In New York State's Climate Action Council Scoping Plan, the benefits of maintaining intact wetlands through land use planning is discussed, including sequestering carbon and bolstering community resilience to storm events. The plan goes on to note that "strategic open space conservation can help contain sprawl, direct development into more appropriate areas, and maintain large, vegetated natural lands that contribute to carbon sequestration and storage, while providing an array of additional benefits including wildlife habitat, agricultural production, flood protection, clean water, wood products, and recreation." See NYS Climate Action Council Scoping Plan at 364.

An increase in development of the area could lead to an increase in surface runoff to the landscape and nearby wetlands, potentially impairing critical wetlands functions.

4. Flora and Fauna: The proposed action to change to a less restrictive classification may lead to adverse impacts upon flora and fauna due to the potential increase in development adjacent to wetlands. An increase in development can lead to an increase in ecosystem fragmentation, degradation of habitat, and disruption of wildlife movement patterns.
5. Visual Impacts: Appendix Q-8 to Agency regulations states: "Travel corridors play an important role in establishing the park image to the majority of park users. Unscreened development within these areas would be detrimental to the open-space character of the park. The allowable intensity of development should not be allowed to substantially alter the present character of these travel corridors." Reclassification of Area B to a less restrictive land use area would conflict with the Act's objective of Rural Use areas 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." APA Act § 805(3)(f)(2).

For the foregoing reasons, reclassification of Area B from Rural Use to a less restrictive land use classification would not be consistent with the legislative findings and purposes of APA Act § 801, the Adirondack Park Land Use and Development Plan, or the Land Use Area Classification Determinants found in Appendix Q-8 of Agency regulations. There are no anticipated environmental impacts from the denial of the map amendment request for Area B. The Rural Use land use area classification will be retained.

MITIGATION MEASURES

The APA Act § 805(2)(c)(5) requires that the Agency must find that the "reclassification would be consistent with the land use and development plan, ... taking into account such existing natural resource, open space, public, economic and other land use factors and any comprehensive master plans adopted pursuant to the town or village law, 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." The statutory and regulatory criteria for map amendments balance the various physical, biological, and public resource considerations and provide for development opportunities in areas with tolerant resources, thereby protecting the

public interest. The application of statutory and regulatory criteria and evaluation of alternatives is a means to mitigate potential adverse environmental impacts. The map amendment process includes an opportunity for public hearing and comment, which allows for consideration of environmental, social, and economic impacts. The preferred alternative, denying the application and retaining the current land use area classifications, would meet the character description, purposes, policies, and objectives of the Low Intensity Use or the Moderate Intensity Use classifications under Section 805 of the APA Act, and would minimize or avoid adverse environmental effects to the maximum extent practicable pursuant to SEQRA. The other alternatives considered do not meet these criteria for the reasons discussed in the FSEIS.

CERTIFICATION OF FINDINGS

HAVING DULY CONSIDERED the above facts and conclusions, the Final Generic Environmental Impact Statement for The Process of Amending the Adirondack Park Private Land Use and Development Plan Map, the Draft and Final Supplemental Environmental Impact Statements, and public comments (collectively, the Record), the Agency certifies that:

1. Based on the requirements of APA Act §§ 801 and 805, Agency Regulations at 9 NYCRR Parts 583 and 586, and SEQRA, reclassification of Area A from Rural Use to Moderate Intensity Use is not supported by the record, taking into account existing natural resource, open space, public, economic, and other land use factors.
2. Based on the requirements of APA Act §§ 801 and 805, Agency Regulations at 9 NYCRR Parts 583 and 586, and SEQRA, reclassification of Area B from Rural Use to Low Intensity Use is not supported by the record, taking into account existing natural resource, open space, public, economic, and other land use factors.
3. All requirements of the State Environmental Quality Review Act (Environmental Conservation Law, Article 8; 6 NYCRR Part 617; and 9 NYCRR Part 586) have been met.
4. The denial of Map Amendment MA2025-01 is an action which minimizes or avoids adverse environmental effects to the maximum extent practicable, including the impacts disclosed in the Final Supplemental Environmental Impact

Statement, consistent with social, economic and other essential considerations from among the reasonable alternatives available.

5. In accordance with Section 7 of the New York State Climate Leadership and Community Protection Act (CLCPA), the Agency has considered climate change and the State's climate goals and finds that denial of the proposed map amendments is not inconsistent with, and will not interfere with, the attainment of the State's greenhouse gas emissions limits and will not disproportionately burden disadvantaged communities.

Barbara Rice
Executive Director
New York State Adirondack Park Agency

Date