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September 28, 2018

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Ariel Lynch
Adirondack Park Agency
P.O. Box 99
Ray Brook, NY 12977

James McMartin Long
Secretary

**RE: New York Land and Lakes Development, LLC APA Project
2018-123**

David Quinn
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Dear Ariel Lynch,

Nancy Bernstein
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Protect the Adirondacks has a number of concerns about the proposed Adirondack Park Agency (APA) project 2018-123 by New York Land and Lakes Development project on Woodward Lake in the southern Adirondacks in the towns of Northampton and Mayfield. This project is undergoing its first public hearing under the APA's new Large-scale Subdivision Application. The project seeks between 26 and 34 building lots as well as a new road and a common lakeshore lot. The project seeks upwards of 19 lakeshore lots. Building lots range from 5 acres to 200 acres. In general, the applicant has sought to utilize conventional subdivision practices that create piano-key style, shoulder-to-shoulder lots that ring Woodward Lake and to place lots on roadsides. The applicant has failed to undertake any form of conservation subdivision design.

Alternative Designs: The APA Large-scale Subdivision application states on page 1:

The application process is intended to encourage the development of projects in compliance with the Agency's review criteria, including protection of open space, wildlife, and habitat resources, and in accordance with the objectives of conservation design.

Peter Bauer
**Executive
Director**

The applicant has submitted three alternatives and one preferred option. None are conservation subdivisions. Conservation subdivision design is based on advancements in science and land use planning

Juliana Carattini
**Director of
Development**

Protect the Adirondacks

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techniques that recognize that the spatial pattern of development is fully as, if not more, ecologically important as its density. Widely scattered development, or “rural sprawl,” impairs ecosystem function, decreases biotic integrity, alters species behavior and composition, increases human-wildlife conflicts, fragments ownership, impairs cohesive land management, undermines the open space character of the Adirondack Park, and threatens its healthy timber industry. Conservation design yields more than ecological benefits. The development of just a portion of a tract requires less infrastructure to be provided by a developer and to be maintained by the local jurisdiction.

Protect the Adirondacks recommends that this project be redesigned to comply with the best practices of conservation subdivision design. If the applicant refuses to redesign the project as a conservation subdivision, then there should be an opportunity to do this through a formal adjudicatory public hearing by utilizing the best scientific research and data available.

Ecological Impact Zone Analysis: Each dwelling in a forested area has an ecological effect zone “extending far beyond the immediate disturbed area of the site.” For birds, one study concluded it is 200 meters or 12.6 ha (31 acres) (Glennon, M.J. and Kretser, H.E., Size of the ecological effect zone associated with exurban development in the Adirondack Park, NY, Landscape and Urban Planning 112 [2013] 10-17). For small mammals such as marten, fisher, fox and coyote, it is between 200 and 250 m (Danks, E.F., Assessment of the impact of residential development on mammal communities in the Adirondacks, New York, M.S. Thesis, SUNY College of Environmental Science and Forestry, Syracuse [2008]). Siting residential development so that ecological effect zones overlap results in a substantially lower total disturbance and concomitant benefits to the conservation of biodiversity. None of the proposed alternatives for the Woodward Lake subdivision include ecological impact zone analysis. This should be a requirement.

Natural Resource Considerations: The applicant appears to seek approval to develop a large wetland at the south end of the lake. The initial application materials do not provide information about wildlife habitat, corridors, or vernal pools. The applicant seeks to ring the lake with development irrespective of soils. The subdivision of a 1,200-acre tract into 24-36 residential lots undermines effective forest management. As currently designed, this project will fragment a large intact forest that has been managed as one large forest system.

Development in Resource Management Areas: In the APA Act lands classified as Resource Management are “essential and basic to the unique character of the park.” The full description is here:

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.

Resource Management lands are supposed to be the most highly regulated private lands in the Adirondack Park. This project undermines the basic purposes of Resource Management areas.

No Discernible Cluster: The Woodward Lake project does not meet either of the Resource Management criteria for development on substantial acreages or in small clusters. The project proposes 24 to 36 building sites that are arrayed all across the property and all around the lake.

Developer Used Same Approach to Adirondack Park Development as it Used for other New York State Subdivisions: New York Land & Lakes, the project sponsor, is a seasoned developer of large forested tracts of land in New York. In the Town of Tusten, Sullivan County, they subdivided 2,500 acres into 100 lots, ranging from 3 – 70 acres (an average of 25 acres). In the Town of Smithville, Chenango County, they subdivided 1,400 acres into 72 lots, ranging from 5 – 90 acres (an average of 19.44 acres). In the Town of Meredith, Delaware County, they subdivided 1,100 acres into 35 lots, ranging from 5 – 147 acres (an average of 31.4 acres). In the Towns of Highland, Herkimer, and Newport in Herkimer County, they subdivided 4,800 acres into 326 lots, ranging in size from 5 – 200 acres (an average of 14.7 acres).

The Woodward Lake project does not attempt a conservation subdivision, which is the clear preference of the APA Large-scale Subdivision application procedures. The APA Act is not being upheld. This application must be redesigned as a conservation subdivision.

On behalf of the Board of Directors of Protect the Adirondacks, please let me express our gratitude for the opportunity to provide our concerns on this important project.

Sincerely,

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

Peter Bauer
Executive Director