



December 4, 2014

**Board of Directors**

Charles Clusen  
**Chair**

Sidney Harring  
Dale Jeffers  
Michael Wilson  
**Vice-Chairs**

James Long  
**Secretary**

David Quinn  
**Treasurer**

Joshua Axelrod  
Nancy Bernstein  
John Caffry  
Dean Cook  
Lorraine Duvall  
Robert Glennon  
Evelyn Greene  
Peter Hornbeck  
Mark Lawton  
Charles Morrison  
Peter O'Shea  
Philip Terrie

Peter Bauer  
**Executive Director**

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

**RE: New York Land and Lakes Development, LLC APA Project 2014-0048**

Dear Ariel Lynch,

Protect the Adirondacks has a number of concerns about the proposed New York Land and Lakes Development project on the 1,116-acre Woodworth Lake tract in the towns of Bleecker and Johnstown in Fulton County in the southern Adirondacks. The project seeks 26 lots for 24 building sites, ranging from six acres in size to over 145 acres. An existing paved road that runs through the middle of the property will be retained and modified in a few locations.

PROTECT finds that the current design fails to comply with standards for development in areas classified as Resource Management under the Adirondack Park Agency (APA) Land Use and Development Plan. This project also fails to meet the standards for Conservation Subdivision Design embraced by the APA in other projects in Resource Management areas or those involving relatively large acreages of intact forest lands.

Protect the Adirondacks recommends that this project be redesigned to comply with Resource Management standards and the best practices of Conservation Subdivision Design or sent to a formal adjudicatory public hearing to examine these issues.

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.

**Protect the Adirondacks**  
PO Box 769, Lake George, NY 12845 518.685.3088  
www.protectadks.org info@protectadks.org  
Like Us on facebook

**No Discernible Clusters:** The Woodworth Lake project does not meet either of the Resource Management criteria for development on substantial acreages or in small clusters. The project proposes 24 building sites that are arrayed all across the property. The applicant proposes a linear design through center of the property that locates the majority of housing sites near both ponds. In this way development is scattered throughout the property from one end to the other. Unclustered building sites on opposite sides of the property, lots 1 and 17, are nearly 1.25 miles apart.

For example, building sites at either end of the project are nearly 0.75 miles apart. The building locations for Lots 23-22-20-18-17 on the south side of the Woodworth Lake Road stretch 5,100 feet, nearly 1 mile, end to end. This is rural sprawl, not “residential development on substantial acreages or in small clusters on carefully selected and well designed sites” as required by the APA Act. The distance of building sites on the north side of the road, from Lot 5 just inside the subdivision to Lot 14 on Woodworth Lake is nearly .5 miles.

**Fragmentation of Forest Resources:** The subdivision into 26 lots, as opposed to a project with smaller lots and a shared large forest area, such as on accomplished on the Oven Mountain Pond subdivision and the Horicon project referenced below, undermines effective forest management. This project could be re-designed to create an equal number of building sites on smaller lots with one large, contiguous open space tract eligible for long-term sustainable forest management.

#### Conservation Subdivision Design

Conservation Subdivision Design is based on advancements in science and land use planning 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 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.

#### Woodworth Lake Subdivision Violates Standards in Subdivisions that APA Extolls for Best Practices

The APA has on occasion utilized Conservation Subdivision Design in approval of projects in Resource Management lands. In the last 20 years they have done this on four projects. One that was approved more than 10 years ago was on 420 acres of Resource Management lands in the Town of Horicon, just north of Brant Lake. In this development, the APA laudably implemented a genuine “small cluster” subdivision. Ten lots were designed in a compact 20-acre corner of the property and a 400-acre area was left as an intact managed forest. The others were for the Lapland Lake ski area, the Oven Mountain subdivision outside of North Creek, and for the Highmeadow Farm project in Keene in 2013.

Each of these projects genuinely clustered development. The APA should consult the designs on these projects and see that development was clustered in a small part of the total property with a large block of contiguous open space remaining. These projects should all serve as a model for the Woodworth Lake project.

#### 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 big concession to the APA Act and the Adirondack Park is that, in general, lots were cut larger than their standard practice.

Unfortunately, on Woodworth Lake tract, the applicant was allowed to design an 1,100-acre subdivision in Resource Management lands governed by the APA Act in much the same way they develop subdivisions in Sullivan, Chenango or Delaware counties.

#### Absence of APA Clustering Policy or Conservation Subdivision Design Policy Causes Problems for Applicant

For decades there have been calls for the APA to develop a clustering policy for Rural Use and Resource Management lands. The APA has steadfastly refused. This has created a situation where each applicant must attempt to divine and interpret APA standards for development in these areas. At the public meeting in the Town of Bleeker on this project, the applicant was very clear that the lack of any guides for development of Resource Management cause them problems. The APA needs to develop standards for development in “small clusters” on Resource Management lands and for “relatively small clusters” in Rural Use areas. This would make the most sense as part of a Conservation Subdivision Design policy or rules and regulations.

The Adirondack Club and Resort project was approved over two years ago despite the lack of clustering on Resource Management lands. However, that case did make APA aware of the need to address this issue and to start basing its decisions on science. So far it has failed to do so. Despite this, APA should not let this project slip by without addressing the need to cluster the development.

#### Recommendation

Protect the Adirondacks recommends that this project be redesigned to comply with Resource Management standards and the best practices of Conservation Subdivision Design or sent to a formal adjudicatory public hearing to examine these issues. APA should reject the current design and provide some guidance to the project sponsor on creating a clustered subdivision, similar to the designs of the projects discussed above, so that it can submit a new proposal that satisfies the need for Conservation Subdivision Design on Resource Management lands.

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,



Peter Bauer  
Executive Director