



PRESS RELEASE

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Adirondack Park Agency Large-scale Subdivision Application Process Fails its First Test

*APA Gets Low Marks for Inability to Meaningfully Improve or Change a 34-Lot
Subdivision in the Southern Adirondacks*

After 2-year review, the project is barely changed from the original submission

For more information:

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A proposed 34-lot subdivision in the southern Adirondacks, in the Town of Northampton, is the first project subject to Adirondack Park Agency (APA) review under its 2018 revised Large-scale Subdivision Application. This project seeks approval for 32 principal buildings designed to ring Woodward Lake, in the foothills west of the Sacandaga Reservoir. Despite an extensive 2-year review process under the new procedure, the project ended pretty close to where it started with as design for piano-key lots that ring Woodward Lake and other non-lakeshore lots scattered widely through the 1,169-acre tract. The APA appears poised to approve a project that is a textbook example of how to fragment and degrade an intact forest system.

The project involves the development of the 1,040 acres that surrounds the 129-acre Woodward Lake, roughly 400 acres in Rural Use and 640 acres in Resource Management. The project plans 34 lots for 32 new principal buildings, 1 new lot for a pre-existing building, 1 common lot, and a new 2,000-foot road. Thirty lots will be located in Rural Use areas and 2 new lots will be located in Resource Management areas. The APA is set to approve this project at its monthly meeting on Thursday March 11, 2021.

“A review of the final draft permit finds a number of shortcomings in the project’s design that will negatively impact the natural resources on this tract over the long-term. Protect the Adirondacks finds that the Woodward Lake project is not a conservation subdivision, which is the clear preference of the APA Large-scale Subdivision Application procedures. We believe that this project must either be redesigned as a conservation

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subdivision or sent for a formal adjudicatory public hearing,” said Peter Bauer, executive director of Protect the Adirondacks.

See maps of the original development concept and the final design:

<https://www.protectadks.org/adirondack-park-agency-large-scale-subdivision-application-process-fails-its-first-test/>

Protect the Adirondacks has a number of concerns about the proposed APA Project 2018-123. These include:

1. This 1,169-acre tract has large portions that are not suitable for residential development. This project exceeds the development capacity of this area.
2. The project changed very little from the applicant’s original concept to the proposed final subdivision.
3. This project fragments forested open space.
4. This project violates APA Rural Use zoning requirements about clustering in relatively small clusters.
5. This project violates APA Resource Management zoning requirements about clustering in small clusters.
6. This project design inflicts negative impacts on neighboring properties.
7. This is a classic Adirondack subdivision that rings a waterbody with development in piano-key lakeshore lots, showing little innovation in land use planning.
8. This project will create a long-term carbon debt and exacerbate climate change pollution, in violation of the spirit of the Climate Leadership and Community Protection Act.
9. This project was business as usual for New York Land & Lakes Development, which utilized similar approaches in other parts of New York that are not subject to APA land use regulations.
10. This tract should remain in sustainable commercial forest production. Any authorized development should be clustered on the west end of the tract.

Very Little Changed in APA Largescale Subdivision Application Review Process

The proposed project changed very little from the applicant’s original concept to the proposed final subdivision. The project seeks to wrap Woodward Lake with 32 new buildings, compared with 36 lots in its original concept submitted to the APA in 2018. Note below how little the project changed:

- The original concept sought 5 principal building rights (PBRs) on the south side of Woodward Lake. The draft permit authorizes 5 PBRs.
- The original concept sought 12 PBRs on the south side of Collins-Gifford Valley Road. The draft permit authorizes 11 PBRs.
- The original concept sought 12 PBRs on the north of shoreline of Woodward Lake. The draft permit authorizes 8 PBRs.
- The original concept sought 6 PBRs on the north side of the new Woodward Lake Road. The draft permit authorizes 4 PBRs.
- The original concept sought 1 PBR on the east end of Woodward Lake. The draft permit authorizes 3 PBRs.

- Both the original concept and the draft permit authorize a subdivision design where negative impacts will degrade nearly 60% of the tract.
- The original concept and the draft permit both degrade neighboring properties.

Over the last two years, the project has failed to advance from a standard project that rings an Adirondack lake with residential housing to a subdivision that utilizes conservation design. The APA Largescale 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.”

The APA has failed to hold this developer accountable. The APA has failed to force this developer to utilize a conservation design. Despite going through the Largescale Subdivision Application, the applicant has successfully sought to utilize conventional subdivision practices that create piano-key style, shoulder-to-shoulder building lots that ring Woodward Lake. The applicant has failed to undertake any form of serious conservation subdivision design. It’s unclear whether it’s the fault of the developer or a problem with the APA’s new Largescale Subdivision Application process, but the end result is that after two years the preferred option for development is not a conservation subdivision that will protect the intact forest system on these lands,” said Peter Bauer.

Marginal Tract for Residential Development

The Woodward Lake site is a marginal tract for residential development. It is characterized by poor soils, extensive streams and wetlands, and steep slopes, all of which are inappropriate for residential development.

This 1,169-acre tract has a number of features, such as a large waterbody, wetlands, streams, and steep slopes, which the APA has always considered constraints on development. An analysis that removed all of the undevelopable lands from the tract found that 129 acres of Woodward Lake, 159.56 acres wetlands, 9.18 miles of streams, which with 50-foot-wide protected buffers total 55.64 acres, 450 acres of lands with steep slopes of 15% or greater, total more than half of this tract. This means that over half of this tract is land unsuitable for development, which significantly reduces the development potential under the APA Land Use and Development Plan. Much the remaining lands are not much better. This magnifies the problems with this tract and shows that the vast majority of the Woodward Lake development site is not suitable for development. The reality is that this tract can support residential development only at a level far less than the 32 principal building rights sought by the developer.

Protect the Adirondacks

Protect the Adirondacks is an IRS-approved non-profit organization dedicated to the preservation and stewardship of the 6-million-acre Adirondack Park. Our mission is to protect the Adirondack Park’s wild character for current and future generations. PROTECT pursues this mission through a combination of advocacy, grassroots organizing, independent public oversight, research, education, and legal action. Protect the Adirondacks was formed in 2009 as a result of a merger between two long-standing

environmental conservation groups in the Park, The Resident's Committee to Protect the Adirondacks and the Association for the Protection of the Adirondacks. Protect the Adirondacks is managed by a 21-member Board of Directors of Adirondack leaders in state agency management, environmental law, local government, Adirondack environmental and cultural history, and small business. Protect the Adirondacks maintains an office in a 100% energy efficient, solar- and wind-powered office in Johnsbury in the central Adirondacks. For more information see www.protectadks.org and @ProtectAdkPark.

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