COVER SHEET

and

NOTICE OF COMPLETION

of

FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT (FSEIS)

MA 2014-03 (Wilmington)

NAME OF LEAD AGENCY AND PREPARER OF FSEIS:

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

PROJECT LOCATION:

Town of Wilmington
Essex County

PROPOSED ACTION:

Amendment to the Official Adirondack Park Land Use and Development Plan Map in the Town of Wilmington, Essex County (Map Amendment 2014-03) to reclassify three areas, totaling approximately 210 acres pursuant to the Adirondack Park Agency Act, Section 805 (2)(c)(1), from Rural Use and Low Intensity Use to Moderate Intensity Use.

AGENCY CONTACT FOR INFORMATION AND/OR COPIES OF FSEIS:

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DATE OF ACCEPTANCE OF FSEIS BY LEAD AGENCY:

June 19, 2015

UTABLE OF CONTENTS

COVER SHEET 1
EXECUTIVE SUMMARY 3
SUMMARY OF PROPOSED ACTION 3
SUMMARY OF ENVIRONMENTAL IMPACTS 6
SUMMARY OF PROCEDURES UNDER SEQRA 8
SUMMARY OF STANDARDS FOR AGENCY DECISION 8
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT 11
PROPOSED ACTION 11
ENVIRONMENTAL SETTING 19
Area 1 – Rural Use to Moderate Intensity Use; 111 acres 19
Area 2 – Low Intensity Use to Moderate Intensity Use; 40 acres 28
Area 3 – Rural Use to Moderate Intensity Use; 59 acres 37
ENVIRONMENTAL IMPACTS OF THE PROPOSED ACTIONS 46
ADVERSE ENVIRONMENTAL IMPACTS WHICH CANNOT BE AVOIDED 49
IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES 49
MITIGATION MEASURES 49
GROWTH-INDUCING ASPECTS 49
USE AND CONSERVATION OF ENERGY 49
SOLID WASTE 50
HISTORIC IMPACTS 50
COASTAL AREA CONSISTENCY 50
ALTERNATIVE ACTIONS 51
POTENTIAL DEVELOPMENT 56
LAND AREA AND POPULATION TRENDS 57
STUDIES, REPORTS AND OTHER DATA SOURCES 61
APPENDICES 63
A APPLICATION FOR AMENDMENTS TO THE OFFICIAL ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN
B. SUPPLEMENTAL APPLICATION MATERIAL
C. LAND USE AREA DESCRIPTIONS, SETBACK AND COMPATIBLE USE LIST
D. LAND USE AREA CLASSIFICATION DETERMINANTS
E. TOWN OF WILMINGTON LOCAL WATERFRONT REVITALIZATION PLAN
F. COASTAL POLICY CONSISTENCY DISCUSSION
G. SUMMARY OF PUBLIC HEARING
H. WRITTEN COMMNETS RECIEVED
I. PUBLIC HEARING NOTICE
J. DSEIS FILE LIST

EXECUTIVE SUMMARY

MA 2014-03

SUMMARY OF PROPOSED ACTION

The Adirondack Park Agency has received an application for an amendment to the Official Adirondack Park Land Use and Development Plan Map (the Official Map) from the Town of Wilmington. The Town is requesting that three areas, totaling approximately 210 acres, be reclassified as Moderate Intensity Use. In its justification for their request, the Town states that these amendments support a long-term plan recommended in the Town of Wilmington Local Waterfront Revitalization Plan (2010) that would expand the Town's Hamlet. The Town of Wilmington Local Waterfront Revitalization Plan is Appendix E of this document.

The Town originally made a request for areas which used some natural features as boundaries including soil map unit boundaries and topographic features. These were not entirely consistent with the Agency's boundary criteria, so Agency staff suggested alternative boundaries. These included all of the areas in the original request and met boundary requirements. The Town amended their request to use the suggested regional boundaries and this is the current proposal. Figure shows the original request and the current map amendment proposal. The current proposal expanded Area 2 by approximately 2.6 acres and Area 3 by approximately 21.5 acres. Area 1 did not change from the original request.

The proposed map amendment areas are defined by "regional boundaries" as required by Section 805 (2) (c) (5) of the Adirondack Park Agency Act and described in the Agency's Final Generic Environmental Impact Statement (FGEIS) on the map amendment process (August 1, 1979). Figure 1 is a map showing the location of the three proposed map amendment areas and their size. Figure 2 shows the original request and the current proposal for Area 2 and Area 3.

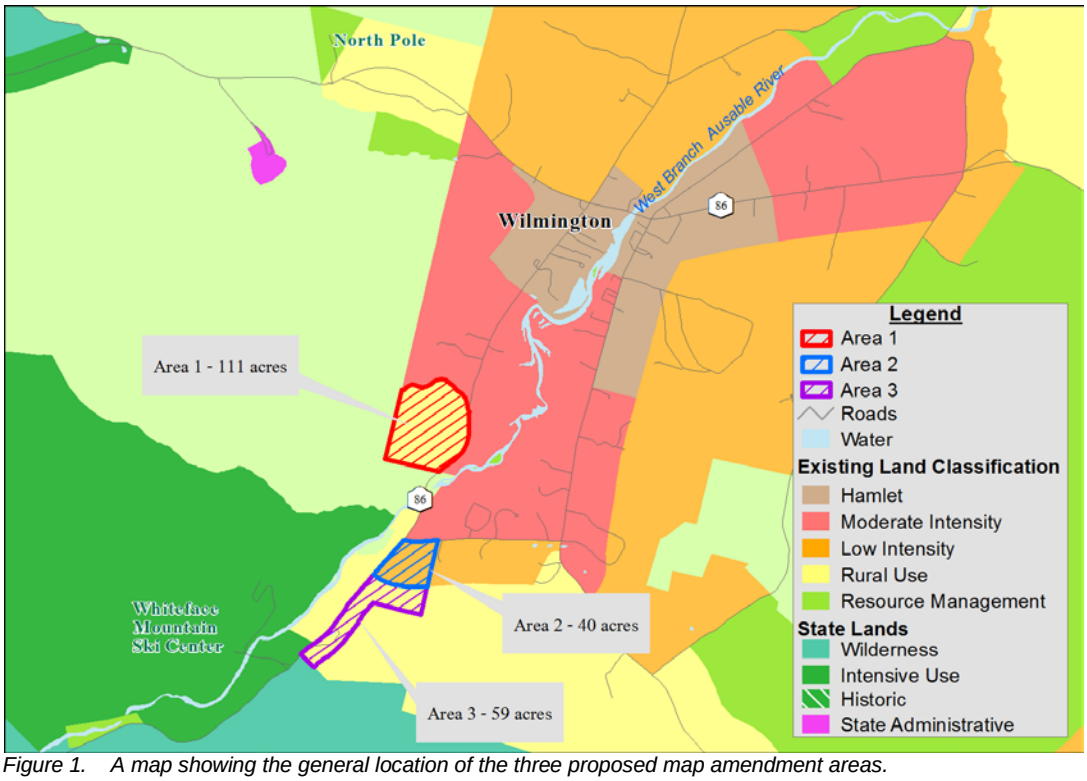

Figure 1. A map showing the general location of the three proposed map amendment areas.

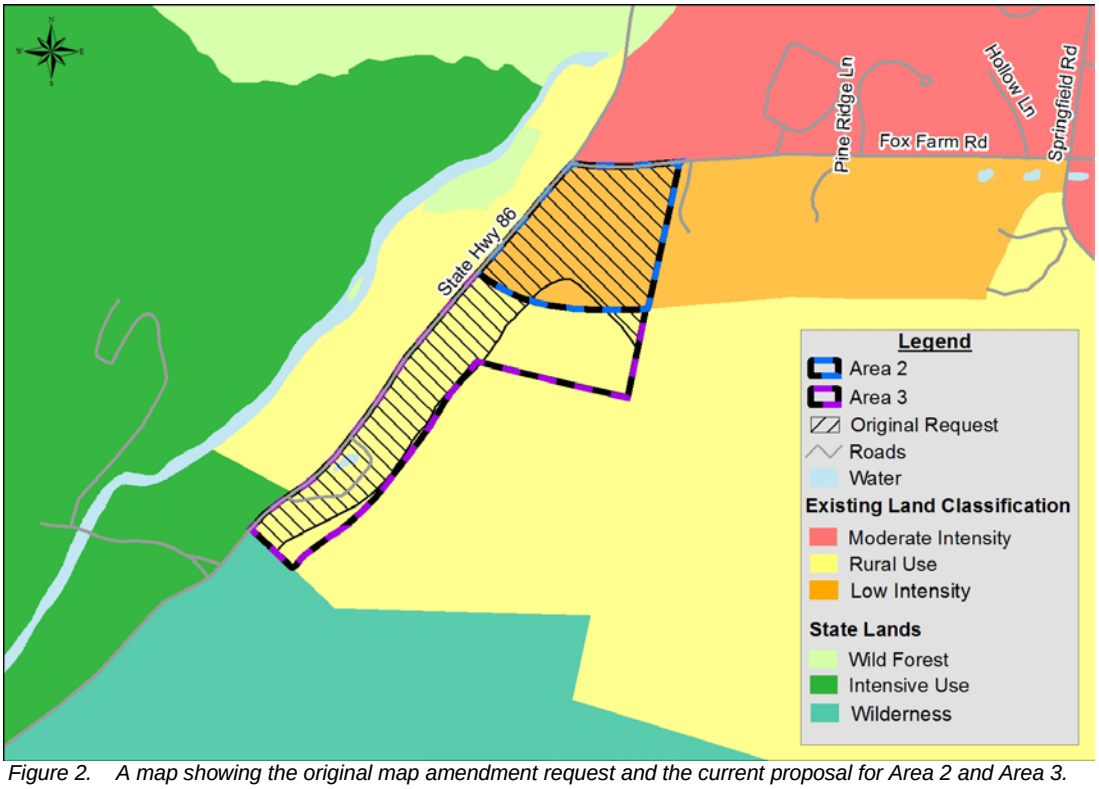

Figure 2. A map showing the original map amendment request and the current proposal for Area 2 and Area 3.

On February 13, 2015, a Draft Supplemental Environmental Impact Statement (DSEIS) was completed. A public hearing was held on May 6, 2015 at the Wilmington Community Center and the public comment period concluded on May 22, 2015. A total of seven public comments were received; two were provided orally at the public hearing and five were provided in writing. A summary of the comments received at the public hearing can be found in Appendix G of the FSEIS and all written comments submitted are in Appendix H of the FSEIS.

This FSEIS addresses alternative configurations for Area 2 and Area 3 that reduce the size of the requested map amendment areas by excluding some areas that contain resources that pose significant limitations for development. This FSEIS also addresses alternative classifications for Area 1 and Area 3. A discussion of these alternatives can be found in the Environmental Setting section of this FSEIS, on page 19 and the Alternatives section of this FSEIS, on page 63.

The Agency has review the character of the area and relevant land use area determinants and has selected preferred alternatives for the three areas as follows:

Area 1 - The preferred alternative for this area is to maintain the current Rural Use classification.

Area 2 – The preferred alternative for this area is reclassifying alternative Area 2b from Low Intensity Use to Moderate Intensity Use.

Area 3 – The preferred alternative for this area is to maintain the current Rural Use classification.

During the comment period, the Town submitted a Wastewater Feasibility Study (April 2015). This study has been included in Appendix B of FSEIS. This study examines small-scale decentralized wastewater treatment alternatives and provides an innovative approach for small communities in the Park, like Wilmington. The Town has stated that this type of system is a critical component of its map amendment proposal. In places where soils are the primary impediment to development, such as Area 3a, a decentralized wastewater system could overcome resource limitations and facilitate future growth and infill, while providing additional opportunities for existing development.

The Agency can take a wastewater treatment system, such as those detailed in the study, into consideration for a map amendment once it is demonstrated that the area will have adequately treated wastewater. The Agency cannot amend the map prior to such a demonstration. Without a treatment facility in place and without the legal mechanism to insure that future development is required to connect to such facility, the Agency would be authorizing development at a greater intensity than the land can support.

A potential location for a wastewater facility identified in the study was within Area 2 (also located in Area 2a and Area 2b). By amending Area 2b to Moderate Intensity Use now, the Town can move forward with its goal of encouraging development in the area around the Fox Farm Road and NYS Route 86 intersection. This could provide the necessary impetus to develop a decentralized wastewater treatment facility described in the study. Once a system is built, or possibly when all necessary approvals are in place and construction of the system is imminent, the Town could then include adjacent areas, including Area 3, into a wastewater disposal district. At this future date, the Agency would consider the wastewater treatment system in our analysis of a map amendment.

SUMMARY OF ENVIRONMENTAL IMPACTS

Potential impacts resulting from amendments to the Official Map are generally described in the Final Generic Environmental Impact Statement issued by the Adirondack Park Agency on August 1, 1979. Reclassification changes the maximum potential development and the rules governing such development under the Adirondack Park Agency Act. Potential impacts, therefore, are based on changes in potential development.

The major consequence of a change to a less restrictive classification is a potential increase in development intensity due to the relaxation of the “overall intensity guidelines”. The overall intensity guidelines allow 75 “principal buildings” (single family residences or their legal equivalent under the Adirondack Park Agency Act) per square mile (3.8 acres average lot size) in lands classified as Rural Use while lands classified as Low Intensity Use allows 200 principal buildings per square mile (3.2 acre average lot size). The proposed classification of Moderate Intensity Use allows 500 principal buildings per square mile (1.3 acre average lot size). Please see Potential Development Section (Page 50) for a discussion on the potential build-out of these areas under different land use area classifications.

Potential environmental impacts include:

1) Decrease in Water Quality: Water quality can be affected by on-site wastewater disposal discharge, stormwater runoff and erosion. All three of the areas under consideration contain soils and slopes that can pose significant limitations for on-site septic systems. Steep slopes and soils with shallow depths to bedrock or water table can limit the proper treatment of effluent from septic systems. The poorly treated effluent can pollute groundwater and surface water in the area near the absorption field. Approximately 41% of Area 1, 47% of Area 2 and 93% of Area 3 contain soils and/or slopes that pose severe limitations for on-site septic systems. Approximately 22% of Area 2b contains soils and/or slopes that pose severe limitations for on-site septic systems.

Development at intensities permitted by Moderate Intensity Use could increase runoff and associated non-point source pollution of streams and wetlands. Such problems arise when precipitation runoff drains from the land into surface waters and 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. An increase in development in an area would lead to an increase in surface runoff to the landscape and nearby wetlands, due to the elimination of vegetative cover and the placement of man-made impervious surfaces. Stormwater discharge 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.

Surface water resources could also be affected by activities which tend to disturb and remove stabilizing vegetation and result in increased soil erosion and stream sedimentation. Erosion and sedimentation may destroy aquatic life, ruin spawning areas and increase flooding potential.

2) Adverse impacts to 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 subject to Agency jurisdiction under the Adirondack Park Agency Act and the New York State Freshwater Wetlands Act. Wetlands have been identified in Area 1 and Area 3. There appears to be no wetlands in Area 2b. 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.

The maps and discussions of soils, topography, hydrology and biological considerations that follow show the relative size of the proposed map amendment areas that are subject to these environmental issues.

SUMMARY OF PROCEDURES UNDER SEQRA

This Draft Supplemental Environmental Impact Statement (DSEIS) analyzes the environmental impacts which may result from Agency approval of this map amendment. The Official Map is the document identified in Section 805 (2) (a) of the Adirondack Park Agency Act (Executive Law, Article 27), and is the primary component of the Adirondack Park Land Use and Development Plan, which guides land use planning and development of private land in the Adirondack Park.

After the preparation of a Draft Supplemental Environmental Impact Statement, the Agency holds a combined public hearing on both the proposed map amendment and the DSEIS, and incorporates all comments into a Final Supplemental Impact Environmental Statement (FSEIS). The FSEIS will include the hearing summary, public comments, and the written analysis of Agency staff, as finalized after the public hearing and comments are reviewed. The Agency then decides (a) whether to accept the FSEIS and (b) whether to approve the map amendment request, deny the request or approve an alternative. Authority for this process is found in Executive Law, Sections 805 (2) (c) (1) and 805 (2) (c) (2) and the State Environmental Quality Review Act (Environmental Conservation Law, Article 8).

SUMMARY OF STANDARDS FOR AGENCY DECISION

The Agency's decision on a map amendment request is a legislative decision based upon the application, public comment, the DSEIS and FSEIS, and staff analysis. The public hearing is held to obtain information on the proposed action but is not conducted in an adversarial or quasi-judicial format. The burden rests with the applicants to justify the changes in land use area classification. Map amendments may be made when new information is developed or when conditions which led to the original classification change.

Procedures and standards for the official map amendment process are found in:

a) Adirondack Park Agency Act (Executive Law, Article 27) Section 805

b) Adirondack Park Agency Rules and Regulations (9 NYCRR Subtitle Q) Part 583;

c) Appendix Q-8 of the Adirondack Park Agency Rules and Regulations;

d) Final Generic Environmental Impact Statement: The Process of Amending the Adirondack Park Land Use and Development Plan Map, August 1, 1979.

Section 805 (2) (c) (1) of the Adirondack Park Agency Act provides in pertinent part:

The Agency may make amendments to the Plan Map in the following manner:

> *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 twenty-five hundred acres, after public hearing thereon and upon an affirmation vote of two-thirds of its members, at the request of any owner of record of the land involved or at the request of the legislative body of a local government.*

Section 805 (2) (c) (5) of the Adirondack Park Agency Act provides:

> *Before making any plan map amendment...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, 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 "purposes, policies and objectives" and the "character descriptions" for the land use areas established by Section 805 of the Adirondack Park Agency Act are shown on the Official Map and set out in Appendix D.

APA Rules & Regulations Section 583.2 outlines additional criteria:

a) *In considering map amendment requests, the agency will refer to the land use area classification determinants set out as Appendix Q-8 of these regulations 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.*

Land use area classification determinants from “Appendix Q-8” of APA Rules & Regulations are attached to this document as Appendix D. These land use area classification determinants define elements such as natural resources characteristics, existing development characteristics and public considerations and lay out land use implications for these characteristics.

DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

MA 2014-03 (Town of Wilmington)

PROPOSED ACTION

The Adirondack Park Agency has received an application from the Town of Wilmington for amendments to the Official Adirondack Park Land Use and Development Plan Map (the Official Map). The Town is requesting that three areas, totaling approximately 210 acres, be reclassified from their current classifications, Rural Use and Low Intensity Use, to Moderate Intensity Use. Figure 3 shows the proposed map amendment areas.

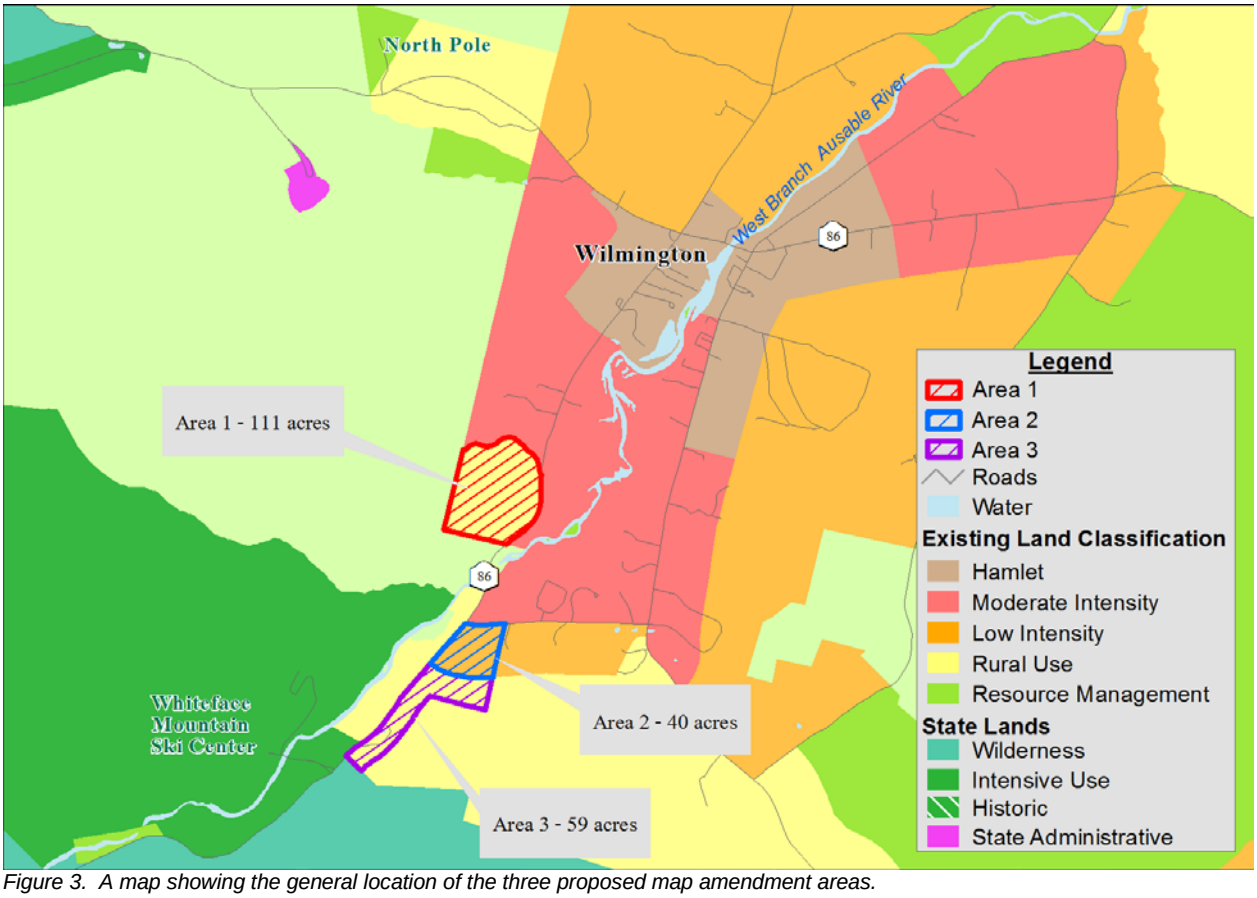

Figure 3. A map showing the general location of the three proposed map amendment areas.

The Town originally made a request for areas which used some natural features as boundaries including soil map unit boundaries and topographic features. These were not entirely consistent with the Agency's boundary criteria, so Agency staff suggested alternative boundaries. These included all areas in the original request and met boundary criteria. The Town amended their request to use the suggested regional boundaries and this is the current proposal. Figure shows the original request and the current map amendment proposal. The current proposal expanded Area 2 by approximately 2.6 acres and Area 3 by approximately 21.5 acres. Area 1 did not change from the original request.

Figure 4 shows the Area 1, which is approximately 111 acres in size and described as follows:

> *Beginning at a point at the intersection of the centerlines of NYS Route 86 and the boundary between Lots 28 and 29, Mallory Grant; thence in a northerly direction along the centerline of Route 86 for a distance of approximately 2,600 feet to a point on the centerline of an unnamed stream; thence in a westerly direction along the centerline of said unnamed stream to a point on the northwestern boundary of the Mallory Grant; thence in a southerly direction along the northwest boundary of Lots 30 and 29, Mallory Grant to the southwest corner of Lot 29; thence in a easterly direction along the southwest boundary of said Lot 29 to the point of beginning;*

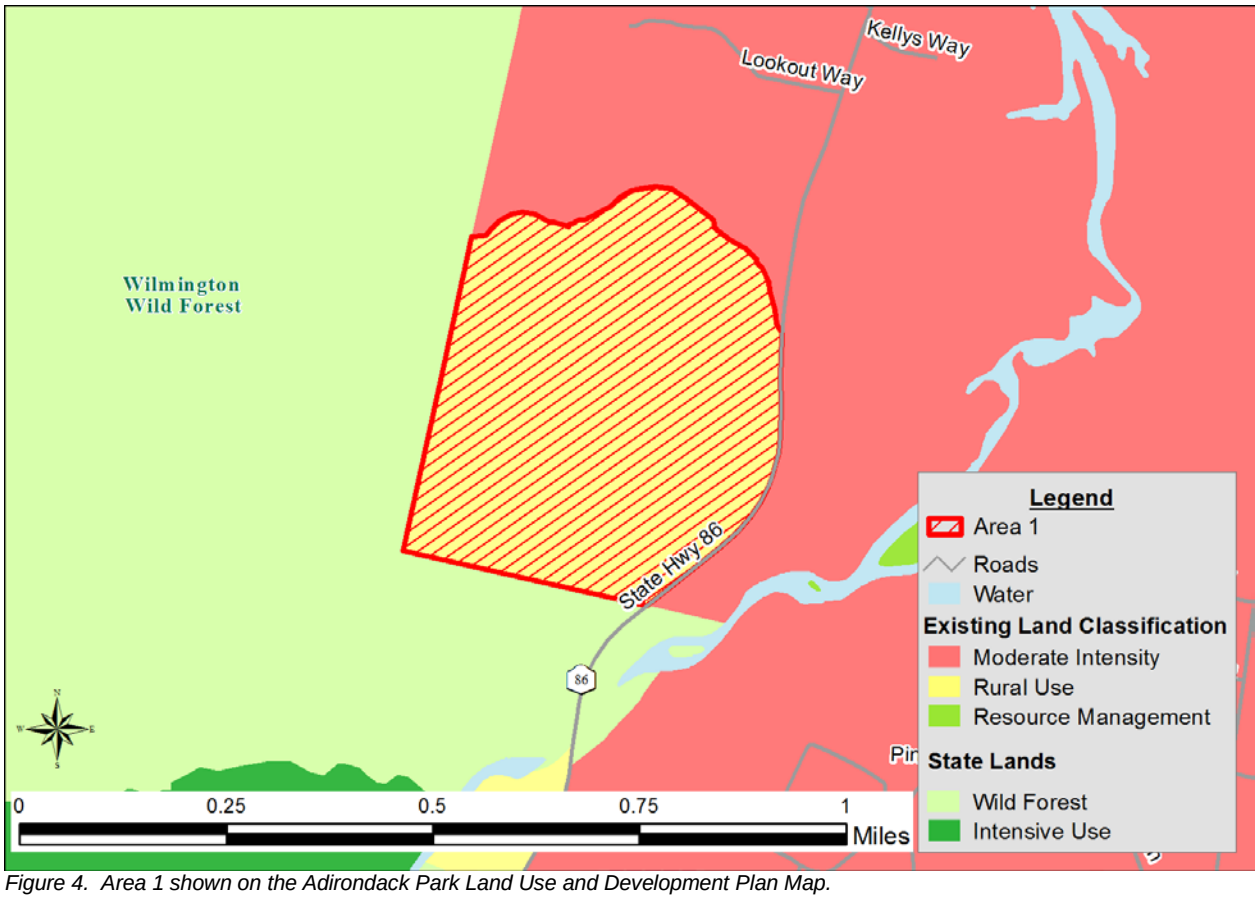

Figure 4. Area 1 shown on the Adirondack Park Land Use and Development Plan Map.

Figure 5 shows the Proposed Map Amendment Area 2, which is approximately 40 acres in size and described as follows:

> *Beginning at a point at the intersection of the centerlines of NYS Route 86 and Fox Farm Road; thence in a easterly direction along the centerline of Fox Farm Road for a distance of approximately 1,100 feet to a point on the eastern boundary of Lot 8 of the Jay Tract; thence in a southerly direction along the eastern boundary of Lot 8 for a distance of one-quarter mile; thence in a western direction at a constant and parallel distance of one-quarter mile from the centerline of Fox Farm Road to a point on the centerline of NYS Route 86; thence in a northerly direction along the centerline of NYS Route 86 to point of beginning.*

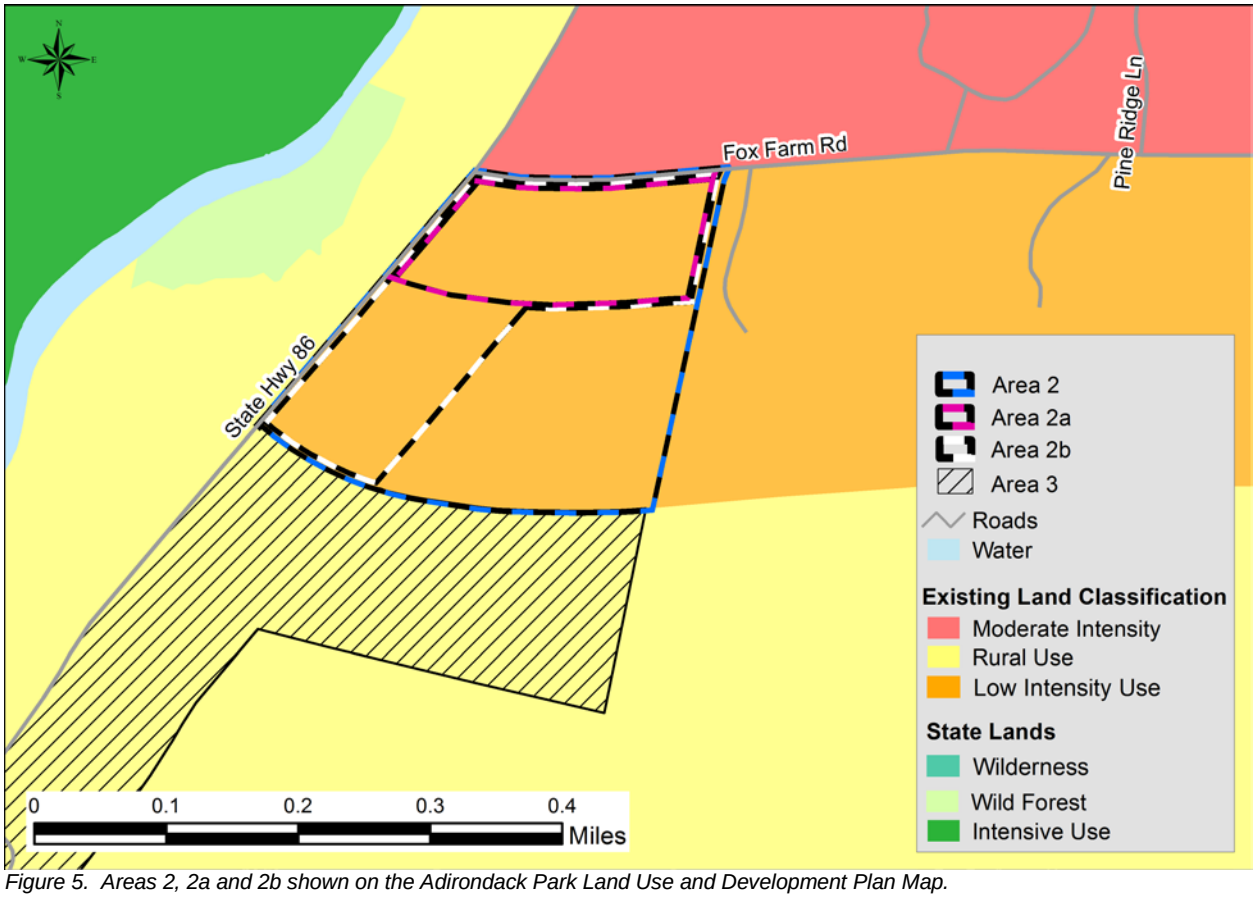

Figure 5. Areas 2, 2a and 2b shown on the Adirondack Park Land Use and Development Plan Map.

<u>*Alternative 2a*</u> – This alternative configuration, which was selected by Agency staff, reduces the size of *Area 2* by excluding some of the areas that contain resources that are less suitable for development. *Alternative 2a* excludes approximately 26 acres of land in the southern portion of *Area 2*. The excluded area contains steep slopes and soils with shallow depth to bedrock, which pose severe development constraints. *Alternative 2a* is approximately 14 acres in size and is described as follows:

Beginning at a point at the intersection of the centerlines of NYS Route 86 and Fox Farm Road; thence in a easterly direction along the centerline of Fox Farm Road for a distance of approximately 1,100 feet to a point on the eastern boundary of Lot 8 of the Jay Tract; thence in a southerly direction along the eastern boundary of Lot 8 for a distance of one-tenth mile; thence in a western direction at a constant and parallel distance of one-tenth mile from the centerline of Fox Farm Road to a point on the centerline of NYS Route 86; thence in a northerly direction along the centerline of NYS Route 86 to point of beginning.

Alternative 2b – This alternative configuration, which was selected by Agency staff, reduces the size of *Area 2* by excluding some of the areas that contain resources that are less suitable for development. *Alternative 2b* excludes approximately 16 acres of land in the southwestern portion of *Area 2*. The excluded area contains steep slopes and soils with shallow depth to bedrock, which pose severe development constraints. *Alternative 2b* is approximately 24 acres in size and is described as follows:

Beginning at a point at the intersection of the centerlines of NYS Route 86 and Fox Farm Road; thence in a easterly direction along the centerline of Fox Farm Road for a distance of approximately 1,100 feet to a point on the eastern boundary of Lot 8 of the Jay Tract; thence in a southerly direction along the eastern boundary of Lot 8 for a distance of one-tenth mile; thence in a western direction at a constant and parallel distance of one-tenth mile from the centerline of Fox Farm Road to a point one-tenth mile from the centerline of NYS Route 86; thence in a southerly direction at a constant and parallel distance of one-tenth mile from the centerline of NYS Route 86 to a point one-quarter mile from the centerline of Fox Farm Road; thence in a westerly direction at a constant and parallel distance of one-quarter mile from the centerline of Fox Farm Road to a point on the centerline of NYS Route 86; thence in a northerly direction along the centerline of NYS Route 86 to point of beginning.

Figure 6 shows the Proposed Map Amendment Area 3, which is approximately 59 acres in size and described as follows:

Beginning at a point at the intersection of the centerlines of NYS Route 86 and a one-quarter mile setback south from Fox Farm Road; thence in a easterly direction at a constant and parallel distance of one-quarter mile from the centerline of Fox Farm Road to a point on the eastern boundary of Lot 8 of the Jay Tract; thence in a southerly direction along the eastern boundary of Lot 8 to the southern boundary of Lot 8; thence in a western direction along the southern boundary of Lot 8 to a point one-tenth mile from the centerline of NYS Route 86; thence in a southerly direction at a constant and parallel distance of one-tenth mile from the centerline of NYS Route 86 to a point on the boundary of the

Sentinel Range Wilderness; thence in a westerly direction along the Sentinel Range Wilderness boundary to a point on the centerline of NYS Route 86; thence in a northerly direction along the centerline of NYS Route 86 to point of beginning.

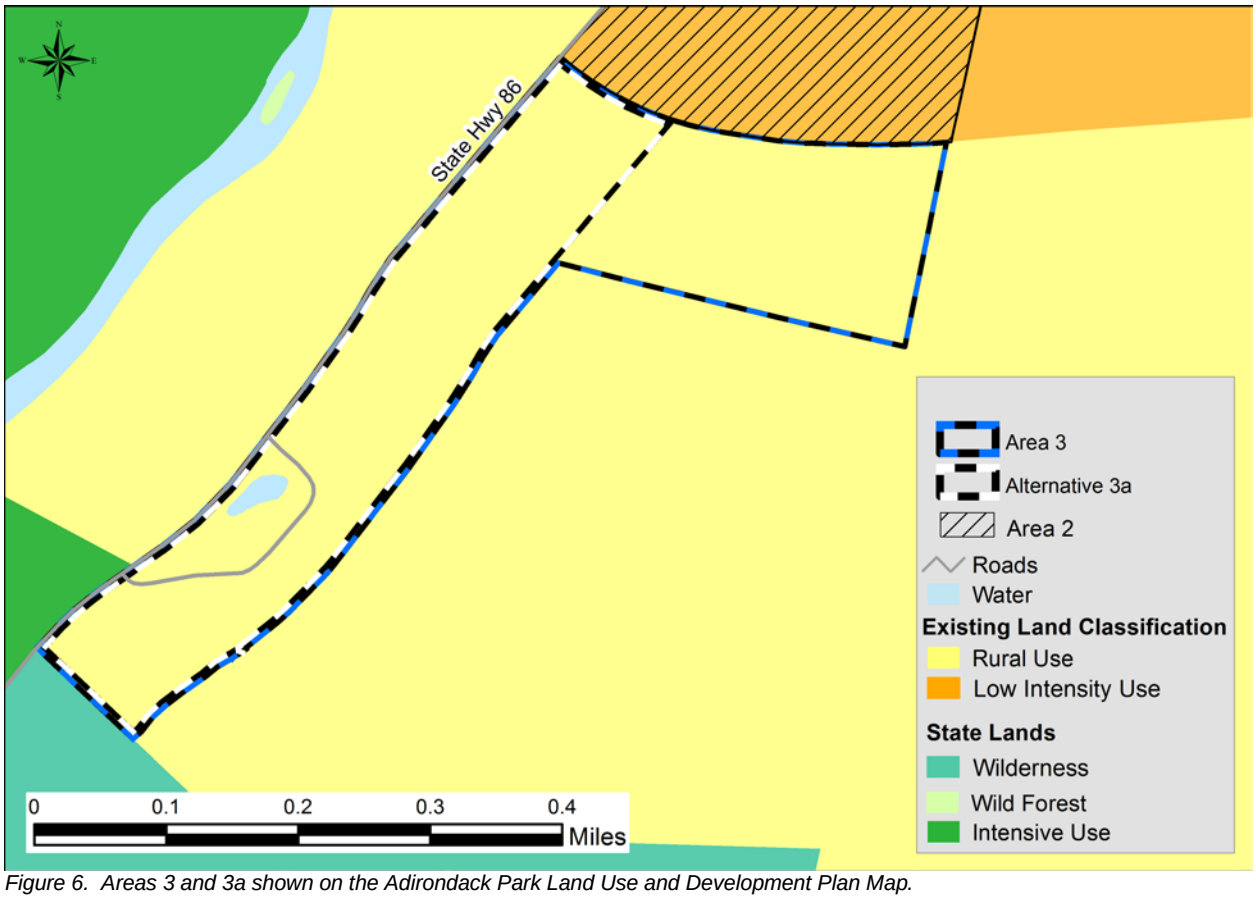

Figure 6. Areas 3 and 3a shown on the Adirondack Park Land Use and Development Plan Map.

Alternative 3a – This alternative configuration, which was selected by Agency staff, reduces the size of *Area 3* by excluding some of the areas that contain resources that are less suitable for development. *Alternative 3a* excludes approximately 20 acres of land in the northeasterly portion of *Area 3*. The excluded area contains steep slopes and soils with shallow depth to bedrock, which pose severe development constraints. *Alternative 3a* is approximately 39 acres in size and is described as follows:

> *Beginning at a point at the intersection of the centerlines of NYS Route 86 and a one-quarter mile setback south from Fox Farm Road; thence in a easterly direction at a constant and parallel distance of one-quarter mile from the centerline of Fox Farm Road to a point one-tenth mile from the centerline of NYS Rout 86; thence in a southerly direction at a constant and parallel distance of one-tenth mile from the centerline of NYS Route 86 to a point on the boundary of the Sentinel Range Wilderness; thence in a westerly direction along the Sentinel Range Wilderness boundary to a point on the centerline of NYS Route 86; thence in a northerly direction along the centerline of NYS Route 86 to point of beginning.*

All three of the proposed map amendment areas conform to regional boundary criteria and therefore can be examined in comparison to the statutory "purposes, policies and objectives" and the "character descriptions" for the proposed Moderate Intensity Use classification, using the factual data which follow. It is these considerations which govern the Agency decision in this matter. Character descriptions, purposes, policies and objectives for land use areas are established by Section 805 of the Adirondack Park Agency Act (Appendix C of this document) and summarized below.

Rural Use areas (yellow on the Map) 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. 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 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. Residential and related development and uses should occur on large lots or in relatively small clusters on carefully selected and well designed sites. The overall intensity guideline for Rural Use is 75 principal buildings per square mile, or 8.5 acres per principal building.

Low Intensity Use areas (orange on the Map) are areas that are readily accessible and in reasonable proximity to Hamlet. These areas are generally characterized by deep soils and moderate slopes, with no large acreages of critical biological importance. Where these areas are located near or adjacent to Hamlet, clustering development on the most developable portions of these areas makes possible a relatively high level of residential development and local services. It is anticipated that these areas will provide

an orderly growth of housing development opportunities in the Park at an intensity level that will protect physical and biological resources. The overall intensity guideline for Low Intensity Use is 200 principal buildings per square mile, or 3.2 acres per principal building.

Moderate Intensity Use areas (red on the Map) are areas where the capability of natural resources and anticipated need for future development indicate that relatively intense development is possible, desirable and suitable. These areas are located near or adjacent to Hamlets to provide for reasonable expansion of residential and supporting commercial and along highways and accessible shorelines where existing development has established the character of the area. Moderate Intensity Use areas where relative intense development does not exist are characterized by deep soils on moderate slopes and readily accessible to Hamlets. The overall intensity guideline for Moderate Intensity Use is 500 principal buildings per square mile, or 1.3 acres per principal building.

ENVIRONMENTAL SETTING

Area 1 – Rural Use to Moderate Intensity Use; 111 acres

Adirondack Park Land Use and Development Plan Map

Area 1 consists of an entire 111 Rural Use area. The Proposed Map Amendment Area is bound by Moderate Intensity Use to the east and north, and State land (Wild Forest) to the west and south. Figure 7 show the general area of Area 1 on the Adirondack Park Land Use and Development Plan Map.

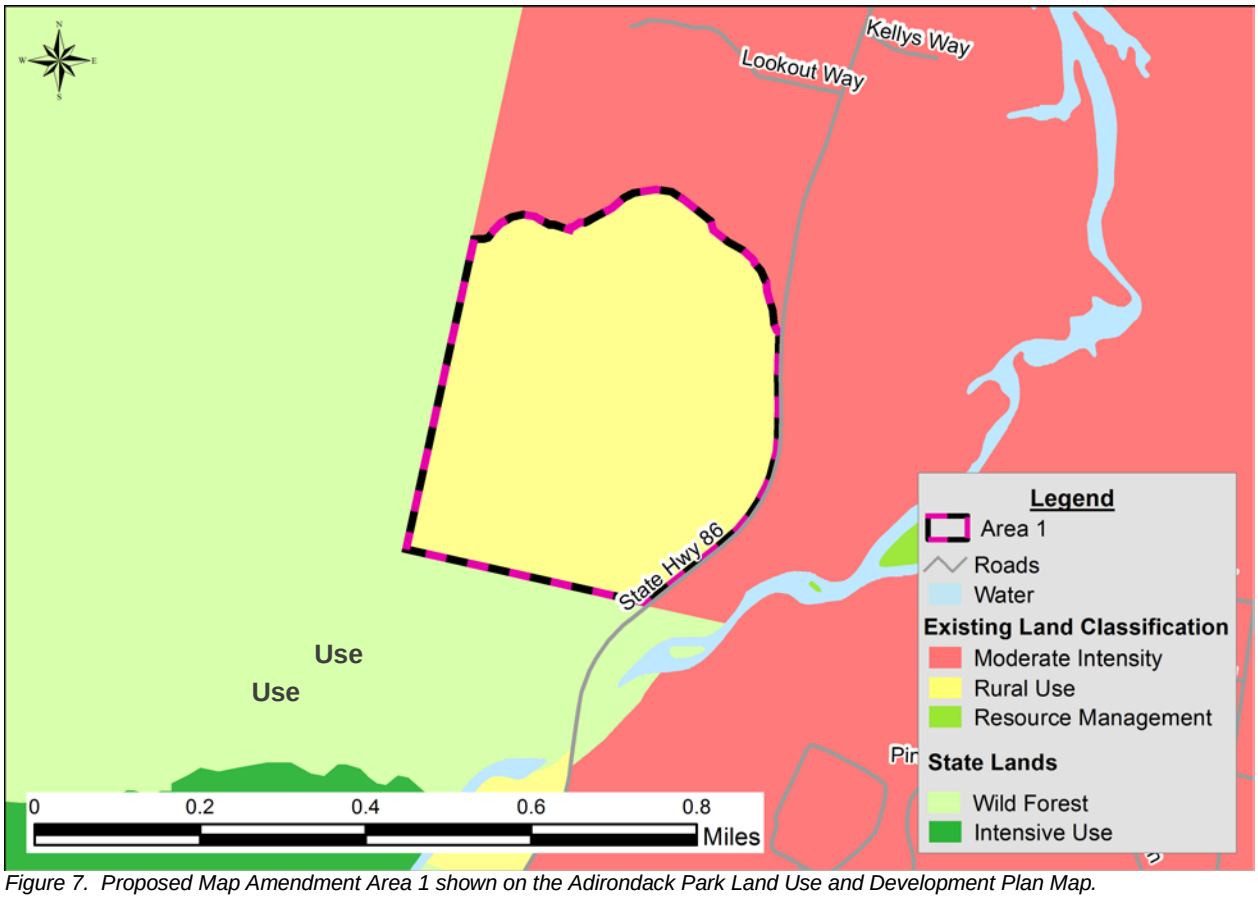

Figure 7. Proposed Map Amendment Area 1 shown on the Adirondack Park Land Use and Development Plan Map.

Existing Land Use and Services

Area 1 is serviced by NYS Route 86, a hard-surfaced, State maintained road which forms the eastern boundary of the area. According to the NYS Department of Transportation, this route had an average daily traffic count of 3028 in 2012. The Hamlet of Wilmington lies approximately 1 mile north of Area 1 via NYS Route 86. The

Village of Lake Placid lies approximately 10 mile south of Area 1 via NYS Route 86.

Public water, electric and telephone services are available to Area 1 along NYS Route 86. The Town of Wilmington does not have public sewer service.

According to data obtained from Essex County Office of Real Property Tax Service and the NYS Office of Real Property Services (ORPS), the Proposed Map Amendment Area contains all or a portion of 8 parcels of land. Table 1 lists the parcels within the Proposed Map Amendment Area.

Tax Parcel ID	All or Portion of Parcel	Approx. Acres within Proposed Map Amendment Area	Property Classification
26.1-1-27.200	Portion	2.0 ac	Residential (Vacant)
26.1-1-25.001	Portion	0.9 ac	Residential (Single Family , Year-Round)
26.1-1-27.100	All	21.0 ac	Residential (Rural with Acreage)
26.1-1-32.000	All	56.6 ac	Private Wild and Forest Lands
26.1-1-33.000	All	1.1 ac	Residential (Seasonal)
26.1-1-36.000	All	0.7 ac	Residential (Single Family , Year-Round)
26.1-1-35.000	All	1.6 ac	Inns, Lodges, Boarding Houses, Tourist Homes,
26.1-1-34.000	All	2.7 ac	Residential (Seasonal)

Table 1. List of Parcels within Area 1

Figure 8 shows the existing land use in Area 1 according to Essex County Office of Real Property Tax Service and OPRS. Figure 9 is a map of Area 1 showing a 2009 aerial photograph.

Fire and rescue services are furnished by the Wilmington Fire Department; police protection is available from Essex County Sheriff Department, Located in Lewis, and the New York State Police, located in Lewis and Ray Brook.

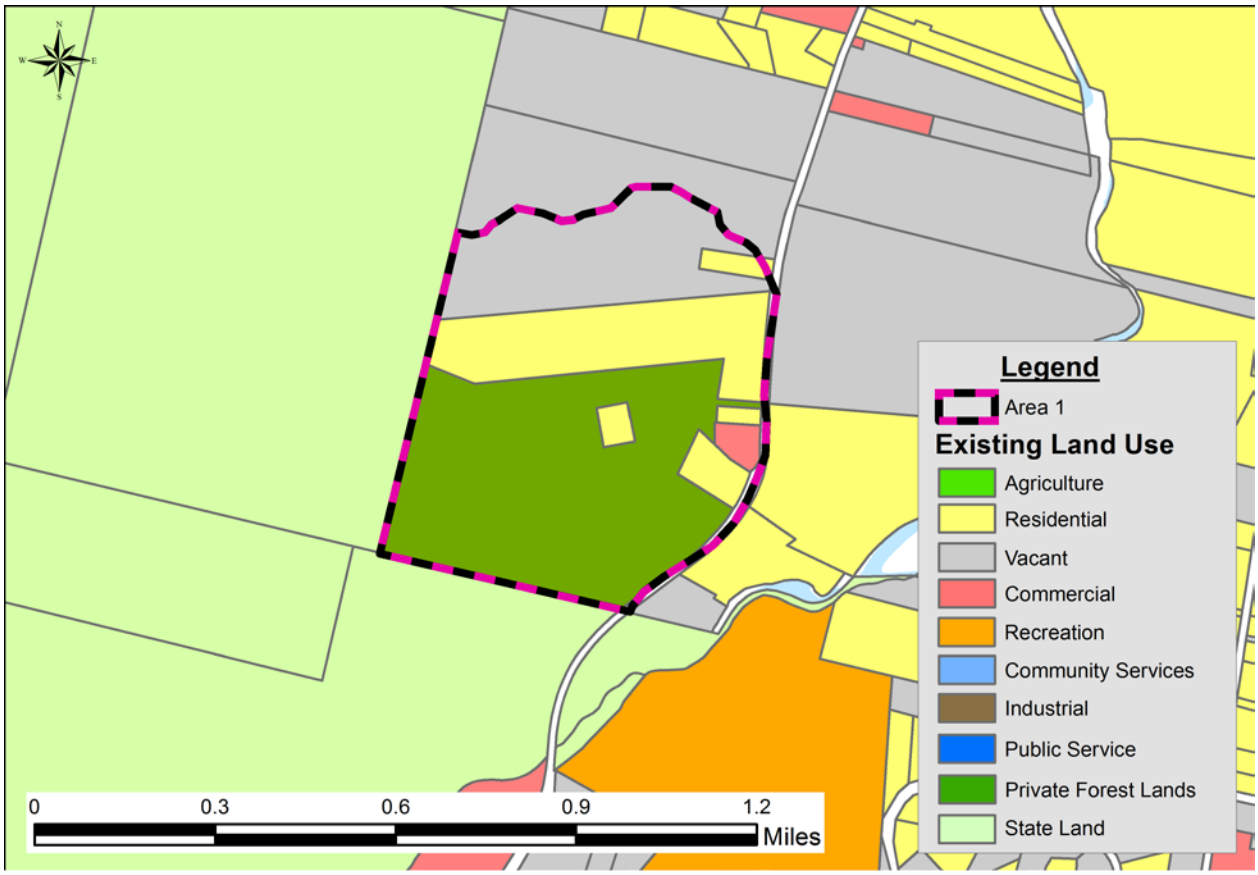

Figure 8. Existing land use in and adjacent to Area 1. Inconsistencies exist between tax parcel maps, deeded property descriptions and the Adirondack Park Land Use and Development Plan Map. White areas are not considered part of any tax parcel according the Essex County Property Tax Maps. (Source Essex Co, NYS ORPS)

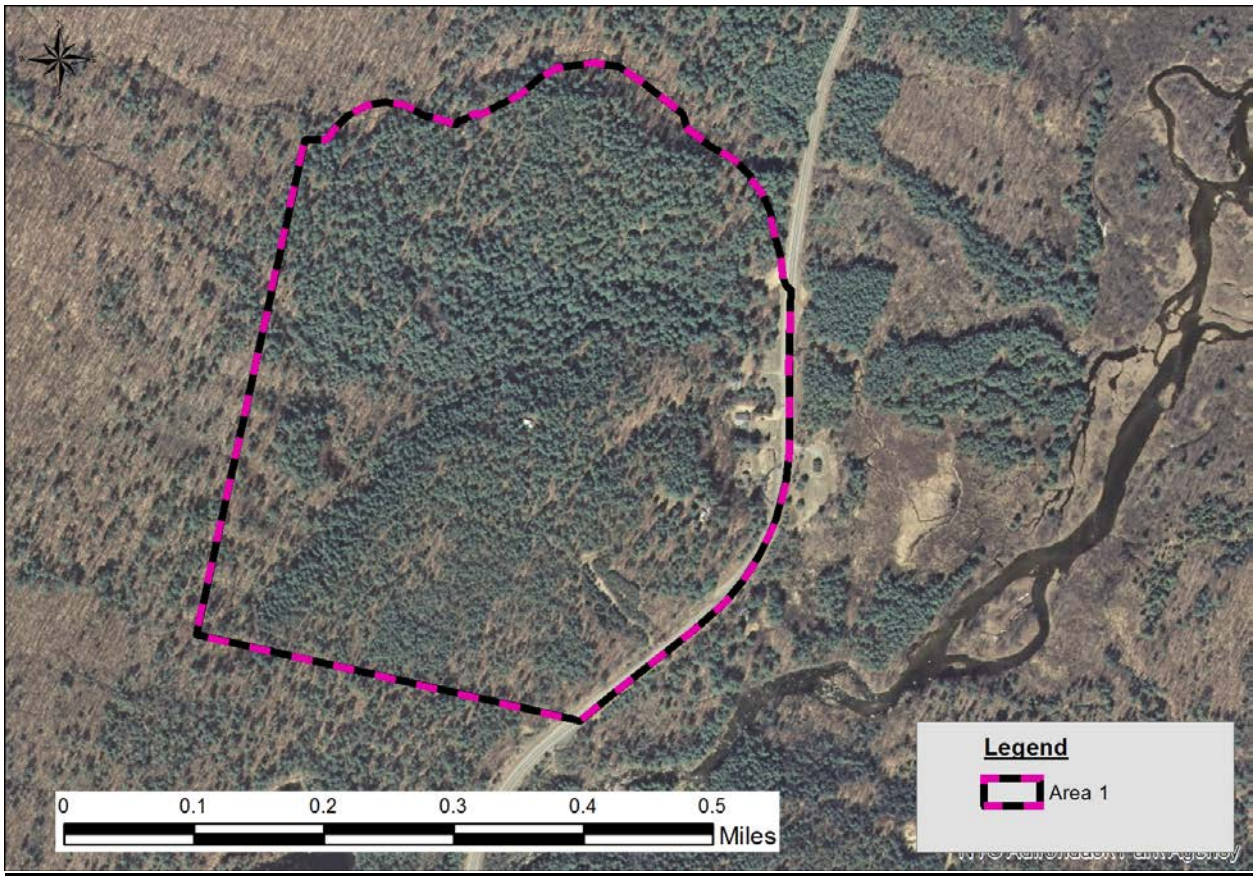

Figure 9. Area 1 shown on a 2009 aerial image.

Soils

The USDA Natural Resource Conservation Service (NRCS), in its Soils Survey for Essex County which provides detailed soil mapping for this area, has identified the following four soils within Area 1:

Adams loamy sand (91%) - Very deep, somewhat excessively drained soils on deltas, kame terraces, outwash plains, outwash terraces, and high stream terraces in the Adirondack Upland. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat excessively drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches.

Skerry loam (5%) - Very deep, moderately well drained soils on footslopes of glaciated mountains, hills, and ridges, and on till plains in the Adirondack Upland. Depth to a root restrictive layer, densic material, is 20 to 38 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 22 inches during January, February, March, April, May, November, and December.

Becket fine sandy loam (3%) - Very deep, well drained soils on summits, shoulders, backslopes, and footslopes of glaciated mountains, hills, ridges, and till plains in the Adirondack Upland. Depth to a root restrictive layer, densic material, is 20 to 36 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 33 inches during March, April.

Croghan fine sand (1%) - Very deep, moderately well drained sandy soils on deltas, outwash plains, outwash terraces, and high stream terraces in the Adirondack Upland. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 23 inches during January, February, March, April, May, November, and December.

Figure 10 is a map showing the detailed soils mapping for Area 1.

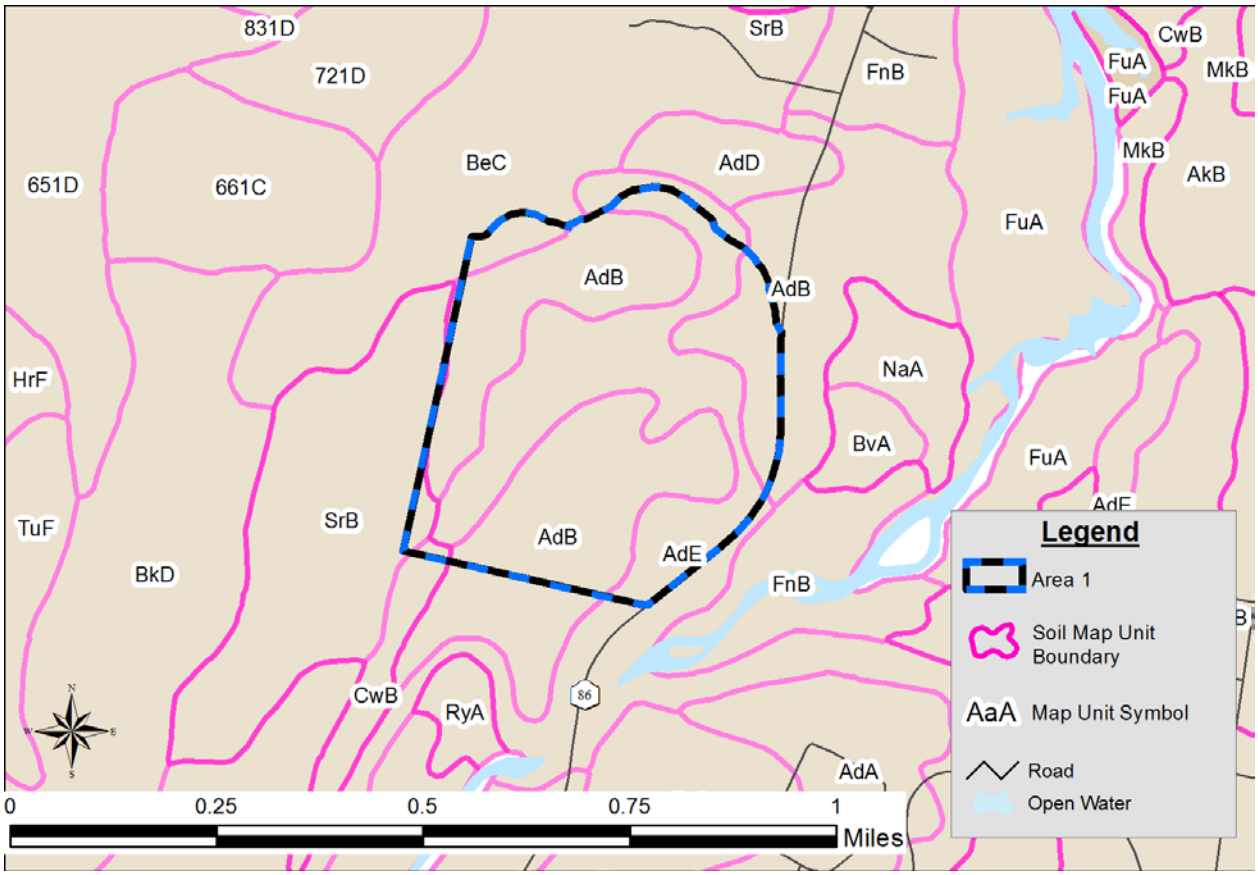

Figure 10. Soil Survey of Essex County detailed soil delineation in Area 1. (Source NRCS)

Detailed soil mapping also provide slope categories for each soil map unit which represent the general slope throughout a particular soil map unit and may not reflect the actual slope for the portion of a soil map unit within a particular map amendment area. Please refer to the discussion of topography below for more detailed information on slopes.

Topography

The topography of Area 1 ranges from generally flat to severely sloping. Slopes ranging from 0 to 3% comprise approximately 9% of Area 1. Generally, slopes in this range are free from most building and development limitations, although there may be problems associated with poor drainage. Slopes ranging from 3% to 8% comprise approximately 31% of Area 1. Slope in this range are relatively free of limitations due to topography and pose little or no environmental problems due to topography. Slopes ranging from 8% to 15% comprise approximately 25% of Area 1. Slopes in this range can pose moderate limitations for development which can be overcome with careful site design.

Slopes ranging from 15% to 25% comprise approximately 18% of Area 1. Slopes in this range pose moderate-to-severe limitations for development which can be overcome, but at an expense to the developer, adjoining property owners, the local community and the environment. Slopes above 25% comprise approximately 18% of Area 1. Slopes in this range pose severe limitations for development. Figure 11 shows the slopes in and around Area 1.

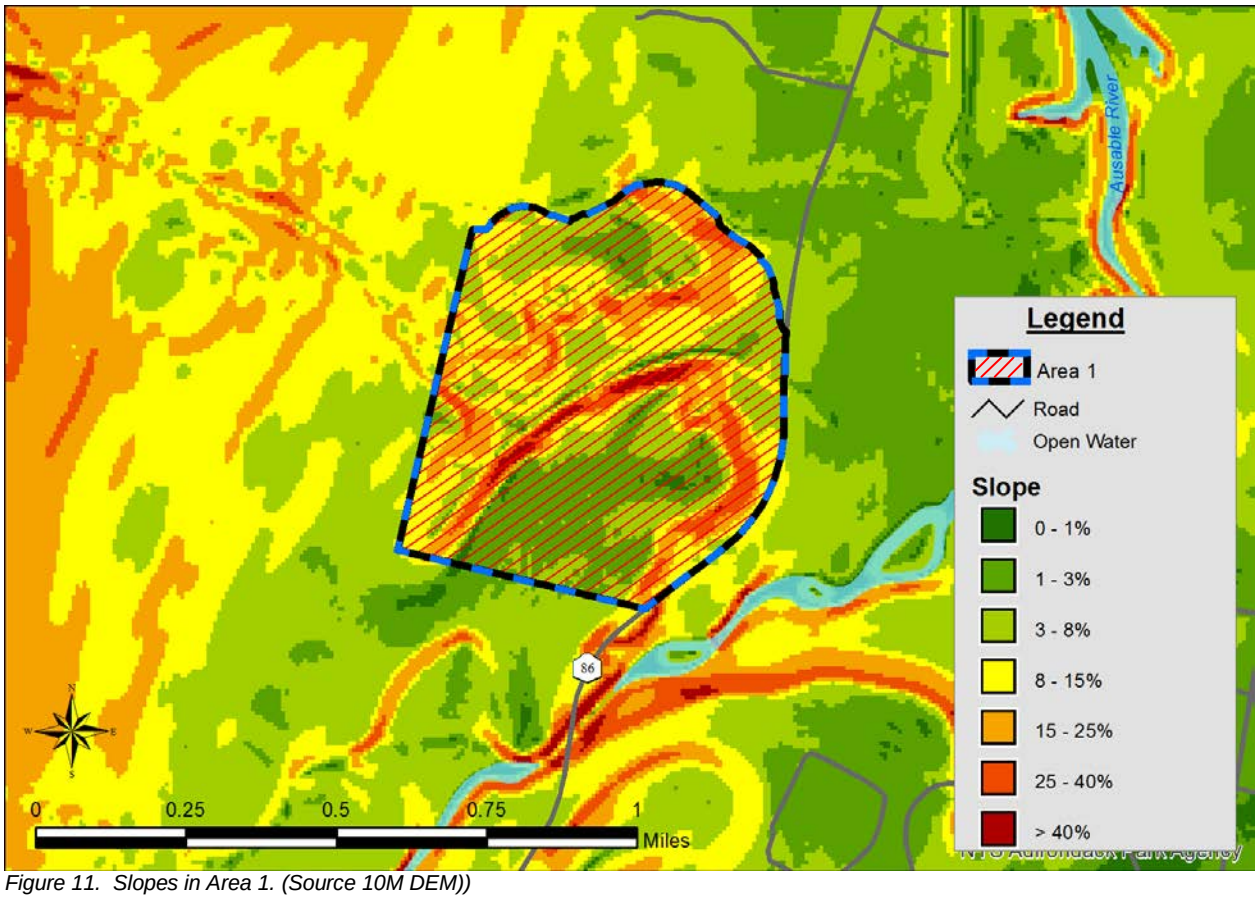

Figure 11. Slopes in Area 1. (Source 10M DEM))

Elevations

The elevation in Area 1 ranges from approximately 1020 feet to approximately 1180 feet in elevation.

Wetlands

Figure 12 shows the approximate locations of wetlands in the Proposed Map Amendment Area. There are approximately 2.0 acres of wetlands within Area 1. This wetland is associated with an unnamed stream.

Hydrology

The primary hydrologic features in Area 1 is are two unnamed streams, one of which flows through the wetland in Area 1 and the other which forms the northern boundary of Area 1. These unnamed streams tributaries to the Ausable River. NYS Department of Environmental Conservation has classified these unnamed streams as a Class C(T) surface water, which indicates that its best usage is fishing and is a designated trout water.

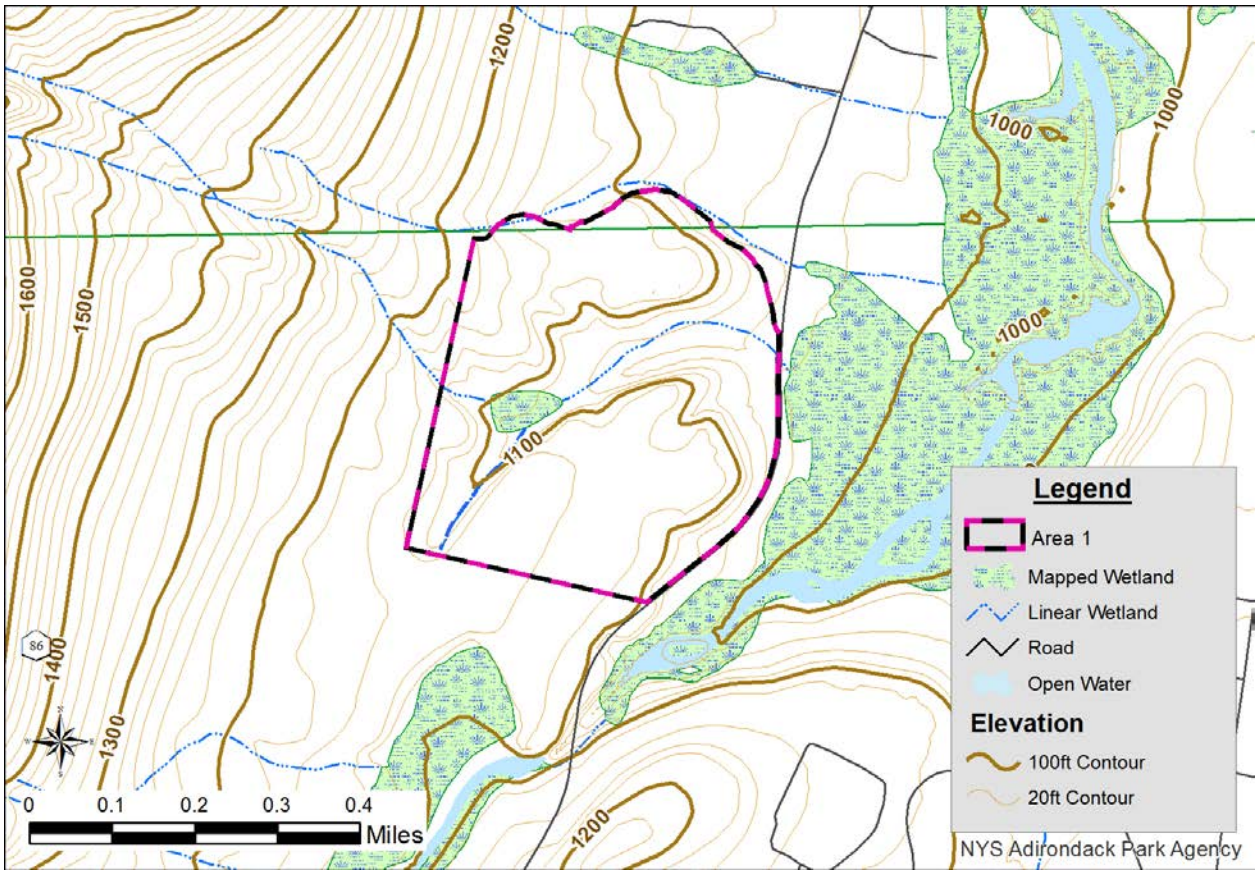

Figure 12. Topography and wetlands within and adjacent to Area 1.

Visual Considerations

The *Proposed Map Amendment Area* is visible from NYS Route 86. Portions of Area 1 may be visible from the West Branch Ausable River, a Recreational River pursuant to the Wild, Scenic and Recreational Rivers Act.

Biological Considerations

There are no known occurrences of rare, threatened or endangers species or key wildlife habitats in Area 1.

Critical Environmental Area

The 2 acres of wetlands within Area 1 is a statutory Critical Environmental Areas (CEA) pursuant to the Adirondack Park Agency Act. Lands with 150 feet of a State highway in Rural Use are also statutory CEA pursuant to the Adirondack Park Agency Act. This highway CEA is approximately 10 acres in size and would not exist if the area reclassified to Moderate Intensity Use.

Area 2 – Low Intensity Use to Moderate Intensity Use; 40 acres

Adirondack Park Land Use and Development Plan Map

Area 2 is 40 acre portion of an approximately 150 acre Low Intensity Use area that is located south of Fox Farm Road and west of NYS Route 86. Area 2 is bound by Moderate Intensity Use to the north and Rural Use to the west and south. Figure 13 show Area 2 on the Adirondack Park Land Use and Development Plan map.

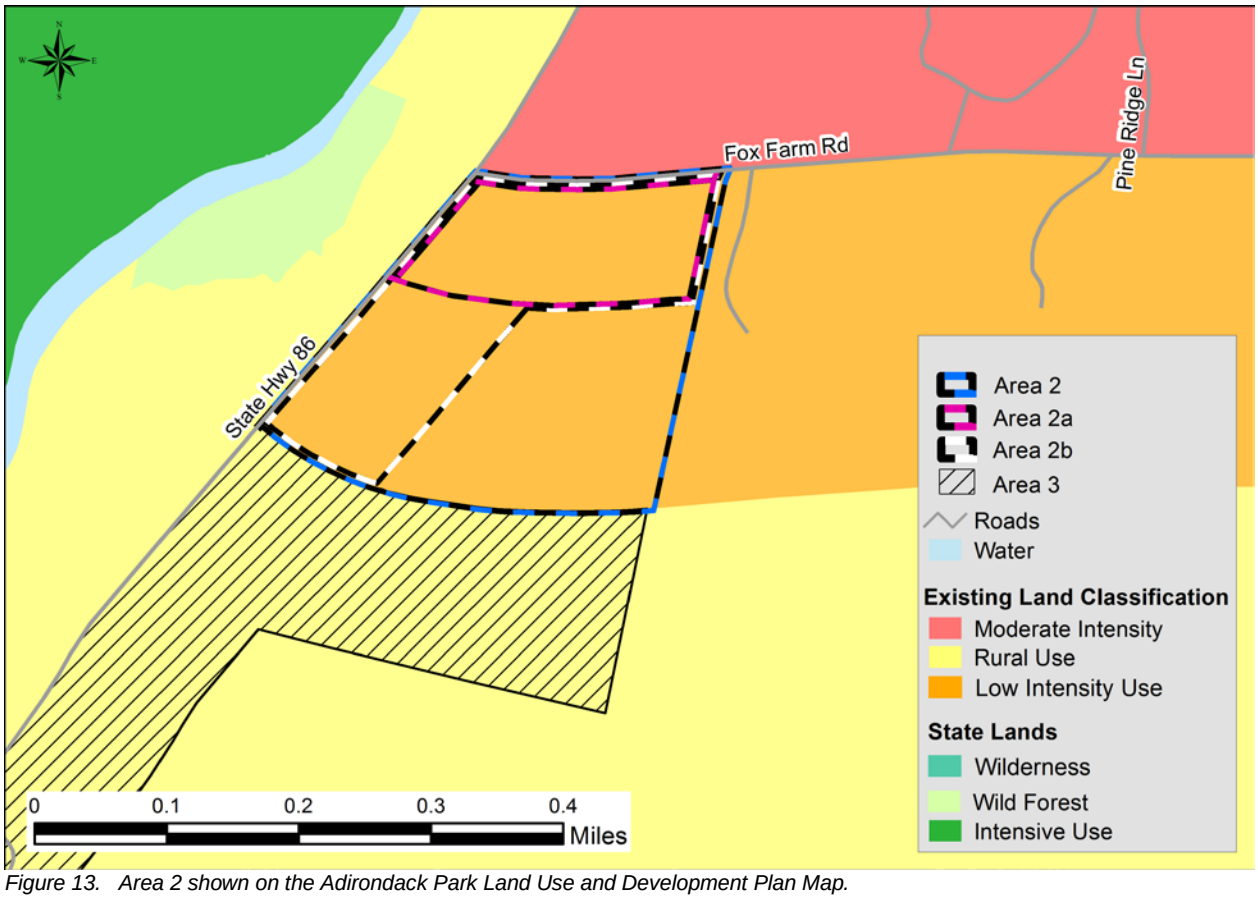

Figure 13. Area 2 shown on the Adirondack Park Land Use and Development Plan Map.

Existing Land Use and Services

Area 2 is serviced by NYS Route 86, a hard-surfaced, State maintained road which forms the western boundary of the area, and Fox Farm Road (County Route 63). According to the NYS Department of Transportation, NYS Route 86 had an average daily traffic count of 3028 in 2012. The Hamlet of Wilmington lies approximately 1.7 miles north of Area 2 via NYS Route 86. The Village of Lake Placid lies approximately 10 mile south of Area 2 via NYS Route 86.

Public water, electric and telephone services are available to Area 2 along NYS Route 86 and Fox Farm Road. The Town of Wilmington does not have public sewer service.

According to data obtained from Essex County Office of Real Property Tax Service and the NYS Office of Real Property Services (ORPS), Area 2 contains all or a portion of 5parcels of land. Table 2 lists the parcels within the Proposed Map Amendment Area.

Tax Parcel ID	All or Portion of Parcel	Approx. Acres within Proposed Map Amendment Area	Property Classification
26.3-1-77.000	All	2.5 ac	Commercial (Vacant)
26.3-1-78.000	All	0.9 ac	Camps, Cottages, Bungalows
26.3-1-78.000	Portion	33.0 ac	Motel
26.3-1-76.000	All	2.2 ac	Vacant Rural Lot
26.3-1-75.000	All	6.0 ac	Electric Substation

Table 2. List of Parcels within Area 2

Figure 14 shows the existing land use according to Essex County Office of Real Property Tax Service and OPRS. Figure 15 is a map of Area 2 showing a 2009 aerial photograph.

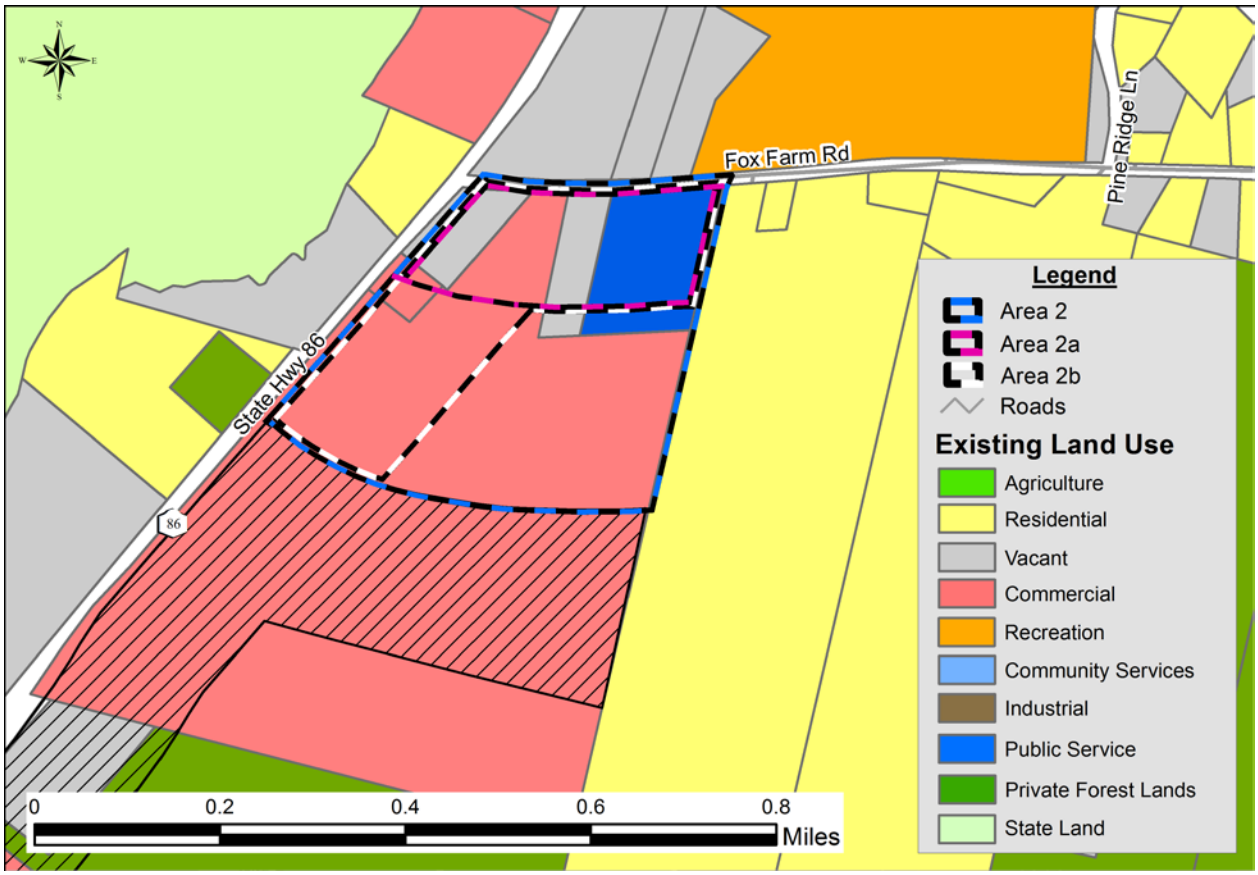

Figure 14. Existing land use in and adjacent to Area 2. Inconsistencies exist between tax parcel maps, deeded property descriptions and the Adirondack Park Land Use and Development Plan Map. White areas are not considered part of any tax parcel according the Essex County Property Tax Maps. (Source Essex Co, NYS ORPS)

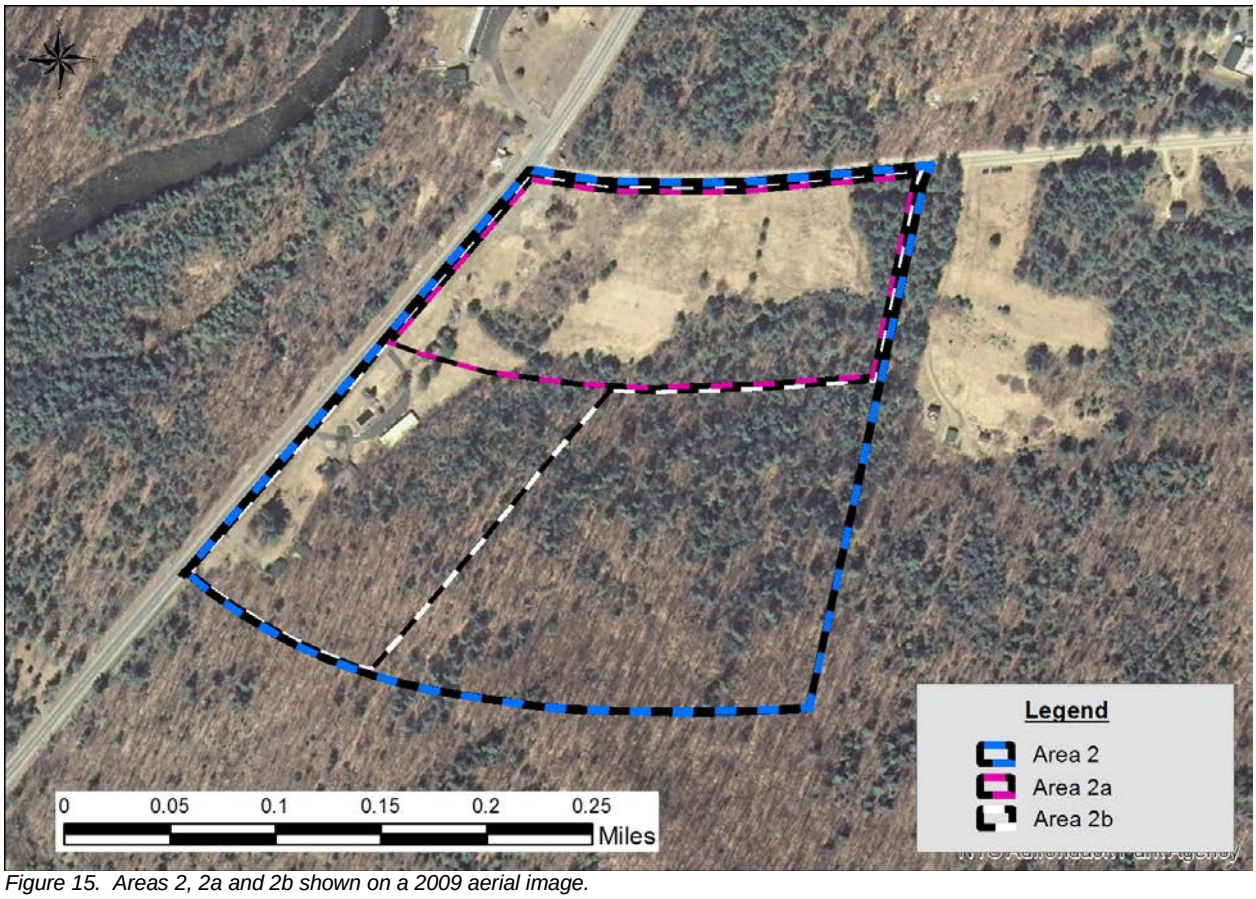

Figure 15. Areas 2, 2a and 2b shown on a 2009 aerial image.

Fire and rescue services are furnished by the Wilmington Fire Department; police protection is available from Essex County Sheriff Department, Located in Lewis, and the New York State Police, located in Lewis and Ray Brook.

Soils

The USDA Natural Resource Conservation Service (NRCS), in its Soils Survey for Essex County which provides detailed soil mapping for this area, has identified the following five soil types within Area 2:

Adams loamy sand (47%) - Very deep, somewhat excessively drained soils on deltas, kame terraces, outwash plains, outwash terraces, and high stream terraces in the Adirondack Upland. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat excessively drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches.

Becket fine sandy loam (16%) - Very deep, well drained soils on summits, shoulders, backslopes, and footslopes of glaciated mountains, hills, ridges, and till plains in the Adirondack Upland. Depth to a root restrictive layer, densic material, is 20 to 36 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 33 inches during March, April.

Skerry loam (21%)- very deep, moderately well drained soils on footslopes of glaciated mountains, hills, and ridges, and on till plains in the Adirondack Upland. Depth to a root restrictive layer, densic material, is 20 to 38 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 22 inches during January, February, March, April, May, November, and December.

Becket - Tunbridge (8%) - The Becket portion consists of very deep, well drained soils on summits, shoulders, backslopes, and footslopes of glaciated mountains, hills, ridges, and till plains in the Adirondack Upland. Depth to a root restrictive layer, densic material, is 20 to 36 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 33 inches during March, April.

Tunbridge (8%) - moderately deep, well drained soils on summits, shoulders, and backslopes of glaciated hills, ridges, and mountains in the Adirondack Upland. Depth to a root restrictive layer, bedrock (lithic), is 20 to 40 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not

flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches.

Figure 16 is a map showing the detailed soils mapping for Area 2 and Alternatives 2a and 2b. Alternative 2a contains Adams (97%), Becket (2%) and Skerry (1%). Alternative 2b contains Adams (79%), Skerry (20%) and Becket (1%).

Detailed soil mapping also provide slope categories for each soil map unit which represent the general slope throughout a particular soil map unit and may not reflect the actual slope for the portion of a soil map unit within a particular Map Amendment Area. Please refer to the discussion of topography below for more detailed information on slopes.

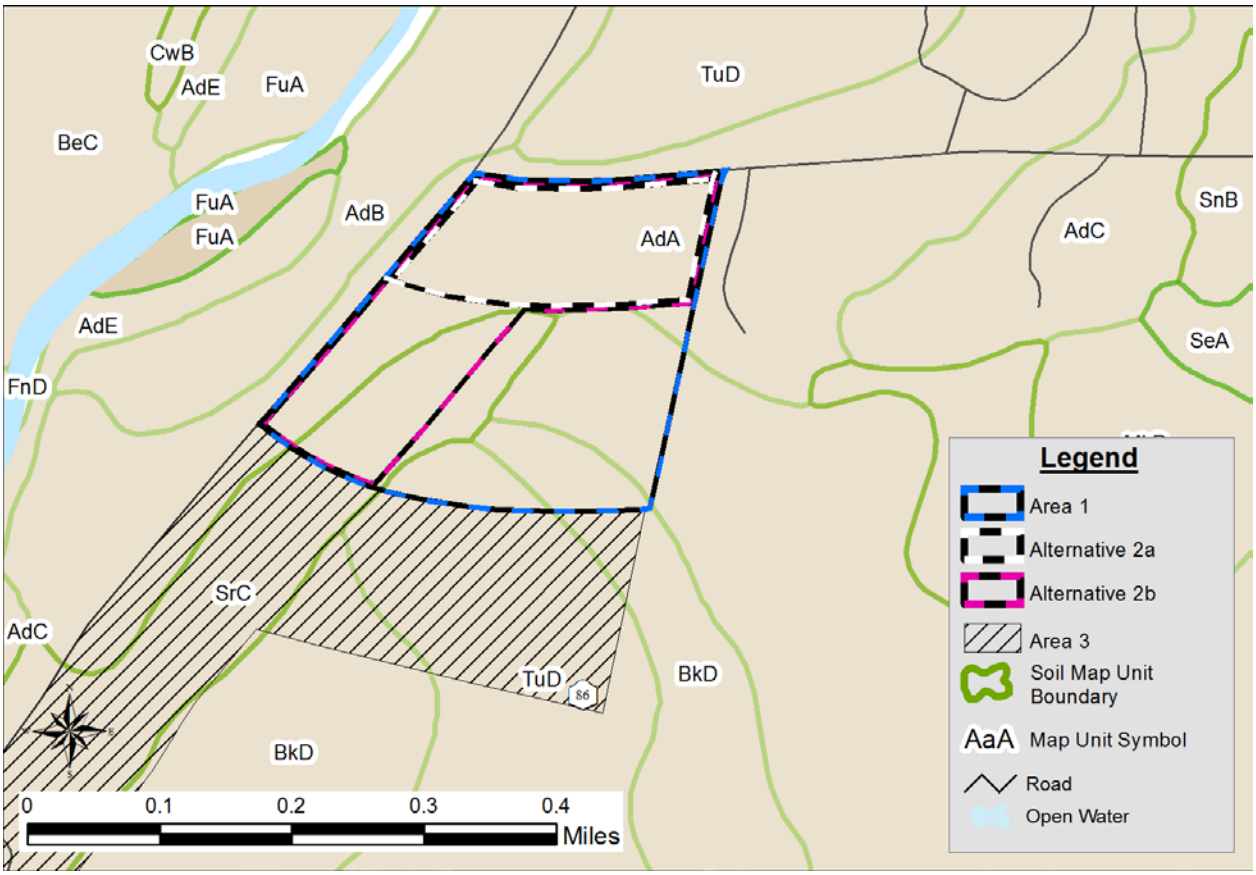

Figure 16. Soil Survey of Essex County detailed soil delineation in Area 2. (Source NRCS)

Topography

The topography of Area 2 ranges from generally flat to severely sloping. Slopes ranging from 0 to 3% comprise approximately 13% of Area 2. Generally, slopes in this range are free from most building and development limitations, although there may be problems associated with poor drainage. Slopes ranging from 3% to 8% comprise approximately 45% of Area 2. Slope in this range are relatively free of limitations due to topography and pose little or no environmental problems due to topography. Slopes ranging from 8% to 15% comprise approximately 34% of Area 2. Slopes in this range can pose moderate limitations for development which can be overcome with careful site design. Slopes ranging from 15% to 25% comprise approximately 8% of Area 2. Slopes in this range pose moderate-to-severe limitations for development which can be overcome, but at an expense to the developer, adjoining property owners, the local community and the environment. Slopes above 25% comprise approximately 2% of Area 2. Slopes in this range pose severe limitations for development. Figure 17 shows the slopes in and around Area 2.

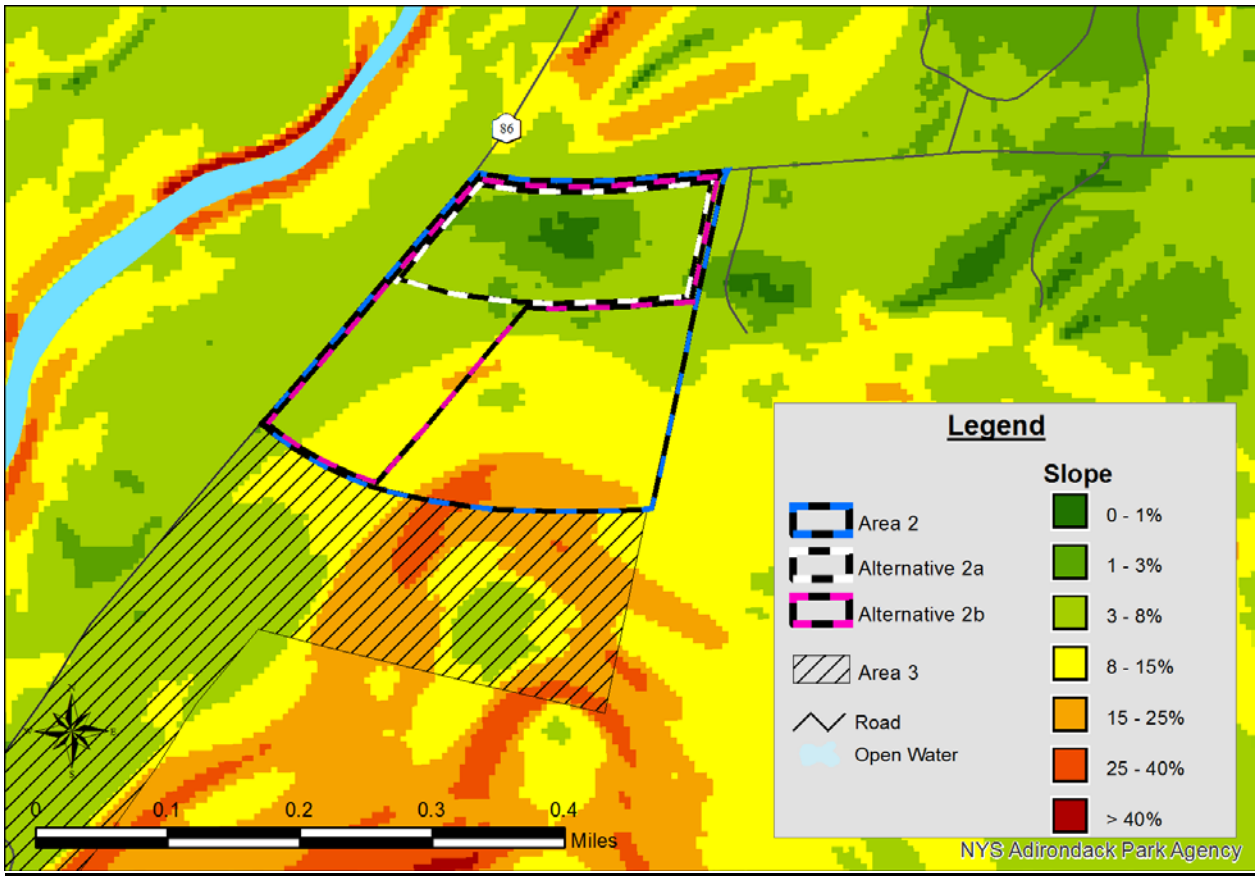

Figure 17. Slopes in Area 2. (Source 10M DEM))

Elevations

The elevation in Area 2 ranges from approximately 1180 feet to approximately 1320 feet in elevation.

Wetlands

There appears to be no wetlands within Area 2.

Hydrology

There appears to be no significant hydrological features within Area 2.

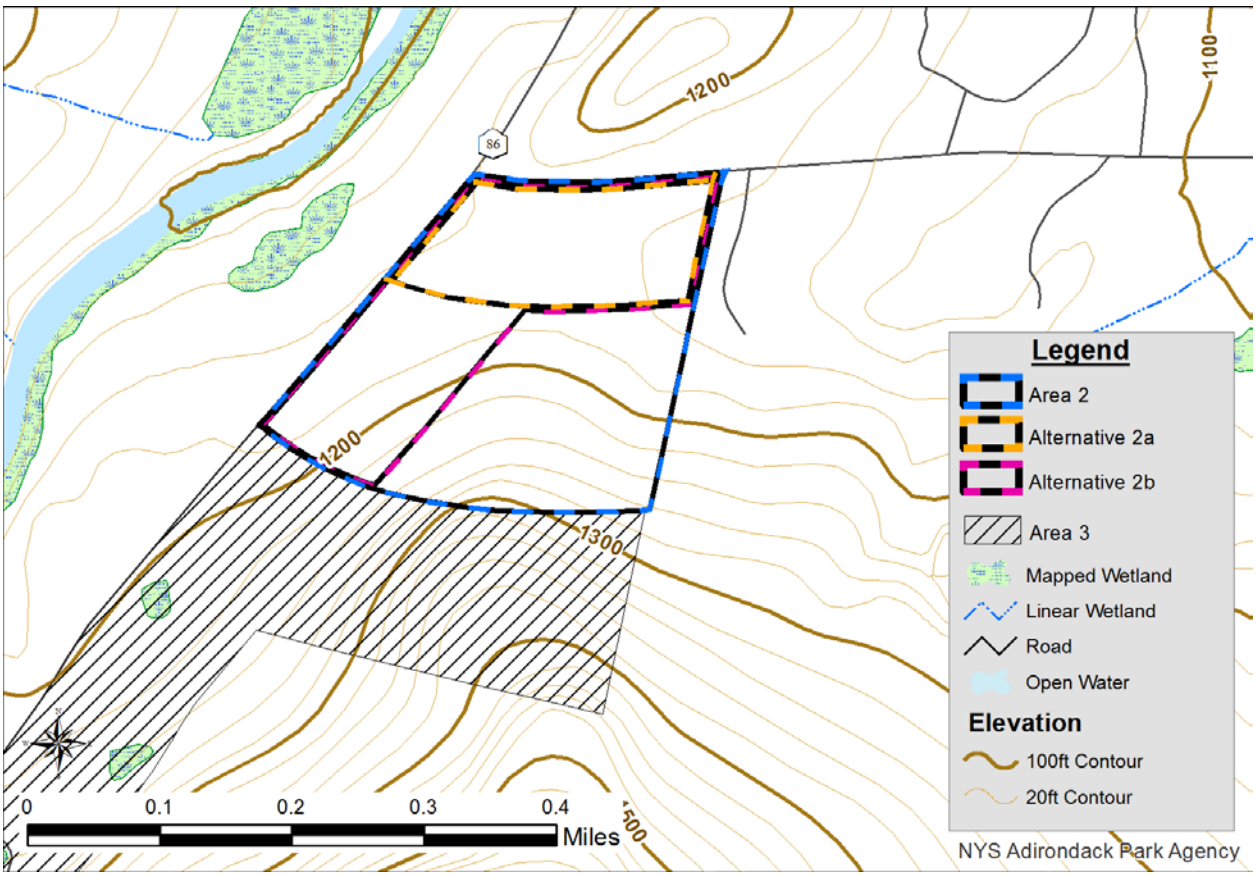

Figure 18. Topography and wetlands within and adjacent to Area 2 (source: APA Geographic Information System data)

Visual Considerations

Area *2* is visible from NYS Route 86.

Biological Considerations

There are no known occurrences of rare, threatened or endangers species or key wildlife habitats in the Area 2.

Critical Environmental Area

There are no statutory Critical Environmental Areas (CEA) pursuant to the Adirondack Park Agency Act within Area 2.

Area 3 – Rural Use to Moderate Intensity Use; 59 acres

Adirondack Park Land Use and Development Plan Map

Area 3 is part of an approximately 2,600 acre Rural Use area that extends west of Area 3 to the West Branch of the Ausable River, and east of Areas 3 along both sides of Springfield Road to the Hamlet of Upper Jay. Area 3 is bound by Low Intensity Use to the north, Whiteface Mountain Ski Area (classified Intensive Use pursuant to the Adirondack State Land Master Plan) on the southwest and the Sentinel Range Wilderness to the south. The Low Intensity Use area to the north includes proposed map amendment Area 2. Figure 19 shows the Area 3 on the Adirondack Park Land Use and Development Plan map.

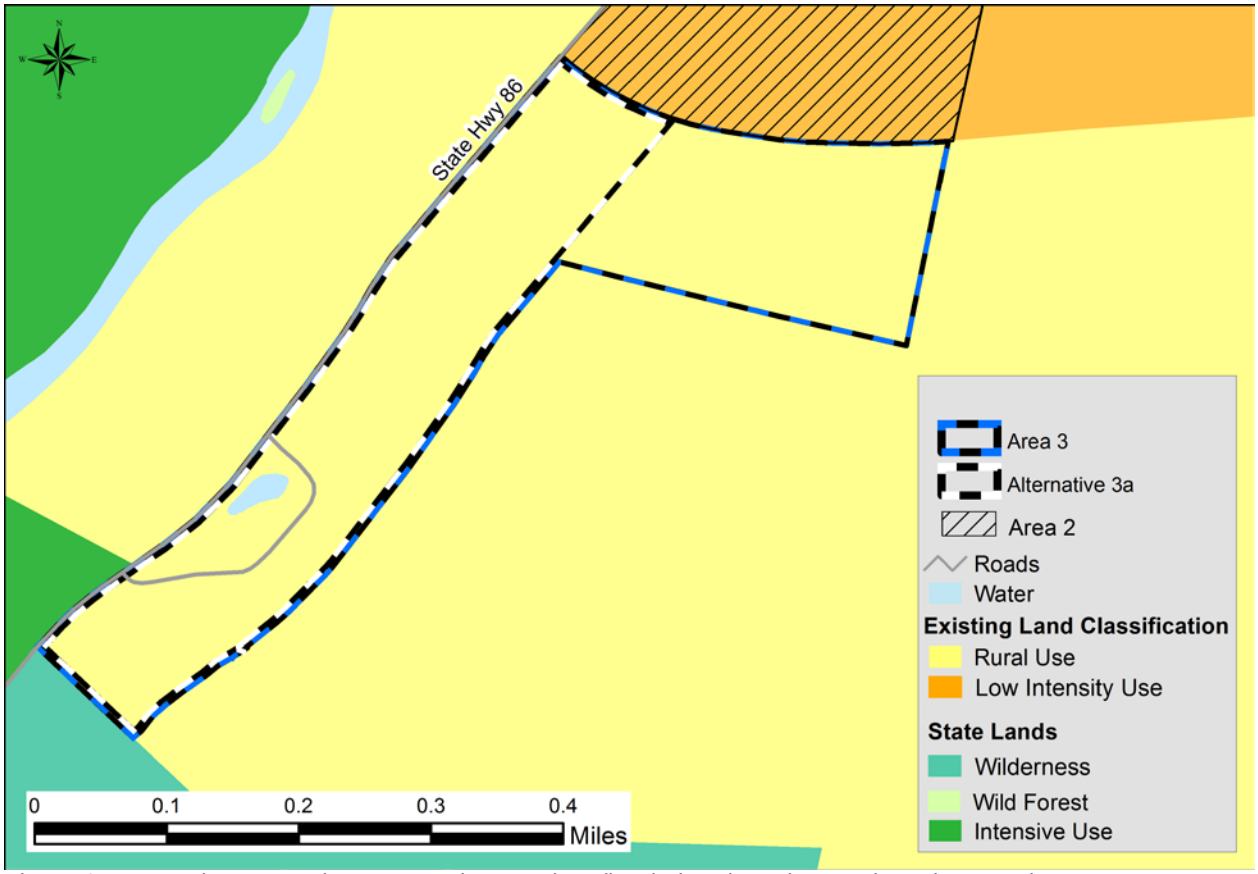

Figure 19. Proposed Map Amendment Area 1 shown on the Adirondack Park Land Use and Development Plan Map.

Existing Land Use and Services

Area 3 is serviced by NYS Route 86, a hard-surfaced, State maintained road which forms the western boundary of the area. According to the NYS Department of Transportation, this route had an average daily traffic count of 3028 in 2012. The Hamlet of Wilmington lies approximately 2 miles north of Area 3 via NYS Route 86. The Village of Lake Placid lies approximately 10 mile south of Area 3 via NYS Route 86.

Public water, electric and telephone services are available to Area 3 along NYS Route 86. The Town of Wilmington does not have public sewer service.

According to data obtained from Essex County Office of Real Property Tax Service and the NYS Office of Real Property Services (ORPS), the Proposed Map Amendment Area contains all or a portion of 5 parcels of land. Table 3 lists the parcels within Area 3.

Tax Parcel ID	All or Portion of Parcel	Approx. Acres within Proposed Map Amendment Area	Property Classification
26.3-1-79.000	Portion	2.5 ac	Commercial (Vacant)
26.3-1-78.000	All	0.9 ac	Camps, Cottages, Bungalows
26.3-1-78.000	Portion	33.0 ac	Motel
26.3-1-76.000	All	2.2 ac	Vacant Rural Lot
26.3-1-75.000	All	6.0 ac	Electric Substation

Table 3. List of Parcels within Area 3

Figure 20 shows the existing land use according to Essex County Office of Real Property Tax Service and OPRS. Figure 21 is a map of Area 3 showing a 2009 aerial photograph.

Fire and rescue services are furnished by the Wilmington Fire Department; police protection is available from Essex County Sheriff Department, Located in Lewis, and the New York State Police, located in Lewis and Ray Brook.

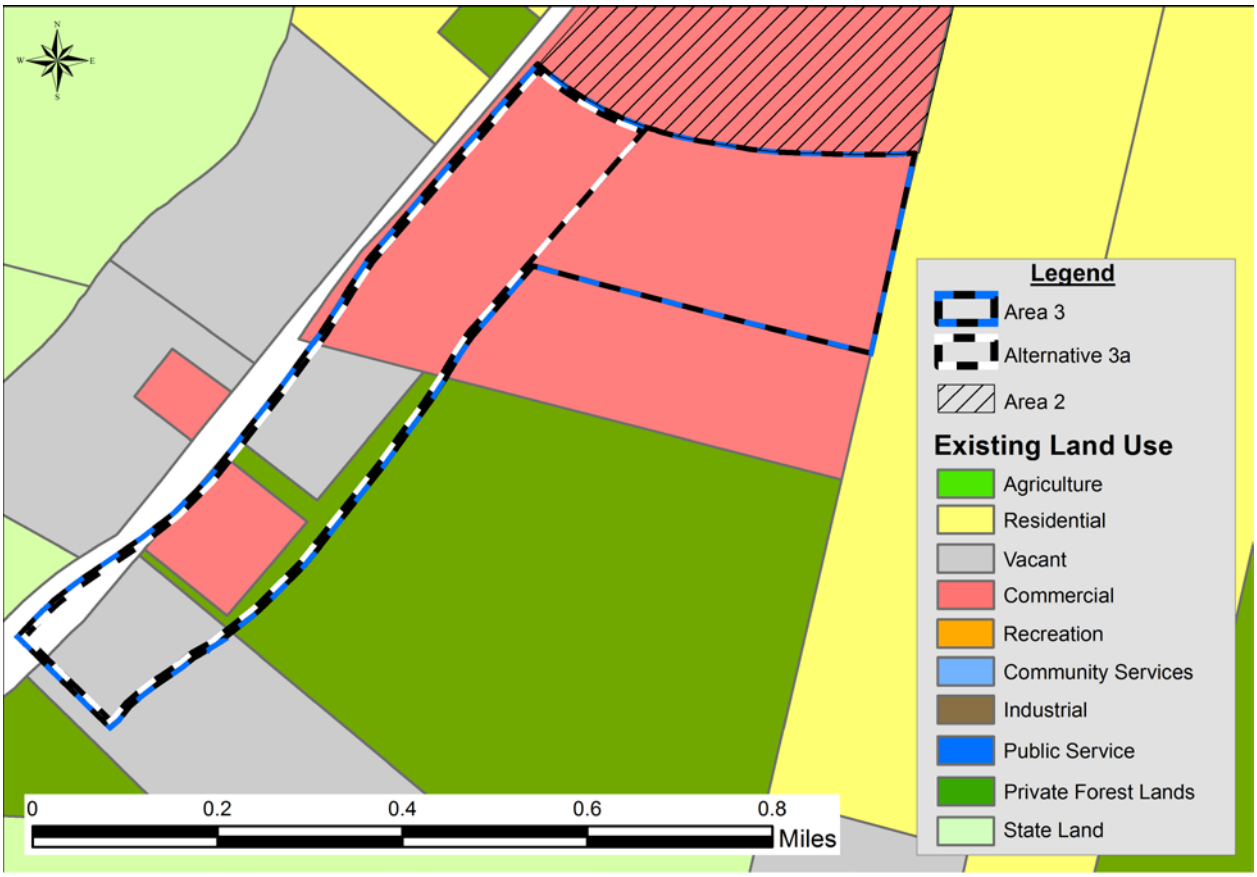

Figure 20. Existing land use in and adjacent to Area 3. Inconsistencies exist between tax parcel maps, deeded property descriptions and the Adirondack Park Land Use and Development Plan Map. White areas are not considered part of any tax parcel according the Essex County Property Tax Maps. (Source Essex Co, NYS ORPS)

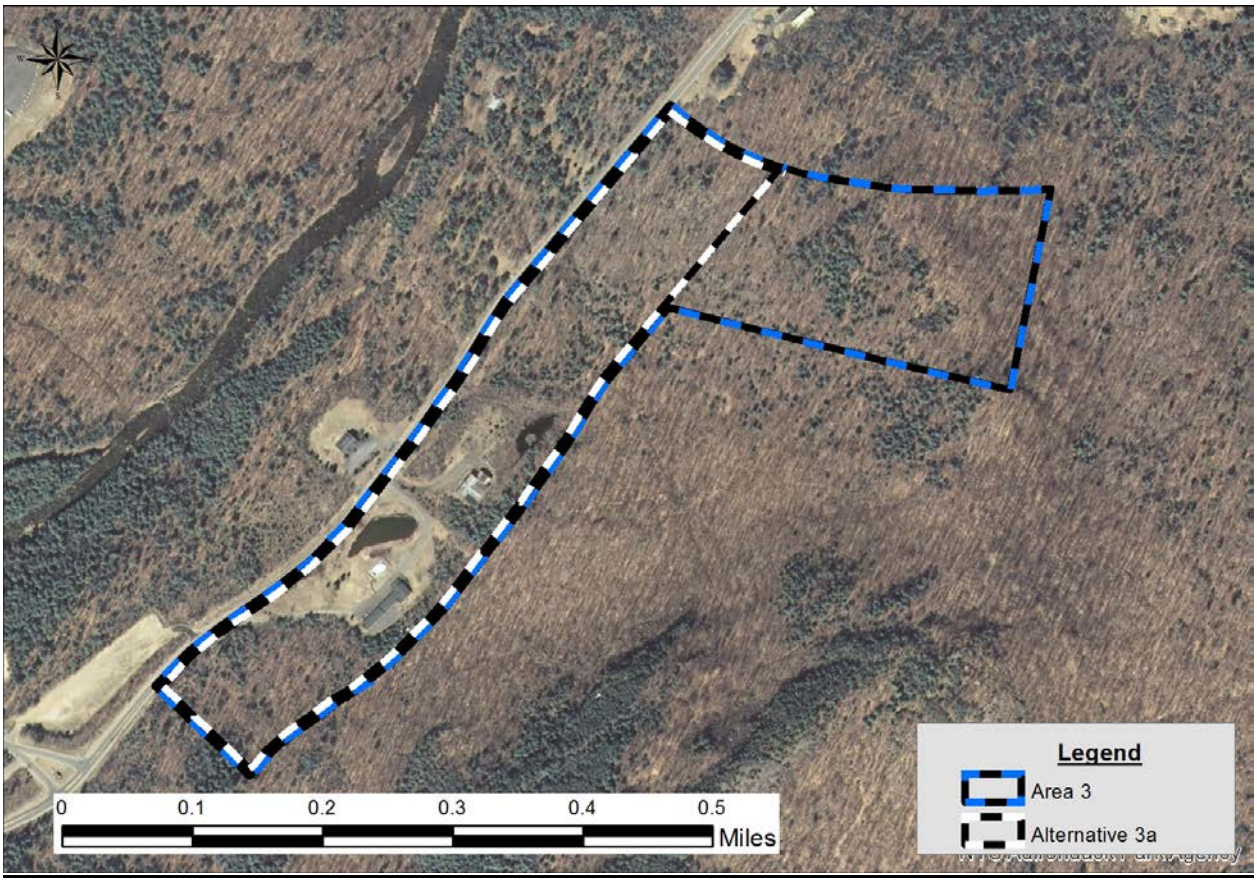

Figure 21. Areas 3 and 3a shown on a 2009 aerial image.

Soils

The USDA Natural Resource Conservation Service (NRCS), in its Soils Survey for Essex County which provides detailed soil mapping for this area, has identified the following four soil types within Area 3:

Adams loamy sand (9%) - Very deep, somewhat excessively drained soils on deltas, kame terraces, outwash plains, outwash terraces, and high stream terraces in the Adirondack Upland. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is somewhat excessively drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches.

Skerry loam (55%)- very deep, moderately well drained soils on footslopes of glaciated mountains, hills, and ridges, and on till plains in the Adirondack Upland. Depth to a root restrictive layer, densic material, is 20 to 38 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 22 inches during January, February, March, April, May, November, and December.

Becket - Tunbridge (12%) - The Becket portion consists of very deep, well drained soils on summits, shoulders, backslopes, and footslopes of glaciated mountains, hills, ridges, and till plains in the Adirondack Upland. Depth to a root restrictive layer, densic material, is 20 to 36 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. A seasonal zone of water saturation is at 33 inches during March, April.

Tunbridge (24%) - moderately deep, well drained soils on summits, shoulders, and backslopes of glaciated hills, ridges, and mountains in the Adirondack Upland. Depth to a root restrictive layer, bedrock (lithic), is 20 to 40 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches.

Figure 22 is a map showing the detailed soils mapping for Area 3 and Alternative 3a. Alternative 3a contains Skerry (80%), Adams (14%) and Becket-Tunbridge (6%).

Detailed soil mapping also provide slope categories for each soil map unit which represent the general slope throughout a particular soil map unit and may not reflect the actual slope for the portion of a soil map unit within a particular map amendment area. Please refer to the discussion of topography below for more detailed information on slopes.

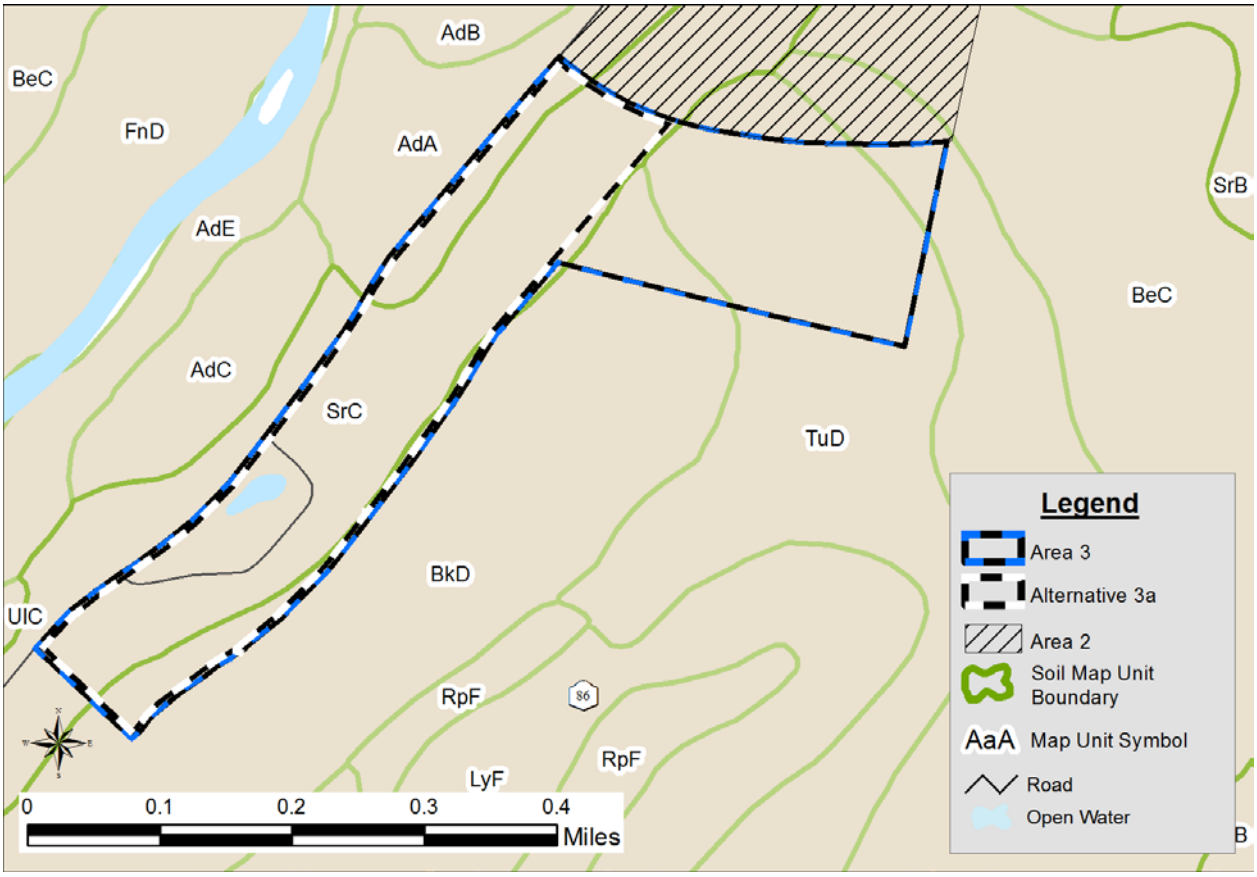

Figure 22. Soil Survey of Essex County detailed soil delineation in Area 3. (Source NRCS)

Topography

The topography of Area 3 ranges from generally flat to severely sloping. There appears to be no slopes in the 0 to 3% range in Area 3. Slopes ranging from 3% to 8% comprise approximately 45% of Area 3. Slope in this range are relatively free of limitations due to topography and pose little or no environmental problems due to topography. Slopes ranging from 8% to 15% comprise approximately 27% of Area 3. Slopes in this range can pose moderate limitations for development which can be overcome with careful site design. Slopes ranging from 15% to 25% comprise approximately 26% of Area 3. Slopes in this range pose moderate-to-severe limitations for development which can be overcome, but at an expense to the developer, adjoining property owners, the local community and the environment. Slopes above 25% comprise approximately 3% of Area 3. Slopes in this range pose severe limitations for development. Figure 23 shows the slopes in and around Area 3.

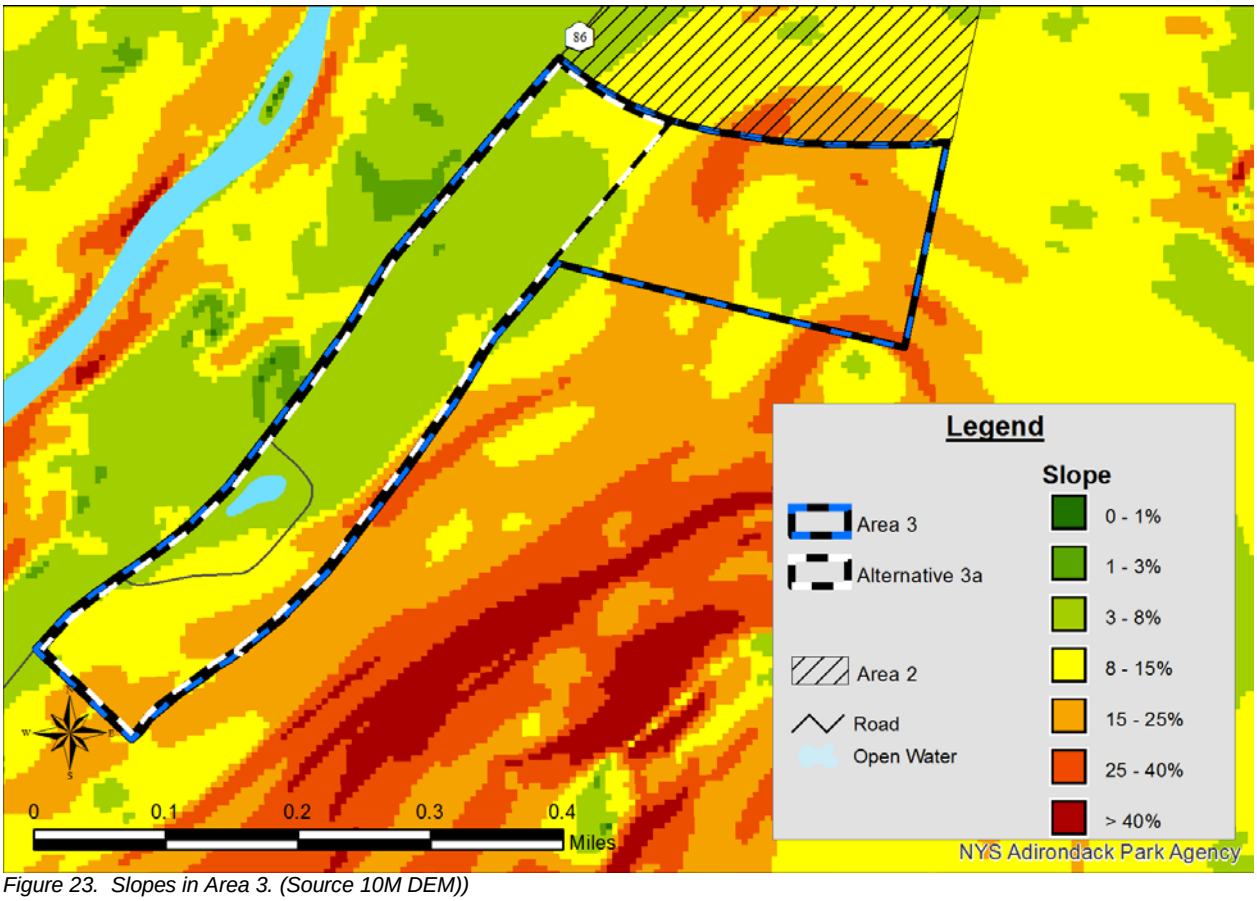

Figure 23. Slopes in Area 3. (Source 10M DEM))

Elevations

The elevation in Area 3 ranges from approximately 1180 feet to approximately 1460 feet in elevation.

Wetlands

Figure 24 shows the approximate locations of mapped wetlands in the Area 3. There are approximately 0.5 acres of wetlands within Area 3.

Hydrology

The primary hydrologic feature in Area 3 is an approximately 0.5 acre unnamed pond.

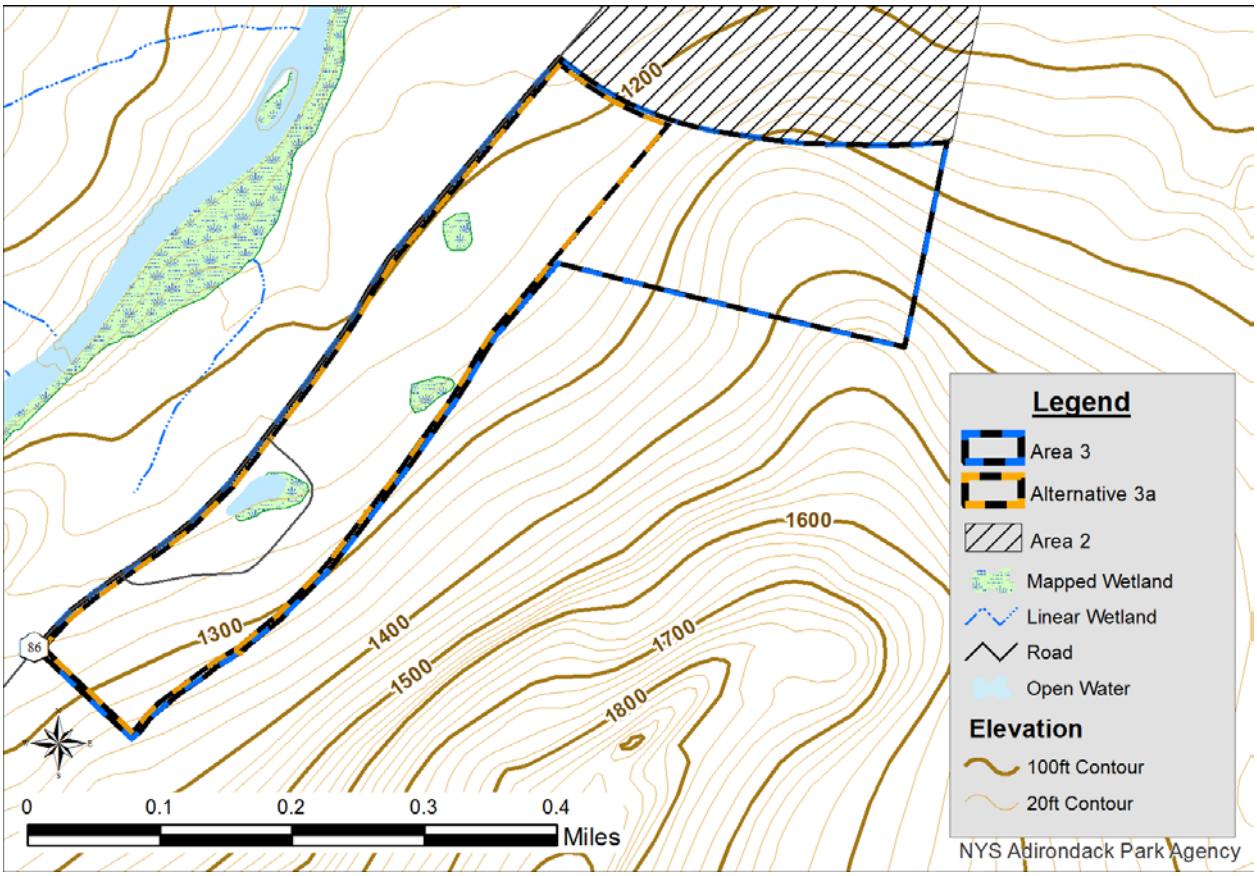

Figure 24. Topography and wetlands within and adjacent to Area 3 (source: APA Geographic Information System data)

Visual Considerations

The Area 3 is visible from NYS Route 86.

Biological Considerations

There are no known occurrences of rare, threatened or endangers species or key wildlife habitats in the Area 3.

Critical Environmental Area

The wetlands within Area 3 are a statutory Critical Environmental Areas (CEA) pursuant to the Adirondack Park Agency Act. Lands with 150 feet of a State highway in Rural Use are also statutory CEA pursuant to the Adirondack Park Agency Act. This highway CEA comprises approximately 10 acres of Area 3 and would not exist if the area reclassified to Moderate Intensity Use. Lands within 660 feet of the Sentinel Range Wilderness is also a statutory CEA pursuant to the Adirondack Park Agency Act. Approximately 8 acres of Area 3 is located within this Wilderness CEA.

IMPACTS OF THE PROPOSED ACTIONS

In order to evaluate the impacts resulting from the three proposed map amendments, the Agency assumes that development of the area will occur at the maximum level permitted by the proposed land use classification.

A. On-site Sewage Disposal Discharge and Leaching: One of the most important natural characteristics in determining the potential for development of land without access to public sewer treatment facilities are the types and depths of soils and their ability to accommodate construction and effectively treat on-site wastewater. Under the correct conditions, dry, well-drained soils, such as sand deposits, result in dry basements and properly functioning septic systems. Soils with shallow depth to water table, such as the Skerry soils, and soils with inadequate depth to bedrock, such as Tunbridge soils, do not have adequate depth to effectively treat septic effluent and can cause pollution to groundwater and/or nearby surface water. Consequently, intense development should not occur in these areas (see Appendix C- Land Use Area Classification Determinants).

The suitability of land to support a properly function septic system is a function of soil characteristics and slope. Slopes greater than 15% will not allow a drain field to treat septic effluent properly. Portions of the three proposed map amendment areas contain soils that are not suitable for on-site septic systems due to shallow depth to groundwater and/or bedrock, and/or slopes that are too steep to support proper treatment of effluent from septic systems. Approximately 41% of Area 1, 47% of Area 2, and 93% of Area 3 contain with soils or slopes that would not support on-site wastewater disposal systems.

B. Developed Area Storm Water Runoff: Development at intensities permitted by Moderate Intensity Use could increase runoff and associated non-point source pollution of streams and wetlands. Such problems arise when precipitation runoff drains from the land into surface waters and 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. An increase in development of the area would lead to an increase in surface runoff to the landscape and nearby wetlands due to the elimination of vegetative cover and the placement of man-made impervious surfaces. Stormwater discharge 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.

C. Erosion and Sedimentation: Surface water resources could be impacted by activities which tend to disturb and remove stabilizing vegetation and result in increased runoff, soil erosion, and stream sedimentation. Erosion and sedimentation may destroy aquatic life, ruin spawning areas and increase flooding potential.

D. Adverse impacts to 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 subject to Agency jurisdiction under the Adirondack Park Agency Act and the New York State Freshwater Wetlands Act. 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.

E. Economic Gain to the Local Community: Subdivision and improvement of undeveloped lands may add to the local tax base. The net benefit of new development depends on the exact nature of the development that occurs and its additions to local tax and business revenues when compared to increased cost associated with solid waste disposal, schools and other community services.

F. Demand on Other Community Facilities: Residential, commercial or industrial development may require public services from both local and neighboring governments. Increased development would increase the demand for public services that both local and neighboring governments, as well as the private sector, must provide. Some of the services most affected by increased commercial and/or residential development are: solid waste disposal, public water, public school systems, roads and road maintenance (snow removal, traffic control, repair, etc.), police, fire and ambulance service. An increased in demand

may reduce costs by spreading the costs of these services to more individuals.

G. Effect on Existing Residential Development in and Adjacent to the Map Amendment Area: Land uses in and adjacent to these areas are primarily residential and tourist accommodations. The change in the map, which would allow a greater density of development, could change the existing character uses of the area.

H. Effect on Noise Quality: The predominant low levels of noise from existing undeveloped areas or predominantly residential areas could change dramatically with commercial or industrial uses. Both fauna and nearby residential use could be affected by noise from traffic serving an industrial, commercial or residential use, the activity itself and/or associated or subordinate uses.

I. Effect on Air Quality: The predominant determination of air quality in the area is wind speed and direction and the presence and activity of upwind pollution sources. The change in classification from Rural Use or Low Intensity Use to Moderate Intensity Use will not create any actual or potential sources of air pollution. However, since many existing dwellings rely on wood as a primary or secondary heat source, an increase in development may result in a minor increase in the amount of wood smoke. Localized impacts would also result from any increase in traffic serving commercial and residential development.

J. Effect on Park Character: Changes in overall intensity guidelines may cause a change in the character of an area by permitting development or preventing development not in keeping with the character of an area. The specific physical setting may help determine the area character and the character may be susceptible to changes resulting from map amendments. Impacts may be positive or have positive social impacts when changes in land use area occur which are in keeping with the character of an area. The character of an area is determined by the types of uses and the manner of their creation, as well as the relative intensity of use.

Adverse impacts are more likely to occur in areas where the character is important as a factor in determining the overall character of the Park. Land use classification determinants that relate to Park character include scenic vistas, undeveloped areas adjacent to travel corridors, proximately to key public lands and proximity to existing communities.

ADVERSE ENVIRONMENTAL IMPACTS WHICH CANNOT BE AVOIDED

Reclassification to a new Adirondack Park Land Use and Development Plan land use area itself does not create environmental impacts. However, the development that could result may create impacts as outlined above and as specified in the Generic Environmental Impact Statement. These effects can be mitigated by State and local permit requirements or mitigation measures identified in the discussion of alternatives.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Potential environmental impacts are outlined above. To the extent that development occurs as a result of the map amendment, the consequent loss of forest and open space resources and degradation of water quality are the primary irreversible commitment of resources.

MITIGATION MEASURES

The only means of mitigating impacts is the exclusion of locations within the area most affected or impacted by the reclassification. Therefore, the discussion of alternatives in this DSEIS becomes necessarily a discussion of mitigation.

GROWTH-INDUCING ASPECTS

The area is presently classified Rural Use on the Official Adirondack Park Land Use and Development Plan Map. As stated above, the statutory “overall intensity guidelines” for Rural Use allows one principal building for every 8.5 acres; for Low Intensity Use, one principal building for every 3.2 acres and for Moderate Intensity Use, one principal building for every 1.3 acres. Therefore the proposed amendment would allow a potential net increase in principal buildings within the map amendment area. (See Land Area and Population, for the current land use area acreage and census information for the Town of Wilmington)

USE AND CONSERVATION OF ENERGY

Increasing the number of allowable principal buildings in the amendment area will potentially increase energy use in proportion to the number, type and energy efficiency of principal buildings actually built.

SOLID WASTE

An increase in the number of principal buildings (see Section G: Growth-inducing Aspects) would lead to an increase in the amount of solid waste generated. Solid waste reduction/reuse/recycling programs could lessen disposal costs.

HISTORIC IMPACTS

The Proposed Map Amendment Area is located within an archeological sensitive area. The proposed map amendment will not cause any change in the quality of "registered", "eligible" or "inventoried" property for the purposes of implementing Section 14.09 of the New York State Historic Preservation act of 1980.

COASTAL AREA CONSISTENCY

The proposed map amendments are located within the Waterfront Revitalization Area of a Local Waterfront Revitalization Program approved by the New York State Secretary of State pursuant to Article 42 of New York State Executive Law (Waterfront Revitalization of Coastal Areas and Inland Waterways) and its implementing regulations (Executive Law, Section 913, Part 600). The Town of Wilmington Local Waterfront Revitalization Program (LWRP), approved in 2010, can be found in Appendix D of this document. In accordance with the laws and regulations cited above, the proposed map amendments must be evaluated for their consistency with the policies in the LWRP.

In order to proceed with the proposed map amendments, the Agency must find that the actions do not conflict with or substantially hinder the achievement of any of the policies and purposes of the Waterfront Revitalization Policies in the LWRP. The Agency finds that the selected preferred alternative is consistent with said policies. A discussion of the map amendment's consistency with the LWRP policies can be found in Appendix E.

ALTERNATIVE ACTIONS

There are three categories of alternatives addressed by this document:

A. No action

One alternative action is “no action” or denial of the request. The Agency may determine that the current classification is appropriate for an area under consideration for a map amendment. A failure to approve any change would preserve the present pattern of regulatory control.

B. Alternative regional boundaries

The redefinition of the proposed map amendment areas along alternative regional boundaries could be employed to reduce the size of the area by excluding land that may fit less with the character of the proposed classification.

Area 1 – The primary feature that would pose limitation in Area 1 for development are steep slopes. The steep slopes are found throughout the area and therefore no alternative boundaries can be draw to exclude these areas of steep slopes. Figure 25 show the distribution of steep slopes in Area 1.

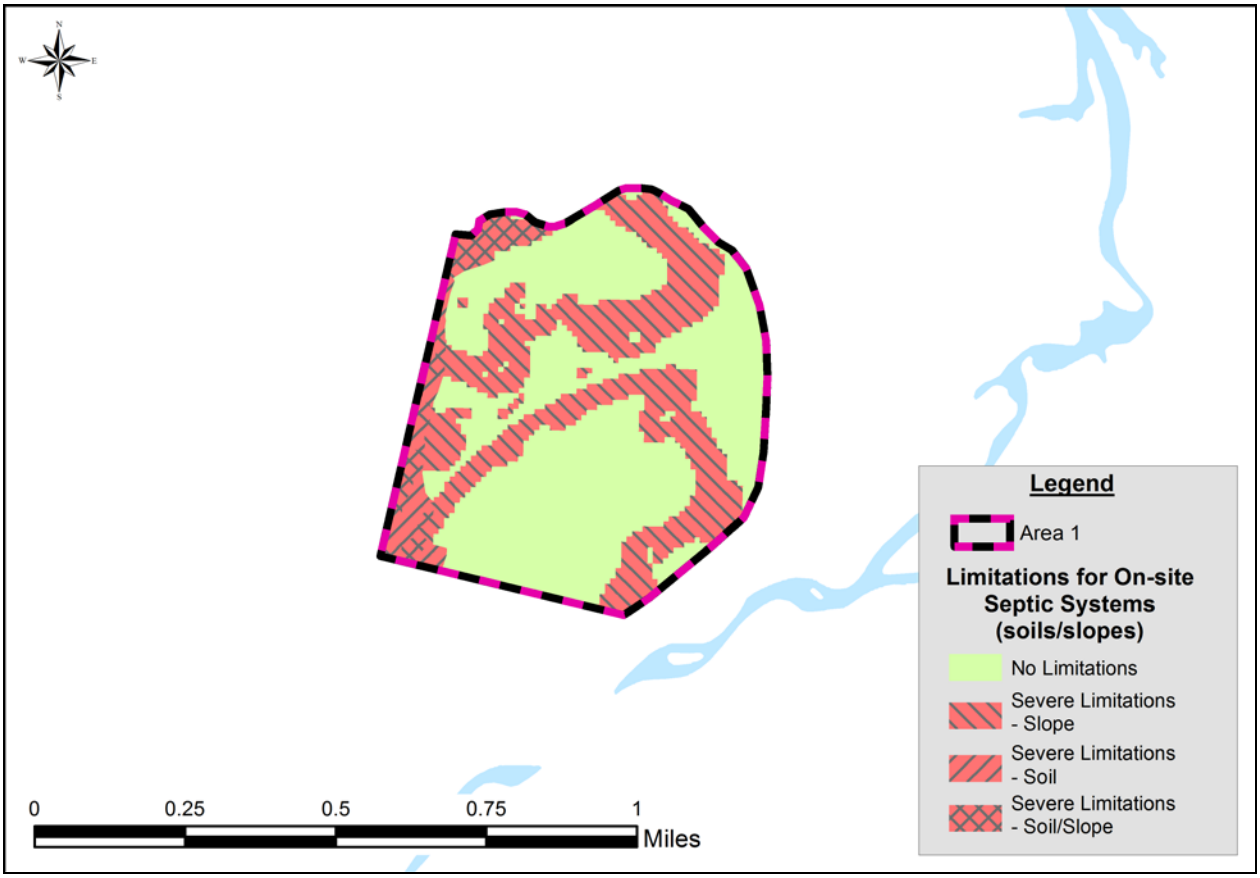

Figure 25. Relative Limitations for On-Site Septic Systems in Area 1.

Area 2 – Two alternative configurations are considered in this document. *Alternative 2a* reduces the size of the area to approximately 14 acres of land by including portions of the Area 2 that contain more suitable soils, which is located along Fox Farm Road. Alternative 2b reduces the size of the area to 19.5 acres of land by including portions of the Area 2 that contain more suitable soils, which is located along Fox Farm Road and NYS Route 86. Figure 26 show the distribution of steep slopes and shallow soils in Area 2.

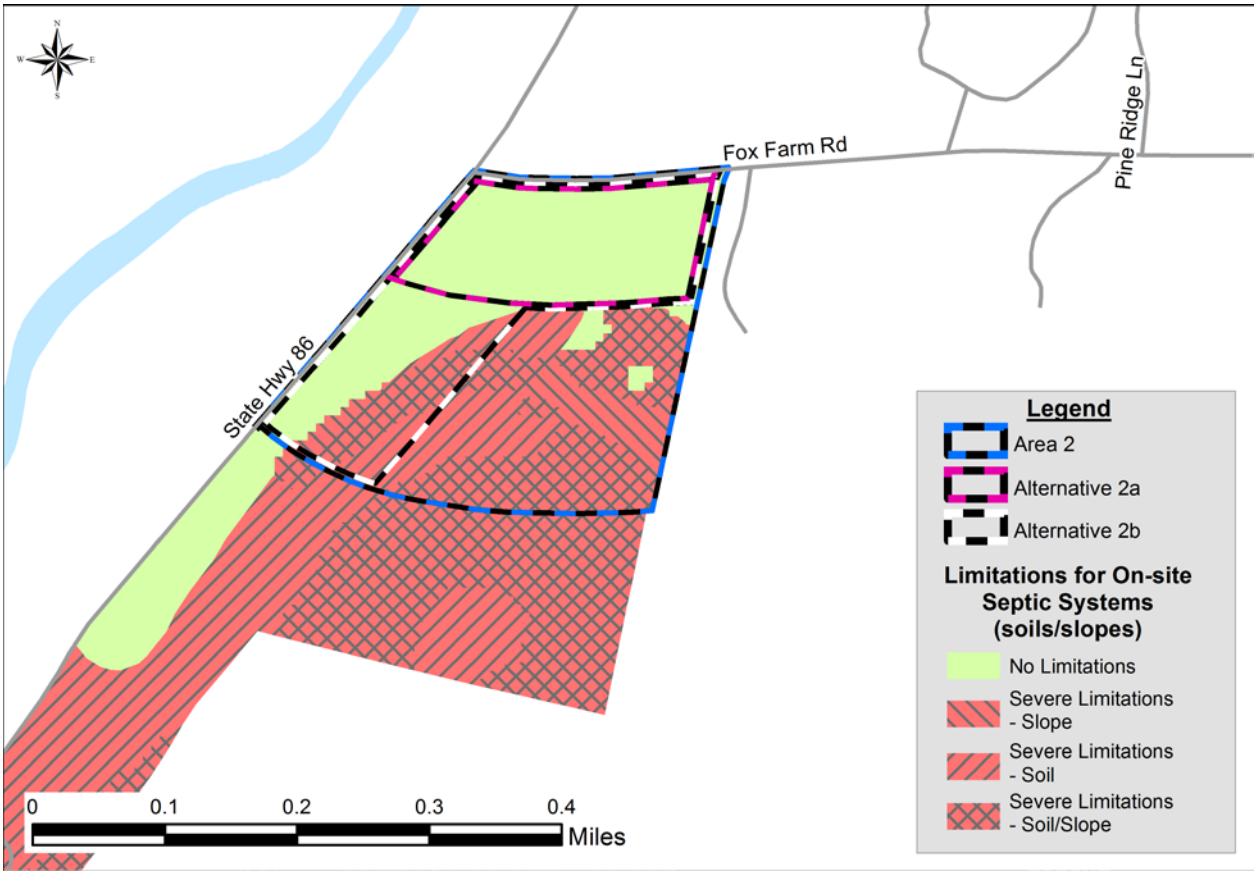

Figure 26. Relative Limitations for On-Site Septic Systems in Area 2.

Area 3 – One alternative configuration is considered is this document. *Alternative 3a* reduces the size of the area to approximately 39 acres of land by including portions of the Area 3 that contain more suitable soils and fewer steep slopes, which is located along NYS Route 86. Figure 27 show the distribution of steep slopes and shallow soils in Area 3.

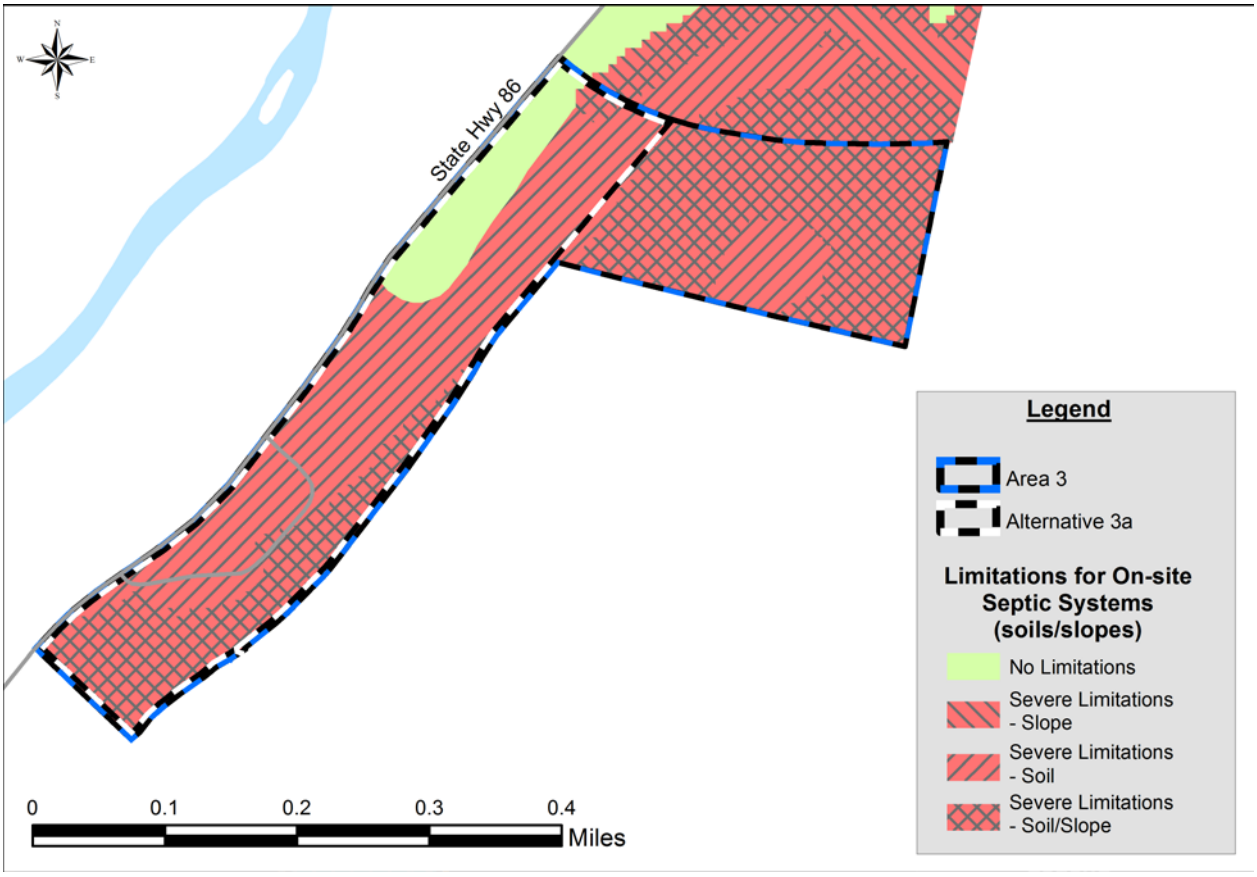

Figure 27. Relative limitations for On-Site Septic Systems in Area 3.

C. Intermediate classification

Area 1 – The land under review for this map amendment proposal is classified as Rural Use and the request is to reclassify this area as Moderate Intensity Use. The intermediate classification of Low Intensity Use could also be considered.

Area 2 – The land under review for this map amendment proposal is classified as Low Intensity Use and the request is to reclassify this area as Moderate Intensity Use. There is no intermediate classification that could be considered.

Area 3 – The land under review for this map amendment proposal is classified as Rural Use and the request is to reclassify this area as Moderate Intensity Use. The intermediate classification of Low Intensity Use could also be considered.

Alternative classifications and geographical boundaries could be combined.

PREFERRED ALTERNATIVE

The Agency has reviewed the character of the three areas and the relevant land use area classification determinants and has selected the following preferred alternatives for the three areas:

Area 1 – The preferred alternative for this area is to maintain the current Rural Use classification.

Maintaining the current classification for Area 1 was preferred because the amount and distribution of steep and severe slopes throughout this area necessitate the fairly stringent development constraints that Rural Use allows. Area 1 meets the character description for Rural Use areas (Section 805(3)(f)(1) of the APA Act) in that it contains substantial acreages of steep slopes. Approximately 36% percent of Area 1 consists of steep or severe slopes which are dispersed throughout the area.

While this area is in relatively close proximity to the existing Hamlet of Wilmington, the steep slopes severely limit the development amenability of the area. Steep slopes present limitation for development and can lead to environmental degradation. Area 1 also contains primarily deep, loamy sand soil, which are suitable for most development activities; however the sandiness of the soil combined with these steep slopes creates high risk for erosion and precludes most land uses.

Moderate Intensity Use and Low Intensity Use were not selected as a preferred alternative for this area because those lands classified as Moderate Intensity Use and Low Intensity Use are generally characterized by moderate slopes, which is not the case.

Area 2 – The preferred alternative for this area is reclassifying area 2b from Low Intensity Use to Moderate Intensity Use.

Area 2b is characterized by deep, well-drained soils on moderate slopes, is readily accessible from Hamlet of Wilmington, is served by a public drinking water system, and does not contain substantial acreage severe resource limitations. Approximately 78% of Area 2b contains deep soils and moderate slopes.

Area 2 was not selected as the preferred alternative due to approximately 47% of Area 2 containing steep slopes and shallow soils. Area 2a was not selected as the preferred

alternative because Area 2b contained more of the developed and developable portions of Area 2.

Area 3 – The preferred alternative for this area is to maintain the current Rural Use classification.

Maintaining the current classification for Area 3 was preferred because the amount of shallow soils throughout this area necessitates the fairly stringent development constraints that Rural Use allows. The character description for Rural Use areas (Section 805(3)(f)(1) of the APA Act) includes substantial acreages of shallow soils. Approximately 93% percent of Area 3 and 90% of Area 3a contain steep or severe slopes and/or soils with a shallow depth to bedrock.

Moderate Intensity Use and Low Intensity Use were not selected as a preferred alternative for this area because those lands classified as Moderate Intensity Use and Low Intensity Use are generally characterized by deep soils on moderate slopes.

POTENTIAL DEVELOPMENT

If a map amendment is approved, different Agency regulations that affect development potential would apply. A change in land use classification will affect regulatory thresholds related to overall intensity guidelines and compatible uses as set forth in Section 805 of the Act. Potential for development criteria would also depend on whether an Agency permit is required pursuant to Section 810 of the Act, the number of lawfully pre-existing lots and structures and development privileges for such pre-existing lots based on Section 811 of the Act, and constraints resulting from environmental factors.

The overall intensity guidelines allows one “principal buildings” (single family residences or their legal equivalent under the Adirondack Park Agency Act) per 8.5 acres (average lot size) in lands classified as Rural Use while lands classified as Low Intensity Use allows a 3.2 acre average lot size and lands classified as Moderate Intensity Use allows a 1.3 acre average lot size. Under the current classification of Rural Use, Area 1 (111 acres) could potentially allow 13 Principal Buildings (a single family dwelling or its equivalent under the APA Act). If reclassified to Moderate Intensity Use, Area 1 could potentially allow 85 Principal Buildings. Under the current classification of Low Intensity Use, Area 2 (40 acres) could potentially allow 13 Principal Buildings. If reclassified to Moderate Intensity Use, Area 2 could potentially allow 31Principal Buildings. Under the current classification of Rural Use, Area 3 (59 acres) could potentially allow 7 Principal Buildings. If reclassified to Moderate Intensity Use, Area 3 could potentially allow 45 Principal Buildings.

The above calculations area approximations and do not take into account existing development, lot configurations, resource constraints or existing permit conditions.

LAND AREA AND POPULATION TRENDS

The Town of Wilmington is approximately 42,085 acres in size, including water bodies, and is classified on the Official Adirondack Park Land Use and Development Plan map as follows:

Land Classification	Acreage
Hamlet	588
Moderate Intensity	1,720
Low Intensity	4,134
Rural Use	6,469
Resource Management	2,526
State Land	26,,430

Table 4. Approximate acreage of land use classifications in the Town of Wilmington

Population Growth Trends: The population of the Town of Wilmington was 1,145 in 2012, an increase of 14 persons (1%) since 2000. The table below compares population growth of the Town of Wilmington in both absolute and percentage terms as compared to the six towns that surround Wilmington.

Population of Wilmington and Surrounding Towns
(ranked by rate of growth)

	Year			Change from 2000-2010	
Town/Village	2012	2010	2000	Number	Percentage
Jay	2,823	2,506	2,306	517	22%
St. Armand	1,479	1,548	1,321	158	12%
Franklin	1,269	1,140	1,197	72	6%
Wilmington	**1,145**	**1,253**	**1,131**	14	1%
North Elba	8899	8957	8661	238	3%
Black Brook	1,484	1,497	1,660	-176	-11%
Keene	929	1105	1063	-134	-13%

Table 5. Population Trends (Source: U.S. Census Bureau, 2010, 2000 Census, 2012 Census Estimate*)*

RESPONSE TO COMMENTS

Below are a summary of relevant comments received and a response to those comments. The comments listed below are paraphrased. If multiple comments received are similar, they are only listed once. Multiple comments on a similar theme are grouped together.

COMMENT: Nothing has changed; the land involved now is just the same as when originally classified.

RESPONSE: The Final Generic Environmental Impact Statement (FGEIS) states changing conditions map warrant map amendments and that map amendments may be made when new information is developed or when conditions which led to the original classification change. More detailed soil and wetland mapping has become since these areas were originally classified, which warrants a reconsideration of the classifications of the requested areas.

COMMENT: The proposed change is not a transition. Zoning is a steady and constant parameter that homeowners may use when considering the purchase of property. The best classification for these areas would be to remain as classified or modest increases where applicable up one level of classification.

RESPONSE: Section 805 of the APA Act includes a process for the Map to be amended provided that the amendment area is consistent with the regional scale of the map and meets the Character Description, Proposes, Policies and Objectives for the proposed land use classification.

COMMENT: Conditions should be added to the FSEIS which includes the incorporation conservation design elements, small scale wastewater and the preclusion of development in areas between the requested areas and the river.

RESPONSE: The Agency does not have a process for granting map amendment that prescribes specific conditions on future development.

COMMENT: In Figures 9 and 21 of the DSEIS, areas that appear to have no development limitations do have limitations because some areas are within 150 feet of a stream other areas are within the Recreational River Area.

RESPONSE: The figures mentioned are intended to show the physical limitations, not limitations based on regulatory controls.

COMMENT: The proposed amendment for Area 1 is not consistent with the character of the areas which contains five homes and one Bed and Breakfast.

RESPONSE: The purposes, policies and objectives for the proposed Moderate Intensity Use classification is to provide for residential expansion and growth and to accommodate uses related to residential uses in the vicinity of hamlets. Existing land use is one land use area determinant.

COMMENT: Area 1 is completely separate from downtown Wilmington and the “Hungry Trout/motel stretch”. Developing Area 1 will create a sprawling miles-long stretch of houses and signs.

RESPONSE: Accessibility and proximity to existing hamlets is one land use area determinant. Moderate Intensity Use areas are generally adjacent to or near existing Hamlets as well as along public highways.

COMMENT: The proposed map amendment indicates a “deal that is already done.”

RESPONSE: The Agency will have not made a final decision until it finalizes the SEQR requirements. The Agency's decision must be based on the character of the land and cannot consider a private development proposal. The Town is not bound by the same criteria when requesting a map amendment.

COMMENT: There are considerably more wetlands and steep slopes in Area 1 than those shown on the maps in the DSEIS.

RESPONSE: Comment noted. The scale of the maps may not capture all wetlands and steep slopes. There may be wetlands that were too small to be mapped or areas with steep slopes that do not appear at the resolution of the map. Similarly, some areas that appear as steep slopes on the map may contain small areas that are not steep.

COMMENT: Any map amendment should be set back from the Ausable River.

RESPONSE: This section of the Ausable River is a Recreation River pursuant the Wild, Scenic and Recreational Rivers Act. Appendix Q-8 or the Agency’s Rules and Regulations lists Wild and Scenic Rivers as a land use area determinant for land classification but does not include Recreational Rivers.

COMMENT: The Local Waterfront Revitalization Program (LWRP) recommends reclassifying Area 1 to Low Intensity Use.

RESPONSE: The LWRP considers reclassifying Area 3 to Low Intensity Use. The Town’s current proposal is to reclassify this area as Moderate Intensity Use. The preferred alternative is to keep this area as Rural Use due to the limitations of the soils in this area.

COMMENT: Consideration should be given to coupling off-setting classification changes that decrease development to mitigate any unavoidable native impacts associated with any approved changes.

RESPONSE: An amended area must be consistent with the regional scale of the map and meet the Character Description, Proposes, Policies and Objectives for the proposed land use classification. There is not a process for off-sitting changes elsewhere unless the Town also requested other areas be reclassified to more restrictive classification.

SUBSTANTIAL CHANGES TO DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

- The Executive Summary was changed to reflect the preferred Alternative
- Language was added to the Executive Summary which included:
    - A description of how areas were originally requested before being augmented to meet regional boundary requirements. A figure was also added to show the original request and current proposal.
    - Explanation of the Wilmington Wastewater Feasibility Study in relation to this map amendment review.
- Language was added to the Proposed Action section to describe the areas originally requested before being augmented to meet regional boundary requirements. A figure was also added to show the original request and current proposal.
- Three graphics were added to the Environmental Setting section which show each of the three areas on a 2009 aerial image.
- A Preferred Alternative section was added.
- A Response to Public Comment section was added.
- A Summary of comments received at the public hearing was added to the appendix
- Written comments received were added to the appendix.

STUDIES, REPORTS AND OTHER DATA SOURCES

- New York State Environmental Conservation Law, Articles 8 and 24; New York State Executive Law, Article 27
- Soil Survey for Essex County
- United States Geological Survey Topographic map (7.5' series; scale 1:24,000)
- Air Photo Inventory, Adirondack Park Agency
- New York Natural Heritage Database
- NYS Office of Real Property Services
- Essex County Digital Tax Parcel Data
- U. S. Census Bureau
- Adirondack Park Agency Geographic Information Systems Data
- Adirondack Park State Land Master Plan

- Town of Wilmington Local Waterfront Revitalization Plan
- New York State Parks, Recreation and Historic Preservation National Register Internet Application

APPENDICES

A. APPLICATION FOR AMENDMENTS TO THE OFFICIAL ADIRONDACK PARK LAND USE AND DEVELOPMENT PLAN
B. SUPPLEMENTAL APPLICATION MATERIAL
C. LAND USE AREA DESCRIPTIONS, SETBACK AND COMPATIBLE USE LIST
D. LAND USE AREA CLASSIFICATION DETERMINANTS
E. TOWN OF WILMINGTON LOCAL WATERFRONT REVITALIZATION PLAN
F. COASTAL POLICY CONSISTENCY DISCUSSION
G. SUMMARY OF PUBLIC HEARING
H. WRITTEN COMMENTS RECEIVED
I. PUBLIC HEARING NOTICE
J. DSEIS FILE LIST