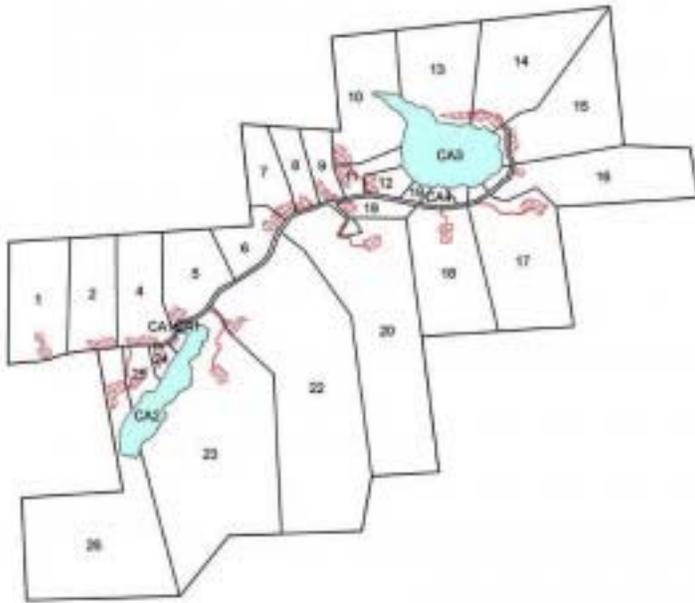


A Push For Clustering Of Developments

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A map showing the lots, the access road, and (in red) driveways and building sites (courtesy of APA)

Environmentalists say the approval of a housing development at a former Boy Scout camp underscores the need for tighter regulation of privately owned backcountry lands in the Adirondacks.

All four of the Adirondack Park's major environmental groups opposed a plan to subdivide 1,119 acres in Fulton County into twenty-four building lots, most of them bordering two water bodies, Woodworth Lake and Hines Pond.

Nevertheless, the Adirondack Park Agency board voted unanimously to approve the subdivision in January.

APA officials said the project had been modified to lessen its impact on the environment. Ariel Lynch, an environmental program specialist, told the APA board that most of the proposed locations for homes were changed based on recommendations of the agency's staff. Under the conditions of the

developer's permit, she said, all the homes will be at least a hundred feet from the waterfront. Other permit conditions aim to protect wetlands, streams, and water quality.

"The agency's extensive review resulted in a permit that concentrates where development will occur and ensures best-management practices are used to avoid the fragmentation of wildlife habitat and minimize impacts to waterways," APA Chairwoman Lani Ulrich said after the vote.

Critics argue that the APA should have required the permit applicant, New York Land and Lakes Development LLC, to follow the principles of conservation design, an approach to development that minimizes the disturbance to the environment.

Conservation design begins with a thorough ecological survey of the property to identify critical wildlife habitat, including wetlands, ponds, streams, and vernal pools, as well as terrain unsuitable for development, such as steep slopes. All of these areas are then marked off limits to development.

In a conservation-design subdivision, a large portion of the parcel—up to 60 percent of the land—is held in common ownership and kept undeveloped. This open space benefits wildlife and can be used for outdoor recreation. The rest of the land is divided into lots with houses clustered close enough to mitigate environmental impacts but far enough apart to ensure privacy.

"We are confident the APA could have accommodated a similar number of new homes on a much smaller footprint," said Willie Janeway, executive director of the Adirondack Council.

The council and other green groups fear that if the APA continues to approve similar subdivisions, developers will fragment the privately owned backcountry—that is, timberlands classified as Resource Management, the agency's most-restrictive land-use category (most of the former Boy Scouts camp is designated Resource Management).

Peter Bauer, executive director of Protect the Adirondacks, said he is working with the council, the Adirondack Mountain Club, and Adirondack Wild on changing APA regulations to make conservation design the default approach to development on Resource Management (RM) lands.

"We hope to see something introduced into the state legislature," Bauer said. "We know it's a steep climb because the APA is not interested in improving the regulations."



Woodworth Lake in winter (courtesy of Dave Gibson, Adirondack Wild).

APA spokesman Keith McKeever said the agency already considers clustering and other elements of conservation design when reviewing projects. “The agency also imposes strict permit conditions to ensure the open-space character of the Adirondack Park and its unique natural resources are protected,” McKeever said in an email to the *Adirondack Explorer*.

The Adirondack Park Land Use and Development Plan lists residential development as a “secondary use” on RM lands, though it is allowed “on substantial acreages or in small clusters on carefully selected and well designed sites.”

One complaint of environmentalists is that the APA has never defined “substantial acreages” or “small clusters.” Another is that the agency regards the language as merely a guideline, not a mandate—a view recently upheld by the courts.

Critics say the Woodworth Lake subdivision adheres to neither criterion. The homes will be built along a lengthy access road and around the two water bodies, and the lots range from three acres to 145 acres. Virtually none of the land is held in common.

“When you have camps strung out over a mile on the property, no way can you rationally call that a cluster,” Bauer said.

Sherman Craig, chairman of the APA’s Regulatory Programs Committee, defended the design approved by the board, saying it makes use of existing roads and clearings to minimize disturbance of the forest and leaves the great majority of the land in open space. He added that the staff looked at nearly fifty criteria in evaluating the environmental impacts.

“To simply focus on how close the houses are together, that puts one criterion over all the others,” he told the *Explorer*.

Neil Woodworth, executive director of the Adirondack Mountain Club, conceded that the project has its good points, but he said conservation design should be the default option on RM lands. “Clustering any development of Resource Management land is the superior choice and best complies with the Adirondack Park Land Use and Development Plan, the purpose of which is to maximize the conservation of backcountry lands,” he said.

Fred Monroe, executive director of the Local Government Review Board, which has a non-voting seat on the APA board, said the criticism of the agency’s decision “was based on a wish that the law was different and wasn’t based on what the law is.”

Although Monroe supported the decision, he said he can see the value of clustering on backcountry lands in that it preserves open space and reduces the amount of roads and other infrastructure that must be built. He said he might support a clustering requirement if it were coupled with a proposal to allow more development, especially affordable housing, close to communities.

“It comes back to balance,” he said. “If it had both of those elements, it could make sense. You’re supporting both wildlife and people.”

State Senator Betty Little, whose district includes most of the Park, also is open to the idea of promoting cluster development. “She does see a need to reform the APA Act so that clustering isn’t discouraged and is in fact encouraged,” said Dan MacEntee, her spokesman.

MacEntee said Little also is concerned about sprawl. She has sponsored a bill, now on hold, that would allow landowners to transfer development rights from backcountry lands to more settled areas near hamlets. The idea is to promote clustering on a landscape scale.

It’s uncertain when legislation would be introduced, but Woodworth observed that “we would rather have stronger laws in place before we have another RM subdivision.”

In the meantime, a scientist with the Wildlife Conservation Society in Saranac Lake says environmentalists need to work with the APA to encourage it to embrace conservation design. “This landscape is important and valuable enough that we should use the best science that is available to us to protect it,” said Michale Glennon, the WCS Adirondack Program science director.