

# Benefits of Conservation Development

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Tupper Lake

Congratulations are due the Adirondack Park Agency and Wildlife Conservation Society's Adirondack Program for this month's Adirondack Park Agency (APA) presentation on the benefits of Conservation Development in the western United States. Presented by Sarah Reed (of Colorado State University and WCS), the information showed the considerable extent of non-traditional subdivision and development going on in the 11 western states today.

Some form of conservation development, or "an approach to development design, construction and subsequent stewardship which achieves functional protection for natural resources and an economic benefit" is going on in about a third of this huge area of the country, Sarah Reed told the APA. Since conservation development is distinguished from traditional development as setting aside at least half of a buildable area as open space, while performing ecological site analysis to map what habitats deserved protection, it has also comprised a remarkable 25% of all private land conservation going on in the west, she said. In her study, Sarah Reed analyzed local ordinances and practices across the west which require or incentivize

conservation development – most ordinances are voluntary, offering incentives in the form of density bonuses for land set-asides. Most of those, she said, exceed the 50% mark, and often achieve 70% open space. Yet, she also found that just 13% of these conservation development projects go the next step of performing ecological site analysis to determine the most sensitive or significant habitats to protect, and even fewer hired professional ecologists to help perform this assessment. The open space features of these subdivisions may be strong, but the ecological design features are weak, showing a need to invest in more professional expertise to assure a strong conservation benefit.

On the economic side, across the west Sarah Reed reported a 20-30% “price premium” for home sales within conservation developments that retained significant open space.

Key to making more progress, in her estimation, are these factors: 1. Professional expertise in applied ecological design is needed at the local government level to achieve the most conservation benefit; 2. Density bonuses provide good incentives to participate in conservation development; 3. There is the concern about affordable housing within the conservation developments that needs to be addressed; 4. Homeowners Associations, who mostly bear the responsibility for stewardship of the conservation lands, are transient by nature, and require both professional guidance and funding to do this job.

Now to the APA: why does this matter to an Agency that is not pushing hard for conservation development in a six-million acre, globally important Park? Is this yet another one-off presentation about the values of non-traditional subdivision? I’ve heard half a dozen professional presentations to the APA about the principles and benefits of conservation design of development, including several leading up to the Adirondack Club and Resort (ACR) adjudicatory hearing. None had much impact on the design of the “sprawl on steroids” type of ACR development approved by the APA in Jan. 2012.

A former APA staff member issued a 2005 memo to his boss about the need for APA to be better prepared to review the ACR (admitted evidence in the ACR hearing): “Alternatives to a large subdivision should always be considered,” wrote APA project review officer George Outcalt. “The large scale project SIR form asks the applicant to prepare alternative development plans and compare them to the proposed application. Relevant regulations include 9 NYCRR 572.3(b)(2), 572.4(d)(7), 578.10(a). “Alternatives analysis is an inherent part of any SEQRA review (e.g.572.4(d)(1).”

Mr. Outcalt continues: "In the case of Big Tupper, alternative plans for clustering in Resource Management, for concentrating all of the development around the ski center and development proposals that involve different numbers of housing units, particularly a smaller number, should be developed and compared to the proposed project. The analysis should include both economic and resource costs and benefits of the project as compared to the alternatives." The analysis was never done, as the APA admitted in the hearing. If it had been, it is likely that some form of ACR development would be already under construction, not tied up in court.

APA's own guidance to applicants issued in 2008 about the many benefits of "Conservation Design Subdivisions: Advancing the Clustering Principle" (found on the APA website) had no observable impact on the ACR permit either, although one could begin to see some applied ecological principles in the Highland Farmers subdivision permit (in Keene) issued last summer – hardly a trend, but hope springs eternal.

While on the topic of trends, does the Agency detect and analyze trends, such as how development has occurred in the Park? I think the most generous one word answer would be "fitfully." I was reminded recently of the [APA's Trends Analysis Plan issued in 2001](#), and I quote from the executive summary: "in order to develop policies to help guide the Agency into the next century, a staff team was assembled to develop a plan to facilitate a streamlined Park-wide database that could be used to monitor trends in Park resources. The team's charge was to: Identify, inventory, determine trends and analyze Park natural, cultural and other resources of special significance. Develop an overall plan for data development, research and analysis needs. The plan should identify suitable baseline information, show projected time lines, identify sources of money and partners to aid in design and implementation. The team identified strategic benefits flowing from this effort, the most important being: Agency decisions and pro-active actions will be based more on trends observed from scientific monitoring of natural, cultural and economic resources; and Agency decisions will sustain the Park over the long term."

Proactive APA planning and regulation of land use and development to sustain the Park based upon "trends observed from scientific monitoring of natural, cultural and economic resources" would be faithful to the Park and the agency's 1973 statute, but is currently invisible at an APA "open for business" at the expense of the overwhelming public interest in the Adirondack Park.