APA approves major lakeshore subdivision

By Michael Anich
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A marsh at the north end of Woodward Lake (Photo provided)

The state Adirondack Park Agency board voted 9-0 with one abstension Friday to approve a permit for a major, 1,170-acre housing subdivision involving Woodward Lake in the towns of Mayfield and Northampton.

Most of the comments backing the decision came during a Regulatory Programs Committee meeting that proceeded the APA’s monthly meeting. That committee voted 4-0, with one abstension to recommend approval to
the full board. Commissioners said it was a "complex" project they ultimately decided in favor of.

Commissioner Daniel Wilt felt the developer of the project went "over and beyond" regulations needed for a project that was begun two-and-a-half years ago with planning.

"I also think this project fits in the standards and requirements," Wilt said.

The only board abstension came from John Ernst, who stated, "I personally don’t like the result." He claimed the entirety of Woodward Lake was being developed.

He called the action for the project an "unfortunate template" for lakefront projects in the future.

"I don’t know if a public hearing is going to resolve those issues," Ernst said.

Woodward Lake is about 100 acres and is considered undeveloped and shallow, with the entire tract about 1,200 acres. The developer is being allowed to ring the shoreline with 18 lots, add 16 more through forest, and build 2,000 feet of new road.

New York Land and Lakes Development LLC is subdividing the 1,170 acres of land to create 34 lots, 32 of which will be building lots.

Thirty new single-family dwellings would be built in the land area classified as "rural use," and two new single-family dwellings are proposed for the land classified as the more restrictive "resource management." The project sponsor also proposes to extinguish all 37 of the remaining building rights associated with the project site.

Commissioner Kenneth Lynch said agency staff did an outstanding job in its review of the subdivision, for which due diligence was accomplished.

"These are carefully and well-selected sites," he said.
Commissioner Arthur Lussi felt the developers did an "outstanding job" crafting a project with frontage development that ranged from 150 to 1,000 feet.

"I think the resource is the lake, and that’s my biggest area of concern," he said. "[But] I think this plan is thoughtfully done."

Board members throughout the morning obtained legal opinions from counsel Christopher Cooper and how they might potentially proceed.

Cooper said that with Friday’s approval, the APA was accepting the development as proposed and staff must now be instructed to issue a draft permit.

The developer basically met seven conditions of law, including that the project will have "no undue adverse impact on resources of the park." Other conditions included the project being consistent with a land use and development plan, compatible with character description, and the project complies with shoreline restrictions.

Commissioners inquired about possibly tabling the action, which he said they probably couldn’t do. They also asked about moving the matter to a hearing if they didn’t vote, but Cooper noted the board would have to have specific factual concerns layed out for such a hearing.

The board noted the APA garnered 37 public comments on the project over multiple public comment periods.

But Friday’s concerns were mostly brought by Ernst, who stated, "The development rings the lake."

Woodward Lake was described as a warm water body where trout don’t survive.

The board was told the development will be private and not accesible by the public, to which Ernst stated, "I think we’re trying to protect a water body within the park." He called the project a "good suburban development."
All lots meet a 100-foot setback requirement, it was noted. Eighteen exceed 150 feet, and seven exceed 400 feet. APA regulations for shoreline cutting were "far exceeded," officials said.

Commissioner Andrea Hogan noted there is currently only one building on the Woodward Lake property, but that area will be modified.

"This is going to significantly change that and impact the entire lake," she said.

State officials said the only wildlife the area might see would probably be animals coming up to the lake to get a drink.

One question had to do with the fact each home will have its own drinking well, and whether smaller lots meet well setback requirements. Each lot was looked at for the proper separation, officials said.

APA Executive Director Terry Martino asked about the current access to the site. She was told there existed a few access roads, including the gravel Collins-Gifford Valley Road, as well as Robert Sweet Road. Currently, the Woodward Lake area has a town road, dam, single-family dwelling and logging/skid roads.

The APA was under a tight 90-day timeframe to take action by today. Had they failed to act, Cooper said a default approval may have been granted. The project’s application had been deemed complete last Dec. 4.

The park’s environmental advocacy groups have opposed the project. One of them, Adirondack Wild, announced Friday that the agency accommodated the developers rather than following goals set in 2018 to "minimize areas of new disturbance, concentrate development where impacts are least, and preserve large blocks of unbroken forest and lakeshore for wildlife, forestry and open space recreation."

"APA is allowing applicants to set the parameters of what is approvable, making only polite requests for alternatives," managing partner David Gibson said in a news release. "By their own actions today APA
demonstrated how their voluntary system is toothless and why new legal mandates for conservation design are required.”

“By eliminating additional lots, APA could have advanced a far more innovative conservation design that would keep more than half the lakeshore undeveloped, eliminate the new road, keep the forest and wildlife habitats unsubdivided, and comfortably fit about 20 new home lots on good soils in one location of the project area,” Gibson continued.

“Such an alternative would be consistent with the APA Act. Instead, the APA allowed the applicant to maximize his return to build a conventional subdivision at the expense of Woodward Lake and adjacent forest.”