



Board of Directors

August 26, 2024

Charles Clusen
Chair

James McMartin Long
Michael Wilson
Vice-Chairs

Barbara Rottier
Secretary

David Quinn
Treasurer

Nancy Bernstein
John Caffry
Andy Coney
Dean Cook
James C. Dawson
Lorraine Duvall
Robert Glennon
Roger Gray
Evelyn Greene
Sidney Haring
Sheila Hutt
Patricia Morrison
John Nemjo
Peter O'Shea
Philip Terrie
Chris Walsh

Staff

Peter Bauer
Executive Director

Claudia K. Braymer,
Esq.
Deputy Director

Christopher Amato,
Esq.
**Conservation Director
and Counsel**

Re: Proposed Luzerne Woods Subdivision Development Project by Luzerne Woods, LLC and Luzerne Estates, LLC
Sagamore Street, Milrose Lane and Lake Tour Road
Tax Map Parcels: 298.20-1-34, 298.16-3-50.1, 298.16-3-55, 299.13-1-3, 299.13-1-4, 299.13-1-5, 299.13-1-6

Dear Planning Board Members:

We understand that the Town has received preliminary application materials for a proposed subdivision development on Sagamore Street, Milrose Lane and Lake Tour Road. The concept is to develop a 33-acre forested site with 23 lots for the construction of 20 single family residences and two multi-family dwellings. Access rights to Lake Luzerne would be provided through a single beach lot known as Camp Teck Beach, in close proximity to the Luzerne Music Center.

Environmental Resources Analysis

The New York State Department of Environmental Conservation's (DEC) Environmental Assessment Mapper tool shows that there are protected surface waters (a Class C Trout stream and tributary to the Hudson River), and Adirondack Park Agency (APA) wetlands (more than 1 acre) adjoining the project site (less than 100 feet away), and that a principal aquifer is located below or immediately adjacent to the 33-acre project site. In addition, the DEC tool shows that there are species of special concern (Pygmy Snaketail) on the project site. The Upper Hudson River area is one of the only locations in New York that has had known occurrences of Pygmy Snaketail. Further, the DEC tool indicates that the project site is located within or adjacent to an area designated as sensitive for archaeological sites.

The applicant's "Conservation Analysis Report" indicates that the project site contains steep slopes (up to 45%), that there is a "existing depression located in the middle of the site", and that there are two areas of wetlands located on the project site. According to the applicant, a wetlands delineation was conducted, but the exact locations and boundaries of these wetland areas are not shown on the applicant's concept layout map. Therefore, it is unclear how close any of the proposed lot boundaries, roads, and onsite wastewater

Protect the Adirondacks

PO Box 48, North Creek, NY 12853 518.251.2700

www.protectadks.org info@protectadks.org

Like Us on Facebook and on Instagram/Threads @ProtectAdkPark

treatment systems are located to the wetlands on the site. Notably, the delineation was apparently performed in January 2024, a difficult if not impossible time of the year to accurately examine the extent of wetlands and wetlands vegetation. Moreover, this wetlands information was not provided to APA prior to the non-jurisdictional determination letter that was issued by APA in the spring of 2023. There is nothing in APA records showing that the wetlands delineation was provided to APA.

Potential for Significant Adverse Environmental Impacts

Given the natural resources on and adjacent to the site, this project has the potential to cause significant adverse environmental impacts to the natural resources of the Adirondack Park. We are concerned about the number of proposed lots, the size of the lots, the number of proposed residential dwellings, the creation of three dead-end roads rather than interconnecting streets, the impact of the proposed project on plants and wildlife, the impacts of the impervious surfaces and onsite wastewater treatment systems on wetlands and water quality, and the shoreline vegetation impacts and the significant increase in activity at the beach parcel. While the applicant has submitted a “Conservation Analysis Report” to the Planning Board as part of its initial review, that document is lacking critical project details and is much too narrow in scope. In order to get a complete picture of the potential environmental concerns, and to ensure that there is sufficient, accurate information available to make a determination of significance pursuant to the State Environmental Quality Review Act, the Planning Board should require the applicant to provide a full environmental assessment form if and when it submits an application for this proposed project.

Subdivision Design Review

Finally, we are concerned that the Planning Board summarily accepted (at its meeting on March 27, 2024) the applicant’s “Conservation Analysis Report” without any independent review by the Town’s engineer and without receiving any public comment or input on the proposal. We encourage the Planning Board to reevaluate this position, so that the Town’s engineer and the public can scrutinize the proposed subdivision design layout. The applicant’s proposal to have buffer areas or no-cut areas between individual subdivision lots is not true conservation of the remaining developable lands. The new lots should be more closely clustered together to leave greater areas of unfragmented parcels of forested lands. For example, the four lots in the cul-de-sac at the southern end of the project should be eliminated to leave that block of existing forest undisturbed and unfragmented from the surrounding forest. That stretch of existing forest should remain permanently forested to protect the adjoining wetland and stream located on the Lake Luzerne Water District parcel.

On behalf of the Board of Directors of Protect the Adirondacks, please accept our gratitude for the opportunity to share our comments on this proposed project at this time. We may have additional comments for your consideration as the review process unfolds.

Sincerely,

Claudia K. Braymer

Claudia Braymer,
Deputy Director

cc: Hon. Eugene Merlino, Town Supervisor
Town Board Members
Matthew Brown, Project Administrator, APA
David Plante, Deputy Director, APA