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NY Land & Lakes appreciates the concern from individuals and environmental groups over the development of the land around Woodward Lake. We take great pride in our projects and develop them in a manner that benefits not just the human community where they are located, but also the natural community that may be impacted by them. So as one letter points out this *is* business as usual for NY Land & Lakes, as we take great care in any property we develop no matter the location. We believe that the Woodward Lake proposal strikes a good balance between the interests of the developer while protecting to the maximum extent possible, a huge portion of the property much the way we did with the Woodworth Lake project several years ago as well as all the projects developed over the course of 24 years in business.

One concern that was raised by a number of concerned individuals and groups was the claim that NY Land & lakes did not utilize "Conservation Subdivision" concepts when designing the lots at Woodward Lake. Conservation Subdivisions use a design strategy that attempts to cluster building sites to a small portion of the property while preserving undivided tracts of land as communal open space for residents where, ideally, 50 to 70% of the land is set aside as open space by grouping homes on the developable portions of the land.

We feel strongly that what the preferred plan represents is *in fact* a Conservation Subdivision. The valley land was used for farming prior to the construction of Woodward Lake in 1928 as they were the flatter deeper well drained sandy soils. This was very evident in the soil test pit results that the deeper well drained soils lie around the lake. It is also evident in the wetland flagging as several drainages disappear or turn to a sandy dry ditch when they reach the flatter better drained soils. The 33 building envelopes are generally placed on the gentler slopes in the well-drained soils clustered along the existing town road, Collins Gifford Valley Road.

- Building areas were concentrated in areas with the best soils and gentlest slopes
- Building sites were clustered near existing infrastructure, roads & powerlines; overlapping existing ecological effect zones
- Wetlands and water courses were avoided
- Building envelopes are all 100 plus feet from wetlands
- On most parcels building site were set back *double* the minimum setback from the lake shores.
- Restrictive Covenants will be placed in the deeds to each parcel governing uses above and beyond what Town ordinances would require

Where the preferred plan may fall short of what many think of as a Conservation Subdivision is the fact that it splits the remaining acreage outside the building envelopes rather than keeping it in common ownership as open space. To reiterate what was outlined in the application, a strong economic and environmental argument could be made to NOT leave large tracts of land in common ownership for open space:

Economic – over the last 30 + years of selling land in NY State, it has become clear that people who wish to invest in land in rural areas of NY State do not wish to purchase smaller parcels with access to commonly owned open space lands. This is especially true in the Adirondacks where there are already huge amounts of open space. As stated previously, the smaller parcels do not have nearly the value of larger parcels even with access to commonly owned open space. Making smaller lots away from the lake would also greatly reduce the assessed value of each building lot to the local town and county reducing tax revenue that would be realized from this property. If 50 to 70 percent of the property were put into a protective property owners association, thereby removing the development rights, the result would be a much lower assessed value on a large tract of land with the resulting lowering of tax revenue for a small Township with a limited resources. This loss of tax revenue would be harmful to the Town.

Environmental – we strongly disagree with the notion that a line on a map will destroy wildlife habitat and disrupt travel patterns. In fact, an argument could be made that just the opposite is true. Diverse ownership will lead to a diversity of habitats which will be much more beneficial to wildlife populations as well as the forest in general. We have shown that this idea can work.

By way of a recent example, at Woodworth Lake, NY L&L created 23 lots on a 1,138-acre parcel of land located in the Resource Management Zone. Individual Forestry/Wildlife Management Plans were prepared for each lot over 50 acres in size. Numerous purchasers at Woodworth Lake took advantage of these plans and have put 487 acres (almost 50% of the land) at Woodworth Lake into the NYS forestry program under 480 A. We propose the same plans for the 50+ acre lots at Woodward Lake.

Large tracts in one ownership may lead to the mismanagement of the land or a mono cultural approach to forest management. As an unmanaged forest matures, the quality of the habitat will decrease much like a lot of the wilderness forever wild areas of the Adirondacks where acres and acres of forests provide little quality habitat to wildlife species. Forests need to be diverse and in varying stages of growth to provide suitable wildlife habitat.

Another concern from the public comment letters seemed to be with the construction of 2,000 feet of new road on the east side of the lake. Immediately to the east of this new proposed road is an overhead NYSEG transmission line which runs through the woods up the property line. This electric line right of way, also used by ATV's, is located just 1,000 – 1,200 feet off the lake shore. The new road ties into High Rock Road which is already highly developed with many small one acre building sites. Using the argument that a building site or intrusion influences the area of 200 meters away then most of the land

on this side of the lake is already affected, therefore, it would make the most sense to put development here as opposed to up on the mountain side to the west of the lake.

Alternative number two that is mentioned in several letters as the preferred plan must not have been studied very hard as it is not really feasible for many reasons.

- It does not generate enough value to make a viable project, lake front lots in general are worth 4 times the value of a non-lakefront lots
- The value issue would greatly reduce the tax revenue realized from this property by the local town, county & school
- Requires 7,200 feet of new road 26 feet wide as opposed to the 2,000 feet we proposed
- It would move ten times the number of building sites into the resource management zone
- Moves building sites to steeper sites with shallower soils creating more stormwater run-off requiring more infrastructure to handle the stormwater
- Building sites would encroach on wetlands, Amphibian breeding habitat and water courses

The Town of Northampton conducted a thorough subdivision review of the Woodward Lake plan under their subdivision regulations and held a public hearing on September 2, 2020 at which time only two interested parties attended. Neither party had any big concerns with layout or design. It is also interesting to note that of the nineteen interested parties who submitted written comments during the latest comment period, only one was from the immediate area of the project (Mayfield, NY). The Town of Northampton Planning Board approved the project on December 2, 2020.

In summary, over the course of the last almost 3 years, with the continual guidance of APA staff, NY Land & Lakes completed a year plus long biological study of the property and carefully designed all the proposed lots in the Woodward Lake plan with an eye toward minimizing impacts to the lake, its associated wetlands, water courses, and significant wildlife habitat by proposing to develop only 3 % of the property and giving up 35 principal building rights. Development on the thirty-three parcels proposed on the Preferred Plan will be limited to the area within each building envelope. The total combined size of all thirty-three building envelopes is 27.40 acres or 2.3% of the total acreage of the project. In addition, 188.99 acres will be permanently set aside by deeding it to a Property Owners Association. The property consisting of Woodward Lake, its associated wetlands, streams, and the impoundment structure built to create the lake will forever be protected and owned in common by the Association which will be formed under General Business Law Article 23-A overseen by the NY State Office of the Attorney General Office (Department of Law) and will be filed with the Department of State as a not-for-profit corporation. It is written into the By-Laws of this Association that the land could never be sold or developed. NY Land & Lakes has successfully formed numerous such Associations across the state over the years. It is a manmade lake and if the dam isn't maintained and in sensible common ownership, the lake could disappear.

The Woodward Lake preferred plan may not meet the strict definition of a Conservation Subdivision, but it does address the environmental concerns brought up in the public comments and is more than

appropriate for the APA Rural Use Zone where most uses are permitted - residential uses and reduced intensity development that preserves rural character is most suitable.

Sincerely



Alan M. Lord

Project manager

New York Land and Lakes Development LLC