

Town of Willsboro Comprehensive Land Use and Action Plan Adoption- 2012 DGEIS

Action: Adoption of a Comprehensive Land Use and Action Plan

Town of Willsboro, Essex County, New York

Draft Generic Environmental Impact Statement (DGEIS) 4 23 2012[v5]

Location: Town of Willsboro, Essex County, New York

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Proposed Action: Adoption of a Comprehensive Land Use and Action Plan, Subdivision Regulations, Zoning Local Law, and Onsite Sewage Disposal Ordinance Amendments for the Town of Willsboro, Essex County, New York

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1. Executive Summary

In 2008, the Town Board of Willsboro decided to undertake a comprehensive strategic community planning process in order to: provide a framework for future economic development, assess capital needs, and prepare revisions to the Town's land use laws. An engaged, enthusiastic and active citizenry participated in the development of the Town of Willboro Comprehensive Land Use and Action Plan (also referred to as the comprehensive plan). From the onset, the Town encouraged the participation of all interested groups in the community and invited them to the table throughout the planning process. The Town appointed a Comprehensive Plan Steering Committee, engaged the services of a professional planner. The Steering Committee collected existing studies and data, inventoried and analyzed existing conditions, surveyed and interviewed the community, evaluated future trends, and ultimately made recommendations that support a plan of action to move the community forward. The community-at-large participated in establishing a vision of the Town, provided continual input and review of the Comprehensive Land Use and Action Plan. Citizens demonstrated commitment to the process and plan by attending public meetings, contributing thoughtful comments and suggestions for over two years.

As a point of consensus in the public process that created the document, the Comprehensive Plan reinforces existing growth patterns and does not recommend reduction in the maximum build-out under APA intensity guidelines. Rather than graphically bounding and prescribing specific treatment to existing zoning districts or parcels, the plan describes in the text the future direction of land use in the Town.

The Plan advocates a Smart Growth approach. Steady, sustainable growth patterns, increased land protection and regulatory review and control to reduce growth impacts are recommended. Much of the plan emphasizes how to develop, maintaining the status quo of "where." The Plan suggests a package of regulatory reforms and development incentives based on the carrying capacity of the land. It relies upon permit-level environmental review to mitigate individual and cumulative development impacts. Site Plan Review is a new function proposed to mitigate growth impacts on the landscape. Conforming the zoning map and text amendments to the spirit of the master plan falls to the Planning Board.

Recommendations concentrate development in existing neighborhoods where public services can support demand—and draws attention to the carrying capacity of the land. The composite suitability analysis (highlighted in the text, with supporting detail in the Community Profile and Atlas), provides a graphic depiction of where constraints exist and development requires a cautious approach. Special landscape features and places were noted as exceptions. Noted items include land slump or landslide locations, noteworthy agricultural soils, and unique natural features.

The Town Board, the authorized entity under New York State law, is considering adoption of the plan. In order to conform the Town's land use laws to the plan, the Town is also in the process of preparing amendments to the zoning ordinance, subdivision law and onsite

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sewage disposal ordinance that will be based on the comprehensive plan recommendations. It is anticipated that the once the comprehensive plan is finalized, changes to the zoning ordinance, subdivision law and onsite sewage disposal ordinance adopted in conformance with the plan and GEIS, should not require any further environmental review.

The Town of Willsboro is conducting an environmental review of the impact of this Action on the Town environs. This review is conducted in compliance with Section 272-a of Town Law and the applicable provisions of the State Environmental Quality Review Act (SEQRA) of New York. In conducting this review, the Town Board of the Town of Willsboro assumed the role of Lead Agency under the auspices of SEQRA on January 25, 2012. On January 25, 2012, the Town also made a determination that the proposed actions were a Type I Action, issued a Positive Declaration, and authorized the preparation of a Draft Generic Environmental Impact Statement.

The Draft Generic Environmental Impact Statement and the Town of Willsboro Comprehensive Land Use and Action Plan, together with its appendices that include Chapters 1-4 of the Community Profile and Atlas, are integrated and interrelated documents that together, represent the DGEIS process and product. The Town of Willsboro Comprehensive Land Use and Action Plan, together with its appendices that include Chapters 1-4 of the Community Profile and Atlas are incorporated by reference in the DGEIS as if they were set forth in their entirety.

2. Description of the Proposed Action

In 2008, pursuant to Town Law, the Town of Willsboro Town Board appointed the Willsboro Comprehensive Plan Steering Committee and directed the members to prepare a comprehensive plan as prescribed by New York State Law. Over the course of the ensuing period, the Town-appointed Steering Committee held periodic public meetings, workshops, and hearings. The Town is moving forward with adoption proceedings according to the procedures prescribed by New York State Law, including the required consultations with the Essex County Planning Board and Farmland Protection Board and a full SEQRA review.

The Comprehensive Land Use and Action Plan (also known as the comprehensive plan) is a blueprint for the future. The Plan incorporates a multi-year, intensive citizen-driven process that includes a comprehensive inventory and analysis, civic input and envisioning. The committee, with consultations from citizens, government officials, organizations, and experts thoroughly reviewed historical, existing, and future conditions and trends affecting the Town for a complete array of demographic, infrastructure, governmental, land use, economic, social, environmental, historical, and cultural concerns. Surveys were initiated and existing studies were reviewed. Key informant interviews were conducted, and public meetings held to gather advice and suggestions. Existing conditions and future trends data were utilized to establish a basis and context for analysis on Willsboro's social, economic, and physical features (See Comprehensive Plan and Chapters 1-4 of the Community Profile and Atlas Bibliographies). From this strong basis of information, stakeholders identified, discussed, and mapped options and alternatives. Each iteration of the plan document considered

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potential impacts and possible mitigation measures before making draft and final recommendations for action and implementation. (A similar process will be carried out when implementing the zoning amendments and subdivision law implementation.) The Steering Committee framed recommendations for Town action including recommendations for revisions to the zoning, subdivision, and onsite sewage disposal laws. In order to conform the Town's land use laws to the plan, the Town is also in the process of preparing amendments to the zoning ordinance, subdivision law and onsite sewage disposal ordinance that will be based on the comprehensive plan recommendations. It is anticipated that the once the comprehensive plan is finalized, changes to the zoning ordinance, subdivision law and onsite sewage disposal ordinance adopted in conformance with the plan and GEIS, should not require any further environmental review.

The Proposed Action will facilitate the growth of Willsboro into a diverse and vital community of agriculture, commercial/industrial/manufacturing businesses, small businesses, homes, and recreational opportunities located in an appealing setting with great natural beauty, while providing amenities that attract residents, travelers, shoppers, diners, and vacationers. Recommendations include:

- Protection of scenic, ecological, forest, agricultural, and open space resources
Protection groundwater and surface water
- Concentration of development in the hamlet
- Encouragement of farming and other business sectors
- Promotion of affordable housing and provide an array of housing choices at different price levels

The Comprehensive Land Use and Action Plan address the following subject areas that are discussed in detail in the plan and its supporting appendices:

- Economic Development
- Recreation
- Community Housing Development
- Natural Resources
- Smart Growth
- Existing and Proposed Land Use
- Community Character
- Infrastructure
- Transportation
- Public Facilities and Services

Comprehensive Plan recommendations suggest ways to mitigate growth impacts and improve Willsboro's outlook and character in terms of physical, environmental, social, and economic conditions and trends.

The Draft Generic Environmental Impact Statement and the Town of Willsboro Comprehensive Land Use and Action Plan, together with its appendices that include

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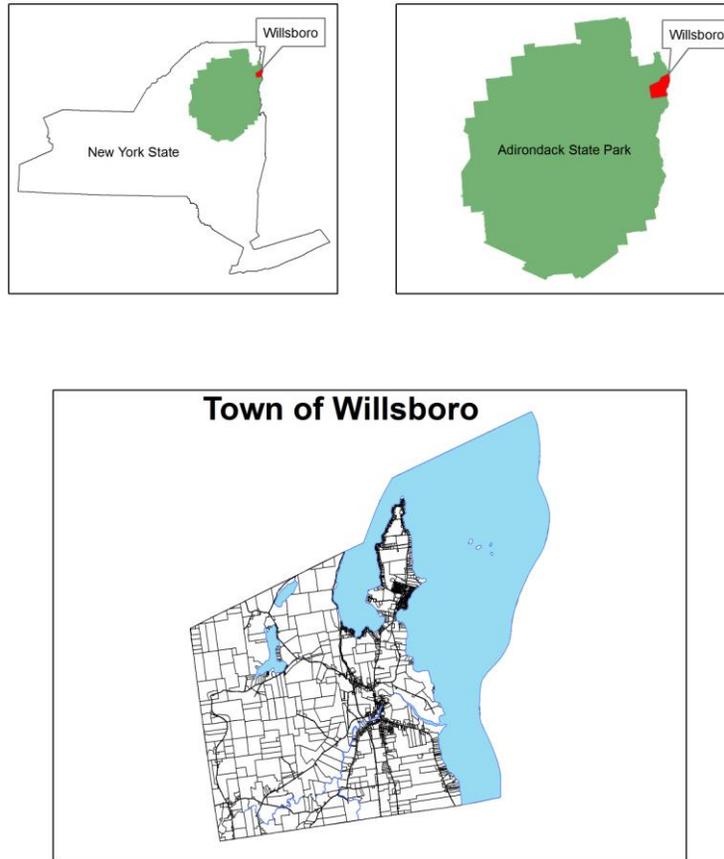
Chapters 1-4 of the Community Profile and Atlas, are integrated and interrelated documents that together, represent the DGEIS process and product. The Town of Willsboro Comprehensive Land Use and Action Plan, together with its appendices that include Chapters 1-4 of the Community Profile and Atlas are incorporated by reference in the DGEIS as if they were set forth in their entirety.

The Town of Willsboro Comprehensive Land Use and Action Plan and all its Appendices can be viewed at <http://www.townofwillsboro.com/comprehensive-plan.html>

3. Description of the Environmental Setting

Willsboro is a small rural town located in Essex County. According to the US Census American Factfinder, Willsboro's total population for 2010 is 2,025 persons (Table 1.1A). The total population declined between the years of 2000 and 2006 and then, contrary to projected trends in Essex County, rose between the years 2006 and 2010. Willsboro increased by 6.41% with 122 additional people and is ranked 206 for growth in NYS. Essex County increased 1.3% in the same period." In the 30 years since 1980, town population has grown from 1,759 to 2,025, gaining 266 people.

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Willsboro and the Adirondacks are part of the Northern Forest Region, a four-state area comprised of 30 million acres of forest. Willsboro is also part of the Northern Appalachian Acadian Ecoregion. The physical environment of Willsboro is composed of a rich variety of natural systems and features that attribute largely to the town's attraction for recreational visitors. Willsboro's natural resources and physical landscape determine the land's suitability of, and appropriateness for, development.

The mountainous northwest quadrant of the town contains mostly acid, fine loam glacial tills. Many of these areas have less than a three foot depth to meta-igneous bedrock, which limits structural development. The rest of the town has very complex soil patterns that include heavy lake-laid or marine clays, sandy, and gravely outwash soils, high to medium lime glacial tills, glacial tills shallow to limestone bedrock, and floodplain soils.

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Topography and slope in the town range from the high slopes of the mountainous northwest quadrant, to the gentle slopes of Willsboro Point, to the relatively flat agricultural lands in the southeast quadrant and land along the Boquet River. Slope and topography are strong contributing factors in the creation and location of water resources (wetlands, ponds, lakes, streams, rivers and waterfalls), vegetation, ecosystems, and even influence regional and local weather.

Willsboro's unique variety of and extensive water resources shape and define the town physically, in character, ecologically and economically. The Boquet River Watershed and Lake Champlain Basin have state, national, and international designations underscoring that planning for the protection of water quality, ecological integrity, and biological diversity are of national and international importance. Willsboro is within the Boquet/Ausable sub-basin of the Lake Champlain Basin. The Boquet/Ausable Basin includes the Boquet River, the North, East, and West Branches of the Boquet, Lower, and Little Ausable Rivers. The Lake Champlain Basin drains a total land area of 636,516 acres with its major rivers, the Boquet River and Ausable River.

As part of the Adirondacks, the Northern Forest, and the Ecoregion, Willsboro's forests play an integral role in the quality of the environment, habitats for natural communities, nature tourism, scenic vistas, outdoor education, the forestry business, protection of shorelines and more. The foothills and mountainous areas to the west and northwest include large acreages of mixed hard and softwood forests that abut the farmland and countryside to the east. These forests are relatively intact with minor forest fragmentation, thus they have a healthy representation of characteristic flora, fauna, and diverse forest communities. The mountains and fertile lowland soils provide rich opportunities for many forms of sustainable forestry.

Ecological communities serve as habitat for a wide range of plants and animals, both rare and common. Ecological communities in good condition provide ecological value and services. Unique ecological communities encompass natural features, such as geology, topography, and climate combined with a history of low-intensity land use (limited development, forestry, and agriculture). The combination of these creates significant biodiversity throughout the Town. Willsboro Point, Four Brothers Islands, Boquet River Watershed, and the West Champlain Hills are four critical landscapes that host exceptional biodiversity and important natural communities. Some biologically diverse portions of Willsboro have been permanently protected, but areas with remarkable richness remain unprotected and thus vulnerable to development.

Willsboro has a beautiful landscape and this landscape is what attracts people to reside in and visit the town. Some defining characteristics of Willsboro include its rural atmosphere, expansive wilderness, and undeveloped open spaces all of which are conducive to tourism and add to the popularity of outdoor recreational amenities within the town. In the 1970s and 1980s, the Town adopted traditional forms of regulation in an effort to protect the land use and natural resources, including zoning, subdivision, and onsite sewage disposal laws. The comprehensive planning process, questioned whether the Town could improve its efforts to protect and preserve land by evolving its design, siting, density and use standards.

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4. Evaluation of Potential Significant Adverse Environmental Impacts

The evaluation that led to the preparation of the Draft Generic Environmental Impact Statement (DGEIS) identified no significant adverse environmental impacts associated with adopting and implementing the Town of Willsboro Comprehensive Land Use and Action Plan. The recommendations and actions proposed by the community of Willsboro promote a holistic, evenhanded, and reasonable approach to protecting sensitive environmental features and improving community character. The Proposed Action will clarify and update regulatory actions to more effectively protect community character. Citizens considered the positive and negative impacts their recommendations would make on the use and protection of natural, social, economic, and physical capital. Their analysis of existing conditions, proposed changes, and future impacts conducted in this process did not identify any impacts as potentially large, even if the impact could be mitigated. The process revealed aspects of the existing land use regulations that could have a cumulative impact on natural resources. The Town considered whether the nature, scope, and scale of these impacts are important incrementally or cumulatively.

The intent of the Comprehensive Plan is to provide a framework for managing preservation, protection, growth, and development in the Town of Willsboro as required by the laws of the State of New York. The intensity and scale of development the community wishes to envision will not exceed the carrying capacity of the land. Physical constraints, such as slope, soils, and hydrology, force development and re-development (cumulative and incremental) to place a careful footprint on the land.

The Town of Willsboro Comprehensive Land Use and Action Plan does not propose significant changes to Town land density or use patterns. The Plan incorporates specific recommendations for the implementing land use regulations in a manner to enhance existing conditions and mitigate any potential adverse impacts. The community's traditional hamlet-countryside landscape are reinforced and supported by the Plan and its accompanying land use laws. The Proposed Action will not result in significant adverse environmental or economic impacts to the Town or its environs. If considered, the guidelines and recommendations included in the plan will provide a greater degree of specificity with respect to protection of natural and cultural resources than currently exists within the Town land use regulations. Recommended mitigation strategies and guidelines are enumerated in the Plan document and proposed to be incorporated in the land use regulations. These can reduce project-specific impacts. The implementation of Smart Growth and New Urbanism principles that are integrated into the Plan recommendations can enhance conservation of natural and cultural resources. Positive and constructive environmental and community impacts are envisioned because of the adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan and the implementing land use regulations.

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4a. Unavoidable Adverse Impacts

No unavoidable adverse impacts were noted during the 3-year study. In order to minimize risk to the environment and to support residents' views on the importance of environmental protection, alternative development scenarios were discussed and in some instances, mapped. Thoughtful analysis of natural resource constraints and opportunities provided a foundation for the Plan.

The Town considered the following primary areas of environmental concern: topography/soils; vegetation, wildlife, and wetlands; surface and groundwater/hydrology and drainage; utilities; transportation; historical and archaeological; municipal services; and land use and zoning. Based on the information available, it is reasonable to conclude that while the impacts of the Action are important to note and consider, they are individually and collectively minor or moderate in scale and scope of impact.

A written document does not directly cause adverse environmental impact, yet, in theory, implementation can. On a case-by-case, basis Town jurisdictional projects will be subject to environmentally based site plan review. The standard of unavoidable adverse impact will be an important component of this review. Periodic updating of the Comprehensive Plan can enable the recommendations within the document to change with conditions in Willsboro and the region, thus addressing changing impacts that may arise in the future.

4b. Irreversible and Irretrievable Commitment of Resources

The Comprehensive Plan and its implementing regulations are policy documents providing guidance for the Town of Willsboro. The use of Town resources, such as land and capital are not mandated by the Plan—Suggestions are provided in the form of recommendations. No irreversible and irretrievable commitment of resources is caused by the Plan or its accompanying laws.

4c. Effects on the Use and Conservation of Energy

The Proposed Action will not result in significant adverse impacts on energy. The adoption and implementation of the Plan and its implementing regulations will not have a significant impact on energy consumption. New and adaptive reuse of commercial and residential properties over time may increase energy usage in an incremental and cumulative and sense, but this might happen regardless of whether the Plan is adopted or not. The Plan identifies potential energy conservation initiatives and suggests that efficiency improvements be made to Town infrastructure systems so that building and infrastructure energy savings can be achieved.

The Comprehensive Plan includes many recommendations to promote an energy efficient and conservation conscious green community. The Plan mentions energy 25 times. Notable recommendations that positively influence energy conservation and renewable sources include:

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- ✓ *Provide energy-efficient development standards for sites and buildings. (pg.15 & 97)*
- ✓ *Encourage conservation and green energy building techniques. (pg. 16 & 97)*
- ✓ *Encourage Banks To Make Loans For Structures That Use Alternative Energy Sources. (pg. 57)*
- ✓ *Work with Adirondack Harvest and other agricultural development organizations to capitalize on the popular and lucrative “food security, localvore” and biomass energy movement. (pg. 58)*
- ✓ *Promote renewable energy-based agricultural practices such as switch grass for biomass energy production. (pg. 58)*
- ✓ *Define and determine allowable and accessory use status for facilities that generate electricity, including turbine generators, solar panels and other alternative or renewable energy equipment. (pg. 82)*
- ✓ *Establish energy efficient development standards and guidelines for buildings, roads and utilities that promote low impact development.(pg. 97)*
- ✓ *Use life cycle costing to evaluate capital investments. In this way, ongoing maintenance expenses, energy efficiency, and equipment obsolescence are considered in the design and planning stages of capital projects. (pg. 101)*
- ✓ *To reduce Town energy costs and to darken skies, evaluate the cost/ benefit of replacing lighting district and single pole fixtures with synchronized motion-detector, high-energy efficient equipment. (pg. 105)*

4d. Effects on the Use or Protection of the Agricultural District

Twenty-three percent of the land acreage in Town (6,396 acres) is in the Agricultural District. Since the agricultural district does not include all possible farmland, the actual agricultural acreage is somewhat higher (See Community Profile Appendix). Willsboro is also included in the Essex County Farmland Protection Plan. This action will not irreversible or irretrievably adversely impact these designated lands. Instead, the Comprehensive Plan includes many recommendations to agriculture for its economic and natural resource values. The Comprehensive Plan speaks specifically to the protection of agricultural lands and particularly soils 32 times. Notable recommendations that positively influence agriculture include:

- ✓ *Encourage farming and sustainable forestry as important to the local economy, by protecting them through land use laws and conservation actions enacted by government and non-government agencies. Support, stabilize, and protect farming by preventing the conversion of productive farmland to housing and commercial development. Willsboro values its farmland and forests as a permanent and important land use. Identify areas in Willsboro that are best suited for agriculture and the production of commodities for local and regional consumption. Correspondingly, identify areas of Willsboro that are more appropriate for development and commercial or residential growth. (pg. 86)*
- ✓ *Identify and reclassify active and potential agricultural lands, designated Agricultural Districts, prime agricultural soils, and farmland of statewide importance within zoning districts in order to protect viable agricultural lands. Consider the use of an Agriculture Overlay Zoning District to preserve agricultural lands and provide incentives for clustered development. (pg. 86)*
- ✓ *Provide a development density bonus as part of the subdivision regulations when large areas classified as prime agricultural soils or similar classifications (farmland of statewide importance, prime*

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agricultural soils if drained) are excluded from development and preserved for agriculture as part of a subdivision process. (pg. 87)

An analysis of impacts to agricultural lands influenced by the Plan and its implementing regulations reveal that this Action will not irreversibly or irretrievably adversely affect these designated lands. Recommended changes in density and land use within the Essex County Agricultural District and surrounding agricultural lands support farming as a primary land use. In fact, some of proposed recommendations will promote farmland protection. The Comprehensive Plan recommendations reflect community concern for the protection and enhancement of open space and agricultural activities.

4e. Issues of Controversy

Property owners who object or carry concerns about government intervention, including public laws governing private property, may be concerned about the Plan's recommendations to encourage greater levels of public involvement and scrutiny in the review of individual permit applications. The authors of the Plan recognize that Willsboro is located within an internationally recognized Protected Area: The Adirondack Park. With this special designation comes a local responsibility to protect the landscape from the adverse impacts of growth. Because of its beautiful setting, the Willsboro Plan anticipates that growth and development will increase, causing greater pressure on water and air quality, community character and other natural resources. However, the Comprehensive Plan is not designed to induce growth. Citizens determined that the "public interest" should be served over private interests at the parcel-development level so that incremental and cumulative growth impacts are minimized. The natural resource base and community character can also be protected through review of site plans, and other forms of intervention in development and land use decisions. On balance, the Town believes that choosing an environmentally-appropriate intensity and character of development will benefit the individual property owner, the environment, the community's well-being-- and enhance property values.

5. Description of Mitigation Measures

An exhaustive list of mitigation measures in not possible or required by the SEQRA GEIS regulations for the adoption of a Comprehensive Plan. The Willsboro Comprehensive Land Use and Action Plan, existing and future amendments of the Zoning, Subdivision, and On-Site Sewage Disposal laws, combined with this DGEIS, constitute a description of many, but not all of the mitigation measures available to the Town of Willsboro to minimize potential adverse impacts from future development. The following mitigation measures will be considered regarding actions that may result from the recommendations identified in the Comprehensive Plan that constitute the Action described in this DGEIS.

5a. Mitigation at the Project-Design Stage

In order to mitigate prospective projects and move through the review process more efficiently, project developers should review this materials DGEIS as well as the Comprehensive Plan. Proponents of a project should consider and identify potential

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negative environmental impacts. Evaluating the proposal from the public's perspective will enable a developer to prepare ahead for conditions that the public interest may require to mitigate impacts such as alternative sites, technologies, scales, or magnitude of use, project design, timing, hours, or phasing of the project.

5b. Aquifers and Wellhead Mitigation and Protection

The Comprehensive Plan includes 24 specific references related to water quality mitigation and protection, including the Town of Willsboro drinking water sources. The following recommendations highlight water-related mitigation actions to protect aquifers and wellheads:

- ✓ *Encourage and support agricultural practices that reduce soil erosion and water quality impacts, including the use of federal and state programs that compensate farmers for establishing and maintaining vegetative buffers along streams and drainages. (pg. 88)*
- ✓ *Protect, maintain, and improve water quality in Lake Champlain, Long, and Highlands Forge Lake, the Boquet River and their respective watersheds through careful design, compliance, and site planning. (pg. 90)*
- ✓ *Develop a public education program that links wastewater management to water consumption, conservation, storm water, and water quality. (pg.102)*
- ✓ *Manage roads to minimize erosion and impact on water quality. Find alternatives to ditching along highways. (pg. 97)*

5c. Cultural Resources Mitigation and Protection

Identification of historic and archeological resources is a first step to preservation, protection, and mitigation. In addition to the 50 citations in the Comprehensive Plan related to historic and cultural resources, the Plan also cites the recently completed Reconnaissance Level Survey of Historic Resources prepared by Adirondack Architectural Heritage, Keeseville, New York as a basis for the identification of important cultural resources. Individual project review under the Town's land use program will use an assessment process to review and mitigate impacts to historic and archeological resources.

The Proposed Action will not result in significant adverse impacts to historic and archeological resources. The adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan will have a positive impact on historic and archeological resources. Adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan will reduce land development impacts in the future when compared to taking no action. As part of its SEQRA evaluation, the Planning Board may require applicants to request information from the Office of Parks, Recreation, and Historic Preservation regarding State and nationally listed historic resources and archeological preservation so that historic and archeological resources can be further considered at the site-specific level during the permitting process. The Plan recognizes the importance of these resources by recommending a cultural and historic resources inventory,

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protecting, renovating, and preserving historic structures, showcasing local historic resources, and celebrating Willsboro's local history.

5d. Agricultural Resources

As noted in Section 4d of the DGEIS, twenty-three percent of the land acreage in Town (6,396 acres) is in the Agricultural District. Since the agricultural district does not include all possible farmland, the actual agricultural acreage is somewhat higher (See Community Profile Appendix). Willsboro is also included in the Essex County Farmland Protection Plan. The Comprehensive Plan and its land use regulations include recommendations to mitigate growth impacts on agriculture. Highlights include:

- ✓ Avoiding building on prime agricultural soils.
- ✓ Promoting clustering of non-farm uses.
- ✓ Supporting the siting of buildings away from the center of a field or in places that would interfere with equipment or the maximum use of remaining farmland.
- ✓ Providing access through right-of-ways to farm fields.
- ✓ Encouraging active agriculture and agri-business as the ideal way to conserve open space.
- ✓ Encouraging the use of conservation easements to protect agricultural resources.

The Proposed Action will not result in significant adverse impacts to farmland. The adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan will not directly impact farmland. The adoption and implementation of the Plan and the subsequent changes to the implementing land use regulations can reduce the future impact on these resources when compared to the Town's future development under existing land use regulations. The Plan supports current agricultural activities in the Town, recognition of the presence of and compliance with the Agricultural District Law and adoption of local planning initiatives supportive of agribusiness development.

5e. Geology and Soils

The Comprehensive Plan and its accompanying regulations employ a variety of mitigation measures to recognize the importance of topography and soils, avoid contamination of groundwater and sedimentation of surface water, and to reduce or eliminate soil erosion.

Protection of soils is referred to 25 times. Particular concern has been raised about the protection of agriculturally significant soils (Soils of Statewide Importance and Prime Agricultural Soils). Two examples of recommendations to mitigate soil loss include:

- ✓ *Provide a development density bonus as part of the subdivision regulations when large areas classified as prime agricultural soils or similar classifications (farmland of statewide importance, prime agricultural soils if drained) are excluded from development and preserved for agriculture as part of a subdivision process. (pg. 87)*
- ✓ *Prevent the loss of prime agricultural soils and farmland of Statewide Importance by keeping any new building towards hedgerows and roadsides. (pg. 88)*

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Slope concerns are mentioned 15 times in the Comprehensive Plan mentions slope. One example of mitigation recommendations includes:

- ✓ *Avoid development activities on steep slopes, ridgelines, and mountainsides, where environmental damage and/or altered views could result. (pg. 90)*

The Plan and its accompanying regulations will mitigate impacts to soil and topography throughout the Town by:

- ✓ Identification, description, and evaluation of site-specific soil conditions during project review.
- ✓ Utilization of appropriate engineering methods to address existing conditions (i.e. excessive wetness, poor drainage, compressibility and instability, shrinkage and swelling, susceptibility to erosion, lack of soil thickness, and/or poor texture).
- ✓ Evaluating the suitability of soil and topography for building construction and structural safety.
- ✓ Placement of hay or cloth dikes for containment of water and soil, construction of impoundments and drainage ditches, seeding, netting, mulching and covering excavated soils or stockpiling soils.
- ✓ Limiting the amount of disturbance to bedrock where it would result in significant bedrock disturbance.
- ✓ Requiring “terrain adaptive” housing in areas constrained by bedrock.
- ✓ Avoiding any development in areas with slopes in excess of 25 percent.
- ✓ Reducing the number of building lots to avoid extremely steep slopes.

5f. Surface Waters

The Proposed Action will not result in significant adverse impacts to water. The adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan will not directly impact water resources. The adoption and implementation of the Plan and the subsequent changes to the implementing land use regulations can reduce the future impact on these resources when compared to the Town’s future development under existing land use regulations.

Water resource protection recommendations are included throughout the Plan document and include improvements to the regulatory and administrative guidelines for the protection of stream banks and stream corridors, wetlands, groundwater, storm water, flood zones, source water, as well as improvements to the management of construction activity, sediment and erosion control, landscaping and site plan design. In addition, existing local and State laws will continue to reduce pollution of water resources. The implementation and reconciliation of the Plan recommendations with the land use regulations of the Town can result in land development occurring in more environmentally appropriate ways, on parcels with fewer environmental constraints and with reduced impacts on water resources.

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Water is mentioned 206 times in the Comprehensive Plan. The Comprehensive Plan includes recommendations with regard to the mitigation and protection of surface waters, including the Lake Champlain and Boquet Watersheds that are within its jurisdiction. Permitting jurisdiction for proposed projects may be shared between the Town and NYS DEC and the Adirondack Park Agency depending upon its scope and location.

A few illustrative examples of surface water mitigation strategies employed at the local level include:

- ✓ *Retain natural existing surface water drainage, runoff patterns, and flow characteristics by minimizing alterations to them. (pg.80)*
- ✓ *Adopt storm water management regulations throughout the town and integrate with the town land use laws.(pg.80)*
- ✓ *Evaluate the feasibility of replacing the NYS DOH Part 75a approach for sizing of an onsite wastewater system (using the number of bedrooms) with a more accurate representation of dwelling demand for wastewater treatment. For example, establishing a sizing system based upon the square footage of the building footprint. (pg. 82)*
- ✓ *Encourage and support agricultural practices that reduce soil erosion and water quality impacts, including the use of federal and state programs that compensate farmers for establishing and maintaining vegetative buffers along streams and drainages. (pg. 88)*
- ✓ *Preserve and protect floodplains so that they can maintain their storage capacity of water during flood events and seasonal high water. Avoid the placement of buildings in flood plains, which will result in dangers to life, safety, and property if subjected to flooding. Avoid the use of fill to create elevated sites. Re-evaluate FEMA flood zones in conjunction with the updated land use laws and NYS Building Codes to redefine the mean high water mark (perhaps to 104' above sea level) and "flood zone." (pg.90)*
- ✓ *Avoid covering aquifer recharge areas with impervious surfaces. (pg.91)*
- ✓ *Apply pesticides according to their label and utilize NYS Department of Environmental Conservation laws to protect water resources. Train highway, parks, and recreation staff in the proper use of pesticides and herbicides. Engage certified applicators. Encourage citizens to comply with manufacturers' instructions and applicable government regulations regarding type, quantity and techniques of application of pesticides, herbicides and other biocides.(pg. 95)*

5.G. Light Pollution and Dark Skies

The Comprehensive Plan recognizes the necessity of lighting for safety and security, but also wish to avoid light pollution. The Town will mitigate light pollution in order to darken skies by requiring that all lighting fixtures and systems reduce upward-facing light emissions and redirect light downward with shields, hoods, or visors. Directional lights such as floodlights (especially in parking lots), spotlights or sign lights should illuminate only the task and not directly shine onto neighboring properties, roadways, or distribute light skyward.

The Comprehensive Plan also identifies two additional light pollution mitigation strategies:

- ✓ *Discourage developments on ridges, ridge sides, and ridge tops. Avoid the negative impacts of structure and lights. (pg. 95)*

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- ✓ *To reduce Town energy costs and to darken skies, evaluate the cost/ benefit of replacing lighting district and single pole fixtures with synchronized motion-detector, high-energy efficient equipment. (pg. 105)*

5H. Visual Resources

The Comprehensive Plan process and document, and the DGEIS found that the citizens of Willsboro value the visual resources of the community and region. The connection between quality of life, economic health, and visual integrity of the Town environs was clearly seen by the community. A town-scale visual analysis was conducted as part of the Comprehensive Plan and identified representative locations of important visual resources.

Illustrative examples of mitigation recommendations in the Comprehensive Plan include:

- ✓ *Maintain scenic vistas and conserve open space in order to preserve critical environmental areas, protect Willsboro's natural beauty, enhance quality of life, and promote economic growth. (pg. 95)*
- ✓ *Concentrate development on each parcel, incorporating a reasonable percentage of open space into each project. (pg. 96)*
 - *Cluster development to avoid fragmenting open parcels of land.*
 - *Avoid new intensive development in open space areas and intact forests.*
 - *Minimize development activities that would make a big difference in the open space character of adjoining and nearby land uses.*
 - *Design and construct development that is located near open spaces to minimize its visual impact in these open space areas. (pg. 96)*
- ✓ *Determine, and consider acting on issues associated with keeping specific view sheds or vistas open, including protection of scenic vistas, minimizing visibility of buildings and site development with vegetative screening, and incorporating open space maintenance as part of site plan review. (pg. 96)*

Impacts on aesthetic and visual resources are required to be considered by the Town of Willsboro in its project review functions. Visual impacts found will be mitigated through conditions imposed on the project. During project review, impacts to visual resources will be mitigated by the following:

- ✓ *Inventory, assessment, and evaluation of visual resources, including, properties listed on the National, or State Register of Historic Places, publicly owned parks and preserves, state designated trails, scenic byways, and any locally identified visual resources, view sheds, and site specific scenic resources. Utilizing view shed maps and other techniques now considered standard in visual assessments, conduct an assessment and evaluation process in accordance in standard practice.*

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- ✓ Determine the significance of the visual resources impact.
- ✓ Use of careful design and siting, screening, relocation, disguise, low profile, berms and buffers, downsizing, alternate technologies, lighting, and offsets.
- ✓ Locating buildings close to tree lines and edges, following topography for siting buildings and roads, and avoiding ridgelines.

The Proposed Action will not result in significant adverse impacts to aesthetic resources. The adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan will have a positive impact on aesthetic resources. Adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan will reduce land development impacts in the future when compared to taking no action. The adoption and implementation of the Plan and the subsequent changes to the implementing land use regulations can reduce the future impact on these resources when compared to the Town's future development under existing land use regulations.

The protection of community character and quality of life in all neighborhoods of the Town is an important goal of the Plan. The Plan includes many specific recommendations that can strengthen the Town's land use regulations and administrative oversight so that future land development applications can have less impact on aesthetic resources than under the current land use regulatory system. Regulatory recommendations for the protection of aesthetic resources are included throughout the Plan document and include adoption of Site Plan Review Law. Non-regulatory recommendations for the protection of aesthetic resources include moving forward on community beautification and revitalization projects that have been on the drawing board such as infill and redevelopment in the central business district. Protection of scenic resources are recommended to support the protection and enhancement of the natural assets of the Town. The implementation and reconciliation of the Plan recommendations with the land use regulations of the Town may result in land development occurring in more aesthetically appropriate ways, thus improving the opportunities to protect aesthetic resources in the Town setting.

5.I. Protecting Biodiversity & Critical Environmental Areas

The Proposed Action will not result in significant adverse impacts to Critical Environmental Areas. According to the New York State Department of Environmental Conservation, there are no Critical Environmental Areas within the Town of Willsboro. The adoption and future implementation of the Town of Willsboro Comprehensive Land Use and Action Plan will not impact any Critical Environmental Areas due to the fact that none identified.

The Proposed Action will not result in significant adverse impacts to plants and animals. The adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan will not directly impact plants and animals. Adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan will reduce land development impacts in the future when compared to taking no action. The adoption and implementation of the Plan and the subsequent changes to the implementing land use regulations can reduce the future impact on these resources when compared to the Town's future development under existing land use regulations.

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Further, the Plan includes many specific recommendations that can strengthen the Town's land use regulations and administrative oversight so that future land development applications can have less environmental impact on biodiversity than under the current land use regulatory system. Recommendations for the protection of plants and animals are included throughout the Plan document and include encouragement for the utilization of native species for landscaping and re-plantings, buffer zones along wildlife and stream corridors, and minimizing removal of existing vegetation. These recommendations apply to both non-regulatory and regulatory actions listed in the Plan. In addition to the Plan recommendations and subsequent land use regulatory amendments that can follow, land development applications before the Planning Board may require information from the New York Natural Heritage Program (of the NYS Department of Environmental Conservation Division of Fish, Wildlife and Marine Resources) regarding endangered, threatened, and rare species that are known to occupy or are in proximity to the applicant's site. The investigation will occur during project specific SEQRA evaluations and may lead to detailed habitat studies and biodiversity assessments that will be used to properly protect plant and animal species.

While there are no NYSDEC-listed Critical Environmental Areas within the Town boundaries, the authors of the Comprehensive Plan worked with NYS DEC and the Natural Heritage Trust to understand the location of important habitat, migratory and endemic wildlife resources in Willsboro. Protecting biodiversity is arguably the least understood environmental concern in the Town. As a result, habitat protection is emphasized in the Comprehensive Plan. Wildlife is mentioned 21 times and mitigation recommendations in the Comprehensive Plan to protect biodiversity include:

- ✓ *Update land use laws to reflect the high priority residents place on the protection of significant environmental resources (such as water, farm fields, forests, soils, natural scenery, and wildlife) which attract new residents and visitors to Willsboro. (pg. 77)*
- ✓ *Design an administration process that promotes good environmental design, efficient land use, building, and site layout. Guidelines should address, at a minimum, the use of native vegetation, buffers and corridors along waterways and between land uses, protection for wetlands and various habitats used by wildlife for travel, restrictions on tree and shrubbery cutting, encouraging replanting, maximum lot coverage of impervious surfaces, maximum expansion for pre-existing buildings (including height and/or square footage), use of building materials, colors, and architectural design, parking, flood zones, boat ramps, and retaining walls. (pg. 83)*
- ✓ *Protect natural aquatic plant and animal communities, including high quality natural communities. Preserve rare, endangered, and common native aquatic plant and animal species. Preserve terrestrial animal communities and species by protecting key wildlife habitats and breeding sites, such as deer wintering yards, bird nesting areas, and important vegetation transition areas, including corridors. (pg. 92)*
- ✓ *Preserve terrestrial animal communities and species by protecting key wildlife habitats and breeding sites, such as deer wintering yards, bird nesting areas, and important vegetation transition areas, including corridors. (pg. 93)*
- ✓ *Maintain wildlife diversity by maintaining a diverse habitat mix.*

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- *Preserve rare and endangered terrestrial wildlife species.*
- *Locate development and other intensive human activities to protect the location and habitats of terrestrial wildlife species, especially those that are rare and endangered. (pg. 94)*
- ✓ *Revise land use laws to limit modification of critical habitats including the placement of utilities in migratory paths, corridors. These include areas containing endangered or threatened species designated by New York State's Natural Heritage Program, Fish and Wildlife agencies. (pg. 94)*
- ✓ *Conserve high quality and representative examples of the Willsboro's natural communities and preserve habitat for threatened species, species of special concern, and 'species of greatest conservation need' as noted in the Comprehensive Wildlife Conservation Strategy for New York State. (pg. 94)*

Continuing the emphasis on mitigation impacts on biodiversity, habitat is mentioned 27 times. The Comprehensive Plan supplements the aforementioned mitigation recommendations with several that focus particularly on habitat:

- ✓ *Consider rezoning portions of Willsboro Point to mitigate negative environmental impacts to significant natural habitats and communities caused by the increasing and cumulative land development. Using current scientific knowledge and the Willsboro GIS database (see Suitability Land Series Maps), create lower density zoning or overlay districts, especially in areas with NYS Natural Heritage Trust (NYSDEC) designated rare plant, animal and forest habitats (critical habitat and unique natural communities), poor soils for development, prime agricultural soils, wetlands and significant aquifers. In developing new or overlay lower density zoning districts, consider the overall environmental, historic and open space value of the land. (pg. 80)*
- ✓ *Preserve key spawning areas, nursery grounds, food sources, and food source areas.*
 - *Preserve habitats of rare, endangered, and common native plant and animal species.*
 - *Maintain adjacent vegetated areas as habitats and buffer zones.*
 - *Minimize shoreline alterations such as beach construction and the placement of docks, rafts, boat launching facilities, and breakwaters as these destroy plant and animal habitat.*
 - *Avoid contamination of water bodies with toxic materials and excess nutrients. (pg. 93)*
- ✓ *Protect natural terrestrial plant communities by preserving rare, endangered, and common native terrestrial plant species. Locate development and other intensive human activities in a way that protects the location and habitats of rare and endangered plant species. (pg. 93)*

Impacts on wildlife and habitat are required to be considered by the Town of Willsboro in its project review functions. Identified impacts will be mitigated through conditions imposed on the project. During project review, impacts to wildlife and habitat will be mitigated by:

- ✓ *Recommending native vegetation when landscaping.*
- ✓ *Maintaining vegetated buffers along streams and creeks.*
- ✓ *Establishing corridors between habitat types for wildlife travel.*
- ✓ *Incorporating open space into each project.*
- ✓ *Avoiding fragmentation of existing forested areas.*
- ✓ *Discouraging tree cutting.*
- ✓ *Encouraging replanting.*

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- ✓ Avoiding identified migratory paths when proposing development of any kind.
- ✓ Avoiding areas containing endangered or threatened species.
- ✓ Avoiding critical habitat loss and noise.

The implementation and reconciliation of the Plan recommendations with the land use regulations of the Town may result in land development occurring in more environmentally appropriate ways, on parcels with fewer environmental constraints and with reduced impacts associated with land disturbance, thus improving the opportunities to protect biodiversity in the Town setting.

5.J. Traffic

Traffic is not a major concern in the modest Town of Willsboro. The Comprehensive Plan does not propose the construction of any new roadways, but advocates generally for improved maintenance and specifically for paving improvements on NYS Route 22—Willsboro’s main artery to the north and south. Seasonal fluctuations in road usage occur for approximately 90 days due to the heavy summer inflow of property owners and visitors. During this portion of the year, traffic is expected to continue and increase commensurate with the slow and steady growth in the Town.

Traffic mitigation measures include the following:

- ✓ When roads are improved, a Complete Streets approach, consistent with New York State and Federal policies will be considered in road planning. Pedestrian and non-auto safety, including sidewalks, crosswalks, and paved shoulders for bicycles will be considered. Tree removal will be avoided and discouraged, but limb cutting to reduce safety hazards will be encouraged.
- ✓ In reviewing a project, the Town may consider the need to prepare a traffic impact study-- if a proposed land use expects to generate more than fifty trips during a peak hour or there are concerns for congestion, public health, or safety as a result of the project’s development.
- ✓ Shared roadways and driveways will be encouraged to reduce and manage access to public roads.
- ✓ Properties will have limited access.
- ✓ Commercial buildings will be sited with their parking areas in the rear and with landscaping used to separate parking lots, roads, sidewalks, etc.
- ✓ Landscaped parking lots will include islands, curbs, and physical boundaries between roads, sidewalks, buildings, and cars. Adequate pedestrian considerations will be included in the planning.
- ✓ All projects will include sidewalks in their planning.

The Proposed Action will not result in significant adverse impacts to transportation. The adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan will have a positive impact on transportation in and around the Town. The improvement of transportation systems, pedestrian safety and neighborhood streets are important goals of the Plan. Recommendations for the improvement of transportation

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planning include consideration of “Complete Streets” approaches to transportation systems, road, sidewalk and bridge replacement and repair, traffic calming and off and on-street parking improvements. These recommendations suggest that sustainable environmentally sensitive construction practices be considered. The recommendations do not call for major increases in density within the Town. In addition, seasonal and economic-based fluctuations in traffic are expected to continue with or without the adoption of the plan. The adoption and implementation of the Plan will not negatively impact transportation systems and may improve transportation planning for the Town.

5K. Infrastructure

The Comprehensive Plan provides extensive recommendations with regard to mitigation impacts for infrastructure and devotes an entire chapter (Chapter 5) to the issues, concerns, and recommendations associated with drinking and wastewater and other public services and facilities. Several of the recommendations advocate life-cycle cost accounting and progressive design in order to mitigate the major fiscal impact from capital investment in infrastructure. The recommendations acknowledge adverse impacts from deferred maintenance, lack of capital sinking funds, and short-term infrastructure planning. Chapter 5 suggests institution of capital and maintenance reserves, long-term capital planning, and the use of progressive, green technology-based designs.

Conservation measures, including water and energy conservation measures are encouraged in building projects in the Town.

5L. Air Resources

Air quality is affected by local, regional, and national conditions. Generally, Essex County has good air quality relative to the rest of New York State and the U.S.—with the exception of ozone (Community Profile and Atlas, Chapter 2, Pages 61). According to the American Lung Association, Essex County was one of the top 25 cleanest counties nationwide for both annual and short-term particle pollution. Essex County received a failing grade for ozone.

The Environmental Protection Agency reports that for 2002, the major source of emissions in Essex County were on and off-road vehicles. Other major sources of air pollution included industrial and non-industrial fuel combustion, industrial processes, and waste disposal. International Paper in Ticonderoga was noted as the only industrial emission source in Essex County.

The Proposed Action will not result in significant adverse impacts to air quality. The adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan will not directly impact air quality. Incremental and cumulative residential and commercial development at the Town scale can create minor adverse impacts to local air quality. The anticipated impacts will not be of a type, magnitude or scale that will adversely impact human health or the environment at the local or regional level. The implementation of the Town of Willsboro Comprehensive Land Use and Action Plan is likely to improve air

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quality by limiting land disturbance. The Comprehensive Plan and implementing regulations do not propose any land use policies or propose a significant increase in development that would impair regional air quality.

5M. Community Services

The Comprehensive Plan and implementing regulations, as written documents, will not affect the population trends of the Town. Therefore, the need for additional community services is not anticipated to change as a result of the plan. What will impact the community will be the aging of the existing and future population and the increased need for health care and ambulance services as a result of the demographic shift occurring throughout the United States. Specific mitigations for this future issue have not been determined at this time.

5N. Noise and Odor

The main source of noise in Willsboro is human habitation—automobiles, mechanized equipment, motorized boats, trains, etc. Willsboro is also located distant from airports with large amounts of air traffic. Other sources of noise tend to be transient and are generally restricted to the immediate vicinity of the noise source. They include such sources as pets, construction equipment, and residential and commercial lawn maintenance equipment. These form the background of daily life in many communities throughout the United States. Relatively few potentially significant sources of noise and odor exist, when compared with cities and towns, or communities that have large, mechanized agricultural operations.

The Proposed Action does not recommend the addition of any new significant noise or odor sources. Noise impacts could increase in some areas of Town as a result of recommendations included in the Comprehensive Plan. In general, noise can be expected to increase in the future commensurate with the growth in population and vehicle traffic. The increase in noise will be most notable in the areas of Town in which new development occurs, as well as along those roadways that see the greatest increases in traffic.

Several recommended land use changes could result in increased noise in very specific areas—those areas proposed for central business district revitalization and development. The level of intensity of development in portions of these areas could be increased, potentially resulting in increased noise impacts at certain times of day from such typical sources as loading and unloading, conversations and music. Although the amount of traffic noise would likely be similar to the amount of traffic noise experienced currently in the business areas, increased commercial and mixed-use development may mean that more people could be within earshot of the noise. Any new development proposal made in accordance with the proposed zoning regulations for the business areas should be evaluated for its impacts on noise.

At the same time, the Comprehensive Plan includes land use recommendations that may lead to reduced noise in residential areas. New construction or adaptive re-use of commercial and residential buildings can result in temporary construction related noise and odors. Proposed site plan review regulations would better protect natural and

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wooded landscapes that help to further reduce density and attenuate sound.

Apart from this general increase in background noise, no major new sources of noise different than those that currently exist in Town are expected to become established in the future. The overall noise level is expected to remain relatively low and there would be no significant town-wide impacts.

While localized odor problems may exist, there are no serious problems with odor that affect large parts of the Town. The Comprehensive Plan recognizes that agricultural odors are part and parcel of a rural life where farming is an important activity. Agriculture is a commercial activity. Suggested mitigation actions recommended include segregation and “buffers” of residential development from agricultural areas. The plan does not promote elimination of farming to reduce odors. As no new sources of odor are expected to become established within the horizon period, no change in odor is expected to occur.

Most of the year, Willsboro is so quiet that sounds of human habitation are absent-except on the central business district. Noise and odor are not significant problems currently, nor are they expected to become significant problems in the future under implementation of the plan or any other alternative.

The Proposed Action will not will not result in increased noise and odor impacts. Recommendations included in the Plan focus Town efforts to improve regulatory review and administrative guidelines. These can mitigate project-related excessive noise and help protect the public health, safety, and welfare of the residents and business owners in the Town. Adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan can reduce noise and odor impacts in the future when compared to taking no action.

The adoption and implementation of the Plan and the subsequent changes to the implementing land use regulations can reduce the future potential noise and odor impacts from development when compared to the Town’s future development under existing land use regulations.

5O. Open Space and Recreation Mitigation and Protection

The Proposed Action will not result in significant adverse impacts to open space and recreation. The adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan will have a positive impact on open space and recreation in and around the Town. The protection of open space and recreation is an important goal of the Plan. Recommendations for the protection of open space and recreation include moving forward on community green infrastructure planning, promoting family-friendly indoor and outdoor projects to support active and passive year round recreation opportunities for residents. The Plan promotes public access to trails and water resources located throughout the Town.

5P. Public Health Mitigation and Protection

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The Proposed Action will result in positive impacts to public health. The adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan will have a positive impact on public health. The improvement of drinking and wastewater systems, traffic calming and pedestrian safety initiatives, family-friendly year-round recreational opportunities, promotion of essential retail services and employment, protection of aquifers, air quality, biodiversity and open space, all resulting from the Plan's implementation, can serve to comprehensively improve public health.

5Q. Community & Neighborhood Character Mitigation and Protection

The Proposed Action will result in positive impacts on growth and the character of the community and its neighborhoods. The adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan will have a positive impact on the multiple aspects of community character.

The process of developing the plan was a community-based, participatory process that involved diverse stakeholders. It reflects the vision, goals, recommendations and actions of the community to protect those attributes that make Willsboro an attractive place to live, work and conduct business. The Plan and its implementing regulations suggest a balanced approach that considers the fiscal and capital responsibility of the recommendations against the needs to revitalize the central business district, enhance and protect natural areas and farmland, and preserve residential areas.

Recommendations for updating, clarifying and streamlining of land use regulations will serve to make permitting processes more user-friendly. The Plan recommendations suggest the adoption of improved signage guidelines, landscaping, green infrastructure and buffer areas for multiple purposes. These actions can also improve the aesthetics of any development activities and enhance community character. At the same time, more illustrative and helpful guidelines serve to provide applicants and members of the planning and zoning boards with information, so that the community's expectations for retaining or enhancing character can be met.

Recommendations include limiting intrusion of commercial uses into residential neighborhoods so that business impacts do not adversely impact residential neighborhood character. The housing needs of Willsboro-area residents, employees and their families are supported through the promotion of affordable housing and housing choice. The Plan recommendations call for appropriately scaled commercial development and a suitable mix of commercial uses for the demographic profile of Willsboro so that community needs are met.

The implementation of the Town of Willsboro Comprehensive Land Use and Action Plan can preserve what is best about existing patterns of development and protect natural areas within the setting of the Town. The Plan recommendations promote adaptive main street revitalization, reuse, infill, mixed use development, green infrastructure, outdoor and indoor recreation, affordable housing, and conservation and context sensitive development. It is

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anticipated that implementation of the Comprehensive Plan can provide extensions of these recommendations in regulatory and non-regulatory formats.

6. Description/Evaluation of Alternatives to the Action

SEQRA requires that alternatives be examined as part of the environmental review process. The planning process and Plan document is an exercise in alternatives. The Town of Willsboro local land use planning program included a public process that allowed Town-appointed committee members representing the community-at-large to engage in process that considered and balanced the protection and use of natural and artificial assets in a way that enabled the community to consider sustainably growing the Town through its land use program.

Willsboro is physically constrained in several dimensions and therefore its alternative scenarios are also limited in scale and in scope. The Town is constrained by the mountainous terrain to the west and Lake Champlain on the east. The area of the Town is fixed. Willsboro is also located within the Adirondack Park and density restrictions reduce overall build-out, thus limiting gross expansion and development. Geo-political and economic forces outside the purview of the people of the Town control many of the possible and realistic alternatives available to the Town relative to the protection of natural resources, community character and maintaining the economic viability of the community.

The Town of Willsboro considered the following alternatives when contemplating engaging in a local land use planning program:

- Taking no action and disbanding its planning work, not adopting the Comprehensive Plan (the “no action” alternative).
- Taking nominal and symbolic action only.
- Taking meaningful and substantive action to develop and adopt the Comprehensive Plan as proposed, then make modifications in the land use laws.
- Taking meaningful and substantive action to develop a Comprehensive Plan, consider changes to the plan based upon the public hearing and environmental review process, adopt the Comprehensive Plan, and then make modifications in the land use laws.

The Town chose not to select the “no action” option since the consequences of inaction might aggravate economic conditions in the Town, erode community morale, injure environmental conditions and impact visual character. It was time to take the bull by the horns. Existing Federal, State and local regulations are not sufficient to protect natural, economic, social and cultural resources, nor do they provide a blueprint for future direction for the Town. The benefit of the Comprehensive Plan is that it provides a direction for the growth of the Town, enhancing community character and protecting valuable resources. Balance may be achieved through a deliberate and collaborative public comprehensive planning process. The absence of a periodically updated Comprehensive Land Use Plan and

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an implementation strategy, including regulatory and non-regulatory activities place Willsboro in a position of reacting to development-- instead of being proactive and ready to receive its benefits. Under this “no action” alternative, the community would not have had the opportunity to rally around a Comprehensive Planning process to share their views on the future of Willsboro and no future land use planning concepts would develop for the Town. Without a plan and vision, Willsboro might not compete well compared to other communities or preserve the integrity of its existing natural and community assets. The no action alternative would not further the Willsboro’s goals. No action would fail to assist the Town in achieving its full vision for the future.

Nominal and symbolic action involved meeting the requirements of the laws of the State of New York, but not requiring further use or action from the Comprehensive Plan or making modifications to the land use laws of the Town. The Town chose not to select this action since the will of the people from the community participation process indicated that there was real interest in preparing and implementing the recommendations of the Comprehensive Plan and making modifications to the land use laws of the Town.

Adoption of the Town of Willsboro Comprehensive Land Use and Action Plan without considering any of the changes suggested by the public hearing and environmental review process is an alternative that the Town considered and rejected. On one hand, the Willsboro Comprehensive Plan Committee reviewed and evaluated alternatives to the recommendations listed in the Comprehensive Plan. They devoted more than two years’ time and energy developing a plan that reflects the community’s interests and issues. The Plan represents the results of an extensive public involvement process. To the greatest extent possible, the Plan as proposed provides a balance of resident needs and desires. On the other hand, suggested modifications to the Plan may support the Plan’s goals and objectives. The Town determined that adoption of the current version of Plan without changes that may occur as a result of the SEQRA process is not a reasonable alternative.

The Town chose to take meaningful and substantive action to develop a Comprehensive Plan and to consider changes to the land use laws of the Town that will implement the recommendations of the Comprehensive Plan. The community considered alternative land use, development options, transportation, main street and economic development issues, natural resource protection and enhancement as they drafted and re-drafted (25 versions of the Comprehensive Plan), and finally refined recommendations in the plan for:

- Economy and Community Amenities
- Land Use and Natural Resources
- Transportation and Public Facilities

One example of the evaluative process that considered action alternatives resulted in a number of recommendations advocating for great oversight and protection for natural resources, historic and scenic resources, and neighborhood character. Unique natural features and habitats, and an Agricultural District exist in the Town. These need recognition and protection from unsuitable development. Accordingly, the Town is considering establishing a Special Use permit for new uses affecting these designated locations. As a

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special use, any such use will first require review and approval by the Town using an environmentally based site plan review as part of the review and approval process and pursuant to the zoning law. The Special Use permit procedure might consider the adequacy and appropriateness of the use for each particular site and any other necessary approvals as appropriate, including further compliance with SEQRA.

The Proposed Action will not result in significant adverse impacts to land. The adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan will not directly result in land impacts because they do not directly authorize specific development projects. Adoption and implementation of the Town of Willsboro Comprehensive Land Use and Action Plan will reduce land development impacts in the future when compared to taking no action. Further, the Plan includes many specific recommendations that can strengthen the Town's land use regulations and administrative oversight so that future land development applications can have less environmental impact than under the current land use regulatory system. The implementation and reconciliation of the Plan recommendations with the land use regulations of the Town may result in land development occurring in more environmentally appropriate ways, on parcels with fewer environmental constraints and with reduced impacts associated with land disturbance.

The recommendations embodied in the Comprehensive Plan represent the alternatives preferred by the people of the Town through the public participation process. The preferred alternatives (i.e. scenarios) take into consideration the realities of physical, political and economic constraints, yet allow for build-out and infill that can be expected in a mature community such as Willsboro. As such, they represent a balance between what is best for the community after weighing the impact on the environment, the economy, the character of place, and the interests of the people.

7. Impact on Future Regulations and Developments in Regard to SEQRA

The Draft GEIS was developed to evaluate the environmental, social and economic effects of the adoption and the implementation of the Comprehensive Plan. In order to conform the Town's land use laws to the plan, the Town is also in the process of preparing amendments to the zoning ordinance, subdivision law, and onsite sewage disposal ordinance. These anticipated amendments should be consistent with the Comprehensive Plan, Draft and Final GEIS and the Findings Statement in order for the Town's SEQRA obligation to be satisfied. The Town Board will have the responsibility for determining if the zoning and subdivision laws amendments of the Town of Willsboro are consistent with the Comprehensive Plan, Draft and Final GEIS and the Findings Statement. It is anticipated that the once the comprehensive plan is finalized, changes to the zoning ordinance, subdivision law and onsite sewage disposal ordinance adopted in conformance with the plan and GEIS, should not require any further environmental review. If the zoning, subdivision, and onsite sewage disposal law amendments are found to be inconsistent with the SEQRA documentation completed for the Town of Willsboro Comprehensive Land Use and Action Plan, the Town Board will either amend the proposed laws to be consistent, prepare Parts 1, 2, and 3 of the Full Environmental Assessment Form, or prepare a Supplemental GEIS in accordance with NYCRR Part 617.

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Once the Comprehensive Plan is adopted, any land use actions that occur must be considered in accordance with this plan and current or future regulations. Since this DGEIS is, by definition, generic and not site-specific, any future development proposal before the Planning Board or Town Board must fully address SEQRA. The Generic Environmental Impact Statement is not intended to inhibit any future SEQRA action by the Planning Board or Town Board of the Town of Willsboro in regard to future development proposals placed before them.

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9. Record of Substantive Public Comment and Response to Public Comment (Final GEIS)

RESERVED

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Appendices: LINKS PROVIDED

Town of Willsboro Comprehensive Land Use and Action Plan

<http://www.townofwillsboro.com/comprehensive-plan.html>

Town of Willsboro Community Profile and Atlas

<http://www.townofwillsboro.com/comprehensive-plan.html>

Town of Willsboro Zoning Law

<http://www.townofwillsboro.com/building--zoning-code.html>

Town of Willsboro Subdivision Law

<http://www.townofwillsboro.com/building--zoning-code.html>