

***Town of Stony Creek***  
***Office of Assessor***  
***Town Hall, 52 Hadley Rd., P.O. Box 96***  
***Stony Creek, N.Y. 12878***

***Peter La Grasse***  
***Sole Assessor***  
***911 Facilitator***  
February 20, 2020

***Memo in Opposition to Assembly Bill 8123A***

This memo supports Town of Stony Creek Resolution 126, December 17, 2019, which concluded: "BE IT HEREBY RESOLVED, the Stony Creek Town Board is opposed to the ACT-Assembly Bill 8123—A."

The issue that I have raised, as assessor in the small town of Stony Creek, is that this proposed bill would severely restrict moderately sized development or subdivisions in the Adirondacks and it would likely imperil shoreline development. I foresee a loss in tax base on both privately owned and state-owned land, as a direct result of the provisions spelled out in this proposed bill. That is my primary concern as an assessor.

One provision of the proposed bill, as an example, is that in Resource Management zone, which is already restricted to 42 acres per house, a five lot or greater subdivision would require clustered subdivision and that 75% of the project site would have to be put into an "open space management and stewardship plan" with "permanent legal protection."

The bill would restrict shoreline development by requiring one eighth-mile setbacks if the shoreline were deemed to have "sensitive areas of habitat, wetlands, floodplains, natural drainage ways, terrestrial and aquatic wildlife inhabiting, breeding on, migrating across, traversing or otherwise using the project site, watershed preservation and mitigation of climate change." These catch-all shoreline provisions would severely restrict shoreline utilization, and essentially wipe out shoreline values, which can be considerable.

A retired assessor from another jurisdiction looked at all that I had to say and at the bill and concluded "it looks like instead of Adirondack citizens living in the USA under our Constitution we will be living under a feudal system like in old England where the King, (Agency) owns everything and "grants" his subjects certain rights and responsibilities. We fought a revolution to get out from under that system of government. Let's not go backward." The proposed bill is a Taking without compensation.

I invite you to read the detailed analysis in my letter of November 27, 2019 to Assemblyman Robert Smullen for more details than this short piece can cover. I urge you to oppose this proposed Bill because of its draconian provisions.

  
Peter La Grasse