

Daily Gazette  
May 8, 2011

## State, town agree to disagree

West River Road remains open to all

BY JIM MCGUIRE Gazette Reporter

The closing of the final three quarters of a mile of West River Road in the town of Wells seemed to be an urgent state goal in 2006, and bitter debate between state and local officials ended only when they agreed to spend the next five years negotiating a compromise.

That five-year extension expired this spring, and town officials say there have not been any meetings between the parties. Now, the Department of Environmental Conservation, which demanded in 2006 that the final dirt and gravel stretch of the road along the West Branch of the Sacandaga River be closed as part of the Silver Lake Wilderness Unit Management Plan, seems much less interested in the issue.

The Adirondack Park Agency, which in 2006 approved the compromise allowing an additional five years to reach an agreement, is now taking the position that the status quo on West River Road is acceptable indefinitely.

Wells Town Supervisor Brian Towers, in the thick of the debate five years ago when his constituents were quite vocal in their desire to keep the road open all the way to its terminus near the Northville-Lake Placid Trail suspension bridge, said state officials have been silent this spring. That final stretch also gives access to canoeists and kayakers running the West Branch down to the Main Branch near the state campground; hikers and hunters use the road also to reach trails and wilderness near "White House," the chimney and foundation of a long-burned frame building.

"The DEC has not actively been working with the town to resolve the long-term use of that road," Towers said, noting that in the past five years "they haven't had a sit-down meeting with the town."

He restated the town's argument: "We consider it to be a town road and we're not prepared in any way, shape or form to close that road."

DEC spokeswoman Lori Severino, responding to an e-mail from a reporter, said her agency will continue to work toward compliance with the Silver Lake plan; she acknowledged that compliance means closure of that final stretch of road from the point it passes the last private property.

Vehicles are banned in state wilderness, although APA officials suggested five years ago that if a primitive corridor following the road bed were approved, that measure would comply with the plan.

Towers said it is irrelevant that the final stretch of the road pierces the state wilderness, citing state law defining roads “by use.”

The Adirondack Park Agency approved the Silver Lake unit plan March 9, 2006 with the compromise amendment recognizing the five-year extension for negotiations. The APA action defused the debate in 2006, and Towers was less than ecstatic when a reporter called to revive the issue.

In contrast to 2006, DEC and APA officials did not appear this month to regard the West River Road issue as much of a priority, categorizing the five-year negotiating period agreed to as merely a goal.

Still, the issue is on DEC’s table. Severino noted that the agency agreed to “work cooperatively” with the town five years ago to address the final three quarters of a mile of the road and noted “the department's position on the West River Road has not changed ... the department does not have the authority to change the state land use master plan or the land classification so we must work towards closing the road.”

But, she said, seeming to leave some wiggle room, unit management plans “have a five-year budget and schedule, yet the life of most UMPs carry on for more than five years.

“The five year mark is not really a hard target but an ideal place we would like to be,” Severino said, asserting that DEC will continue to work with the town on compliance.

APA spokesman Keith McKeever, citing the five-year-old agreement between DEC and the town, said there is no requirement for DEC to “bring the Silver Lake Wilderness UMP back to the agency unless DEC is contemplating some other management proposal ...; therefore status quo is OK indefinitely ... there is no requirement in the State Land Use Master Plan for a five-year update.”

Towers would consent to the status quo.

On any given Sunday when the weather is favorable, Towers said, it is common to find numerous vehicles parked at the terminus of the road, many of them belonging to elderly people. If the closure plan is enacted, Towers said, some “older people are not going to be able to walk to the bridge. Why are we going to take that away from people?”

Brian L. Houseal, executive director of the Adirondack Council, said it has no plans to focus on the West River Road issue, but said DEC and APA have an obligation to insist on compliance with the use master plan, or UMP.

Houseal said the town also has the option of requesting an amendment to the UMP to try to gain some concession for the road.