

# Attachment 1

**Adirondack Park Agency Board Questions  
Project 2005-100, Preserve Associates, LLC  
(Adirondack Club and Resort Project)  
Thursday, November 17, 2011  
Day 1**

1. Clarify the statute language for Resource Management. (encourage proper and economic management of forest, agricultural and recreational resources and preserve the open space)
2. Describe McCormick and Read Rds. in more detail.
3. Eastern Great Camp Lots electric lines maintained by the HOA?
4. In addition to the Master HOA, is it possible there will be other HOA's?
5. If not the HOA, would there be additional deed restrictions proposed that would impose restrictions to Great Camp Lots such as mowing, etc?
6. HOA involves financial obligations. What would be the obligation of the ones that don't join?
7. Maintaining stormwater devices not part of the road?
8. Did last two storm events reveal anything to project sponsor or staff that caused changes to stormwater plan?
9. What class wetland is near Ski Tow Rd.? What is the class of the filled wetlands?
10. Where in the record documents request for stormwater plan to meet 2010 standards?
11. What's not included in the Open Space area?
12. Yellow area includes part of the ski area; is green also ski area?
13. Is Phase I designed to produce a fully functional ski area?
14. What is the difference between Phase I and Phase II?
15. Come back with a better slide, if there is a better one in the record, of Phases I and II.
16. Lake Simond view in Phase I - do Great Camps have access or frontage to Lake Simond?
17. Is the Open Space part of the Phasing Plan?
18. In the record or staff's order, is there a more refined detail to Phase I and the other Phases?
19. Why are the 2 lots (21 and 28) served by Sewer #27?
20. Will septic system go inside the building envelope?
21. What are the docks in the marina for?
22. Additional parking lots for ski area in Phase I?

23. Will part of the Ski Tow Rd. be eliminated or still be used?
24. How many parking spaces are at the ski area currently?
25. Does Village population include the Town?
26. Is there an exhibit showing existing landowners?
27. Please characterize each of the Appeals.
28. Townhouses have 2 units?
29. Are parking lots paved or gravel/pervious or impervious?
30. Currently, which lifts are being used?
31. If proposed permit was approved by Agency, is there some flexibility in the Phases?
32. What is the liability to the Town and Village for the private waste water treatment plant?
33. Is the cost sharing of District 27 still applicable now that 27 has fewer users?
34. If DEC permitting is required for modification of the municipal sewer, what is the status of the permitting?
35. If Agency Executive Team staff have a difference of opinion on facts in the record, will this be shared with the Board? If there is something that Executive Team staff determines is different from the record, will they share this with the Board?
36. Provide more description of turns to access State Boat Launch and McDonald's Marina, and the limitations of the Marina vs. State Boat Launch.
37. Is there a boat wash station on ACR proposal to prevent invasive species?
38. Of 96 boat launch site capacity considering boats leaving and returning to boat launch?
39. Can boats be docked at the Marina for an extended period of time, or is it strictly day use?
40. Does the 10-23-11 letter which offered to permanently protect Open Space from further development?
41. Is that a soccer field in the proposed area where building allowances will be allocated?
42. Where is the "unaccounted for" Resource Management lands in the Open Space calculations?
43. Please explain the difference between deed restrictions and the Adirondack Council's proposal.
44. Are the retained Resource Management lands connected to the Open Space and Read Rd. (Issue #12)?
45. Is any forest management plan requested under 480A? If so, is that figured in the financial issue discussion?
46. How was the 25-foot limit of clearing arrived at?
47. Were the endangered species assessed under the new Part 182?

48. What is the theory behind the 200-foot cutting restrictions around the Great Camp Lots? Are the "Great Camp Lots" referring to the building envelope?
49. Is "no development above 2,500 feet" synonymous with "no impacts to sub-alpine forests"?
50. Talk about why the project was deemed complete if staff believe not enough information was provided on wildlife habitat.
51. What is the state of the record on wildlife habitat?
52. Where did we turn around during the October field visit?
53. Is there any metric to show us the extent of recent logging?
54. Treat fragmentation, paved or unpaved, equally?
55. Information on alternatives for Great Lot E development?
56. Is there testimony in the record about what the relative impacts are if Lake Simond extension is not improved?
57. Has the Agency ever used the 750-foot buffer in conditions?
58. Red Line is the land use area boundary line?
59. Are culverts a reasonable way to deal with some of the amphibian impacts?
60. Is bedrock also referring to hard pan?
61. Do driveways meet DAP standards?
62. Does the language on carefully selected and well-designed sites apply to cluster and substantial acreage?
63. Are we not to consider small acreage?
64. Does the applicant have a response to the question as to whether the small Great Camp Lots are substantial acreage?
65. Would DEC water supply permit currently in place be adequate for this project, or would it need to be modified?
66. Is the building envelope inflexible?
67. Are water supply concerns of the Village able to be addressed by conditions?
68. What are the Village's concerns regarding the water supply?
69. Were there citations in the Closing Brief about the Protect the Adirondacks alternative discussion regarding the applicant's financial need and marketability?
70. Is there sufficient evidence in the record to make a decision, for example, that the Great Camp Lots east of Simond Pond have viable alternatives?
71. At what point in the number of sales does the control pass to the HOA?
72. Issue #5 - liability of Tupper Lake for the privately owned waste water treatment plant?
73. Confirming that the white areas of the map are undeveloped?
74. How many public and private boat launches are there on Tupper Lake?

75. Does DAP have the force of law?
76. What does the record indicate on the use of building rights?
77. Is there prohibition on habitat fragmentation in the statute or regulations?

**Adirondack Park Agency Board Questions  
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Friday, November 18, 2011  
Day 2**

1. Do we have tables containing more detailed phasing information for non-residential and residential buildings?
2. To what extent does the order hold the developer to the Phasing Plan?
3. Years 1-3, will the ARISE people be able to run the ski area?
4. Total projected cost estimates for Sugar Loaf townhouses and Great Camps - is it for the lot or townhouses/houses?
5. Transportation Corp. - will there be more information provided?
6. Waste water treatment system - constructed in 4 phases - is there more information for that?
7. Is the construction of the water system extension the same as the waste water system?
8. Selected lots built but not enough to fulfill the project - will the ones that are built have the option to build their own on-site system?
9. What is the source of the Tupper Lake water supply?
10. Water storage tank built on property - would it have to be transferred to the Village?
11. Water - Great Camp Lots hooking up to the system? Village states it can supply water to Phase I but not Great Camps.
12. Has the Village determined it has the capacity to provide water to all phases?
13. Proportionate Share - are those the marginal costs for extending the system or marginal costs plus contributions to the existing capital plan?
14. Do we know what consideration was given to placing more utilities underground?
15. Total amount for infrastructure - \$35 million or \$39 million?
16. What does the "facility" refer to regarding FCIDA controlling interest?
17. Are there Exhibits that show the IDA and their review of the Bond issuance?
18. Better define what a controlling interest is?
19. Explain when the Bond funds in regards to the payments vs. sales.
20. More detail about individual lots being sold with PILOT Agreements and PILOT Mortgages.

21. How does Tier Structure relate to Plan to sell components to a third party?
22. Citation to the transcripts in regards the PILOT Agreement of opponents contested by projection?
23. More information on the bonds?
24. Private roads - does Tupper Lake Fire Dept. supply service to these areas?
25. Any consideration to dry hydrants for areas without municipal water?
26. Do emergency services have access across McCormick Rd.?
27. 401 Water Quality service and Transportation Corp are also permitting that needs to be obtained.
28. The witnesses identified in Issue 5 are the same in Issue 6?
29. 524 persons with 4 job categories - is more detailed information provided in Exhibit 85?
30. What is the space heating fuel?
31. More information about the 50-year commitment for the public use of the ski area.
32. More information on the financing of improvements to the ski area?
33. 50 year commitment - also marketed for the public outside Tupper Lake?
34. Have there been any conversations with the Community Housing Trust regarding future affordable housing conditions if the project is approved and succeeds?
35. How can we get additional help/expertise in assessing the economics of the project?
36. Anything in record that deals with beaver dams and implications if it fails?
37. Testimony on actual cost of Cranberry Pond vs. Tupper Lake for snowmaking - contested or agreed upon, figures by all parties?
38. How much water per day will be used for snowmaking vs. how much water per day flows into Cranberry Pond?
39. If the beaver dam fails, what is the outlet and where does it cross Rt. 30? What would its impact be on snowmaking?
40. Any discussion on climate change and its impact on snowmaking demand?
41. Is there concern regarding the use of wetlands associated with Cranberry Pond for sewer outflow and use of Cranberry Pond?
42. Is there evidence in the record of historical use of Cranberry Pond for snowmaking and what its peak demand was?
43. Will boats at the dock will be able to go out directly into the lake?
44. How would paddlers get their boats in the water?

45. What is the historic use of canoe vs. motorized craft at the State Boat Launch?
46. What season was the visual analysis done?
47. Verify the height of the structures in the simulations and whether there were any changes in the site location.
48. Where in the record are the architectural guidelines containing height limitations?
49. Is East Ridge included in Ex. HD 4?
50. There is a new Observatory in Tupper Lake. Has there been a comment from the Observatory?
51. Explain the visual simulation process and why there was such discrepancy.
52. Why was McCormick Rd. not included as an issue similar to Read Rd. with regard to principal building?
53. Propose alternatives - did parties that proposed these alternatives abide by their position on the Read Rd.?
54. Adjacent vs. adjoining property regarding the statute 809(10)(c).
55. What discussion of Read Rd. ownership exists in the record?
56. What would be the wider ramifications to the Agency of accepting Adirondack Council and Protect's position of transferring building rights across Read Rd.?
57. What happens if the Board recommends alternatives that are not in the record?
58. Additional information in the record that would lead to a different conclusion than staff has taken regarding the economic impact?
59. What happens if this project goes into default, and what are the consequences on the various stakeholders?