



11/16/11
3:00 PM

AGENDA
NEW YORK STATE ADIRONDACK PARK AGENCY
NOVEMBER 17-18, 2011

Adirondack Park Agency Headquarters
Ray Brook, New York

THURSDAY, NOVEMBER 17, 2011
9:00 AM - 5:30 PM

Please note that during the three consecutive meetings (November, December and January) planned for the Adirondack Club and Resort project, there can be no public commentary related to the project prior to the final determination proposed for the January meeting.

Due to significant public interest in the project and space limitations at the Agency headquarters in Ray Brook, people are encouraged to view the meeting through a simultaneous live webcast at The Wild Center! in Tupper Lake, New York.

Those who plan to attend the meeting at Agency headquarters are encouraged to RSVP to Deb Lester at (518) 891-4050 by November 16.

The Agency meeting will also be webcast live at http://nysapa.granicus.com/ViewPublisher.php?view_id=2

Approximately 24 hours after the conclusion of each meeting date, the sessions will be archived and accessible on the Agency's website

The scheduled times on the agenda are estimated and may be adjusted to accommodate actual deliberations.

FULL AGENCY

9:00 AM - 9:15 AM

- (1) Call to Order
- (2) Pledge of Allegiance
- (3) Welcoming Remarks (Chairwoman Ulrich)
- (4) Public Comment

*The Agency encourages public comment that will assist us in improving our practices, procedures and our responsibility to the public. However, to promote fundamental fairness, and in consideration of the substantial time available for written comment, the practice of the Agency is to exclude public comment on matters pending decision until the conclusion of Agency business. This includes: (1) any permit which is before the Agency for action at this meeting; (2) any enforcement case which is before the Agency; (3) **any matter for which an adjudicatory public hearing has been convened.** Conduct of the meeting is always at the discretion of the Chairman or Committee Chairperson.*

- (5) Approval of October 13, 2011 Draft Agency Minutes
- (6) Recusals
- (7) Motion for Executive Session

Project 2005-100, Preserve Associates, LLC

9:15 AM - 9:30 AM

- (1) Executive Director's Opening Remarks (T. Martino)

9:30 AM - 10:15 AM

- (2) Advice of Counsel (J. Banta, S. Reynolds)
 - Ex-parte communications during Agency deliberation on the matter
 - Review of decision criteria relating to approval of a major permit application

10:15 AM - 11:15 AM

- (3) Project Description (R. Weber)

11:15 AM - 12:00 PM

- (4) Board Determination on Three Appeals of ALJ Rulings (J. Banta)

For action

12:00 PM - 12:30 PM

LUNCH

12:30 PM - 12:45 PM

- (5) Order for Hearing/Review of the Record: Project Issues (J. Banta)

- Hearing Order P2005-100
- Review of hearing issues ordered by ALJ O'Connell

12:45 PM - 1:15 PM

- (6) Issue #3 (G. Bendell)

What are the impacts of the proposed upper portions of the West Slopeside and the Westface development on the existing topography, vegetation and soils [DC (a)(2), (c)(1), (e)]; will the development as proposed cause excessive stormwater run-off erosion and slippage in these areas [DC (a)(2)]; what will be the visual impacts during the day and night of these proposed sections [DC (a)(7)]? Issue #3 is revised because Applicant withdrew the East Ridge development. See Issue #11 for Visual Impacts.

- Elimination of East Ridge development
- Design changes to West Face expansion
- MP-0 site design plan: layout, grading, drainage, stormwater management, erosion controls

1:15 PM - 1:45 PM

(7) Issue #4 (G. Bendell)

Is it feasible to connect the proposed Sewer District #27 to Sewer District #23 via a pump station and associated components, taking into account design, location, impacts (such as noise, odors and visual, among others), costs (including long-term operation and maintenance costs) and any cost-sharing arrangement between Applicant, the Town and the Village, and whether all of the small eastern Great Camp lots (i.e., lots 16-31, inclusive) should be included in Sewer District #27?

- Stipulation summary of current wastewater treatment proposal
- Proposed Sewer District #27 connection to Sewer District #23
- New sewage pump station
- Project phasing
- Great Camp lots 20-31

1:45 PM - 2:30 PM

(8) Issue #7 (E. Snizek)

What are the impacts, alternatives and appropriate conditions on the use of Forest Preserve such as State facilities in Intensive Use areas [DC (c) (2) (a)]?

- State boat launch
- Valet service for McDonald's Marina

2:30 PM - 5:30 PM

(9) Issue #1

Is the natural resource protection (including visual, forest resource, habitat and other natural resource considerations) implicit in Resource Management land use area adequately protected [805(3)(g)(2)]; are the proposed Great Camp lots "substantial acreage...on carefully and well designed sites? Are there alternatives and, if so, what are the relative impacts on these resources? The scope of Issue #1 includes potential stormwater impacts and consideration of using Read Road as an alternative. Also, see Issue #11 (visual).

- Open space (R. Weber)
- Forest resources/habitat/wetlands (E. Snizek)
- Soils/surface waters/groundwater (G. Bendell)
- Substantial acreage (S. Reynolds)
- Well designed sites (S. Reynolds)
- Alternative design (R. Weber)

**FRIDAY, NOVEMBER 18, 2011
9:00 AM - 3:00 PM**

FULL AGENCY

9:00 AM - 10:15 AM

(1) Issue #5 (T. Martino/J. Banta)

[DC (d) (1)] What are the fiscal impacts of the project to the governmental units should any phase or section of the project not be completed as proposed; what is the public vulnerability should the project either fail or not proceed at its projected pace relating to on- and off-site infrastructure for which cost-sharing has been proposed between the developer and local governments (e.g. drinking water plant improvements and road maintenance) or on-site private infrastructure that may be subject to eventual operation by the Town; what is the ability to provide municipal and emergency services to any section in light of the road design or elevation? Issue 5 was revised because Applicant withdrew the East Ridge development.

- Project sequence and elements
- Responsible parties
- Franklin County IDA revenue bonds
- Joint Town/Village Planning Board
- Municipal and emergency services

10:15 AM - 11:15 AM

(2) Issue #6 (T. Martino/J. Banta)

Section 805(4) requires the consideration of the burden on and benefits to the public. What are the positive and negative impacts of the project (including fiscal impacts to the governmental unit)? What are the impacts of the project on the municipalities' electric system's ability to meet future demand? To what extent will energy conservation mitigate demand impacts? What are the assumptions and guarantees that the Big Tupper ski area can be renovated and retained as a community resource? What are the current and expected market conditions relating to available housing for the project's workforce? What are the impacts of the proposed project on the local housing market?

- Positive and Negative Impacts of the Project
- Electric services: energy and conservation

11:15 AM - 12:00 PM

(3) Issue #8 (E. Snizek)

Are there alternatives to minimize interference with wetland values and functions including ground water infiltration, wildlife habitat, stormwater control and other values, and the need for mitigation in the areas of Cranberry Pond wetland complex, the marina and the base lodge footprint?

With respect to Issue #8, the scope of wetland values that will be considered is intended to be broad. The scope of Issue #8 includes maintaining water quality standards (snow making), and a consideration of Read Road as an alternative to constructing the on-site wastewater treatment facility on Cranberry Pond.

- Cranberry Pond
- McDonald's Marina
- Base lodge

12:00 PM - 12:30 PM

LUNCH

12:30 PM - 1:00 PM

(4) Issue #9 (G. Bendell)

Are there undue adverse downstream stormwater impacts associated with the base lodge subcatchment area; specifically, the water quality components (i.e., overbank flood and extreme flood) included in the stormwater pond designs?

- Design plans
- Stormwater management report
- NYSDOT Route 30 culvert replacement

1:00 PM - 1:45 PM

- (5) Additional Issue #11 (R. Weber)

What will be the potential visual impacts of the project during the daylight and nighttime hours on the Resource Management and Moderate Intensity land use areas of the project site?

1:45 PM - 2:00 PM

- (6) Additional Issue #12 (S. Reynolds/J. Banta)

How many principal buildings are proposed to be located in Moderate Intensity and Resource Management land use areas? The factual question may be resolved with a stipulation. There is a legal issue about the transfer of principal building rights across Read Road. [The issue involves both factual determinations of acreage and legal determinations regarding transfer or concentration of principal buildings.]

2:00 PM - 3:00 PM

- (7) Board Discussion and Input for December Agenda

3:00 PM

- (8) Interim Reports

Regulatory Programs

- Approval of October 2011 Draft Committee Minutes

Park Ecology

- Approval of October 2011 Draft Committee Minutes

State Land

- Approval of October 2011 Draft Committee Minutes

Local Government Services

Park Policy and Planning

Legal Affairs

Economic

Enforcement

Public Awareness and Communications

Administration

- (9) Old Business/New Business
- (10) Public Comment
- (11) Local Government Review Board Comment
- (12) Member Comment
- (13) Motion to Adjourn

DECEMBER AGENCY MEETING - December 15-16, 2011, Adirondack Park Agency,
Ray Brook, New York

JANUARY AGENCY MEETING - January 19-20, 2012, Adirondack Park Agency,
Ray Brook, New York

**ADIRONDACK PARK AGENCY
AGENCY MEMBER COMMITTEE ASSIGNMENTS**

*** Leilani Crafts Ulrich, Chairwoman**

Regulatory Programs

Leilani Ulrich, Chair
Richard Booth
Arthur Lussi
F. William Valentino
Dierdre Scozzafava, DOS

Legal Affairs

Cecil Wray, Chair
Richard Booth
Frank Mezzano
F. William Valentino
Jen McCormick, DED

Enforcement

Cecil Wray, Chair
Richard Booth
Arthur Lussi
Frank Mezzano
William Thomas

Park Policy and Planning

Richard Booth, Chair
William Thomas
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Jen McCormick, DED
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State Land

Richard Booth, Chair
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F. William Valentino
Cecil Wray
Elizabeth Lowe, DEC

Park Ecology

Leilani Ulrich, Chair
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Local Government Services

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Elizabeth Lowe, DEC

Economic Affairs

Arthur Lussi, Chair
Frank Mezzano
William Thomas
Elizabeth Lowe, DEC
Jen McCormick, DED

**Public Awareness and
Communications**

F. William Valentino, Chair
Richard Booth
Frank Mezzano
Jen McCormick, DED
Dierdre Scozzafava, DOS

Administration

Agency Chairman
Richard Booth
Cecil Wray

* The Agency Chairwoman serves as a permanent member of each of the above committees, and as acting chair in the absence of the committee chair.