



*NOTE: The attachments referred to herein are on file at the Agency and are on the Agency's website. Copies are also available for inspection on request.*

**DRAFT AGENCY MINUTES**

**November 14, 15, 2013**

**THURSDAY, November 14, 2013**

**AGENCY MEMBERS, DESIGNEES AND EXECUTIVE STAFF PRESENT**

Leilani Crafts Ulrich, Chairwoman  
Richard Booth, Member  
Sherman Craig, Member  
Karen Feldman, Member  
Arthur Lussi, Member  
William Thomas, Member  
F. William Valentino, Member  
Dan Wilt, Member  
Brad Austin, Designee, NYS Department of Economic Development  
Dierdre Scozzafava, Designee, NYS Department of State  
Robert Stegemann, Designee, NYS Department of Environmental Conservation  
Terry Martino, Executive Director  
James Townsend, Counsel

**LOCAL GOVERNMENT REVIEW BOARD PRESENT**

Frederick Monroe, Executive Director

**AGENCY STAFF PRESENT**

Keith McKeever, Public Information Director  
Shaun LaLonde, Soil and Water Engineering Specialist  
Suzanne McSherry, Environmental Program Specialist 2  
Richard Weber, Deputy Director of Regulatory Programs  
Mary Reardon, Secretary, Regulatory Programs  
Tracy Darrah, Environmental Program Specialist  
Mary Palmer, Keyboard Specialist  
Susan Streiff, Keyboard Specialist

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Video and MP3 audio recordings of the proceedings, including public comment, are available in their entirety via webcast at [http://nysapa.granicus.com/ViewPublisher.php?view\\_id=2](http://nysapa.granicus.com/ViewPublisher.php?view_id=2).

Chairwoman Ulrich called the meeting to order at 9:02 a.m. She welcomed everyone.

### **1. Public Comment**

Ron Konowitz, president of the Adirondack Powder Skier Association, spoke about his association's campaign to gain permission to maintain glades for backcountry skiing. His comments are available on the Agency website at the address listed above.

### **2. Approval of September 12-13, 2013 Draft Agency Minutes**

On motion of Ms. Feldman, seconded by Mr. Wilt, the Agency unanimously adopted the Draft Agency Meeting Minutes of October 10-11, 2013. A copy of the official minutes as adopted by the Agency is on file at the Agency.

### **3. Executive Director's Report**

Executive Director Martino began by congratulating Chairwoman Ulrich on her second year milestone with the Agency in the chair position. She spoke on behalf of all staff in saying that it has been great working with her with tremendous benefits to all that engage with the Agency.

Ms. Ulrich added it is also Mr. Craig's second anniversary on the Board.

Ms. Martino said although two years seems a long time, the Chair had an experience last week that provided an even bigger perspective of time. The Chair attended two ceremonies celebrating the opening of the TOBIE trail which has been in development for fourteen years. The TOBIE trail project links Thendara, Old Forge, Big Moose, Inlet and Eagle Bay. Ms. Martino said that in the early years of the project she and the Chair worked together (through ANCA and CAP-21) to help the towns develop a \$500,000 grant for the project.

Ms. Martino said the success of the trail project points to perseverance, patience and skill. She noted that when the Agency granted the variance for the bridge replacement over the Moose River last year, it was another milestone in their efforts. She congratulated everyone in those communities on their vision and work on this recreational infrastructure.

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Chairwoman Ulrich said she started with the TOBIE project in 1999, "before the turn of the Millenium", calling it a somber "age" moment. She was very impressed with the vision and venture of this project.

Ms. Martino informed the Board that Rick Weber would be speaking about a meeting he attended with DEC staff and consultants for the towns of Keene and Jay who are developing a conceptual plan for flood controls and response. The plan is being assisted by a NY Rising program grant of \$3M. She said it is necessary to put in context how important these sessions are and what our state is doing through the Community Rising program to help communities like Jay and Keene in their continued recovery. She said with the event in the Philippines being the largest storm in history, it is more important than ever to develop regional and statewide plans.

The Agency celebrated the 40<sup>th</sup> anniversary of the Adirondack Park Land Use and Development Plan last month. Ms. Martino highlighted some important comments at the October staff meeting. One by Dan Smith was "consistency in life is good. It has really matured. It's a bureaucracy. The Agency is predictable." He also said "We have some good development. The Agency has worked with development. The Act is working." Ms. Martino said the fact that the Agency is predictable is a good thing because people are understanding the Agency's work.

She thanked Andy Holloran, Dick Persico, Rick Hoffman and Dan Smith for a stellar presentation. She encouraged viewing it on the Archive in the October meeting section on the website if you missed the presentation.

Ms. Martino also highlighted the following items of note:

- The Camp Gabriels facility was sold by the Office of General Services. This follows the sale of the Lyon Mountain facility this summer. She said Agency Counsel will discuss both topics in terms of what work the Agency can anticipate once the transactions are complete.
- Ms. Martino noted the attention the Adirondack Park received with two Constitutional Amendments on the ballot with Proposition 4 for Township 40 in Raquette Lake and Proposition 5 for the NYCO mining expansion in Lewis. Both received more than two million votes. Agency Counsel will comment on what work may be needed on these matters in the future.
- Last month, Ms. Martino, staff and the Chairwoman participated in the Adirondack Research Consortium's Forestry Roundtable which was designed to promote an understanding of current

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forest management practices and issues. The program was well attended and provided interesting commentary from a wide range of speakers. Ms. Martino highlighted important changes from the Agency's 1980 conference: paper mills do not own the lands; the TIMO's and companies like Lyme Timber are new; emergence of forest certification programs, increase of forest conservation easements; climate change; digital information in GIS and GPS; upgrades in logging and milling equipment. Staff from the Forest Service would like to follow-up with the Agency regarding data and trends analysis in relation to indicators to assess forest health. Ms. Martino noted as such excellent stewards of the lands, the DEC should be included in that discussion. The Roundtable ended with tours to Kushaquua Tract and a tract owned by Paul Smith's College. Chairwoman Ulrich added that staff should get the Board out for a tour. She said it was valuable to assess Agency's definition of clearcutting versus others. She valued the information provided and on being updated with the latest data gathering. Ms. Martino said that Agency Counsel will address the Agency's clearcut definition which was discussed in the Silvicultural Practices Review Group hosted by him at the Agency on October 29, 2013. Mr. Booth said there is nothing in the statute that discourages any beneficial forest management practices. It was decided to postpone this discussion until Counsel's presentation.

Lastly, Ms. Martino and Executive staff met with Chris Navistsky, the Waterkeeper involved with the Lake George Fund. He provided an overview of the large scale research project that is underway at Lake George through a partnership with RPI and IBM. The Jefferson Project is a three-year, multi-million dollar collaboration to make Lake George the "Smartest Lake" in the world by studying the lake's complex ecosystem. She said there will be weather modeling and sensor technology that IBM has used in other locations in the world including Rio deJaeiro, Ireland's Galway Bay and the New York's Hudson River. Mr. Monroe added that this is a very important project and the LGRB is very happy with the collaboration taking place.

She said staff also discussed the Agency's stormwater disturbance review and the public process to receive input on the Renovate guidance.

#### **4. Approval of Committee Assignments**

Chairwoman Ulrich asked for a motion to approve the new committee assignments. Mr. Booth said that decision should be the Chairwoman's and asked if the Board was required to vote on these appointments. Chairwoman Ulrich said she did make the decisions but would like the resolution to go forward as well.

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On motion of Mr. Thomas, seconded by Mr. Craig, the Agency unanimously approved the Committee Assignments.

**5. Motion for Executive Session**

Chairwoman Ulrich and Counsel Townsend agreed there was no need for executive session this month.

**6. Adjournment into Committees**

On motion of Mr. Craig, seconded by Mr. Wilt, the Agency unanimously adjourned into committees at 9:40 a.m.

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**FRIDAY, November 15, 2013**

**AGENCY MEMBERS, DESIGNEES AND EXECUTIVE STAFF PRESENT**

Leilani Crafts Ulrich, Chairwoman  
Richard Booth, Member  
Sherman Craig, Member  
Karen Feldman, Member  
Arthur Lussi, Member  
William Thomas, Member  
F. William Valentino, Member  
Dan Wilt, Member  
Brad Austin, Designee, NYS Department of Economic Development  
Dierdre Scozzafava, Designee, NYS Department of State  
Robert Stegemann, Designee, NYS Department of Environmental  
Conservation  
Terry Martino, Executive Director  
James Townsend, Counsel

**LOCAL GOVERNMENT REVIEW BOARD PRESENT**

Gerald Delaney, Chairman

**AGENCY STAFF PRESENT**

Keith McKeever, Public Information Director  
Richard Weber, Deputy Director, Regulatory Programs  
Shaun LaLonde, Soil & Water Engineering Specialist  
Daniel Kelleher, Special Assistant for Economic Affairs  
Brian Grisi, Local Planning Assistance Specialist  
Robyn Burgess, Environmental Program Specialist  
Susan Streiff, Keyboard Specialist

Chairwoman Ulrich called the meeting to order at 11:10 a.m.

**1. Committee Reports**

a. Regulatory Programs Committee

Project 2013-0172 involves the construction of new commercial use (Dollar Store) in an area classified as Low Intensity Use, in the towns of Dannamora and Saranac, Clinton County.

Mr. Craig reported that after a long conversation to address issues, the committee unanimously approved the project with revisions: Section 7 to include the three resolutions from the town; and Section 6 to add language to include any changes in site plan configuration as depicted on the project plans would require Agency review and approval.

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On motion by Mr. Craig, seconded by Mr. Lussi, the Agency unanimously approved the revised Permit 2013-172. A copy of the permit as approved by the Agency is attached to the official Minutes on file at the Agency.

b. State Land Committee

Mr. Booth reported the committee discussed the management plans for two fire towers in the Historic Areas of Hurricane Mountain and St. Regis Mountain. He recapped the minutes of 2010 when four alternatives were presented. Staff recommended alternative 3 which would create small Primitive areas around the St. Regis and Hurricane fire towers; retain fire towers in Primitive without full restoration; Reclassify the balance of Hurricane Primitive Area as Wilderness. The recommendation was later changed to an Historic Classification on both towers which later was approved by the Board. He said the presentation by Josh Clague, DEC, yesterday was different than the alternative in 2010. During the presentation, Mr. Clague spoke of restoring the towers for public climbing access with tax payers' dollars. It was originally understood that no public money would be spent on restoration. In addition, the resolution brought before the Board states where as this action enables maintenance and potential restoration of the St. Regis and Hurricane Mountain fire towers consistent with the Historical classification, it does not require, obligate or anticipate public funds. Chairwoman Ulrich agreed but pointed out that public companies may adopt and restore the towers. She said the news that there are designated funds which may be available made a difference.

No action was taken.

c. Public Awareness and Communications Committee

Mr. Thomas reported the committee discussed the Agency's use of Facebook and Twitter.

d. Park Ecology

Mr. Valentino reported on the presentation by Brendan Quirion and Meghan Johnstone, from APIP on invasive species management project in 2013.

He also reported on Ed Snizek's update on public comments on the use of Renovate.

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e. Enforcement Committee

Mr. Valentino reported on the presentation by John Burth on monitoring subdivisions as they occur in the Park using the NYS Real Property Services' Salesweb.

f. Legal Affairs Committee

Mr. Lussi said the committee heard the Counsel's reports on Propositions 4 and 5 and the pending transfers of Camp Gabriels and pending transfer of Lyon Mountain Correction Facility.

Counsel provided an update on Silvicultural Practices following the Forestry Roundtable at Paul Smiths College.

g. Local Government Services

Mr. Thomas reported that the committee discussed different approaches on local land use plans and how the Agency can assist on creating more involvement by communities in Agency-involved land use planning. The committee agreed to reach out to towns and collect and bring information back to the Board.

h. Administration

Chairwoman Ulrich reported on Elaine Caldwell's report updating the Board on changes in Administration and Bob Kreider's presentation on the change from working for the Agency to the Information Technology Office. He explained some of the vast changes and improvements coming with the move.

She also made a correction to the agenda noting there will be no meeting in January and tentatively adding December 11, 2013 to the December Agency Meeting. Updates will be forthcoming.

**2. Interim Reports**

The Economic Affairs and Park Policy and Planning committees did not meet this month. Monthly reports for some of these committees were included in the mailing.

Mr. Valentino asked Daniel Kelleher to comment on the recent Rural Communities Broadband Roundtable held at the Wild Center.

Mr. Kelleher attended the roundtable on October 24, 2013 which focused on bringing broadband to rural communities. Four groups presented: ADK Action, the Wild Center, NYS Broadband and USDA Rural Development. The presentation focused on the leg work communities can do to bring broadband in. He said the emphasis was on the need



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for local leaders need to create a map showing where there is and isn't broadband available in their towns and to identify anchors in the town such as schools, cell towers, hospitals and large businesses. Identifying right of ways and pending impediments is also necessary local work to be done. Funding sources through the NYS Broadband and USDA Rural Development were outlined and regional development councils are another source through consolidated funding.

Mr. Delaney said the AATV was working on a mapping project to include broadband. He said the group has hired a firm to collect the data and the company is working with communities for accuracy. Dan Kelleher offered his assistance.

**3. Local Government Review Board Comment**

Local Government Review Board Chairman Gerald Delany did not comment.

**4. Member Comment**

Mr. Stegemann commented he had to leave the meeting early on Thursday and was sorry he missed the Silvicultural discussion. He encouraged finding a solution in a timely way. He publically acknowledged and thanked Josh Clague for presenting on the Hurricane Mountain and St. Regis fire towers.

He commented since there is so much going on in Park right now that the Agencies should think about changing relationships and getting positive results on the ground. He said the upcoming land classification, delivering on Propositions 4 & 5, and the Silvicultural discussion are changing how the Park works. He said it is a good time in the Park and felt Agencies and communities should capture it. He also commended the great work the DEC and APA did working together with NY Rising.

Ms. Feldman agreed with Mr. Stegemann and wished all a Happy Thanksgiving.

Mr. Craig thanked the voters of New York for approving the amendments. He told the Board about new technology in his home called a micro-cell which boosts cell phone reception. Previously he had no cell reception in his home. There is no monthly cost and the equipment has a greatly discounted up-front cost in areas with no cell reception.

Mr. Austin reported that the DED's Consolidated Funding Applications are being scored and announcements are expected after the Thanksgiving holiday.

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Mr. Thomas commented that planning meetings for Local Government Day are being held monthly. He said the event will be held on April 9 and 10, 2014, to coordinate with the monthly Agency meeting so that more commissioners can attend.

Mr. Valentino commented he agrees with staff and Mr. Delaney that more towns should develop zoning plans and APA approved agreements. He said that no zoning in many Adirondack towns is a health and safety issue. He also commented that more needs to be done to stop the transportation of invasive species. He said there is an urgent need for the DEC Aquatic Invasives program to be built and encouraged this Agency, the DED, DOS and LGRB to communicate this need to the Governor's office.

Mr. Lussi commented on two challenges today: he and Keith missed skiing today. He said this is the earliest Whiteface has ever been open and thanked the ORDA staff for their hard work. Mr. Lussi commented on Essex County's Regional Office of Sustainable Tourism ROOST 2012 Leisure Travel Study. He disagreed with the survey results compared to his own hotel's numbers and disagreed that most tourists are here for a wilderness experience. He feels that villages like Lake Placid and Lake George are so busy because of a plethora of activity. He said while tourists appreciate the wilderness beauty, they aren't necessarily here for the wilderness experience. His staff estimate only 5% or less of guest staying at the hotel are hikers as opposed to the 60% to 70% cited in the survey and the average stay at his hotel is 2.2 nights, not five. He said that the wilderness draw is not the particular reason people visit but that it is more like an amenity such as golf. He cautions that while surveys are helpful and important, care should be used in interpretation.

Mr. Booth wished all a Happy Thanksgiving.

Mr. Wilt was going to address zoning and invasives but agreed with Mr. Valentino's comments. He wished everyone a nice Thanksgiving.

Ms. Scozzafava first congratulated Hamilton County for receiving the DOS Local Government Efficiency grant for a joint fueling facility. She commended them for working together to be more efficient and responsive to the tax payers in this area. She then commented that the DOS Local Waterfront Program has funded some invasive species programs. She said if communities are interested in funding, the DOS would be very open to discussion. She wished all a Happy Thanksgiving.

Chairwoman Ulrich commented that she is excited for car washes to go digital. She suggested the creation of a map similar to the broadband mapping.

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Executive Director Martino commented the Agency sent a support letter for the Hamilton County DOS grant. She commented on the statewide recognition of the Park and its communities with Proposition 4 and 5. She remarked on the on-going silvicultural discussions and the Lyme Timber project application. Ms. Martino commended APIP and Brendon Quirion and Meghan Johnstone on their level of commitment and the resource they bring to their work. She said it is often said in the Adirondacks that our children are our greatest export and that being an export they also become global citizens. She has had this experience with her daughter and that others in this building have children in other parts of the world as well. She wished all a Happy Thanksgiving.

Chairwoman Ulrich thanked all for a great meeting. She said she will be celebrating retirements tonight and invited the Board to sign the cards. She spoke of a group of hikers who just returned from hiking the Camino Mountain in Spain. Someone asked why travel all that way? Why not the Northville-Placid trail? One hiker replied because she wanted a glass of wine, hot meal and soft bed at night. The Chair asked how can we provide that in the Park? She said it is a different day in the Park and we can now have those discussions.

She wished safe travels and Happy Thanksgiving to all.

**5. Adjournment**

On motion of Ms. Feldman, seconded by Mr. Craig, the Agency unanimously adjourned at 11:50 a.m.

LCU/TDM/sas

Attachments:

Permit 2013-0172, Maple Development Group

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Leilani Crafts Ulrich, Chairwoman