



# Adirondack Park Agency

**SHERMAN CRAIG**  
Chairman

**TERRY MARTINO**  
Executive Director

*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 Minutes, Full Agency, 10/27/16**  
TDM:sas 2:15 PM

**OCTOBER 13-14, 2016**

## **ADIRONDACK PARK AGENCY MEETING**

**Thursday, October 13, 2016**

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

Sherman Craig, Chairman  
Chad Dawson, Member  
John Ernst, Member  
Karen Feldman, Member  
Arthur Lussi, Member  
Barbara Rice, Member  
William Thomas, Member  
Dan Wilt, Member  
Brad Austin, Designee, NYS Department of Economic Development  
Sandi Allen, Designee, NYS Department of State  
Bob Stegemann, Designee, NYS Dept. of Environmental Conservation  
Terry Martino, Executive Director  
James Townsend, Counsel

### **LOCAL GOVERNMENT REVIEW BOARD PRESENT**

Fred Monroe, Executive Director

### **AGENCY STAFF PRESENT**

Keith McKeever, Public Information Director  
Amy Hall, Calculations Clerk 2  
Sue Streiff, Secretary to the Executive Director

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)

Chairman Craig called the meeting to order at 9:00 a.m.

**1. Public Comment**

None

**2. Approval of August 2016 Agency Minutes**

On motion of Mr. Wilt, seconded by Ms. Feldman, the Agency unanimously adopted the Draft Agency Meeting Minutes of September 14-15, 2016. A copy of the official minutes as adopted by the Agency is on file at the Agency.

**3. Recusals**

As an adjoining property owner, Mr. Ernst recused himself from Board discussions regarding the Boreas Tract Alternatives to avoid any appearance of conflict. Mr. Craig said that changes have been made to the agenda to allow for separate discussions of the classification package without the Boreas Tract and that Mr. Ernst would participate in the discussions. The discussion of the Boreas Tract will follow and Mr. Ernst would leave the table and the meeting room.

**4. Motion for Executive Session**

None

**5. Executive Director's Report**

Executive Director Martino reported on the Governor's Sustainability Conference held in Lake Placid on October 6, 2016. She said that at the conference Lt. Governor Hochul announced several Smart Growth projects throughout the Park. She said Chairman Craig was a speaker on the Renewable Energy Panel hosted by Commissioner Seggos where he discussed the work being done at the J&L site in St. Lawrence County. She said Agency staff are partnering with a team involved in the revitalization of the site. She reported that St. Lawrence County had obtained a grant for the demolition of buildings on the site and that staff had issued a non-jurisdictional letter for the removal of the buildings. Mr. Craig said the site work demonstrated the expanding success of inter-agency collaboration on projects. Ms. Martino thanked Emily O'Mahony, Tom Saehrig, Keith McKeever, and Kate-Lyn Knight for assisting at the conference.

Following up on Ms. Feldman's previous comments regarding proposed revisions to FOIL regulations at the September Board meeting, Ms. Martino announced the Agency's FOIL rulemaking had been listed in the State Registry. She said public hearings on the revisions would be held at the DEC in Albany on November 14 and the Agency in Ray Brook on November 15.

Ms. Martino thanked Agency and Department staff for the immense amount of work done to bring the classification package together for Board review. She said Board members received State Land packets containing a map book and alternatives for the Boreas Tract. She said that eight public hearings would be held around the State in November and December. She said staff would then prepare the FSEIS to bring before the Board and if accepted, it would be sent to the Governor's office for signature.

Ms. Martino commented on the presentation to be given by Dr. Whitmore on invasive species. She said the information would be helpful in developing Best Management Practices and permitting. Ms. Feldman said she looked forward to the presentation which helps to educate and bring awareness to the fight against invasives.

Mr. Craig called for a five minute break at 9:25 a.m.

#### **6. Motion to Adjourn into Committees**

On motion of Mr. Wilt, seconded by Mr. Stegemann, the Agency unanimously adjourned into committees at 9:30 a.m.

**Friday, October 14, 2016**

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

Sherman Craig, Chairman  
Chad Dawson, Member  
John Ernst, Member  
Karen Feldman, Member  
Arthur Lussi, Member  
Barbara Rice, Member  
William Thomas, Member  
Dan Wilt, Member  
Brad Austin, Designee, NYS Department of Economic Development  
Sandi Allen, Designee, NYS Department of State  
Bob Stegemann, Designee, NYS Dept. of Environmental Conservation  
Terry Martino, Executive Director  
James Townsend, Counsel

**LOCAL GOVERNMENT REVIEW BOARD PRESENT**

Fred Monroe, Executive Director

**AGENCY STAFF PRESENT**

Keith McKeever, Public Information Director  
Kathy Regan, Deputy Director, Planning  
Rick Weber, Deputy Director, Regulatory Programs  
Virginia Yamrick, Environmental Program Specialist 1  
Ed Snizek, Supervisor Natural Resources Analysis  
Tom Saehrig, Environmental Program Specialist 2

**Full Agency**

Mr. Craig reconvened the Full Agency meeting at 11:15 a.m.

**1) Committee Reports**

a) Regulatory Programs Committee

On motion by Mr. Lussi, seconded by Mr. Ernst, the Agency unanimously approved P2016-0048 involving an extension of an existing 90 foot tall monopole telecommunications tower to a maximum tower height of 105 feet. A 5 foot

lightning rod will be placed at the top of the tower increasing the total overall height to 110 feet above ground level (AGL). All existing tower infrastructure (antennas) will remain at their respective mounting heights. A 36-inch diameter microwave dish is proposed on the 15 foot tower extension, and will be located at the centerline mounting height of 100 feet AGL.

On motion by Mr. Lussi, seconded by Ms. Feldman, the Agency unanimously approved P2015-0204 involving a variance involving the demolition of the existing single family dwelling and replacing it with a single family dwelling partially within the 50 foot shoreline structure setback of Lake George.

There was discussion regarding the extensive review of the project, the cost involved to the applicant, and the staff development of the record.

b) State Land Committee

On motion by Ms. Feldman, seconded by Mr. Stegemann, the Agency unanimously accepted the Draft Supplemental Environmental Impact Statement for the 2016-2017 Classification Package without the Boreas Tract alternatives and approved the public hearing schedule.

Mr. Ernst recused himself from further discussion of the classification alternatives and left the meeting room.

On motion by Ms. Feldman, seconded by Mr. Thomas, the Agency unanimously accepted the Draft Supplemental Environmental Impact Statement for the 2016-2017 Classification Package with the Boreas Tract alternatives.

Dr. Dawson said that as staff continue to develop the classification package, a progress report should be presented to the Board. Mr. Townsend added and the Board acknowledged that once the FSEIS is presented to the Board, the final action may require a two-meeting process. Dr. Dawson said the staff and Board members should consider what the lands in the tract could be restored to when working on the DSEIS.

Mr. Ernst returned to the meeting.

Old Business

Ms. Feldman said Mr. Stegemann gave a report on the Mt. Van Hoevenberg UMP to the State Land Committee.

c) Local Government Services Committee

On motion by Mr. Wilt, seconded by Ms. Feldman, the Agency unanimously approved the Town of Queensbury Approved Local Land Use Program Amendment.

Mr. Austin asked if minor amendments could be delegated instead of coming before the Board. Mr. Townsend said there was a consultation process in place for amendments which are de minimus with the committee chair and chairman.

d) Economic Affairs Committee

Mr. Thomas reported on the presentation by Mr. Kelleher regarding retail economics and planning.

e) Park Ecology Committee

Mr. Wilt reported on the presentation by Dr. Whitmore regarding the Balsam and Hemlock Woolly Adelgids and the implications for the Adirondacks.

**2) Interim Reports**

a) Park Policy and Planning Committee

The Committee did not meet in October.

On motion by Mr. Austin, seconded by Dr. Dawson, the Committee unanimously adopted the Draft Committee minutes from its September meeting.

b) Public Awareness and Communication Committee

The Committee did not meet in October.

On motion by Mr. Wilt, seconded by Mr. Austin, the Committee unanimously adopted the Draft Committee minutes for its September meeting.

The Administration, Enforcement, Legal Affairs committees did not meet this month.

**4) Old Business**

Mr. Craig reminded members that the November meeting would be held on the afternoon of Wednesday, November 9 if necessary and a full-day meeting on Thursday, November 10.

**5) New Business**

None

**6) Public Comment**

Dan Plumley, Adirondack Wild, said he applauded the Governor on the new appointments to the Board. His complete comments can be viewed on the website address above. Mr. Townsend said Mr. Plumley's comments regarding the classification were premature and the Board should wait to consider them during the formal public comment period.

Ron Konowitz, Adirondack Powder Skiers Association, asked for the Board to take action on his group's requests for backcountry skiing. His complete comments can be viewed on the website address above.

Peter Bauer, Protect! said he would like more alternative options for the classification package. His complete comments can be viewed on the website address above. Mr. Townsend said Mr. Bauer would have the opportunity to comment on all of the classifications during the public comment period.

**7) Local Government Review Board Comment**

Mr. Monroe requested a map of existing uses, roads and structures within the classification area. He said he would also like to see a map of the entire High Peaks showing public and private access points. He said adding access points to the High Peaks region might relieve pressure from access at the ADK Loj. He commented on the cost and energy put into eradicating Asian Clams and said the effort has not been successful. He said that is why prevention of invasives is key to preserving woods and waters.

**8) Member Comment**

Ms. Rice thanked staff for their work on the classification package. She said she looks forward to hearing from the public.

Mr. Lussi said Board members do not always agree but that the differing points of view are healthy and informative. He said he felt it was important for humans to adapt to nature as nature adapts to climate change: He said that with the lack of snow last winter, the Governor's Winter Challenge would not have happened without man-made venues.

Mr. Ernst said Dr. Whitmore's presentation was very important in educating the Board on invasives. He commented on Mr. Craig's observations and agreed that APA's role in this work is to expedite permits so that involved parties can act quickly in the fight against invasives.

Mr. Stegemann said he appreciated Dr. Dawson's comment and agreed that there is a classification process for good reason. He said the Board should continue to discuss additional concerns. He thanked Agency and Department staff for their work. He said Dr. Whitmore's presentation was a call to arms to be proactive in the prevention of invasives.

Ms. Feldman thanked staff for their preparation of the classification package. She thanked Dr. Whitmore for the invasives presentation and said she is encouraged that more people are becoming aware of the situation.

Mr. Austin announced that Phase II of the broadband grant applications is coming up. He applauded the Davidow family for coming to the meeting in support of their variance application.

Dr. Dawson said the controversy and divisiveness of the nation should not be present at Board meetings. He said comments are welcome and that the process is a democracy. He said the Board should focus on what is best for the greater good. He stated that members should be able to agree to disagree and move on.

Mr. Thomas agreed that all views are welcomed. He said all members come from different backgrounds and will have different opinions. He thanked staff for their work.

Mr. Craig said he was fortunate to work with the Board and was encouraged by the diversity of opinions and comments. He said the State Land classification was a continuing process and not everyone would be completely satisfied.

Ms. Martino thanked staff for their work. She thanked Rick Weber for his overview of how staff develop a variance record for Board review. She expressed appreciation for Dr. Whitmore's presentation.

By unanimous consent, the meeting adjourned at 12:20 p.m.

Attachments:  
P2016-48  
P2015-204

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Sherman Craig, Chairman