



## Adirondack Park Agency

KATHY HOCHUL  
Governor

TERRY MARTINO  
Executive Director

**October 14, 2021**

### **ADIRONDACK PARK AGENCY MEETING**

**Thursday, October 14, 2021**

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

Brad Austin, Presiding Member, Designee, Empire State Development  
John Ernst, Member  
Mark Hall, Member  
Andrea Hogan, Member  
Arthur Lussi, Member  
Ken Lynch, Member  
Zoe Smith, Member  
Dan Wilt, Member  
Matt Tebo, Designee, NYS Dept. of State  
Christopher Cooper, Counsel  
Terry Martino, Executive Director

### **ABSENT AND EXCUSED**

Joe Zalewski, Designee, NYS Dept. of Environmental Conservation

### **AGENCY STAFF PRESENT**

Amy Hall

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

Jerry Delaney, Executive Director

### **AGENCY MEETING**

Presiding Member Brad Austin called the meeting to order at 12:32 p.m. and noted that the meeting was being held virtually due to increased COVID numbers in the North Country and the need for continued health and safety precautions. Members were asked to identify themselves when speaking.

## **PUBLIC COMMENT**

Dave Gibson thanked the Agency for the opportunity for direct comment during a remote session. Dave Gibson discussed the White Lake proposed mining project in Forestport and asked for better coordination between the Agency and DEC, requesting that the agencies host an adjudicatory hearing.

Video and audio recordings of the proceedings, including public comment, are available in their entirety via webcast at

<https://nysapa.granicus.com/videos/572/player?autoplay=0&start=05&stop=1405>

### **1. Approval of July 15, 2021 Agency Minutes**

On motion of John Ernst, seconded by Dan Wilt, the Agency unanimously adopted the Draft Agency Meeting Minutes of July 15, 2021. A copy of the official minutes as adopted by the Agency is on file at the Agency.

### **2. Recusals**

Art Lussi recused from the presentation on the Whiteface UMP Amendment.  
Zoe Smith recused from the presentation on the Fish Creek Campground UMP.

### **3. Motion for Executive Session**

None

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

Executive Director Martino reported on the high-number of jurisdictional inquiries that have continued to be submitted, with a total of 1040 by September, 72 below the 1112 JIF inquiries in 2020, and said Matt Brown, EPS1, has been reassigned to the JIF office to assist with the ongoing workload. Empire State Development has released the Upstate Cellular Coverage Task Force Final Report which provides recommendations for closing cellular coverage gaps, including development and implementation of an Adirondack Park Cellular Plan, Right-of-Way General Permits and Batch Permitting, improved technology for visual simulations, and a graphically-based Pre-Application Handbook to guide applicants through the existing APA permitting process and standards. Terry Martino discussed Dan Kelleher's increased involvement in the Planning division in a supervisory role which will benefit the Agency in regard to an increased integration of the private land use planning activities of the Agency. Terry Martino mentioned the ORDA presentation that is scheduled for the Whiteface UMP Amendment and noted there is the possibility of additional changes stemming from the Agency and DEC reviews and from the public comments.

The retirements of Rick Weber, Deputy Director Planning, Colleen Parker EPS3, and Susan Streiff, Executive Secretary were highlighted along with the resignation of Chris Blue, EPS1. In total, the retirees represent decades of Agency experience and their contributions will be missed. Terry Martino welcomed Keri Surita and Benjiman Amos to EPS1 positions at the Agency and noted Amy Hall's promotion to Office Assistant 3.

## **5. Review of 2022 Agency Meeting Schedule**

Presiding Member Austin introduced for discussion the proposed 2022 Meeting Schedule. It was noted that there were no conflicts with big holidays, however April 15<sup>th</sup> will be Good Friday. Andrea Hogan noted that six of the meetings occur in the second week of the month while six occur in the third week and asked if there was a reason for this. Executive Director Martino responded that the scheduling was based on other events as well as the mailing schedule and workflow. Andrea Hogan noted a personal conflict with meetings in the third week of the month. Zoe Smith noted a potential conflict with the April date. Brad Austin said that no action was required today and to let Terry Martino know of any other concerns. Changes will be made where able and a new version will be given to the Board at the next meeting.

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

On motion of Dan Wilt, seconded by Zoe Smith, the Agency unanimously adjourned into committees at 12:54 p.m.

Presiding Member Austin reconvened the Full Agency at 4:36 p.m. and noted that Ken Lynch had to step away and would not be present for the remainder of the full Agency session.

Video and audio recordings of this portion of the proceedings are available in their entirety via webcast at

<https://nysapa.granicus.com/videos/572/player?autoplay=0&start=14705&stop=16985>

## **7. Committee Reports**

### **a) Park Policy and Planning**

John Ernst reported on the presentation by Matt Kendall and Dan Kelleher on Existing and Proposed Solar Projects and Local Land Use Controls in the Adirondack Park.

### **b) Regulatory Programs Committee**

On motion of Dan Wilt, seconded by Andrea Hogan, the Agency unanimously approved P2020-0157 ELP Ticonderoga Solar, LLC project involving installation of a 20 MW solar

facility to be sited on approximately 100 acres of a 255-acre property. The project also involves a new connection to National Grid's Ticonderoga-Republic #2 115kV line, construction of a transformer station near NY State Route 9N between the array and the 115kV line, and installation of an underground electrical line through wetlands to connect the solar array to the transformer station.

c) State Land Committee

1) John Ernst reported on the Whiteface UMP Amendment presentation by Mike Pratt of ORDA.

2) On motion of John Ernst, seconded by Dan Wilt, the Agency adopted the Fish Creek Campground UMP Amendment's resolution on APSLMP conformance with Brad Austin, John Ernst, Mark Hall, Art Lussi, Matt Tebo, Dan Wilt voting for; Andrea Hogan voting against; Zoe Smith abstaining; and Joe Zalewski and Ken Lynch excused.

**8. Interim Reports**

a) Enforcement Committee

On motion of Brad Austin, seconded by John Ernst, the committee unanimously adopted the Draft minutes of its July meeting.

The Administration, Economic Affairs, Legal Affairs, Park Ecology, Park Policy and Planning, Public Awareness and Communication committees did not meet this month.

Executive Director Martino noted that Governor Hochul has made transparency in government a priority and that the Agency is preparing a Transparency Initiative Plan which will be shared with the Board members.

**9. Old Business**

Zoe Smith thanked staff for the solar presentation, noted that it was very helpful in putting the projects in context, and would like to continue to explore the issue in more depth. Andrea Hogan agreed and suggested that perhaps there was an opportunity for the Local Government Services Committee to take up the discussion, at least in terms of how the Agency gets feedback from communities on solar projects.

**10. New Business**

Zoe Smith asked if there were any plans for a Local Government Day next spring. Executive Director Martino said the Agency did not undertake a bid for a spring 2022 hotel location and is working on plans for its 50<sup>th</sup> Anniversary celebration.

### **11. Public Comment**

None

### **12. Local Government Review Board Comment**

Jerry Delaney agreed that the solar presentation was informative but still had concerns about placing solar panels on productive farmland and expressed concern about a public speaker having knowledge about next month's meeting agenda for projects.

### **13. Member Comment**

Mark Hall conveyed support for solar projects in the Park but asked for long-term planning for these projects. Mark Hall requested that UMP resolutions should require boat wash and inspections on site due to the aquatic invasive species issue.

Zoe Smith advocated for longer meetings to allow members to have more in-depth discussions.

Andrea Hogan reiterated the need for longer meetings and shared Mark Hall's hesitancy regarding solar projects and also requested more substantive planning for solar projects and cellular projects.

Art Lussi spoke about a recent hiking experience in the Taylor Pond area at Catamount Mountain and was very impressed with the parking lot and the trail design itself and wanted to point it out as an example of the APA and DEC working together to create something to be proud of. Art Lussi congratulated both Colleen Parker and Sue Streiff on their retirements.

John Ernst congratulated Colleen Parker and Sue Streiff on their retirements and reiterated a need for long-term planning for solar projects.

Matt Tebo thanked all the presenters, especially Ariel Lynch.

Dan Wilt thought that Ariel Lynch's presentation was informative, and looks forward to more discussion to address future solar projects.

Counsel Chris Cooper thanked everyone for their participation.

Executive Director Martino noted the preparation of the Agency Board agenda requires an assessment of where the Agency is in terms of project development, review, and

time clock requirements. Agenda items are put forth through a public Preliminary Agenda a week prior to each Board meeting, and put into a Final Agenda the day prior. Executive Director Martino referenced the Fish Creek UMP Resolution where there is a whereas that DEC proposes to reconstruct the boat launch ramp, including space for aquatic invasive species monitoring and a boat washing station, and that DEC has been a funding partner and collaborator in invasive species management in the region.

Presiding Member Austin thanked Mike Pratt for the Whiteface presentation and commended Kevin Prickett and Ariel Lynch for their presentations. Presiding Member Austin ended by thanking Bob Kreider for a very smooth virtual meeting and adding hope for an in-person meeting soon.

By unanimous consent the meeting adjourned at 5:13 p.m.

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Brad Austin, Presiding Member