



Adirondack Park Agency

KATHY HOCHUL
Governor

BARBARA RICE
Executive Director

ADIRONDACK PARK AGENCY DRAFT MAY MEETING MINUTES

Thursday, June 15, 2023

AGENCY MEMBERS, DESIGNEES, AND EXECUTIVE STAFF PRESENT

John Ernst, Chairperson
Mark Hall, Member
Benita Law-Diao, Member
Art Lussi, Member
Ken Lynch, Member
Zoë Smith, Member
Brad Austin, ESD
Matt Tebo, Dept. of State
Randy Young, NYS Dept. of Environmental Conservation
Barb Rice, Executive Director
Chris Cooper, Counsel

ABSENT AND EXCUSED

Dan Wilt, Member

LOCAL GOVERNMENT REVIEW BOARD PRESENT

Gerald Delaney, Executive Director

AGENCY STAFF PRESENT

John Burth
Elaine Caldwell
Amy Hall
Bart Haralson
Mitchell Jones
Dan Kelleher
Bob Kreider, NYS ITS
Keith McKeever
Craig Michaels
Jennifer Ocasio, NYS ITS
Megan Phillips
Jim Pinheiro
Dave Plante
Kevin Prickett
Sarah Reynolds

Virginia Ruhland-Mauhs
Carly Woodhouse
Casey Young

Link to video and audio recordings of the proceedings to be added.

1. CALL TO ORDER and 2. WELCOMING REMARKS

Chairperson Ernst called the meeting to order at approximately 9:35 am, welcomed everyone, noted that Dan Wilt was not in attendance and that Randy Young was attending on behalf of DEC, and added that Executive Director Rice's interview with North Country Public Radio had aired that morning.

3. PUBLIC COMMENT

Dave Gibson spoke about carrying capacity of water bodies located within the Adirondack Park.

Krista Rose with the Eastern Puma Recovery Initiative spoke on their northeast cougar project.

4. APPROVAL OF MARCH 16, 2023, AGENCY MEETING MINUTES

On motion of Benita Law-Diao, seconded by Zoë Smith, the May minutes were unanimously approved, Randy Young abstained, with one correction to add Art Lussi as present for the State Land Committee portion of the meeting.

There was a request for adopted resolutions to be posted with the approved minutes.

5. RECUSALS

Art Lussi and Zoë Smith recused from the LS Marina project P2016-0029A.

6. MOTION FOR EXECUTIVE SESSION

On motion of Art Lussi, seconded by John Ernst, the board voted unanimously to enter into an executive session before lunch for the purpose of discussing pending and ongoing litigation.

7. EXECUTIVE DIRECTOR'S REPORT

Executive Director Rice began by noting that DEC staff asked for an adjournment on the Broadalbin boat launch which was supposed to come before the Board this month. Executive Director Rice then introduced our four new staff members, Carly Woodhouse and Casey Young who will be working in the regulatory programs division and Mitchell Jones and Virginia Ruhland-Mauhs who will be joining the planning division.

Next were updates on the Environmental Bond Act with Executive Director Rice saying that there would be a listening session held on July 14th from 1PM to 3PM at North Country Community College, which will allow the public to provide input.

The 50th Anniversary speaker series will continue this month with Paul Smith's College Professor Curt Stager and Martha Swan, founder and executive director of John Brown Lives!, giving presentations.

Executive Director Rice ended with an acknowledgement of the recent passing of Gary Duprey, who worked at the APA for thirty-one years, a moment of silence was held in honor.

Art Lussi said that there were no current job postings on the Agency's website, executive Director Rice replied that staffing is currently at forty-eight with more positions awaiting DOB approval.

8. MOTION TO ADJOURN INTO COMMITTEES

On motion of Art Lussi, seconded by Benita Law-Diao, the Agency voted unanimously to adjourn into committees at 9:55 am.

Regulatory Programs Committee

The committee meeting convened at approximately 10:00 am

Regulatory Programs Committee Members Present

John Ernst (Acting Chair), Matt Tebo (DOS), Ken Lynch. Art Lussi was recused. Dan Wilt was absent.

Other Members and Designees Present

Mark Hall, Zoë Smith, Benita Law-Diao, Brad Austin (ESD), Randy Young (DEC).

Local Government Review Board Present

Gerald Delaney, Executive Director

Agency Staff Present

Chris Cooper, Barb Rice, David Plante, John Burth, Sarah Reynolds

(1) Regulatory Programs Report (David Plante)

David Plante began the report stating that it has been a busy month for the Regulatory Programs Division, then updated the board regarding permitting and application numbers and year-to-date comparisons to prior years, including pre-application and Recreation Management Plan reviews.

In keeping with prior practice and in the interest of transparency, David Plante noted a recent application for cell tower upgrades at the Crowne Plaza in Lake Placid, which is

owned by the Lake Placid Vacation Corporation, of which Art Lussi is the President. Due to the minor nature of the project as well as time clock constraints, the permit was issued June 8, 2023. David Plante also reported updates to telecommunication project numbers and statuses, as well as a brief overview/update of the Barton Mines project.

(2) P2016-0029A (LS Marina, LLC) John Burth

Art Lussi and Zoë Smith recused themselves.

John Burth gave a detailed overview and presentation of the project including review of jurisdiction, conclusions of law, a description and slides of the project location and the existing conditions, site history, proposed project details, visual analysis slides, public comment, review by others, and staff's recommendation and permit conditions.

A motion for approval was made by Ken Lynch and seconded by Matt Tebo. All were in favor.

Art Lussi and Zoë Smith returned.

Old Business

None

New Business

None

The committee meeting adjourned at approximately 11:40am on Thursday, June 15, 2023.

Link to video and audio recordings of the Regulatory Programs presentation and following discussion to be added.

Executive Session/Lunch

Chair Ernst reported out that no action was taken in Executive Session.

Public Awareness and Communications Committee

The committee convened at approximately 2:00 pm.

Public Awareness and Communications Committee Members Present

Mark Hall (committee chair), Brad Austin (ESD), Benita Law-Diao, Zoë Smith

Other Members and Designees Present

John Ernst (Chair), Art Lussi, Ken Lynch, Matt Tebo (DOS), Randy Young (DEC)

Local Government Review Board Present

Gerald Delaney, Executive Director

Agency Staff Present

Chris Cooper, Barb Rice, Keith McKeever

(1) Public Awareness and Communications Report (Keith McKeever)

In lieu of a report, Keith McKeever introduced Professor Curt Stager from Paul Smiths College and Martha Swan founder and executive director of John Brown Lives!.

(2) APA 50th Anniversary Guest Speaker Series

Professor Curt Stager gave a presentation on the Adirondack's diverse cultural history which included heroic African American pioneers of the 19th century who helped to shape the story of the Adirondacks as well as that of New York state and the nation.

Executive Director Swan gave an overview of the organization John Brown Lives! and highlighted upcoming programs and events.

(3) Old Business

None

(4) New Business

None

The committee meeting adjourned at approximately 3:10 pm.

Link to video and audio recordings of the Public Awareness and Communications presentation to be added.

Full Agency resumed at approximately 3:10 pm.

9. Committee Reports

a) Regulatory Programs Committee

Chairperson Ernst reported that the committee had heard a report from Dave Plante.

Art Lussi and Zoë Smith recused themselves.

Next John Burth gave a presentation on P2016-0029A, LS Marina, which is in the Town of Harrietstown, Franklin County. This is a variance request for installation of new structures greater than 100 square feet in size within the shoreline setback area as part of the rehabilitation of a pre-existing marina in Crescent Bay on Lower Saranac Lake.

On motion of Chairperson John Ernst, seconded by Ken Lynch, the Board voted unanimously to approve the variance, with Art Lussi and Zoë Smith recused.

Art Lussi and Zoë Smith returned.

b) Public Awareness and Communications Committee

Mark Hall reported that the committee had met and had enjoyed passionate and educational presentations from Professor Curt Stager and Marth Swan.

10. Interim Reports

The Economic Affairs, Enforcement, Legal Affairs, Local Government Services, Park Ecology, Park Policy and Planning, and State Land committees did not meet this month.

Local Government Review Board Report

Jerry Delaney said that variances are a complicated piece of business, doesn't believe that this one was handled consistently with previous ones, and expressed concern about the extended regulation of uses in a hamlet area.

11. Member Comment

Mark Hall acknowledged Senator Dan Stec coming to comment at the May Agency meeting regarding cellular coverage in the Park.

12. Old Business

None

13. New Business

None

14. Public Comment

None

Link to video and audio recordings of the full Agency presentation to be added.

Chairperson Ernst said that the next meeting will be July 13th and 14th.

The meeting was adjourned without objection at approximately 3:20 pm.

John Ernst, Chairperson