



Adirondack Park Agency

KATHY HOCHUL
Governor

BARBARA RICE
Executive Director

ADIRONDACK PARK AGENCY **DRAFT NOVEMBER MEETING MINUTES**

Thursday, November 16, 2023

AGENCY MEMBERS, DESIGNEES, AND EXECUTIVE STAFF PRESENT

John Ernst, Chairperson
Mark Hall, Member
Benita Law-Diao, Member
Ken Lynch, Member
Zoë Smith, Member
Dan Wilt, Member
Brad Austin, NYS Empire State Development
Matt Tebo, NYS Dept. of State
Joe Zalewski, NYS Dept. of Environmental Conservation
Barb Rice, Executive Director
Sarah Reynolds, Associate Counsel

ABSENT AND EXCUSED

Art Lussi, Member

LOCAL GOVERNMENT REVIEW BOARD PRESENT

Gerald Delaney, Executive Director

AGENCY STAFF PRESENT

Ben Amos
Robyn Burgess
John Burth
Elaine Caldwell
Amy Hall
Bart Haralson
Jenny Hubbard
Dan Kelleher
Bob Kreider, NYS ITS
Ariel Lynch
Keith McKeever
Craig Michaels
Emily O'Mahony
Stephanie Petith
Megan Phillips

Dave Plante
Alicia Purzycki
Elizabeth Stankus
Virginia Yamrick
Casey Young

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

1. CALL TO ORDER and 2. WELCOMING REMARKS

Chairperson Ernst welcomed everyone and called the meeting to order at approximately 9:10 am. Chairperson Ernst then noted that board member Art Lussi would not be in attendance and Associate Counsel Sarah Reynolds would be sitting at the table with the Board again this month.

Chairperson Ernst added that it was great to see several staff and board members at the recent Common Ground Alliance conference, noting that there were a variety of interesting topics discussed and thanking all of those who organized the conference.

3. PUBLIC COMMENT

Dave Gibson provided concerns regarding the recent posting for an executive assistant and questioned if the position is necessary.

4. APPROVAL OF OCTOBER 12, 2023 AGENCY MEETING MINUTES

On motion of Dan Wilt, seconded by Benita Law-Diao, the October minutes were unanimously approved, with Ken Lynch and Brad Austin abstaining.

5. RECUSALS

None

6. MOTION FOR EXECUTIVE SESSION

Associate Counsel Sarah Reynolds advise that an executive session was needed to discuss pending litigation. On motion of Zoë Smith, seconded by Brad Austin, the Board unanimously voted to hold an executive session prior to lunch.

7. EXECUTIVE DIRECTOR'S REPORT

Executive Director Rice welcomed everyone and began by noting that thanks to Governor Hochul, there was \$3.7 million in Smart Growth funds awarded to the Adirondacks and Catskills, with a focus on housing and adding that the deadline to apply is January 31, 2024.

Next Executive Director Rice thanked everyone who ran in the recent elections, offering congratulations to the winners, and adding thanks to all who voted.

Lastly, Executive Director Rice recognized Tom Scozzafava who has served for 34 years as the supervisor for the Town of Moriah and will be retiring at the end of the year, offering Congratulations on behalf of the Agency.

8. MOTION TO ADJOURN INTO COMMITTEES

Without objection the Agency adjourned into committees at about 9:20 am.

Regulatory Programs Committee

The committee meeting convened at approximately 9:20 am.

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The committee meeting convened at approximately 9:20 am.

Regulatory Programs Committee Members Present

Dan Wilt (Chair), Matt Tebo (DOS), Ken Lynch. John Ernst sat in for Art Lussi.

Other Members and Designees Present

Zoe Smith, Benita Law-Diao, Joe Zelewski, Mark Hall, Brad Austin.

Local Government Review Board Present

Gerald Delaney, Executive Director

Agency Staff Present

Barb Rice, Sarah Reynolds, David Plante, John Burth, Bart Haralson, Dan Kelleher, Alicia Purzycki, Aaron Ziemann.

Regulatory Programs Report (David Plante)

David Plante began his report by updating the board regarding the permitting and application numbers year to date, with comparisons to prior years for the Regulatory Programs Division. Mr. Plante then spoke of the recent public interest item of Battery Energy Storage Systems (BESS), the issues surrounding these types of projects and the working group formed by Gov. Hochul, and the work the Agency is doing to be ahead of the curve once these types of applications start coming in.

P2022-0037 Carver (Bart Haralson)

Bart Haralson gave a brief recap of the project as it was presented in October, and then proceeded with more detailed information and data based on the questions asked by the board at the October board meeting. Board members asked additional questions, which Mr. Haralson along with Ms. Purzycki did their best to answer.

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

P2023-0036 Paradox Lake Association (Aaron Ziemann)

Aaron Ziemann 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, public comment, review by others, and staff's recommendation and permit conditions.

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

Old Business

None

New Business

None

The committee meeting adjourned at approximately 11:30am on Thursday, October 12, 2023.

Link to video and audio recordings of the Regulatory Programs presentations and following discussions to be added.

Executive Session/Lunch

Public Awareness and Communication Committee

The committee meeting convened at approximately 1:05 pm.

Public Awareness and Communications Committee Members Present

Mark Hall (committee chair), Brad Austin (ESD), Benita Law-Diao, Dan Wilt

Other Members and Designees Present

John Ernst (Chair), Ken Lynch, Matt Tebo (DOS), Zoë Smith, Joe Zalewski (DEC)

Local Government Review Board Present

Gerald Delaney, Executive Director

Agency Staff Present

Barb Rice, Sarah Reynolds, Keith McKeever, David Plante, Ariel Lynch, Craig Michaels, Amy Hall, Bob Kreider, Jenny Hubbard, Emily O'Mahony, Kevin Prickett, Ben Amos, Casey Young

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

Keith McKeever reported to the Board that three public hearings on the 2023 State Land Classification package had been completed and that public comments were still being accepted through November 22, 2023.

Keith McKeever noted that new permits continue to be uploaded to the APA website monthly and that a new email has been created for the purpose of general information questions which is checked daily.

Lastly the Board was asked if they have been enjoying the 50th Anniversary Speaker Series and to think about if it's something they would like to see continued in future meetings.

(2) APA 50th Anniversary Guest Speaker Series

Amy Godine, a writer, independent scholar, and forty-year contributor to *Adirondack Life* magazine gave a presentation on abolitionist Gerrit Smith's mid-19th-century effort to settle the Adirondacks with Black pioneers.

Old Business

None

New Business

None

The committee meeting adjourned at approximately 1:45 pm.

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

Full Agency resumed at approximately 1:45 pm.

9. Committee Reports

a) Regulatory Programs Committee

Dan Wilt reported that the committee had heard a report from Dave Plante.

Next was a presentation by Bart Haralson on P2022-0037 Carver Sand & Gravel, LLC a proposed project which involves changes to an existing mine last authorized by Agency Permit 2008-0246C.

On motion of Dan Wilt, seconded by Ken Lynch, the board voted unanimously to approve the permit.

Last was a presentation by Aaron Ziemann on P2023-0036 Paradox Lake Association which addresses the application of the aquatic herbicide ProcellaCOR EC within two treatment zones in Paradox Lake to control Eurasian watermilfoil.

On motion of Dan Wilt, seconded by Matt Tebo, the board voted to approve the permit with member Zoë Smith voting against it, saying that it was a great presentation, however using the project to do testing on the lakebed didn't sit well.

There was no old or new business.

b) Public Awareness and Communication Committee

Mark Hall reported that the committee had heard a report from Keith McKeever and then had a great presentation by Amy Godine.

There was no old or new business.

10. Interim Reports

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

Mark Hall noted that the Economic Affairs committee will be meeting in January with a report from Dan Kelleher and will have quarterly presentations going forward.

Ken Lynch noted that public comments on state land classification package are due by November 22, 2023.

Local Government Review Board Report

Jerry Delaney said that housing is an item that is high on the Local Government Review Board's list. They would like the APA to look at easing the way for towns to increase hamlet boundaries and look into how to begin increasing housing stock.

Jerry Delaney also noted that it has been a while since there have been any new UMP's brought to the Board, adding that it would be nice to get previously purchased land classified prior to the State making new purchases.

11. Member Comment

None

12. Old Business

None

13. New Business

None

14. Public Comment

Bob Glennon asked when a decision will be made on the APA's possible move to Saranac Lake and wanted to know who would be making the decision, adding that it would be nice to have an open house in the current building for former staff prior to a move.

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

Chairperson Ernst said that there likely will be no December meeting which means the next meeting will be in January 2024.

The meeting was adjourned without objection at approximately 1:55 pm.

John Ernst, Chairperson