



Adirondack Park Agency
FINAL April MEETING MINUTES

Thursday, April 18, 2024

Agency Members, Designees, and Executive Staff Present:

John Ernst, Chairperson

Brad Austin, ESD

Mark Hall, Member

Benita Law-Diao, Member (remotely)

Art Lussi, Member

Ken Lynch, Member

Zoë Smith, Member

Matt Tebo, Department of State

Dan Wilt, Member

Joe Zalewski, NYS Department of Environmental Conservation (excused at 12:00 PM)

Barbara Rice, Executive Director

Damion Stodola, Counsel

Absent and Excused

None

Local Government Review Board Present

Gerald Delaney, Executive Director

Agency Staff Present:

Ben Amos

Benjamin Brosseau

Robyn Burgess

Jenny Hubbard

Mitchell Jones

Daniel Kelleher

Bob Kreider, NYS ITS

Ariel Lynch

Keith McKeever

Matthew McNamara

Craig Michaels

Megan Phillips

Dave Plante

Kevin Prickett
Sarah Reynolds
Lizz Schuyler
Aaron Ziemann

1. CALL TO ORDER and 2. WELCOMING REMARKS

The meeting was called to order at 9:33 AM. Chairperson Ernst welcomed the public and staff, noted the historic April 8th eclipse event, and expressed gratitude that despite the influx of visitors only a single (non-life threatening) rescue was needed. Chairperson Ernst congratulated Sean Mahar on his new appointment as Interim Commissioner of the NYS Department of Environmental Conservation and wished him well.

3. PUBLIC COMMENT

Supervisor Kevin Bean of Johnsbury thanked Executive Director Barbara Rice and Public Information Officer Keith McKeever for visiting and talking about issues faced in the Town of Johnsbury, as well as discussion as to how the Adirondack Park Agency could support the town in the future. He appreciated the efforts of their outreach.

Bob Glennon asked if there would be a forthcoming announcement on when the Agency might be moving, where they would be moving to, and whether there would be an open house for alumni. The Executive Director responded that there was no change from the answer provided at the last meeting.

4. APPROVAL OF MARCH 14, 2024 AGENCY MEETING MINUTES

On motion of Dan Wilt, and seconded by Zoë Smith, the March minutes were, without amendment, unanimously approved.

5. RECUSALS

None

6. MOTION FOR EXECUTIVE SESSION

General Counsel Damion Stodola indicated an Executive Session would be appropriate to discuss ongoing litigation. On motion of John Ernst, seconded by Mark Hall, the Agency Board unanimously voted to conduct an executive session for purposes of discussing ongoing litigation.

7. EXECUTIVE DIRECTOR'S REPORT

Executive Director Barbara Rice presented the Executive Director Report. Executive Director Rice thanked Supervisor Bean for his comments. Executive Director Rice expressed sadness and offered condolences to the family of Dennis Dickinson, the Town Supervisor of Lake George who passed away recently. Supervisor Dickinson dedicated much of his life to Lake George and Warren County and was a champion for preserving Lake George water quality through both his years as an elected official and his career in the private sector as a civil engineer and land surveyor.

Executive Director Rice welcomed Ben Brosseau, who joined the Adirondack Park Agency as the Assistant Public Information Officer. Ben will assist Keith McKeever in expanding outreach efforts.

Executive Director Rice recognized and highlighted all of the ways APA staff engaged with the community and region over the last month, highlights of which included:

- General Counsel Damion Stodola visited a 5th grade class in Jackson Heights after Office Assistant Mike Martin flagged a letter from one of the students who reached out regarding a paper on natural wonders in the western hemisphere.
- Megan Phillips, Deputy Director of State Lands and Planning wrote a column that was featured in the newsletter of Upstate American Planners Newsletter about the recent Adirondack Park State Land Classification Package.
- Dave Plante, Deputy Director of Regulatory Programs served as a keynote speaker at the 83rd New York Planning Federation Conference where Adirondack Park Local Planning Specialist, Robyn Burgess also presented on zoning in the Adirondack Park.
- Staff from the agency also participated in the New York Wetlands Conference yesterday in Saratoga Springs. The conference provided training, education, and informational services to ecologists across New York. Dr. Lizz Schuyler, Kelly McKean and Casey Young attended on behalf of the agency, and Deputy Director Plante also spoke at this conference.
- Casey Young also served as a judge at the Terra STEM science fair at Paul Smith's College. The fair had entries submitted by kids from 5th to 12th Grade in several different scientific categories.
- Aaron Ziemann represented the agency at New York State Invasive Species Council meeting in Albany.
- Sam Boese received notice yesterday that he has passed the Professional Engineering Exam – Congratulations Sam!

8. MOTION TO ADJOURN INTO COMMITTEES

The Agency Board unanimously approved adjourning into committees at about 9:47 am.

Regulatory Programs Committee

The committee meeting convened at approximately 9:48 AM.

Regulatory Programs Committee Members Present: Dan Wilt (Chair), Matt Tebo (DOS), Ken Lynch and Art Lussi.

Other Members and Designees Present

John Ernst, Joe Zalewski, Mark Hall, Brad Austin, Zoe Smith and Benita Law-Diao.

Local Government Review Board Present

Gerald Delaney, Executive Director

Agency Staff Present

Barb Rice, Damion Stodola, David Plante, Sarah Reynolds, Aaron Ziemann, Benjamin Amos

(1) Regulatory Programs Report (David Plante)

David Plante, Deputy Director of Regulatory Programs, began his report by giving the Board an overview of year-to-date totals through March 2024 for pre-applications, applications and permits with comparison to prior years for the Regulatory Programs Division. David Plante then gave a brief review of project application - P2022-218, USL Marina, indicating that the application is now complete and out for public comment through April 25. He is anticipating referring this to the Agency Board meeting in May.

(2) P2023-0038 – Application for the use of herbicide ProcellaCORE EC in Horseshoe Pond and Deer River Flow Association (Aaron Ziemann)

Aaron Ziemann, Associate Adirondack Park Project Analyst Forest Resources, 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.

On a motion of Art Lussi, seconded by Ken Lynch, the committee unanimously recommended the approval of the application to the full Agency Board.

(3) Certain Minor Regulated Activities in APA Jurisdictional Wetlands General Permit Revocation and Reissuance (Benjamin Amos)

Benjamin Amos, Environmental Program Specialist 1, presented an update on GP2024G-1, the proposed general permit for certain minor regulated activities in APA jurisdictional wetlands. The proposal revokes General Permit 2002G-3AAR and replaces it with GP 2024G-1. Amos reviewed the process and reasoning behind the change.

Amos reviewed public comments received on the proposed General Permit package, the agency's response to the comments, and revisions to the draft documents based on those comments.

On a motion by Ken Lynch, seconded by Art Lussi, the committee unanimously recommended the adoption of the draft resolution for the issuance of the general permit to the full Agency Board.

Old Business

None

New Business

None

Committee Adjourned at 12:06 PM

Executive Session/Lunch

Because no action was taken by formal vote, no minutes of the executive session were required or taken.

State Land Committee

The committee meeting convened at approximately 1:33 PM.

State Land Committee Members Present:

Ken Lynch (Chair), Benita Law-Diao (remote), Zoë Smith, John Ernst

Other Members and Designees Present:

Brad Austin (ESD), Art Lussi, Matt Tebo (DOS), Dan Wilt, Mark Hall

Local Government Review Board

Gerald Delaney, Executive Director

Agency Staff Present:

Sarah Reynolds, Barb Rice, Damion Stodola, Megan Phillips, Mitchell Jones, Kevin Prickett, Matt McNamara

(1) Planning Division Report (Megan Phillips)

Megan Phillips, Deputy Director of State Lands and Planning began her report with an update from the Planning Division highlights of which included:

- Phase 1 of the Rail Trail from Saranac Lake to Lake Placid is open, and Phase 2 from Saranac Lake to Floodwood is currently closed for construction. Phase 3 to Tupper Lake is now in the planning phases.

- State Land staff has been busy engaging in a number of consultations with the DEC, participating in the High Peak’s visitor use management framework and working with the DEC and other partners on stewardship efforts.
- In February, the State Land classification package was approved and signed by Governor Hochul.
- Local Government Services have processed 30 variance referrals of the approximately 100 that are processed every year.

(2) Lake George Beach and Battlefield Park Unit Management Plan Amendment
(Charles Vandrei, DEC; Mitchell Jones, APA)

Charles Vandrei of the DEC presented a proposed final public draft amendment to the Lake George Beach and Battlefield Park Unit Management Plan that would allow for construction of structures in which 18th century human remains recently discovered in Lake George would be reinterred. Mitchell Jones, Environmental Program Specialist 1, provided a summary of public comments received, the majority of which were in favor of the project.

On motion by John Ernst, seconded by Zoë Smith, the committee unanimously recommended to move the resolution finding the amendment in conformance with the Adirondack Park State Land Master Plan to the full Agency Board.

Old Business

None

New Business

None

Economic Affairs Committee

The committee meeting convened at approximately 2:23 PM.

Economic Affairs Committee Members Present

Committee Chair Mark Hall, Brad Austin, John Ernst

Other Members and Designees Present

Benita Law-Diao, Art Lussi, Ken Lynch, Zoë Smith, Dan Wilt

Local Government Review Board Present

Gerald Delaney, Executive Director

Agency Staff Present

Barb Rice, Damion Stodola, Dan Kelleher.

(1) Economic Services Overview and Update (Dan Kelleher)

Dan Kelleher, Special Assistant, Economic Affairs noted that he participates in an average of 71 public engagements per year. To date for 2024 he has already conducted 30. He is serving on Comprehensive Planning Committees in the Towns of North Elba, Johnsburg, and Schroon. Kelleher is also working with Point Positive, a regional angel investment group, to bring a modular housing factory to the region.

James McKenna, Co-Chair, North Country Regional Economic Development Council, and Steve Hunt, Regional Director, NYS Empire State Development, provided a presentation of their work within these groups to support economic development as well as their newest workgroup related to housing. They highlighted the winning project for Governor Hochul's 2023 Regional Economic Development Competition which will develop a program to work with transitioning soldiers and spouses from Fort Drum to help them enter the workforce.

Old Business

None

New Business

None

The committee meeting adjourned at approximately 2:55 PM.

Link to video and audio recordings of the Economic Affairs presentation and following discussions to be added.

9. Committee Reports

a) State Lands Committee

On motion of Ken Lynch, seconded by Art Lussi the full Agency adopted a resolution finding the Lake George Beach and Battlefield Park Unit Management Plan Amendment in conformance with the Adirondack Park State Land Master Plan.

b) Regulatory Programs Committee

On motion of Dan Wilt, seconded by Matt Tebo, the full Agency unanimously approved P2023-0038 for use of ProcellaCOR EC at Horseshoe Pond and Deer River Flow.

On motion of Dan Wilt, seconded by John Ernst, the full Agency unanimously approved adoption of the resolution for the revocation of General Permit 2002G-3AAR and issuance of a general permit (2024G-1) for Certain Minor Regulated Activities in APA Jurisdictional Wetlands. All in favor.

- c) Economic Affairs Committee heard a presentation from the Regional Economic Development Council representatives on NY Forward, DRI and the Fort Drum transitioning soldiers and spouses' workforce project.

Local Government Review Board Report

Gerald Delaney noted that the ProcellaCOR presentations always lead to interesting discussion, and he feels it is important for the committee to continue to review and reflect on these requests with an eye on where the future of these types of requests will go.

10. Interim Reports

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

11. Member Comment

None

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 May 16, 2024.

The meeting was adjourned without objection at approximately 3:07 pm.

John Ernst

John Ernst, Chairperson