

# NEW YORK STATE ADIRONDACK PARK AGENCY

David A. Paterson, Governor



The Adirondack Park has inspired wonder  
and imagination for generations and is an  
irreplaceable part of our State's heritage.

Governor David A. Paterson

# 2009

ANNUAL REPORT



## Message from the Governor



**Governor  
David A. Paterson**



### MESSAGE FROM THE GOVERNOR:

The Adirondack Park has long been recognized for its unique natural beauty and vibrant towns and villages. Its mountains, valleys, open space and unique Main Streets are treasured by all New Yorkers. The Adirondack Park offers an abundance of recreational and nature-based tourism opportunities, which, combined with its hamlets, rural communities, history, businesses and facilities, make it a destination for New York residents and national and international visitors.

I applaud the work of the Adirondack Park Agency, its staff and board in ensuring the protection of the Adirondack Park and am deeply grateful to the residents of the Adirondack Park for doing their part to preserve this national treasure. The Adirondack Park is a place where we can share in our commitment to the balance of community, economic needs and environmental protection. As we move into the next decade, let us commit to work together to create a sustainable economy in the Adirondacks and guarantee that New Yorkers and visitors will experience the extraordinary attributes of the Adirondack Park and its communities for generations to come.

Very truly yours,

David A. Paterson

Cover photo: A family views the High Peaks from the “Heart of the Adirondacks” - Town of Newcomb, Essex County.

Above right: Giant Mountain in late Fall.

At right: From left - Westport Code Enforcement Officer George Hainer, Chairman Curt Stiles, Supervisor Dan Connell and APA staff member Brian Grisi after Westport’s Community Spotlight presentation.

Back cover: Town of Keene, Essex County; an intersection of community and open space.



## Message from the Chairman



**Chairman  
Curtis F. Stiles**



Above: Chairman Stiles (left) with Town of Fine Supervisor Mark Hall after the inaugural Community Spotlight held during the February 2009 agency meeting.

Below: Chairman Stiles thanks Town of Johnsbury Supervisor Sterling Goodspeed for his Community Spotlight presentation.



### MESSAGE FROM THE CHAIRMAN:

2009 was an important year in addressing parkwide issues that impact communities, the economy and agency operations. We introduced three legislative bills that address Community Housing, the establishment of a planning fund for park communities, and improve administrative processes for our permit cycle time by ensuring field visits are scheduled early in the application process. We solicited additional input from local government and the Local Government Review Board ending the year with a commitment to resubmit the bills during 2010.

Throughout 2009 we benefited from the diverse viewpoints of my colleagues on our Board. The Board reflects a breadth of experience and background which ensures deliberations are thorough and in the overall best interests of the Adirondack Park. Six of the 11 commissioners and designees are full-time park residents while three others lived in the park or currently own a second home here.

We engaged in policy discussions on energy, affordable housing, snowmobile trail guidelines, regulatory improvements, and the classification and reclassification of state lands. Additionally, we approved construction of two residential wind towers and 31 telecommunication permits. We benefited from presentations about the economic impacts of invasive species, tourism destination planning, manufacturing opportunities, the Common Ground Alliance, and telecommunication technology. With the support of DEC and DOT we developed a joint Travel Corridor Memorandum of Understanding.

In recognition of the importance of our work with local government, I traveled throughout the region and met with numerous town supervisors. We also initiated a Community Spotlight series and welcomed seven town supervisors to speak during agency meetings where they discussed critical community issues and informed the agency about the uniqueness of their towns. Additionally, in the fall we solicited input from the 103 towns and villages about various aspects of the agency's work.

During the year we received a significant Federal Court ruling regarding an enforcement case where the Court thoroughly examined our enforcement process and found no basis for any claim of discrimination. A ruling by State Supreme Court Judge Muller in November affirmed the agency's rule making authority and cited the purpose of the APA Act "to serve a supervening state concern transcending local interests." The ruling underscores the agency's commitment to the Adirondack Park as an important resource for all New Yorkers, a destination of national and international significance, and home to 132,000 residents in our communities.

Most importantly, in August the Board welcomed Terry Martino as our Executive Director. Terry's career includes over two decades of experience working to address community, economic and environmental stewardship needs throughout the Adirondack North Country. Her familiarity with the people and communities of the park directly benefits our mission. Her joining us enabled our Acting Executive Director, Jim Connolly, to return to his work as Deputy Director, Planning, and resulted in full staffing of our management team.

We ended the year with the loss of Clarence Petty - an Adirondack legend. Born in the woods, he worked tirelessly throughout his life for his beloved Adirondacks. His contributions to the agency are many and will never be forgotten.

I look forward to a new year of work with my colleagues on the Board, our staff and park communities, and to addressing many of the critical issues facing the Adirondack Park, not the least of which is regulatory reform. Together we can make a difference.



## Message from the Executive Director



**Executive Director  
Terry Martino**



Above: Assemblywoman Janet Duprey (right) with Executive Director Martino.

Assemblywoman Duprey met with agency staff in 2009 to discuss the regulatory review process.

At right: Executive Director Terry Martino (left) is welcomed by Chairman Stiles, Counsel Banta and Commissioner Townsend at the August 2009 agency meeting.

### MESSAGE FROM THE EXECUTIVE DIRECTOR:

2009 has been a time of change for the Adirondack Park Agency and a welcomed opportunity for me to join the staff members who all live in the Adirondack Park and are actively engaged in addressing the future of the park's public and private lands. Staff provided a wide range of services and outreach to municipalities, residents, businesses, property owners, and sister state agencies to address regional land use planning and development. Our mission to protect the park's public and private lands continues to contribute to the unique qualities of the park characterized by 103 towns and villages which have an important intersection and gateway to an expanse of open space and public lands.

Highlights of 2009 are presented throughout the Annual Report. Noteworthy activities include the agency permitting 375 projects which included 31 telecommunications permits. Resource Analysis and Scientific Services staff conducted 347 wetland site visits, performed and reviewed 246 soil tests, and provided detailed scientific information to assist agency decision making. Planning staff managed the classification and reclassification process for State lands and coordinated the map amendment requests in Johnsbury, Minerva, Inlet and Fine.

Local Government Services staff provided outreach and assistance to the 18 communities with agency approved local land use plans. Once again they organized a highly successful Local Government Day event in partnership with the Adirondack Association of Towns and Villages and the Local Government Review Board which was attended by more than 300 local and state officials. Staff in the Legal Division provided 954 responses to jurisdictional inquiries, responded to more than 5,000 "walk-in" and telephone information requests, and closed 548 enforcement cases. Over 85,000 visitors participated in programs and utilized the facilities at the VICs in Paul Smiths and Newcomb. Economic Services staff assisted in the development of an Agency Community Housing Policy to foster cooperative planning. As noted throughout the Annual Report, all agency staff maintained a high level of commitment and attention to detail in our outreach and communications.

During the Fall we saw a significant staff change with the retirement of our Deputy Director of Regulatory Programs, Mark Sengenberger. Mark spent more than a decade with the agency and was instrumental in streamlining permit applications. Holly Kneeshaw competently assumed the role of Acting Deputy Director.

I am encouraged by the quality of the staff and the attention of the Board in addressing the wide range of policy, program and service needs within the Adirondack Park. I eagerly anticipate working together with all stakeholders to meet the many challenges and opportunities within our environment and park communities in the new year and decade ahead.



# Adirondack Park Agency Board

## BOARD MEMBERS

**Curtis F. Stiles**, Chairman,  
In-Park: Franklin County  
**Richard S. Booth**,  
Out-of-Park: Tompkins County  
**Arthur Lussi**,  
In-Park: Essex County  
**Frank L. Mezzano**,  
In-Park: Hamilton County  
**William H. Thomas**,  
In-Park: Warren County  
**James T. Townsend**,  
Out-of-Park: Monroe County  
**Leilani C. Ulrich**,  
In-Park: Herkimer County  
**Cecil Wray**,  
Out-of-Park: New York County  
**Dennis Mullen**, Commissioner  
Department of Economic  
Development  
**Pete Grannis**, Commissioner  
Department of Environmental  
Conservation  
**Lorraine Cortés-Vázquez**,  
Secretary of State  
**Christopher Walsh**, Designee  
Department of  
Economic Development  
**James Fayle**, Designee  
Department of Economic  
Development - effective 10/09  
**Elizabeth M. Lowe**, Designee  
Department of Environmental  
Conservation  
**Robert Elliot**, Designee,  
Department of State  
**Riele Morgiewicz**, Designee  
Department of State - effective  
05/09  
**Frederick Monroe**,  
Adirondack Park  
Local Government Review Board  
Executive Director

The Adirondack Park Agency is a New York State government agency with an eleven-member Board of Commissioners, five of whom must be residents of the Adirondack Park. The Governor appoints eight members, subject to confirmation by the Senate, and three ex-officio members: the Commissioner of the Department of Economic Development, the Secretary of State, and the Commissioner of the Department of Environmental Conservation. The Board represents a careful balance of local, regional and statewide interests in the Adirondack Park.

The Adirondack Park Agency Act gives the agency broad authority over private and public land use policy and regional planning. The agency conducts its business at regular monthly public meetings. Board members are engaged in the following committees through which they address specific issues before the agency: Regulatory Programs, Legal Affairs, Enforcement, Park Policy and Planning, State Land, Park Ecology, Interpretive Programs, Local Government Services, Economic Affairs and Administration.

Monthly meetings include review of permit applications, policy determinations, actions on state land issues and presentations by experts on a wide range of topics including economics, ecology and land conservation.

During 2009 the Chairman and Board hosted seven supervisors who provided overviews during the Community Spotlight segment of the agency agenda. The Community Spotlight is an effective way for agency members to hear directly from local officials throughout the park. The following Supervisors participated in the Community Spotlight series:

Supervisor Mark Hall,	Town of Fine (St. Lawrence County)
Supervisor Dan Connell,	Town of Westport (Essex County)
Supervisor Robert Moore,	Town of Webb (Herkimer County)
Supervisor Bruce Russell,	Town of Belmont (Franklin County)
Supervisor Bob Dedrick,	Town of Ticonderoga (Essex County)
Supervisor Sterling Goodspeed,	Town of Johnsburg (Warren County)
Supervisor Rick Wilt,	Town of Arietta (Hamilton County)



Back row (from left): Frank Mezzano, Leilani Ulrich, Cecil Wray, Richard Booth, Christopher Walsh, Robert Elliott, William Thomas, and Frederick Monroe.

Front row (from left): Arthur Lussi, Chairman Curtis Stiles, James Townsend, and Elizabeth Lowe.



## About the Adirondack Park



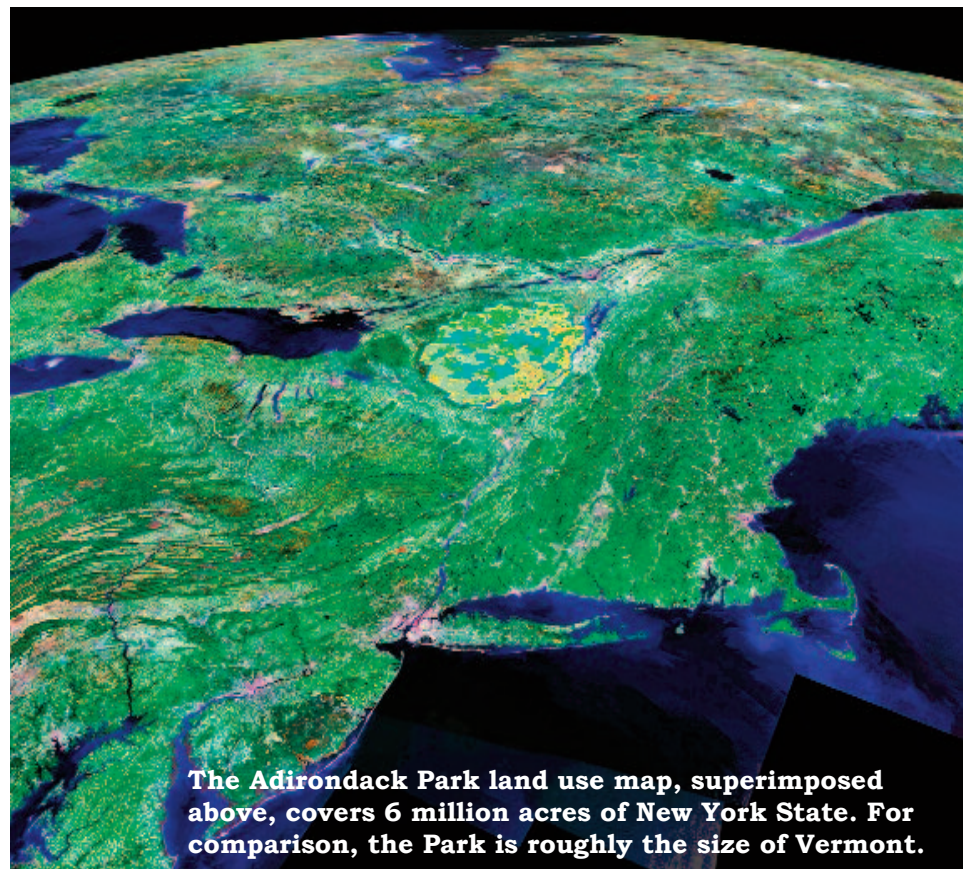
Mossy Cascade Falls located in Keene Valley, Essex County

Celebrated during the Adirondack Park Centennial as a “place of people and natural wonder,” the park has a legacy dating back to 1892 when it was created by the State of New York amid concerns about water and timber resources. The Adirondack Park represents a story of conservation—of how people, communities, wilderness and open space can coexist—for the more than 6 million acres of land that comprise the park.

The heart of the Adirondack Park is the Forest Preserve which was created by an act of the New York State Legislature in 1885. Through Article 14 of the New York State Constitution, the Forest Preserve lands are constitutionally protected: “The lands now or hereafter constituting them shall be forever kept as wild forest lands. They shall not be sold, nor shall they be leased or taken by any person or corporation public or private.”

The mix of public and private lands is an underlying characteristic of the Adirondack Park. Comprised of 103 towns and villages, the park includes diverse communities with unique Main Streets, farms, small businesses, working forests, open space, and a range of services and products. The abundance of nature-based tourism and world-class outdoor recreational opportunities, combined with the character and appearance of its public and private lands, make the park notably different from most other rural areas. The park offers an unparalleled small town quality and room for businesses within its towns and villages that are gateways to public lands.

The park represents one-fifth of New York’s land area and has the largest publicly protected area in the contiguous United States—comparable in size to the State of Vermont. The park is home to 132,000 residents and boasts more than 10,000 lakes, 30,000 miles of rivers and streams, and a wide variety of habitats including wetlands and old-growth forests recognized for their ecological significance. Situated within a day’s drive of nearly 84 million people, the park is well positioned to offer its unique blend of wilderness solitude, outdoor recreation and community life to the millions of visitors who in increasing numbers see the park as a unique travel destination. The blend of public and private lands provides the Adirondack Park with a unique diversity found nowhere else.



**The Adirondack Park land use map, superimposed above, covers 6 million acres of New York State. For comparison, the Park is roughly the size of Vermont.**



## About the Adirondack Park Agency

The Adirondack Park Agency (APA) was created in 1971 by the New York State Legislature with the mission to protect the public and private resources within the “Blue Line” of the Adirondack Park through the exercise of the powers and duties of the agency as provided by law. The basic purpose of the APA Act is “to insure optimum overall conservation, development and use of the unique scenic, aesthetic, wildlife, recreational, open space, historic, ecological and natural resources of the Adirondack Park.”

The agency works to balance the complementary needs of all the people of the State for the preservation of the park’s resources and open space character with the needs of the park’s permanent, seasonal and transient populations for growth and service areas, employment, and a strong diversified economic base. To achieve its mission the agency administers two regional land use plans: the Adirondack Park State Land Master Plan (SLMP) for public lands and the Adirondack Park Private Land Use and Development Plan for private lands. These documents classify state and private lands according to their characteristics and capacity to sustain use.

In the State Land Master Plan, state lands are classified in one of the following categories: Wilderness, Primitive, Canoe, Wild Forest, Intensive Use, Historic and State Administrative. The SLMP establishes policy for the management of these lands and was developed in cooperation with the Department of Environmental Conservation with approval by the Governor. DEC is charged with the care and custody of the Forest Preserve .

The Adirondack Park Land Use and Development Plan applies to private land use and development in the park. The plan defines agency jurisdiction and is designed to conserve the park’s natural resources and open-space character by directing and clustering development to minimize impact. Through the plan, all private lands are mapped into six land use classifications: Hamlet, Moderate Intensity Use, Low Intensity Use, Rural Use, Resource Management and Industrial Use. The agency has limited jurisdiction in Hamlet areas, extensive jurisdiction in Resource Management areas, and various degrees of jurisdiction within the other land use classifications.

The agency also administers two other statutes which define jurisdiction within the Park: the State Wild, Scenic and Recreational Rivers Systems Act for private lands and the State Freshwater Wetlands Act for both the park’s public and private lands. The agency’s administration of these statutes integrates the State’s goals of preserving river areas and wetlands with the closely related purposes of the SLMP and Adirondack Park Land Use and Development Plan.

Agency programs include: Administration, Economic Services, Regulatory Programs, Park Planning, Local Government Services, State Land, Resource Analysis and Scientific Services, Legal Services and Interpretive. Staff members are multi-disciplined and dedicated to the agency’s mission—all staff members are park residents living in various towns and villages.



For more information, click on the Citizen’s Guide cover above for a direct link to the Agency website.

At right: The APA Act works to channel growth to where it is best supported. View of the Village of Lake Placid and the Town of North Elba, Essex County



# Administration

## STAFF

**Terry Martino,**

Executive Director

**Stephen M. Erman,**

Special Assistant for  
Economic Affairs

**Keith P. McKeever,**

Public Information Director

**Elaine M. Caldwell,**

Administrative Officer 1

**Deborah A. Lester,**

Secretary to Executive Director

**Robert P. Kreider,**

Information Technology  
Specialist 2

**Patrick R. Farrell,**

General Mechanic

**Susan A. Carey,**

Principal Clerk 1

**Amy S. Hall,**

Calculations Clerk 1

**Stephanie S. Segard,**

Student Assistant

**Norma Howard,**

Student Assistant

**Elizabeth Stankus,**

Student Assistant

**John J. Jock,**

Cleaner

**Howard Baker,**

Green Thumb Program

**Cheri Phillips,**

Green Thumb Program

**Rod Williams,**

Green Thumb Program



**Frank L. Mezzano**

Chair Administration Services

**Terry Martino**

Executive Director

The Administration Services Division is responsible for all fiscal management, contract administration, personnel management, physical plant management and office support. Unit staff are involved in the preparation of purchase orders and vouchers, fiscal record keeping, determination of availability of funds for the Agency's division programs, payroll and computerization of fiscal records. Staff are also responsible for media relations, community relations and outreach.

### FACILITIES/ENERGY EFFICIENCY

In accordance with Governor Paterson's Green Procurement and Agency Sustainability Program, ongoing building improvement projects and related conservation measures resulted in significant decreases in energy consumption and fiscal savings of \$35,363. Staff continued to implement an important Recycling program.

### FISCAL MANAGEMENT

Administrative staff managed a fiscal year 2009/2010 appropriated budget of \$5,457,000 and met all mandated reductions totaling 11%. Staff worked closely with the NYS Division of Budget and prepared all documentation, fiscal analysis, and expenditure projections.

### INFORMATION SERVICES

Staff continue to upgrade agency computer resources and available software, and coordinate efforts to expand and integrate the agency-wide computer records management system.

### MEDIA RELATIONS

During the year the Chairman, Executive Director and Public Information Officer undertook a rigorous media relations campaign, inclusive of print, television and radio. Meetings were attended with Editorial Boards in Buffalo, Syracuse, Rochester, Albany, Saranac Lake and Plattsburgh. Topics of discussion included Park Agency jurisdiction, project review requirements, proposed legislation, the potential for regulatory reform and the regional economy.

### STAFF RELATED

With the passing of Cheri Phillips, the Adirondack Park Agency lost a friend who spent years providing important support services. Mrs. Phillips is already missed.



Chairman Stiles meets with the Plattsburgh Press Republican Editorial Board as part of media outreach efforts.



## Economic Services

The Economic Services Unit provides staff expertise in market and financial feasibility analysis, economic and fiscal impact analysis, and economic development planning. Staff assists project sponsors and economic developers in evaluating business locations and identifies other sources of help for business development.

### PRE-APPLICATION ASSISTANCE / PERMITTING

In 2009, economic services staff participated in 30 pre-application meetings on regulatory procedures, site location and site design for a range of proposals including: Wood pellet mills in Chesterfield, Essex County and Tupper Lake, Franklin County; Broadband infrastructure in Essex, Clinton and Franklin Counties; Wood chip production in Clifton, St. Lawrence County; and Food production in Chesterfield, Essex County.

Staff also helped review 69 economic development projects which were approved by the agency, including 32 projects to retain or create jobs in the region. The remaining 37 were for regional infrastructure important for stimulating new economic activity in the future. Approved economic development projects included: Wood pellet manufacturing operation in Chesterfield, Essex County; Concrete batch plant in the Tupper Lake Commerce Park, Tupper Lake, Franklin County; Hospital expansion in Fine, St. Lawrence County; and, Expansion of a beverage distribution operation in St. Armand, Essex County.

### ECONOMIC DEVELOPMENT ASSISTANCE

Staff participated in regional and local economic initiatives including: Advisory committee for a new shovel-ready business park in the Town of Saranac, Clinton County; Advisory committee for CBN Connect, Inc. which is planning broadband in Clinton, Franklin and Essex Counties; Support to the Clifton-Fine Economic Development Corporation regarding environmental remediation of the former J&L Steel site in Star Lake; and, participation in the Steering Committee for the Northern Forest Sustainable Economy Initiative.

### ECONOMIC AFFAIRS COMMITTEE

In 2009, the agency's Economic Affairs Committee continued to discuss small business development issues and opportunities in the Adirondack Park. With the growing regional significance of new businesses based on the quality-of-life goals of entrepreneurs, the committee highlighted three manufacturing businesses. These included Old Adirondack, Inc., a Willsboro-based manufacturer of cedar furniture; General Composites, Inc., also of Willsboro, which makes a diverse set of sports, medical and defense-related products; and, Placid Boatworks, a Lake Placid-based manufacturer of super-light canoes. Each business emphasized the advantages of the park's image and name recognition to their marketing efforts as well as its quality-of-life to the attraction and retention of workers. The committee also focused on available assistance for entrepreneurs with presentations from Empire State Development, the Adirondack Economic Development Corporation (AEDC) and the Small Business Development Center (SBDC) at Plattsburgh State.



Above: General Composites, Inc. President Jeff Allot discusses his firm which employs 45 people in Willsboro, Essex County during his presentation to the agency's Economic Affairs Committee.

Below left: **Arthur Lussi**  
Chair Economic Affairs

Below right: **Steve Erman**  
Special Assistant for Economic Affairs



At right: Steve Erman discusses the region's economy with Adirondack Regional Chamber of Commerce President Todd Shimkus and Special Projects Assistant, Nick Caimano.



# Regulatory Programs

## STAFF

**Holly E. Kneeshaw**,  
Acting Deputy Director  
**Mark E. Sengenberger**,  
Deputy Director - Retired 10/09  
**John L. Quinn**, Environmental  
Program Specialist 3  
**George V. Outcalt**, Environmental  
Program Specialist 2  
**Colleen C. Parker**, Environmental  
Program Specialist 2  
**Thomas Saehrig**, Environmental  
Program Specialist 2  
**Michael Hannon**, Environmental  
Program Specialist 1  
**Susan Parker**, Environmental Pro-  
gram Specialist 1  
**Suzanne McSherry**, Environmen-  
tal Program Specialist 1  
**Virginia Yamrick**, Environmental  
Program Specialist 1  
**Leigh R. Walrath**, Environmental  
Program Specialist 1  
**Tracy J. Darrah**, Environmental  
Program Specialist 1  
**Ariel A. Diggory**, Environmental  
Program Specialist 1  
**Mary L. Reardon**,  
Secretary 1  
**Stephanie C. Summers**,  
Keyboard Specialist 1



Above left: **Leilani C. Ulrich**  
Chair Regulatory Programs  
Above right: **Holly Kneeshaw**  
Acting Deputy Director

The Regulatory Programs Division implements the statutory and regulatory provisions of the Adirondack Park Agency Act, the Freshwater Wetlands Act, and Wild, Scenic and Recreational Rivers System Act. Staff provide pre-application project guidance and assessment, determine application completeness, apply review standards and prepare permit, variance or denial orders.

In 2009, the Regulatory Programs Division received 441 project applications and issued 375 permits. Staff processed 204 preapplication requests with only nineteen projects withdrawn after consultations. The following tables summarize permits issued in 2009:

Project Type	Number Issued
Major	94
Minor	85
Variance	1
State Agency Order	13
Amendment/Renewals	126
General Permits	56
Total	375

Permit Type	Number Issued
Commercial Use	6
Towers over 40 feet in height	12
Sand & Gravel, Mining	6
Public Roads	4
Major Public Utility	4
WWTS within 100' Wetlands	2
Public Use	10
Hunting & Fishing Cabin	2
Shoreline/Wetland	1
Resource Management	20
Group Camp	1
Municipal Sewer	1
Industrial Use	3
Residential Wind tower	2
Single Family Dwelling	127
Subdivision	86
Other	88



## CELLULAR PROJECTS

Cellular coverage continues to improve as telecommunication companies increase their efforts to provide service inside the Adirondack Park. In 2009, the agency issued 31 permits that resulted in 14 new towers, 14 co-locations and 3 replacements. At year's end, 11 cellular applications were pending approval.

## RESIDENTIAL WIND

Two residential wind turbine projects were approved for small scale wind turbines. Permits were issued to private landowners who plan to use the wind turbines to generate electricity to supplement power to their existing single-family dwellings. Regulatory Programs staff developed a desktop mapping visual analysis method to reduce time and cost associated with reviewing these projects.

## JOB GENERATING PROJECTS

During 2009, the agency permitted 32 projects which will result in the retention or creation of jobs in park communities. These included small manufacturing, retail, and service activities in agency-approved business parks as well as on "stand-alone" sites. An additional 37 economic development projects involved infrastructure improvements, including, cellular communications and water and sewer system improvements, that will better position Adirondack communities for economic expansion in the future.

## ECONOMIC STIMULUS PROJECTS

Agency staff participated in a series of meetings with the Department of Environmental Conservation and Environmental Facilities Corporation to coordinate economic stimulus projects within the Adirondack Park. Projects requiring agency permitting included new municipal wastewater treatment plants for the Towns of Essex and Inlet, and improvements to existing municipal wastewater treatment plants and wastewater collection systems in Newcomb, Wanakena (Fine), Schroon, Ticonderoga, Speculator (Lake Pleasant), Warrensburg and Northampton. Timely permits were issued ensuring Adirondack communities benefited from the stimulus initiative. Staff also coordinated with the Department of Transportation on transportation stimulus projects and issued permits and orders for all proposed DOT stimulus projects planned in 2009.

## LAKE CHAMPLAIN BRIDGE PROJECT

Agency staff responded to Governor Paterson's Executive Order to expedite regulatory review and effectively address the disruptions caused by the sudden closure of the Lake Champlain Bridge. Staff attended coordination meetings, conducted field visits and issued timely approvals. The approved ferry project will establish a vital temporary transportation route across Lake Champlain while construction of a new bridge is planned.



Leigh Walrath (center) conducts a site visit for a wind turbine project in the Town of Essex.



APA staff conduct field visit prior to public hearing for NYS Route 28 project.



Centered above is a permitted simulated white pine cellular tower recently constructed in the vicinity of Northway exit 27 in the Town of Schroon.



Holly Kneeshaw and Ariel Diggory display maps of cell tower sites.

# Planning

## STAFF

**James E. Connolly,**

Deputy Director

**Richard E. Weber III,**

Assistant Director Planning

**Brian F. Grisi,**

Local Planning Assistance

Specialist

**Matthew S. Kendall,**

Senior Natural Resources Planner

**Kevin G. Prickett,**

Senior Natural Resources Planner

**Kathy D. Regan,**

Associate Natural Resources

Planner

**John W. Barge,**

Mapping Technologist

**Robyn E. Burgess,**

Environmental Program

Specialist 1

**Walter W. Linck,**

Associate Natural Resources

Planner

**Lauretta H. Bullis,**

Secretary 1

**Susan A. Van Wormer,**

Calculations Clerk - retired 09/09



Above left: **Richard S. Booth**  
Chair Park Policy and Planning  
Above right: **James Connolly**  
Deputy Director

At right: Matt Kendall (left) and  
Jim Connolly listen to public  
comment on the Town of Inlet's  
proposed map amendments.

The Agency's Planning Division is responsible for Local Government Services, Adirondack Park Land Use and Development Plan Map updates and map amendments, State Lands, Park Policy Research & Analysis, Geographic Information System (GIS), cartographic services, records management & library services and Web Site Management.

### MAP AMENDMENTS

Planning staff worked closely with local government to address community needs through the map amendment process. In the Town of Fine, St. Lawrence County approximately 60 acres were reclassified to accommodate future expansion of the Clifton-Fine Hospital. Staff held public hearings for locally proposed amendments from the Towns of Minerva, Johnsburg and Inlet. Staff also met with officials from the Towns of Westport and Essex to discuss possible amendments.

### COMMUNITY HOUSING

A housing policy was established which recognized that affordable housing is critical for communities. Policy goals include encouraging construction of energy efficient housing for year-round residents of the park and fostering cooperation with local governments to address community housing needs.

### SMART GROWTH - HAMLETS OF THE ADIRONDACKS PHASE 3

The Adirondack Hamlets project, funded through the NYS Smart Growth Grant program, is intended to create opportunities for economic and community development in the Adirondack region through the application of smart growth principals. APA staff assisted the project advisory committee by preparing detailed base maps for the selected hamlet clusters used for case studies and providing educational presentations on the agency map amendment process.

### ADIRONDACK PARK UTILITY WORKING GROUP

Staff participated in regular meetings to develop and evaluate policy and management alternatives for utility lines and power generation facilities in the park. This group balances concerns for the park's unique character with the need for reliable power.

### CARTOGRAPHY AND INFORMATION ANALYSIS

Significant mapping and land use analysis work was accomplished in 2009. Staff updated the official Adirondack Park Land Use and Development Plan map to reflect private land map amendments and state land classifications. Land use classification data was updated and detailed statistical tables by county were posted to the agency website. Staff provided GIS services to Hamilton County, the Town of Queensbury and the Town of Chester as well as supporting various agency staff GIS projects.





## Local Government Services

The Local Government Services staff works with individual towns in the park to assist them in planning and zoning and administering agency-approved local land use programs. The staff also assists communities by attending community meetings, providing written advice, designing workshops and providing plan and code review.

### LOCAL GOVERNMENT OUTREACH

Staff responded to 680 inquiries from local officials on land use issues and participated in twenty-four meetings with town officials providing information on agency jurisdiction and land use law. The revised shoreline structure expansion regulations initiated many meetings in the first part of the year. Staff explained the regulations and discussed implementation in towns with an agency-approved local land use program. Training workshops for town board members and code enforcement officers were regularly scheduled throughout the park. Local Government Day in March was attended by over 300 local government officials. Staff participated in the Northern Adirondack Code Enforcement Officials Association 14th Annual Educational Conference and attended the Adirondack Camp and Home Show.

### APPROVED LOCAL LAND USE PROGRAMS

Administration of agency-approved local land use programs is a priority and requires significant staff time. During 2009, three local program zoning amendments were approved including a complete repeal and replacement proposed by the Town of Queensbury for their zoning law. Staff worked with seven other towns with approved programs on proposed amendments that were in various stages of completion. In addition, staff reviewed ninety-nine variances referred from towns with approved programs. Six variances were reversed after staff review and referral to the Executive Director.

### LOCAL PLANNING ASSISTANCE

Staff developed two computer programs to improve retrieval abilities for local zoning information and enhance local government mapping abilities. A desktop retrieval system provides access to town zoning laws, maps and references. Staff also developed a mapping tool that assists local governments with community planning and zoning efforts.



Above: Brian Grisi leads a training program for agency staff related to jurisdiction for town and villages with approved local land use programs.



Above Left: **William H. Thomas**  
Chair Local Government Services

Above right: **Brian Grisi**  
Local Planning Assistance Specialist

At right: Local Government Day attendance continues to increase. More than 300 officials attended the March 2009 event.



## State Lands



Above: NYS Snowmobile Association Interim President Dave Perkins (left), APA staff Kathy Regan and DEC staff Steve Guglielmi review snowmobile trail maps during field work.



Above left: **James T. Townsend**  
Chair State Lands  
Above right: **Richard Weber**  
Assistant Director, Planning

At right: Rick Weber conducts a public hearing on state land classification proposals at the Wanakena Ranger School in the Town of Fine, St. Lawrence County.

State Land staff work with the Department of Environmental Conservation (DEC) to prepare and review Unit Management Plans (UMPs) consistent with the Adirondack Park State Land Master Plan (SLMP); provide guidance and interpretation regarding the SLMP to the agency's board; develop long-range planning studies regarding the future of State lands; review proposed DEC projects on State lands to ensure conformance with the SLMP; and work with the DEC to develop staff proposals for the classification or reclassification of State lands.

### STATE LAND MASTER PLAN INTERPRETATION

Staff worked with DEC on management guidance for the siting, construction and maintenance of snowmobile trails on state lands classified Wild Forest. Guidance addressed use of tracked groomers, trail width and DEC delegation of trail grooming responsibilities to communities and snowmobile clubs. The agency board determined the guidance was compliant with the SLMP at its November 2009 meeting.

### UNIT MANAGEMENT PLAN REVIEW

Staff consulted with DEC providing advice on the development of ten draft unit plans including the Moose River Plains and Taylor Pond Wild Forest Areas, the Jay Mountain and Hoffman Notch Wilderness Areas and the Hurricane Mountain Primitive Area. Consultation on siting two important snowmobile trail connections through the Wilcox Lake and Moose River Plains Wild Forest Areas was discussed to improve understanding of how the proposed snowmobile trail guidance would be implemented. UMP amendments were approved by the agency for the Aldrich Pond Wild Forest which involved a water access site on the Little River and amending the Bog River Complex UMP to extend public float-plane use on Lows Lake until 2011.

### STATE LAND CLASSIFICATION

Staff developed three State land classification packages for agency consideration in 2009. Actions included the classification and reclassification of lands in the vicinity of Lows Lake/Five Ponds Wilderness Area and classifying State lands under the jurisdiction of the DOT. Staff also received authorization to conduct public hearings on a parkwide classification action.

The Lows Lake action reclassified the Lows Lake Primitive Area and a portion of the Hitchins Pond Primitive Area to Wilderness and classified lands south of Lows Lake to Wilderness for inclusion into the Five Ponds and Round Lake Wilderness Areas. A new Eastern Five Ponds Access Primitive Area was created which incorporated reserved private access rights and the upper and lower dams on the Bog River.

The 2009 annual classification proposal involves 94 separate parcels totaling an estimated 31,570 acres. The two largest parcels in this package involve the classification of 17,300 acres of newly acquired lands in the area of Lyon Mountain in the Towns of Dannemora and Saranac and the 6,800 acre Tahawus Tract near Henderson Lake and the High Peaks Wilderness Area in the Town of Newcomb. A final proposal will be brought to the agency for possible action in Spring of 2010.





# Resource Analysis & Scientific Services

## STAFF

**Daniel M. Spada,**  
Supervisor-Natural Resource Analysis

**Shaun E. LaLonde,**  
Soil and Water Engineering Specialist

**Greg A. Bendell,** Environmental Engineer

**Lawrence P. Phillips,**  
Associate A.P. Project Analyst,  
Forest Resources

**W. Mark Rooks,**  
Associate A.P. Project Analyst,  
Biological Resources

**Edward S. Snizek,**  
Associate A.P. Project Analyst,  
Fresh Water Resources

**Mary A. O'Dell,**  
Biologist 1 (Ecology)

**Stephanie L. Petith,**  
Keyboard Specialist 1

**Aaron Ziemann,**  
EPA Contractor



Above left: **Leilani C. Ulrich**  
Chair Park Ecology  
Above right: **Daniel Spada**  
Supervisor-Natural Resource Analysis

At right: Ed Snizek leads a discussion at the Fort Ann Firehouse on aquatic invasive species best management practices and Park Agency permit requirements.

The Resource Analysis and Scientific Services (RASS) unit provides scientific and technical analysis supporting other agency divisions, including project review, enforcement, planning and legal. The agency's scientists provide expertise on engineering, septic systems and stormwater management, soils analysis, forestry, wetlands and other aquatic systems, invasive species and wildlife habitat. Staff also conduct wetland delineations.

### FIELD SERVICES

Staff provide valuable field services for Adirondack Park residents including wetland delineations, deep hole test pits, stormwater management and septic system reviews. These services result in compliance with State laws and regulations, protect public health, reduce impacts to the environment and help landowners avoid unnecessary expenses resulting from construction on lands with severe building constraints.

In 2009, staff completed 347 wetland delineations, advised on 272 wetland jurisdictional determinations, evaluated 246 deep hole test pits, reviewed 155 stormwater management and 265 septic system plans.

Deep hole test pits (DHTP) are essential to ensure protection of water resources including drinking water sources. Due to soil limitations and depth to seasonal high water tables 45%, or 517 of the 1,148 DHTP reviewed by staff since 2005, required shallow absorption trench systems. Of those, 88%, or approximately 455, were due to high seasonal groundwater. The DHTP provides the necessary information to locate onsite wastewater treatment systems correctly to protect human health. Staff review is an extremely valuable public health service for landowners building inside the Adirondack Park.

### OUTREACH AND TECHNICAL TRAINING

Significant time was spent providing educational training to park stakeholders and local officials. Onsite waste treatment system training was provided to towns with approved local land use programs as well as the Elizabethtown and Putnam Planning Boards. Wetlands training was conducted for planning board members from Corinth, Hadley and Day. Staff gave presentations to lake shore owner associations detailing the permit review process for the use of aquatic herbicides to control the spread of Eurasian watermilfoil.

Staff developed guidance for Forestry Use Involving Wetlands to streamline permitting and participated in the Warren County Cornell Cooperative Extension logger training program. Staff also spearheaded the effort to revise "Development in the Adirondack Park (DAP)." This document provides direction for the planning and review of development projects on private lands within the park.

### MAJOR PROJECT REVIEW

Staff reviewed proposed Front Street project amendments, the Elk Lake dam rehabilitation project, a dredging project for the Finkle Brook area of Lake George, a fiber-optic project in Clinton, Essex and Franklin Counties, the Schroon Lake sewage treatment plant upgrades, the Port Kent water plant, Willsboro Industrial Park, Batchellerville Bridge, and the Crown Point Bridge project.



# Legal

## STAFF

**John S. Banta,**  
Counsel

**Barbara A. Rottier,**  
Associate Counsel

**Paul T. Van Cott,**  
Associate Attorney

**Ellen Egan George,**  
Senior Attorney -retired 8/09

**Mitchell J. Goroski,**  
Senior Attorney

**Richard R. Terry,**  
Senior Attorney

**Sarah H. Reynolds,**  
Senior Attorney

**Elizabeth A. Phillips,**  
Senior Attorney - effective 12/09

**Mary B. Palmer,**  
Keyboard Specialist 1

The Legal Division consists of three major components: the Office of Counsel, the Jurisdictional Inquiry Unit, and the Enforcement Unit. The Office of Counsel provides legal services and advice to all agency divisions and the agency board. The Jurisdictional Inquiry Unit provides advice to landowners and potential project sponsors regarding agency jurisdiction, including informal phone advice and formal binding jurisdictional determinations. The Enforcement Unit undertakes actions to resolve violations of the laws the agency is charged to administer. The Enforcement Unit also has primary responsibility for undertaking educational initiatives to prevent violations.

### OFFICE OF COUNSEL

During 2009 legal staff implemented and defended four regulatory revisions that took effect December 31, 2008. The revisions provided: 1) clarification of agency jurisdiction over wetland subdivisions; 2) implementation of a regulatory provision to limit enlargement of preexisting structures within the shoreline setbacks; 3) addition of specific structural references (i.e. no septic; no poured foundation) to the current regulatory definition of "hunting and fishing cabin;" and 4) deletion of subdivision jurisdiction exemption for the sale of land separated by a road or right-of-way. Litigation challenged these regulations, but did not result in a stay of their implementation. A November 2009 Supreme Court determination validated the wetland subdivision and shoreline expansion changes. The Court rejected the change to the definition of "hunting and fishing cabin" and modified the effect of the deletion of the subdivision exemption for land divided by a road or right-of-way.

Other major litigation resulted in a determination that farm worker housing is not subject to agency permit jurisdiction when associated with an agricultural use; enforcement of a determination by the Enforcement Committee directing the removal or modification of a retaining wall and stairs measuring more than 100 square feet and located within the statutory setback area, and validation of the agency's enforcement program in the face of a Federal Court challenge alleging discrimination in the administration of the program.

### LEGISLATION/REGULATIONS

In a major initiative the agency introduced three bills in the legislature: 1) to create an incentive for "community housing" in the vicinity of existing hamlet areas; 2) to create a local planning grant program funded with modest fees for major projects and any civil and judicial penalties collected by the agency; and 3) to make procedural adjustments to the agency permit process to streamline the process and enable development rights transfer. Regulatory revision proposals for adjustments to existing definitions for "boathouse" and "dock" were directed to State Administrative Procedures Act hearings scheduled for January 2010.



Above Left: **James Townsend**  
Chair Legal Affairs

Above Right: **John Banta**  
Agency Counsel

At Right: Counsel Banta discusses proposed APA legislation with the Local Government Review Board.





HELP YOURSELF  
TO A  
JURISDICTIONAL  
INQUIRY FORM

Download  
HERE.

## STAFF

### Jurisdictional Inquiry Office

**Rita G. Quinn,**  
Environmental Program  
Specialist 2

**Brian M. Ford,**  
Environmental Program  
Specialist 1

**Nancy M. Heath,**  
Environmental Program  
Specialist 1

### Enforcement

**Trevor S. Fravor,** Environmental  
Program Specialist 1

**John M. Burth,** Environmental  
Program Specialist 1

**Emily M. Tyner,** Environmental  
Program Specialist 1

**Joseph Thouin,** Environmental  
Program Specialist 1- thru 10/09

**Douglas W. Miller,** Environmental  
Program Specialist 1

**Theresa LeBaron,** Environmental  
Program Specialist 1

**Susan Streiff,**  
Keyboard Specialist 1

**Jill Lawrence,**  
Keyboard Specialist 1 thru 10/09



Above: **Cecil Wray**  
Chair Enforcement

At right: Trevor Fravor (left) and  
Doug Miller (center) conduct  
outreach with local code enforce-  
ment officers.

## JURISDICTIONAL INQUIRY UNIT

The public's first point of contact with the agency is often a letter or a phone call handled by the Jurisdictional Inquiry Unit. Staff advise landowners and others whether an agency permit or variance is required for a proposed land use or subdivision of land within the Park. The determination often requires a full deed history and other legal and factual research. This is the agency's initial and most common point of contact with the public; hence, staff give a high priority to a prompt response.

The agency provided 954 written formal jurisdictional determinations in 2009, with an average response time of 10 days. Jurisdictional staff answered 5,030 telephone contacts and met with 259 walk-in members of the public. Staff also handled 920 referrals from other agencies.

In addition, the agency's Records Access Officer responded to 231 Freedom of Information requests.

## ENFORCEMENT UNIT

In 2009, the Enforcement Unit maintained its focus on environmentally significant violations, completing investigations on all such cases promptly after discovery. Priorities include violations involving wetlands, shorelines, river areas, critical environmental areas, and open space resources. Enforcement officers actively work with local officials to prevent violations and try to discover violations earlier in order to amicably resolve violations avoiding undue adverse impacts and financial costs.

In 2009, the Enforcement Unit closed 104 more cases (548) than it opened (444), reversing the historic trend of an ever-increasing backlog of open enforcement cases. Of the 351 violations resolved in 2009, enforcement staff negotiated 317 settlements. This represents a total of 99 more cases resolved by settlement agreement in 2009 than 2008. Landowners undertook remediation based on informal agreements with enforcement staff for an additional 29 minor violations.

In 2009, the agency's Enforcement Committee heard five cases resulting in committee determinations of violation, resolution and penalty. The committee also continued to monitor and update the specific guidance for the Enforcement Unit.



## Interpretive Programs

### STAFF

#### PAUL SMITHS STAFF

**Michael Brennan,**  
Environmental Educator 3  
VIC Manager  
**Milton B. Adams,**  
Environmental Educator 2  
**Joanne B. MacDowell,**  
Administrative Aide  
retired 03/09  
**Cara McCann,**  
Artist Designer  
**Andy Flynn,**  
Senior Public Information  
Specialist  
**C. George Hare,**  
Maintenance Supervisor  
**Kyle Martin,**  
Laborer  
**Lydia Wright,**  
Environmental Education  
Assistant  
**Penny Dufrane,**  
Maintenance Assistant

#### NEWCOMB STAFF

**Rynda McCray,**  
Environmental Educator 3  
VIC Director  
**Ellen Rathbone,**  
Environmental Educator  
**Michael Tracy,**  
Maintenance Assistant  
**Mary Tisi,** Student Assistant



The Adirondack Park Agency operates Visitor Interpretive Centers at Paul Smiths, Franklin County and Newcomb, Essex County which opened in 1989 and 1990. With a mission to “enhance public awareness of park resources and the Agency’s role in their protection,” the centers are part of an effort to build public appreciation for the value of the Adirondack Park to the State of New York and the broader global community. With nearly 75,000 students participating in on-site school field trips since 1989, the impact of the agency’s Visitor Interpretive Centers on the environmental awareness of a generation is clearly significant.

In 2009, 59,841 people visited the Paul Smiths VIC. This facility is on a 1398-acre site leased from Paul Smith's College. The site includes a 14-mile trail system. Site features include a 60-acre marsh, ponds, brooks and swamps, glacial and geologic features, and forests. The main state-owned structure on the site is a 17,000 square foot public assembly building with classrooms, a theater, an exhibit room, offices and other assembly space.

During the year, 21,753 people visited the Newcomb VIC. This 236 acre site is leased from Syracuse University and the SUNY College of Environmental Science and Forestry at Syracuse (SUNY/ESF). Located on Rich Lake, this site includes a mile-long forested peninsula, wetlands, and old-growth forests. The VIC’s nearly four-mile trail system connects to the road leading to Santanoni, an historic area within the State Forest Preserve. The Newcomb VIC includes a 6,000 square foot public assembly building with a multi-purpose room, a main exhibit room, and staff offices. There is an adjacent 2,500 square foot garage and classroom building.

#### ENVIRONMENTAL EDUCATION AND OUTREACH

During 2009, VIC staff continued to deliver quality programs and experiences. The Paul Smiths VIC provided 77 on-site programs and 19 outreach education programs which were attended by 3,283 students. Nearly 10,000 people took advantage of the 191 programs offered throughout the year for the general public.

At the Newcomb VIC, staff provided 30 on-site and 33 off-site school programs for 1,695 students. Total school group attendance levels were 25 percent greater than in 2008. In 2009, 5,513 members of the general public took advantage of staff interpretive programs.

#### VOLUNTEER SERVICES

The agency is extremely thankful for the steady support of the dedicated volunteers that serve at the VIC. Volunteers help staff the information desk and assist in the delivery of school and general public programs. At Paul Smiths, volunteers support the operation of the Butterfly House. During the year a combined 3,750 volunteer hours were contributed at both facilities.



Above from left:

**Elizabeth M. Lowe,** Chair Interpretive Programs  
**Michael Brennan,** Center Director - Paul Smiths  
**Rynda McCray,** Center Director - Newcomb

At left: Paul Smiths Visitor Interpretive Center.



## Adirondack Park Institute



**Martha E. Van der Voort**  
Executive Director, API

The Adirondack Park Institute, Inc. (API) was created in 1989 as a 501(c)(3) not-for-profit corporation to provide environmental educational and interpretive opportunities to schools, area visitors, children and their families. The API accomplishes this mission through a partnership with the two Visitor Interpretive Centers (VICs) operated by the Adirondack Park Agency. The API's primary source of funding comes from the annual contributions of its membership. API also administers grants for the benefit of program development at the VICs. The API supports environmental education programs, special events, publications and curricula at the Paul Smiths and Newcomb VICs.

### **Officers and Executive Director**

**President**, Valerie L. Trudeau

**Vice President**, Development, Charles F. Monzeglio Jr.

**Vice President**, Membership, Stuart H. Angert

**Secretary**, Thad P. Collum

**Treasurer**, Col. Robert C. Lilly, USAF (Ret.)

**Executive Director**, Martha E. Van der Voort, Ph.D.

Section 803-a of the Adirondack Park Agency Act provides for the establishment of the Adirondack Park Local Government Review Board. As provided by law, the purpose of the Review Board is to advise and assist the agency in carrying out its mission. The Agency enjoys a strong working relationship with the Review Board through open discussion and dialogue focused on local government perspectives.

Agency members and staff regularly attend the Review Board meetings, which are held monthly throughout the Adirondack Park. At the monthly Adirondack Park Agency meetings, Adirondack Park Local Government Review Board Executive Director Frederick Monroe plays a prominent and active role in all deliberations. The Adirondack Park Agency's efforts to achieve balanced decision making are greatly enhanced by this dialogue.

The State of New York provides operating funds for the Local Government Review Board through the agency's budget.

### Chairman and Officers

**Chairman**, George Canon, Essex County

**Executive Director**, Frederick Monroe

**Counsel**, John C. McDonald, Esq

**Secretary**, Carol A. Monroe

Review Board website - [www.adkreviewboard.com](http://www.adkreviewboard.com)

This year the Local Government Review Board and park community lost a very special member with the passing of Nellie Staves - an authentic Adirondack woodswoman. Her life contributions positively influenced many Adirondackers and she will truly be missed.

## Adirondack Park Local Government Review Board



**Frederick Monroe**  
Executive Director, APLGRB

NEW YORK STATE  
ADIRONDACK PARK AGENCY

David A. Paterson, Governor



**State of New York Adirondack Park Agency**

Route 86, P.O. Box 99, Ray Brook, NY 12977, (518) 891-4050

Paul Smiths Visitor Interpretive Center, Route 30, P.O. Box 3000, Paul Smiths, NY 12970, (518) 327-3000

Newcomb Visitor Interpretive Center Route 28N, P.O. Box 101, Newcomb, NY 12852, (518) 582-2000

World Wide Web: [www.apa.state.ny.us](http://www.apa.state.ny.us) (APA), [www.adkvic.org](http://www.adkvic.org) (VICs)

David A. Paterson, Governor / Curtis F. Stiles, Chairman / Terry Martino, Executive Director