



## RESOLUTION

### **ADOPTED BY THE ADIRONDACK PARK AGENCY WITH RESPECT TO THE SPONSOR'S APPEAL OF THE ADMINISTRATIVE LAW JUDGE'S GRANT OF PARTY STATUS TO ADIRONDACK WILD: FRIENDS OF THE FOREST PRESERVE**

**WHEREAS**, on November 14, 2025, a majority vote of Agency Members was taken, and which vote ordered this matter to public hearing; and

**WHEREAS**, on December 17, 2025, Adirondack Wild: Friends of the Forest Preserve petitioned to intervene (Petition for Intervention)<sup>1</sup>, pursuant to Adirondack Park Agency Rules and Regulations Title 9, Section 580;<sup>2</sup> and

**WHEREAS**, on December 22, 2025, the Administrative Law Judge requested parties to submit comments or opposition to the petitions for party status on or before January 6, 2026; and

**WHEREAS**, on January 6, 2026, Sponsor objected to the Petition for Intervention of Adirondack Wild: Friends of the Forest Preserve; and

**WHEREAS**, on January 12, 2026, the designated Administrative Law Judge granted full party status to Adirondack Wild: Friends of the Forest Preserve over Sponsor's objection; and

**WHEREAS**, on January 20, 2026, Sponsor filed a partial appeal of the Administrative Law Judge's ruling on party status; and

**WHEREAS**, on January 23, 2026, parties were requested to submit any responding briefs, either in support or opposition of the ruling appealed from, by January 29, 2026; and

**WHEREAS**, on January 26, 2026, Adirondack Wild: Friends of the Forest Preserve filed a response to Sponsor's partial appeal of the Administrative Law Judge's ruling on party status; and

**WHEREAS**, Agency Members have reviewed the record in this matter, which includes the above referenced documents; and

---

<sup>1</sup> By e-mail dated December 19, 2025, Adirondack Wild: Friends of the Forest Preserve submitted a copy of its bylaws, as adopted on September 25, 2025.

<sup>2</sup> It is noted that three other organizations similarly petitioned to intervene. Only one organization was objected to by any part, Adirondack Wild: Friends of the Forest Preserve. As the remaining Petitions for Intervention were not challenged, they are not discussed here.

**WHEREAS**, Adirondack Park Agency Rules and Regulations Section 580.7 requires that any person seeking to become a party file a written petition with the executive director or, if selected at the time of its filing, the hearing officer; and

**WHEREAS**, pursuant to Adirondack Park Agency Rules and Regulations Section 580.7(a) any petition for intervention shall be filed prior to the commencement of the hearing and shall:

(1) if submitted by an organization, state the nature and purpose of the organization, number of members, organizational structure, history of formation and legal nature, and include a copy of any charter, certificate of incorporation, bylaws, constitution or the like;

(2) demonstrate capacity to participate in administrative proceedings and to supply information or expertise relative to matters likely to be considered at the hearing;

(3) state whether the petitioner has participated in any previous legal or administrative proceedings similar to those conducted by the agency;

(4) state the petitioner's relationship to the matters involved, the nature of the evidence or argument he intends to present, and any other matter the petitioner believes relevant to granting the petition;

(5) demonstrate that the petitioner has a material social, economic or environmental interest which is likely to be affected by the Agency decision concerning the project; and

**WHEREAS**, pursuant to Adirondack Park Agency Rules and Regulations Section 580.7(b), the Administrative Law Judge may require additional information from the petitioners, including evidence in support of the petition and shall allow other parties to be heard with respect to the petition; and

**WHEREAS**, Section 812 of New York State Executive Law, Article 27, the Adirondack Park Agency Act and Adirondack Park Agency Rules and Regulations Section 580.7 provides that any decision of the hearing officer to grant or deny intervention may, within five days of receipt, be appealed to the Agency, to be decided at its next regular meeting; and

**WHEREAS**, the next scheduled meeting of the Agency was scheduled and held on February 19, 2026; and

**WHEREAS**, after consideration of the Sponsor's January 6, 2026 objections, the Administrative Law Judge ruled that the Petition for Intervention met the requirements of Adirondack Park Agency Rules and Regulations Section 580.7, specifically as follows:

**Objections A & B:** The Petition for Intervention is materially defective and fails to provide sufficient information about the history of its formation and the history of its legal nature. The petition does not state when the organization was created

and does not elaborate its affiliation with Friends of Forest Preserve, fails to provide information on the organizational structure and legal nature of the Friends of the Forest Preserve and what its purpose is or was. The organization also failed to include a copy of any charter, certificate of incorporation, bylaws, constitution or the like.

**Ruling:** The Petition for Intervention described the nature and purpose of the organization as being a not-for-profit organization incorporated in New York State and employing advocacy to protect the Adirondack Park's interconnected public and private wildlands from threats, document wildland mismanagement, hold officials accountable, and propose policy reforms for improved conservation, protection, and connectivity of Adirondack Park wildlands.

The Petition stated that the organization has "historic roots within Friends of the Forest Preserve founded in 1945 by Paul Schaefer," was re-organized in 2010 and has a board of directors, an advisory board, 1,000 members and two full-time staff. The Administrative Law Judge also noted that a copy of the By-Laws of Friends of the Forest Preserve, Inc., which further sufficiently detailed this information.

**Objection C:** The Petition for Intervention fails to demonstrate the organization's capacity to participate in administrative proceedings and to supply information or expertise relative to matters likely to be considered at the hearing. The organization alleges that it (1) often submits public comments to the Agency, and (2) that it has the capacity to participate in the proceeding because it participated in an adjudicatory hearing 15 years ago, in 2011, in connection with an unrelated development project involving the Adirondack Club and Resort. Sponsor noted that any individual or entity is free to submit comments to the Agency and doing so does not qualify an individual or entity to have the capacity to participate in an administrative proceeding of this type, and the organization's prior experience with an adjudicatory hearing was materially different than the proposed project before the Agency. The Petition for Intervention is wholly devoid of any allegation or offering of proof that it can supply information or expertise relative to matters likely to be considered at the hearing.

**Ruling:** The Petition for Intervention stated that the organization is very familiar with and a frequent participant in Agency administrative proceedings. The organization's participation in monthly comments to the Agency on new land use and development applications, including projects proposed within the Rural Use classification. Further, the Petition for Intervention states that organization participates in Agency legislative hearings on proposed variances and participated in lengthier duration administrative processes regarding amendments to the Adirondack Park State Land Master Plan and finally, that the organization was an intervenor and party to the most recent public hearing conducted by the Agency, which considered the Adirondack Club and Resort project in 2011. The Petition for Intervention also describes the factual, legal and

policy arguments they intend to make at the hearing with respect to the impact of the Proposed Project.

**Objections D & E:** Without providing a copy of its corporate charter, the organization fails to demonstrate it has a material social, economic or environmental interest which is likely to be affected by the Agency's decision concerning this project and the organization's concerns, through unsworn testimony, focus largely on state land management, which is primarily the responsibility of the New York State Department of Environmental Conservation.

**Ruling:** As noted in the Administrative Law Judge's ruling addressing Objections A & B above, the organization submitted by-laws which sufficiently described the organization's interest in this proceeding. The Petition for Intervention stated the organization "is focused on conservation of wildlands for the interconnected public and private landscapes of the Adirondack Park, [and] especially concerned about the relationship of the howitzer cannon testing with adjacent Forest Preserve located just hundreds of yards away at the closest point," and that the proposed project will have potential noise impacts that pose a threat to the Adirondack Park Forest Preserve and that approval would 'threaten to industrialize and pollute this Rural Use area.' Further, the Petition for Intervention contains assertions regarding the organization's social and environmental interests which are likely to be affected by the Agency decision because the organization has demonstrated a "strong interest in defending the 'forever wild' constitutional protections and wilderness values of the Forest Preserve" noting that the organization's by-laws contain a mission statement that declares its mission is to "advance New York's 'forever wild' legacy and Forest Preserve policies in the Adirondack and Catskill Parks, and promote public and private land stewardship that is consistent with wild land values through education, advocacy and research."

**WHEREAS**, the January 20, 2026 partial appeal of the Administrative Law Judge's ruling on party status requests that the Agency:

- (1) Reverse the Administrative Law Judge's ruling granting Adirondack Wild: Friends of the Forest Preserve's Petition for Intervention, finding that the Administrative Law Judge erred in not requesting additional information, or erred in finding that the Petition for Intervention was sufficient, and accordingly deny Adirondack Wild: Friends of the Forest Preserve's Petition for Intervention, or alternatively
- (2) Reverse the Administrative Law Judge's ruling granting Adirondack Wild: Friends of the Forest Preserve's Petition for Intervention, in part, and limit its participation in the subject hearing to only those matters that directly and narrowly affect any potential harm to the Forest Preserve.

**WHEREAS**, the December 15, 2025 Adirondack Wild: Friends of the Forest Preserve Petition for Intervention refers to the organization's advocacy to protect the Park's

interconnected public and private wildlands from threats, document wildland mismanagement, hold officials accountable, and propose policy reforms for improved conservation, protection, and connectivity of Park wildlands; and

**WHEREAS**, the Petition for Intervention notes its connection to the predecessor organization Friends of the Forest Preserve; and

**WHEREAS**, the Petition for Intervention states the organization has demonstrated strong interest in defending the “forever wild” constitutional protections and wilderness values of the Forest Preserve and that those lands are in close proximity to the proposed project; and

**WHEREAS**, the Petition for Intervention also states that the organization has advocated for greater protection of Rural Use areas; and

**WHEREAS**, pursuant to Adirondack Park Agency Rules and Regulations Section 580.7(e), in granting the petition, the hearing officer may, but is not required to, limit the participation of a petitioner; and

**NOW, THEREFORE, BE IT RESOLVED**, the Agency determines that there is insufficient basis to disturb the Administrative Law Judge’s January 12, 2026 ruling granting full party status to Adirondack Wild: Friends of the Forest Preserve, including the Administrative Law Judge’s decision to not request additional information from the organization, and that the ruling was supported by substantial evidence before him, nor was made in violation of lawful procedure, an error of law, arbitrary and capricious or an abuse of discretion, and is hereby affirmed; and

**NOW, BE IT FINALLY RESOLVED**, pursuant to Adirondack Park Agency Rules and Regulations Section 580.7(f)(1), the matter is hereby remanded for proceedings consistent with this determination.

**Ayes: 9**

**Recusals: 1**

**Nays: 0**

**Absent: 1**

**Abstentions: 0**

I, Mark Hall, as Chairperson of the Adirondack Park Agency, organized and existing under the laws of New York, hereby certify that the above is a true copy of a resolution adopted by the Adirondack Park Agency at a meeting convened and held February 19, 2026, at which a quorum was present and voting throughout, and that this resolution is adopted upon approval and is in accordance with the provisions of the Adirondack Park Agency Act, and its implementing rules and regulations.

Dated: February 19, 2026

  
\_\_\_\_\_  
Mark Hall, Chairperson