
Re: APA Project 2021-0276 Issues List - Letter Order

From Matthew D. Norfolk <mnorfolk@norfolkbeier.com>

Date Tue 02/10/2026 11:35 AM

To Sullivan, Grace (APA) <Grace.Sullivan@apa.ny.gov>; Greenwood, David N (DEC) <david.greenwood@dec.ny.gov>; David Gibson <dgibson@adirondackwild.org>; PVanCott@woh.com <PVanCott@woh.com>; Shane Kelly <skelly@norfolkbeier.com>; Hubbard, Jennifer M (APA) <Jennifer.Hubbard@apa.ny.gov>; conservationdirector@protectadks.org <conservationdirector@protectadks.org>; pgitlen@WOH.com <pgitlen@WOH.com>; 'Seitelman, Anna V.' <ASeitelman@woh.com>; Executivedirector@protectadks.org <executivedirector@protectadks.org>; tommen@law.pace.edu <tommen@law.pace.edu>; dramirez2@law.pace.edu <dramirez2@law.pace.edu>

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Thank you, Attorney Sullivan. The Sponsor has no objection to the new date you propose.

Sincerely,
Matthew D. Norfolk, Esq.



D: 518.302.7064

F: 518.302.7100

A: The Outpost Plaza
55 Barn Road, Suite 201
Lake Placid, NY 12946

E: mnorfolk@norfolkbeier.com

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From: Sullivan, Grace (APA) <Grace.Sullivan@apa.ny.gov>

Sent: Tuesday, February 10, 2026 11:25 AM

To: Greenwood, David N (DEC) <david.greenwood@dec.ny.gov>; Matthew D. Norfolk <mnorfolk@norfolkbeier.com>; David Gibson <dgibson@adirondackwild.org>; PVanCott@woh.com <PVanCott@woh.com>; Shane Kelly <skelly@norfolkbeier.com>; Hubbard, Jennifer M (APA)

<Jennifer.Hubbard@apa.ny.gov>; conservationdirector@protectadks.org
<conservationdirector@protectadks.org>; pgitlen@WOH.com <pgitlen@WOH.com>; 'Seitelman, Anna V.' <ASeitelman@woh.com>; Executivedirector@protectadks.org <executivedirector@protectadks.org>;
tommen@law.pace.edu <tommen@law.pace.edu>; dramirez2@law.pace.edu
<dramirez2@law.pace.edu>

Subject: Re: APA Project 2021-0276 Issues List - Letter Order

Dear all,

I apologize for the follow up. The Agency headquarters is unavailable for hosting the public hearing on April 15th, so we would request the adjournment date be set for the following week on Wednesday, April 22nd instead.

I understand we are still waiting on input from the other parties but wanted to flag this change now. If any other parties have conflicts with the new date, please let Judge Greenwood know.

Thank you,
Grace Sullivan

From: Greenwood, David N (DEC) <david.greenwood@dec.ny.gov>

Sent: Monday, February 09, 2026 5:29 PM

To: Matthew D. Norfolk <mnorfolk@norfolkbeier.com>; Sullivan, Grace (APA) <Grace.Sullivan@apa.ny.gov>; David Gibson <dgibson@adirondackwild.org>; PVanCott@woh.com <PVanCott@woh.com>; Shane Kelly <skelly@norfolkbeier.com>; Hubbard, Jennifer M (APA) <Jennifer.Hubbard@apa.ny.gov>; conservationdirector@protectadks.org <conservationdirector@protectadks.org>; pgitlen@WOH.com <pgitlen@WOH.com>; 'Seitelman, Anna V.' <ASeitelman@woh.com>; Executivedirector@protectadks.org <executivedirector@protectadks.org>; tommen@law.pace.edu <tommen@law.pace.edu>; dramirez2@law.pace.edu <dramirez2@law.pace.edu>

Subject: RE: APA Project 2021-0276 Issues List - Letter Order

Dear Matthew D. Norfolk:

I have received your request for an adjournment of the February 25, 2026 hearing date and modification to the January 23, 2026 Scheduling Order. I understand that Sierra Club, Adirondack Council and Protect have been asked to provide us with their position with respect to the request. Please be advised that I am not going to be in my office on Tuesday February 10 (tomorrow) but I will try to respond when I have access to my work email and have received further input from the parties.

Thank you and sincerely,

DAVID N. GREENWOOD

Administrative Law Judge

New York State Department of Environmental Conservation

Office of Hearings and Mediation Services

625 Broadway, First Floor, Albany, NY 12233-1550

w: (518) 402-9004 | david.greenwood@dec.ny.gov

dec.ny.gov

From: Matthew D. Norfolk <mnorfolk@norfolkbeier.com>

Sent: Monday, February 9, 2026 5:13 PM

To: Greenwood, David N (DEC) <david.greenwood@dec.ny.gov>; Sullivan, Grace (APA) <Grace.Sullivan@apa.ny.gov>; David Gibson <dgibson@adirondackwild.org>; PVanCott@woh.com; Shane Kelly <skelly@norfolkbeier.com>; Hubbard, Jennifer M (APA) <Jennifer.Hubbard@apa.ny.gov>; conservationdirector@protectadks.org; pgitlen@WOH.com; 'Seitelman, Anna V.' <ASeitelman@woh.com>; Executivedirector@protectadks.org; tommen@law.pace.edu; dramirez2@law.pace.edu

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Dear Judge Greenwood:

I hereby request an adjournment of the hearing until April 15, 2026, a 30-day extension of any deadlines in the January 23rd scheduling order and suspension of all prehearing conferences until March 25, 2026. This timeline allows for the pending Article 78 proceeding the Sponsor recently commenced to be resolved without the parties possibly expending unnecessarily further resources in connection with the hearing proceedings but provides structure to keep the hearing proceedings moving forward. This proposal was designed by Attorney Sullivan. Mr. Gibson of Adirondack Wild consents to my request/proposal. I am waiting for responses from counsel for the other parties.

By copy hereof, I ask counsel for Sierra Club, Adirondack Council and Protect to provide Judge Greenwood with your position.

Sincerely,
Matthew D. Norfolk, Esq.



D: 518.302.7064

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55 Barn Road, Suite 201

Lake Placid, NY 12946

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