



Adirondack Park Agency

SHERMAN CRAIG
Chairman

TERRY MARTINO
Executive Director

DRAFT MINUTES
State Land Committee
April 12, 2018
Agency Meeting
KF:KDR:mp

State Land Committee April 12, 2018

The State Land Committee convened at 9:30 am.

State Land Committee Members Present:

Karen Feldman, Committee Chair, Chad Dawson, Arthur Lussi, William Thomas and Robert Stegemann (DEC)

Other Members and Designees Present:

Sherman Craig, Chairman, Daniel Wilt, John Ernst, Bradley Austin (DED), Barbara Rice and Lynne Mahoney (DOS)

Local Government Review Board

Frederick Monroe, Executive Director

Agency Staff Present:

Sarah Reynolds, Acting Counsel, Kathy Regan, Walt Linck and Mary Palmer

Approval of March 2018 Draft Minutes

By motion of Mr. Lussi, seconded by Mr. Thomas, the March minutes were unanimously approved.

Deputy Director Report

Ms. Regan said the Planning Division had the opportunity to use the Delegation Resolution (DelRes), which was amended for this purpose by the Board in May 2017. The Village of Lake George sought Agency review and approval to amend their Local Land Use Program for laws pertaining to subdivisions, specifically to have procedures more clearly defined in their code. The proposed amendment makes the process clearer and easier to follow.

Ms. Regan said the Town of Caroga is expected to formally request Agency approval for an amendment to its Approved Program. The Town has been working with the Agency and Fulton County since 2013 on this complete re-write of their zoning code. Due to the nature of the amendment this will need to come before the Agency Board at the May meeting. The Town first received Board approval in 1980.

Ms. Regan said that on April 3, staff attended a scoping session in Newcomb for the High Peaks Wilderness and Vanderwhacker Wild Forest UMP amendments. The Department had 72 people register and 20 people speak. These Units are being amended to address the additional land added from the 2016-2017 classification action, which was approved by the Governor on March 19th.

Ms. Regan said that on April 11 the first hearing for the Adirondack Park State Land Master Plan (APSLMP) amendment to revise the definition and guidelines for Management and Use of Travel Corridors was held at the Agency's office in Ray Brook. Fifty-one people attended and thirteen spoke. The Agency has already been receiving public comments and, to date, approximately 165 emails or letters have been submitted. Ms. Regan emphasized that the Agency learns from these comments and staff have already identified two concerns brought forward through the public process. There are two more hearings scheduled: April 24th in Old Forge at 7:00 pm and April 25th in Albany at 11:00 am. Public comments will be accepted until May 7th. She thanked the Board members for attending.

Ms. Regan said there are four items on the agenda: Walt Linck will give a presentation for the Whiteface Mountain UMP amendment. This item is for action to accept the Resolution on conformance with the Master Plan. The next three items staff will be requesting authorization to proceed to Public Comment. Michael Marsh, DEC, will present the Black River Wild Forest UMP Amendment. Public Comment will be collected by the Agency; Richard McDonald, DEC, will present the Cranberry Lake Boat Launch UMP Amendment. Public comment will be collected by the DEC and shared with the Agency; Dave Wick, Lake George Park Commission (LGPC) will present the Lake George Beach and Battlefield Park UMP Amendment. The Commission will also be collecting the comments and sharing them with the Agency. Ms. Regan noted that each of the public comments has a different address and a paper has been put on the table with that list.

Whiteface Mountain UMP Amendment

Mr. Lussi is recused from Whiteface Mountain UMP and left the room for the presentation, discussion and vote. Chairman Craig noted that he will sit on the Committee as a voting member.

Mr. Linck gave an overview of the Whiteface Mountain Amendment and changes made as a result of the public comment period.

Dr. Dawson asked what is involved with trail construction. Mr. Linck said there will be some blasting and dozing. Aaron Kellet, General Manager of Whiteface Mountain, agreed and added that there is still work to do to determine the amount of work needed for the trails. ORDA is in the early stages of determining the work needed to build the trails. Mike Pratt (ORDA) clarified that any work will be coordinated with the DEC.

Chairman Craig asked if there is a need to dynamite to make trails as it seems to be an issue for more than just the Bicknell's Thrush. Chairman Craig also asked if the blasting activity is reviewed by the DEC. Mr. Pratt said the "topsoil in the Adirondacks" is rock so there is often a need to dynamite. Ms. Regan clarified that if there is a need to blast, the plan will be reviewed by ORDA. If ORDA wishes to blast during the Bicknell's protection dates, the plan must also be reviewed by DEC.

Chairman Craig asked if the bicycle trails would be going on top of a ski trail or would new trails be created. Mr. Pratt said mountain biking is transforming now and ORDA will be evaluating trails in anticipation of transitioning from the extreme downhill trails on the mountain to lower elevation family-friendly connector trails.

Ms. Feldman asked which area the majority of trees are proposed to be removed. Mr. Pratt said on the lower part of the mountain near the beginner trails. Mr. Linck added that there is a table in the UMP document that would show the tree cutting.

Mr. Ernst asked if the previously approved and not undertaken plans were still part of the conceptual plans or are they outdated, no longer planned and could be pulled. Ms. Regan said that if a management action has been previously approved ORDA may undertake them without additional approval. She added that ORDA can remove a management action if they decide not to undertake the action. Also, to clarify, Ms. Regan added that if a trail is approved as a ski trail, ORDA can allow bikes on that trail. Mr. Pratt added that if something is not viable it would have been withdrawn.

Mr. Pratt also stated that the amendment has been reviewed as a part of the complete UMP, with the realization that some of the plans will not be accomplished immediately.

Dr. Dawson asked how much mountain biking will be on separate mountain biking trails versus using existing ski trails. Ms. Regan said there are no new proposed mountain bike trails at this time. Dr. Dawson asked if ORDA would be required to submit an additional amendment to incorporate new trails. Ms. Regan answered affirmatively.

Chairman Craig asked if the measures to protect the Bicknell Thrush have changed from the last amendment. Ms. Regan said requirements to protect the Bicknell have not changed. The redline document of the mitigation requirements the Board was given clarifies that the 2006 amendment requirements on it are also applied to this amendment.

Dr. Dawson asked for clarification making sure the redline document becomes part of the resolution. Ms. Regan said it will be added as an appendix, and recording it in the minutes will be sufficient. Ms. Reynolds said if someone wants to motion and include the redline from this morning they should state that in their motion.

Ms. Feldman asked for a motion accepting the Resolution on conformance with the Master Plan.

By motion of Dr. Dawson including the redline document, seconded by Mr. Thomas, the Board unanimously approved the Resolution.

Black River Wild Forest UMP Amendment

Michael Marsh gave an overview of the Proposed Final UMP, and summarized changes made following the Department's Public Comment period.

Mr. Ernst asked what methods will be used to close Otter Trail. Mr. Marsh said they would put up "trail closed" signs, place rocks at the start of the trail and no longer maintain the trail.

Mr. Wilt asked if the steel bridge in North Lake is still used, and if any improvements were proposed. Mr. Marsh said it is still in use, but no improvements are proposed at this time.

Dr. Dawson asked if once the Department realized the previous draft snowmobile trail inventory did not include certain trails, was additional mileage added because the "cap" had not been met. Mr. Marsh said the additional mileage was included to reflect the actual mileage, which needs to be accounted for in each UMP. Ms. Regan said when the Final amendment is being reviewed by the Agency, a chart will be included that shows the Park-wide snowmobile mileage for Forest Preserve.

Ms. Feldman noted that there are a number of places in the UMP that reference "construct if necessary" and asked what the conditions are for that language and how the determination is addressed. Mr. Marsh said it typically applies to any construction that would be needed for existing trails. These construction activities would be written in to a work plan that is reviewed and approved by Agency staff.

Ms. Feldman asked if staff would have to come back to the Board if they would construct new trails. Mr. Marsh answered affirmatively.

Ms. Feldman asked for a motion to proceed to public comment for conformance with the State Land Master Plan.

By motion of Chairman Craig, seconded by Mr. Lussi, the Board unanimously approved proceeding to Public Comment.

Cranberry Lake Boat Launch UMP Amendment

Richard McDonald presented the Draft UMP Amendment and the proposed actions for the Cranberry Lake Boat Launch.

Chairman Craig asked if staff had looked at the possibility of vehicles exiting from the far end of the parking area. Mr. McDonald said there is a steep slope at the boundary which prohibits this strategy. Mr. McDonald added that “no parking” signs would be placed at the back of the parking area.

Dr. Dawson asked if a turbidity curtain will be used during construction. Mr. McDonald said it will be used during the work for the beach area.

Mr. Lussi asked if the parking area receives much use. Mr. McDonald said the main parking area, as well as the overflow parking area across the road, are used regularly. The parking area across the road also allows for overnight parking. Mr. McDonald said the Department is working with the local residents to prevent them from leaving their trailers for the season, thus limiting parking for visitors.

Chairman Craig added that there are numerous people who live on the lake with boat access only. The Town has worked with the Community Center to direct trailer parking at that location.

Mr. Ernst asked if the accessible trail will be made using crushed stone. Mr. McDonald said it will be constructed using tie-par and crushed stone topped with ¼” minus, then it will be packed down and topped with stone dust. Mr. McDonald added that this combination hardens like concrete following a rain event.

Ms. Feldman asked for a motion to proceed to public comment concurrently with the DEC.

By motion of Dr. Dawson, seconded by Mr. Thomas, the Board unanimously approved proceeding to Public Comment.

Lake George Beach and Battlefield Park UMP Amendment

David Wick presented an overview of the proposal to construct a new administrative facility that will include a Visitors Interpretive Center (VIC).

Mr. Wick said the building will be a two-story modular building that will have a full walk-out basement which is where the VIC will be placed. Additional facilities include: a new parking lot with accessible parking, a new access ramp to the main entrance of the office facility and complete grading and revegetation of the construction site.

Mr. Wick said, pending approval from the Agency, they project breaking ground in September. Following the move, the existing building will be demolished and the parking lot will be paved. Mr. Wick hopes that work will occur in November. Landscaping and finalization of site work will be conducted in the Spring on 2019.

Mr. Lussi asked if a catch basin for excess rainwater is being proposed for the parking lot. Joe Thouin, Lake George Park Commission (LGPC) staff, said it is not in this design. He added that the current design should be able to handle up to a one-hundred-year storm. There will also be rain gardens to handle overflow.

Dr. Dawson noted the archaeological site on the property and asked if there will be archaeological people on-site during the excavation period. Mr. Wick said they currently have someone on-site and staff will be there as long as needed.

Ms. Feldman asked what will be done with the existing building. Mr. Wick said once staff have moved into the new building the existing will be removed. The old building is the footprint for the new parking area. Mr. Wick stated that it was suggested from someone at the Office of Parks that a description and use of the current building could be included in the VIC. LGPC agreed to incorporate this into the center. The Mohican Munsee Tribe asked to be engaged with the design of interpretive material of the Mohican's Battle of Lake George.

Ms. Feldman asked what the Office of Parks, Recreation and Historic Preservation (OPRHP) wants done with the existing building. Mr. Wick said staff has a letter from OPRHP giving permission to remove the existing building following archaeological rules and providing some reference to the history of the building in the VIC.

Ms. Reynolds clarified that if there are any issues regarding Historic Preservation, the Agency Board should not approve the project prior to resolution of said issue(s).

Mr. Monroe commended the project on behalf of the Review Board. The Visitor Center is important to commemorate the Battle of Lake George.

Ms. Feldman asked for a motion to proceed to public comment.

By motion of Mr. Thomas, seconded by Mr. Lussi, the Board unanimously approved proceeding to Public Comment.

Old Business

None

New Business

Mr. Lussi stated that the snowmobile mileage "cap" has not been adjusted or revisited with the addition of land to the Forest Preserve by this and previous Governors. It is important to consider discussing this situation so the mileage does not run out. Mr. Monroe agreed.

Ms. Feldman, Committee Chair, adjourned the meeting at 12:05 pm.