

SUMMARY ROUNDTABLE MEETING JULY 25, 2013

- I. Meeting Format and Objectives
 - a. Meeting was organized and moderated by Loon Lake resident Keith Silliman as a start point for developing the community's response to proposed Loon gulf development plans by beginning:
 - i. Process of developing consensus for the community's vision for the lake.
 - ii. Gathering of individuals in the community who are interested in becoming core part of community's effort to respond
 - iii. Discussion of options for strategies available to us in response.
 - b. It was agreed by all that preservation of the essential characteristics of the lake in terms of water quality and solitude is the central theme to any efforts going forward.

- II. Attendance
 - a. Roundtable Participants
 - i. Keith Silliman – environmental and energy issue focused attorney
 - ii. Bob Glennon – Former General Counsel and Executive Director (thru 1995) of APA
 - iii. Tom Bartiss – Forestry expert, business owner, professor
 - b. Resident Attendance
 - i. Stuart Lucks
 - ii. Neil and Barb Miller
 - iii. George and Aya Johnson
 - iv. Brenda and Sam Gewurz
 - v. Vincent Pagano (LLHOA President)
 - vi. Diane Castrovinci
 - vii. Craig Johnstone
 - viii. Jane Carroll
 - ix. Cynthia Martino
 - x. So Inclined (Webmasters)
 - xi. Others?

- III. Current Ownership and Status Proposed Development Plan, and Required Agency Response
 - a. Conceptual Plan submitted by Loon Gulf to APA in March 2013
 - i. Calls for subdivision of holdings to hundreds of lots including 'piano key' parcelization and lot design – worst possible case for preservation of lake.
 - ii. There are approximately 3000 acres involved excluding the lake bottom.
 - b. APA Loon Gulf is wholly owned by Bruno and Vito Modena from Italy
 - c. Taxes run approx \$250,000 per year.
 - d. Project Officer has been assigned Suzanne McSherry who is considered competent and diligent.
 - i. Initial discussion by community residents with the APA office indicate that this preliminary plan lacks depth of expertise or direction.
 - e. APA Process Expected and Required
 - i. Next step would be series of meetings between APA and Loon Gulf
 1. The APA is mandated to work closely with developers and local government to effectively communicate guidelines and restrictions and assist in crafting a complete application.

- ii. Purpose of these meetings would be to reach point where a complete application can be submitted by the developer
- iii. For application to be complete there must be a draft environmental impact study (EIS) sponsored by the developer
- iv. Part of APA's review of a complete application is compliance with State Environmental Quality Review Act (SEQRA)
- v. Neither SEQRA or draft EIS requirements apply to any development proposed within the hamlet.
- vi. Part of review also involves required approvals from other agencies including DEC (sewerage), DOT (roads) among others.

IV. Loon Lake Community Response Options

- a. We agreed it is incumbent on us to watch the regulators to make sure they follow all guidelines and enforce all mandated restrictions.
- b. Agreed that most effective is a combination of the unified voice of a group or groups plus the individual voices of many residents.
 - i. The group of people at the meeting is potentially the start for a core group outside LLHOA to investigate and implement various options.
- c. Any and all residents can get updates of any on-record communication between APA and Loon Gulf thru Freedom Information (FOIL). The Agency is not required to give notice to the community or Homeowners Association of impending hearings, meetings, etc.
- d. Any group of residents could request meetings with APA during any application process by the developer, and expectation is that requests would be accepted.
- e. A combination of effective parallel efforts is necessary.
 - i. Forensic work regarding the Modenas and Loon Gulf to find their soft points.
 - ii. Continual discussion with APA
 - iii. Dialog with Loon Gulf to negotiate a better plan that incorporates reasonable development that preserves the lake's character
 - iv. Fundraising most likely thru LLHOA to organize and hire professionals
 - 1. Preparation of legal arguments likely revolving around SEQRA requirements linking proposals for hamlet with those for APA regulated areas now owned by Loon Gulf
 - v. Discussion with nature Conservancy to understand possible scenarios to sell development rights and reduce tax burden
 - vi. Investigate possibility of developing a community based investor group to take ownership of part or all of the property.
- f. The group that has started to form will need to split these various tasks to willing members and appoint an executive committee or single leader to coordinate what is being done by whom.

V. Alternate Visions for the Lake and Strategies for Implementing Community's Vision

- a. Must balance advantages and disadvantages of public versus private ownership.
 - i. Public ownership or sale of conservation rights will create public access to the lake and thereby threaten water quality.
- b. To investigate whether Loon Gulf is a serious and funded sponsor of potential development, we might start our dialog with them through the engineer in Saratoga to teach them how to create carefully designed lots and development.

- c. Since Loon Gulf already has a history of transactions with Lyme Timber (specifically in Maine), there may in fact already be discussion between them. We might investigate partnering with Lyme or other well funded company interested primarily in timber, where we might be able to maintain control over lakeshore and golf course areas.
- d. The most likely interest by Loon Gulf is sale of entire property. A community based investor group could be a vehicle to buy all the parcels in its entirety,
 - i. The initial sell price would have to be fundraised from within the community.
 - ii. We assume some of the investment could be recouped through a mortgage.
 - iii. The mortgage payments and taxes could be funded through sale of development rights to an entity such as Nature Conservancy, development of timber resources on the property in sustainable manner to create yearly income stream, reduction of tax burden by development of approved Forest Management Plan, leasing of property to recreation groups such as hunting clubs, sale of carbon credits, grants for preservation of wildlife.

VI. Possible Subjects for Next Meeting

- a. Ideally this meeting happens before Labor Day
- b. Thoroughly understanding the APA application review process. Clarifying requirements for public notice
- c. Formal formation of Response Committee
- d. Delegation of agreed tasks to individual members and/or subcommittees within the group
- e. Appointment of Committee Executive Coordinator and/or executive committee
- f. Develop communications chain to function during the entire year; contact information for and between committee members