

STATE OF NEW YORK  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
625 BROADWAY  
ALBANY, NEW YORK 12233-1010

In the Matter

- of -

the Applications for Permits to Construct and Operate a Proposed Development to be Known as the Belleayre Resort at Catskill Park, Located in the Town of Shandaken in Ulster County, New York, and the Town of Middletown in Delaware County, New York, Pursuant to Environmental Conservation Law Article 15, Titles 5 and 15, and Article 17, Titles 7 and 8, and Parts 601, 608 and 750 through 758 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York ("6 NYCRR"), and for a Water Quality Certification Pursuant to Section 401 of the Federal Water Pollution Control Act and 6 NYCRR Part 608

- by -

**CROSSROADS VENTURES, LLC**

Applicant.

DEC Project Numbers:

0-9999-00096/00001  
0-9999-00096/00003  
0-9999-00096/00005  
0-9999-00096/00007  
0-9999-00096/00009  
0-9999-00096/00010

RULING OF THE COMMISSIONER ON THE MOTION TO SUSPEND PROCEEDINGS  
ON THE MOTION FOR RECONSIDERATION

November 9, 2007

RULING OF THE COMMISSIONER ON THE MOTION TO SUSPEND PROCEEDINGS  
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By motion dated September 27, 2007, Crossroads Ventures, LLC ("applicant") sought to suspend (a) the adjudicatory hearing pending before Administrative Law Judge ("ALJ") Richard R. Wissler in this matter, and (b) any action by the Commissioner of the Department of Environmental Conservation ("Department") in response to a motion dated January 29, 2007 to reconsider the Interim Decision issued on December 29, 2006 with respect to community character ("motion for reconsideration").

Department staff filed a response dated October 3, 2007 in support of applicant's motion. No other responsive papers were filed.

In support of its motion, applicant noted that it and certain of the parties to this proceeding had entered into an agreement in principle which proposes a modified project. The modified project would require the preparation of a supplemental draft environmental impact statement and the filing of new or modified permit applications ("supplemental material").

By ruling dated October 19, 2007, ALJ Wissler granted the motion before him to suspend the adjudicatory hearing. In

his ruling, ALJ Wissler stated that further adjudicatory proceedings would be held in abeyance, without date, pending submission of the above-referenced supplemental material. No motions for leave to appeal from the ALJ's ruling were filed and the time to file such motions has expired.

Based upon my review of applicant's motion and related papers, the motion to suspend proceedings on the motion for reconsideration, which is currently pending before me, is hereby granted.

/s/

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Alexander B. Grannis  
Commissioner

Dated: Albany, New York  
November 9, 2007

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