

STATE OF NEW YORK: ADIRONDACK PARK AGENCY

Matter of the Application to
construct the Adirondack Club
and Resort by

Supplemental
Rulings on
Party Status

Preserve Associates, LLC
Applicant.

APA Project No. 2005-100

February 22, 2008

On February 14, 2008, I issued rulings on party status concerning the referenced matter. Subsequently, on February 20, 2008, I received a telephone message from Alex Haddad concerning the rulings on party status. In his message Mr. Haddad stated that upon review of the ruling, he could not determine whether I had granted his request for party status.

Upon review of the February 14, 2008 rulings on party status, I discovered, regrettably, that I did not rule on Alex Haddad's request. In addition, I failed to rule on the request for party status filed by Mary Haddad DeGarmo. The following addresses these two requests for party status.

Alex Haddad's Request for Party Status

In a letter dated April 14, 2007, Alex Haddad stated that he owns property on the Lake Simond portion of Tupper Lake, and requested party status. Mr. Haddad's letter identified the issues enumerated in the Board's February 15, 2007 order that are of concern to him. As directed in the April 2, 2007 notice of public hearing concerning the project, Mr. Haddad provided Applicant's counsel and APA Staff with a copy of his April 14, 2007 request for party status.

Subsequently, Mr. Haddad filed a letter dated November 28, 2007. In his November 28, 2007 letter, Mr. Haddad stated that he is "an equal owning member of the Haddad Realty, LLC." He further stated that in addition to Alex Haddad, Mary DeGarmo, among others, is a member of the Haddad Realty, LLC.

Mary DeGarmo's Request for Party Status

In a letter dated April 21, 2007, Mary H. DeGarmo stated that she is a member of Haddad Family Realty, LLC, and that the property owned by the limited liability corporation is adjacent to the project site. Furthermore, in her April 21, 2007 letter, Ms. DeGarmo identified the issues enumerated in the Board's

February 15, 2007 order that are of interest to her. As directed in the April 2, 2007 notice of public hearing concerning the project, Ms. DeGarmo provided Applicant's counsel and APA Staff with a copy of her April 21, 2007 request for party status.

Ruling

The February 14, 2008 rulings on party status explains how APA Staff had prepared mailing lists of the adjacent landowners and the landowners within 500 feet of the project site. The Haddad Family Realty, LLC is listed on one of the APA mailing lists. Therefore, based on the rationale provided in Section III.A.3 (Additional Landowners [pp. 8-10]) of the February 14, 2008 rulings on party status, I grant the respective and timely filed requests for party status made by Alex Haddad, and Mary H. DeGarmo. Accordingly, the list of parties on pages 9 and 10 of the February 14, 2008 rulings on party status is amended to add the names of Alex Haddad as the 13th party and Mary H. DeGarmo as the 14th party.

Please refer to Section V (Appeals [p.17 - 18]) of the February 14, 2008 rulings on party status for the procedures concerning appeals from this supplemental ruling.

/s/

Daniel P. O'Connell
Administrative Law Judge

Dated: Albany, New York
February 22, 2008

To: Preliminary Service List, revised February 14, 2008