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Justin A. Levine

Staff Writer

jlevine@adirondackdailyenterprise.com



RAY BROOK — The stakeholder group charged with developing a conceptual plan for a proposed rail trail is moving forward with its planning, even as the state is fighting a lawsuit against the rail trail plan. Stakeholder meeting minutes from a Feb. 23 meeting of the group also seem to shoot down rumors that the state was working on a compromise plan — a trail constructed just between Saranac Lake and Lake Placid, rather than the full 34-mile trail between Lake Placid and Tupper Lake.

“Rob Davies (of the state Department of Environmental Conservation) assured the stakeholders that DEC Commissioner Basil Seggos remains committed to the Travel Corridor (Unit Management Plan) amendment and the construction of a trail between Tupper Lake and Lake Placid,” the meeting notes say.

Town of Tupper Lake Supervisor Patricia Littlefield echoed the state’s commitment to the plan.

“Littlefield reports that in a very recent phone conversation with (state Department of Transportation) Commissioner Matt Driscoll he assured her there was no truth to the rumors; the trail will be constructed between Tupper Lake and Lake Placid.”

Despite these pledges, the state is still fighting a lawsuit filed almost a year ago by the Adirondack Rail Preservation Society, which operates seasonal tourist trains between Utica and the Old Forge area and between Saranac Lake and Lake Placid.

If the lawsuit fails, the railroad would no longer be able to run its northern operations, but the state’s plan for the trail also calls for rehabilitating the rail line from Big Moose to Tupper Lake, a portion that the railroad cannot currently use for passenger service due to its condition.

At a hearing on the lawsuit in January, acting Supreme Court Justice Robert Main asked the state for more information on ownership issues and historic preservation, halting any possible removal of rail infrastructure until the court is satisfied.

Last week, the state filed a brief with the court claiming to answer the judge's questions. In the memorandum, the state claims that ownership issues in Saranac Lake may still be murky, but Franklin and Essex counties, which own the land along with North Country Community College, have already agreed to work on a solution which will allow the construction of the trail to go forward.

"Ultimately, out of the approximately 120-mile Travel Corridor, the state does not own fee title to less than one mile of the Travel Corridor — 2,995 feet in Saranac Lake and 960 feet in the village of Lake Placid," the memorandum says.

"The language of this easement (on the Saranac Lake parcel) permits the State of New York to allow public access over and upon the property for railroad and other public uses, which uses may continue unless the easement is terminated."

This easement is terminated *"if (a) the use of the railroad tracks is formally abandoned ... and (b) the railroad tracks are removed from the corridor,"* the memorandum continues. The Lake Placid parcel has similar wording attached to it, according to the memorandum.

The state, as argued by attorneys in court in January, is working on a solution to these ownership issues, and *"these options include abandoning all rights reserved by each easement over both parcels by removing the railroad tracks, then purchasing the properties in fee, or in the alternative, acquiring an easement over the properties."*

The document was first obtained by the Adirondack Almanack, and the railroad has until March 20 to respond. During background research early in the lawsuit, it was found that the state did not own fee title to the parcel around NCCC; nor did it own the Lake Placid Train Station, which is owned by the Lake Placid/North Elba Historical Society. The state says that it is working with the historical society on an agreeable solution.

In the February meeting notes, the state says the historical society acquired ownership of the station land prior to the state purchasing the rest of the corridor, and that particular parcel is not part of the rail trail plan.

"This parcel was never part of the Remsen-Lake Placid Travel Corridor... (which) includes only the state-owned lands," the notes say. "Although the DEC needs to develop an agreement with the historical society to have the trail and other infrastructure on their property, this situation was recognized early in the process.

"The situation with the parcel owned by the historical society cannot be equated with the parcels near the college." Other issues the stakeholder group discussed at the February meeting include snowmobile laws, branding of the trail and an interim access plan.

The group also plans to roll out the first draft of the conceptual trail plan later this month to members of the stakeholder committee, and tentatively plans to release a draft to the public in mid-April. Saranac Lake Trustee Rich Shapiro, the village's representative to the stakeholder group, has posted the full meeting minutes at www.dropbox.com/s/bv1jcnkof1ojarv/17-02-23%20Adirondack%20Rail%20Trail%20Stakeholders%20Meeting