
In the Matter of Application of

Unconventional Concepts, Inc. and Michael Hopmeier

APA Project No. 2021-0276

**SPONSOR'S OPPOSITION TO THE PETITION TO INTERVENE FILED
BY ADIRONDACK WILD – FRIENDS OF THE FOREST PRESERVE**

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I. Adirondack Wild – Friends of the Forest Preserve’s Petition to Intervene Is Materially Defective and Must Be Denied.

A. Adirondack Wild – Friends of the Forest Preserve’s Petition Fails to Provide Sufficient Information about the History of Its Formation and the History of Its Legal Nature.

Pursuant to 9 NYCRR §580.7(a)(1), if an organization files a petition to intervene, it must state, among other things, “the history of formation and legal nature.” Adirondack Wild – Friends of the Forest Preserve (hereinafter referred to as “Adk Wild”) fails to do this. Specifically, Adk Wild’s petition does not state when Adk Wild was created. It merely states it was reorganized in 2010, “with historic deep roots within Friends of the Forest Preserve.” There is no elaboration on exactly what Adk Wild’s affiliation is with Friends of Forest Preserve and why it is relevant. Moreover, there is no information on the organizational structure and legal nature of Friends of the Forest Preserve and what its purpose is or was. Administrative Law Judge Greenwood, the Adirondack Park Agency (hereinafter referred to as the “APA”) and the Sponsor are all left guessing (1) when Adk Wild was created, (2) what the nature or type of affiliation it had with Friends of the Forest Preserve, (3) what is the relevancy of having a past affiliation with Friends of the Forest Preserve, (4) if Adk Wild’s affiliation with Friends of the Forest Preserve is relevant, what is the history of formation and the legal nature of Friends of the Forest Preserve, and (5) what is Adk Wild’s charter or official purpose.

For these reasons, Adk Wild’s petition fails to comply with 9 NYCRR §580.7(a)(1) and must be denied.

B. Adk Wild's Petition Fails to Include a Copy of Any Charter, Certificate of Incorporation, Bylaws, Constitution or the Like.

Pursuant to 9 NYCRR §580.7(a)(1), Adk Wild was to include in its petition “a copy of any charter, certificate of incorporation, bylaws, constitution or the like.” Adk Wild fails to comply with this requirement. Therefore, Adk Wild’s petition to intervene must be denied.

C. Adk Wild's Petition Fails to Demonstrate Its Capacity to Participate in Administrative Proceedings and to Supply Information or Expertise Relative to Matters Likely to Be Considered at the Hearing.

Pursuant to 9 NYCRR §580.7(a)(2), Adk Wild must demonstrate it has “the capacity to participate in administrative proceedings and to supply information or expertise relative to matters likely to be considered at the hearing.” Adk Wild fails to do this. Adk Wild merely alleges that it (1) often submits public comments to the APA, and (2) that it has the capacity to participate in the proceeding because it participated in an adjudicatory hearing 15 years ago, in 2011, in connection with an unrelated development project involving the Adirondack Club and Resort.

First, any individual or entity is free to submit comments to the APA. However, simply submitting comments does not qualify an individual or entity to have the capacity to participate in an administrative proceeding, no less an adjudicatory hearing in such a proceeding.

Second, the Adirondack Club and Resort project was materially different than the instant proposed project before the APA; with different facts, environmental concerns and legal issues. Participation in that proceeding has no relevancy in determining whether Adk Wild has the capacity to participate in the instant administrative proceeding and to supply information or expertise relative to matters likely to be considered at the hearing.

Third, even if the Adirondack Club and Resort project was a similar project to that which the Sponsor proposes here and Adk Wild had the capacity to participate in the Adirondack Club

and Resort proceeding, having such capacity in 2011 – 15 years ago - does not mean that Adk Wild has the capacity now to participate in the instant administration proceeding.

Lastly, Adk Wild's petition is wholly devoid of any allegation or offering of proof that it can supply information or expertise relative to matters likely to be considered at the hearing. Without the ability to provide information or expertise relative to matters likely to be considered at the hearing, Adk Wild's participation will offer no benefit.

D. Without Providing Copies of the Documents Required in 9 NYCRR §580(a)(1), in particular, Its Charter, Adk Wild Fails to Demonstrate It Has a Material Social, Economic or Environmental Interest which Is Likely to Be Affected by the APA's Decision Concerning the Project.

Adk Wild does not provide sufficient proof or grounds to demonstrate it has a material social, economic or environmental interest which is likely to be affected by the APA's decision concerning the project. All that is before the APA is an unsworn statement that amounts to an assertion that Adk Wild is concerned about the conservation of wild lands in the Adirondack Park and the relationship of the gun-testing with adjacent Forest Preserve land.

Moreover, Adk Wild does not provide its charter to support its environmental interest. A corporate charter is the integral legal document filed with a state to create a corporation, outlining essential details like the company's name, *purpose*, structure, and founders, establishing its legal identity. Without the charter, the APA certainly cannot determine Adk Wild's interests in the proceeding and its outcome.

E. Adk Wild's Concerns Focus Largely on State Land Management, which is Primarily the Responsibility of the Department of Environmental Conservation.

In an attempt to show its interests may be impacted by the APA's decision on the instant project application, Adk Wild asserts it has a strong interest in defending the "forever wild" clause in New York State's constitution and limiting the overuse of Forest Preserve lands. It goes on to claim that the project may exceed Forest Preserve's carrying capacity and desired uses measured

by visitor use management indices and studies and if the project is approved by the APA, such a decision may violate the State Land Master Plan. These concerns are not to be addressed in a private party's application to the APA for approval of a particular use or development of private land. These concerns should be brought to the DEC, which manages Forest Preserve lands and implements the State Land Master Plan.

Wherefore, the Sponsor hereby requests that Adk Wild's petition to intervene be denied in its entirety, together with such other and further relief Administrative Law Judge Greenwood or the APA deems appropriate and justified.

Dated: January 6, 2026
Lake Placid, New York

Norfolk Beier PLLC

A handwritten signature in blue ink, appearing to read 'M. Norfolk', with a long horizontal flourish extending to the right.

By: _____
Matthew D. Norfolk, Esq.