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Motion to Dismiss Lawsuit Challenging NY Floatplane Ban Rejected

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LAKE PLACID, NY (WAMC) - The federal lawsuit seeks to reopen nearly 40 Adirondack lakes and ponds, arguing that a state ban violates the Americans with Disabilities Act. The state asked the court to dismiss the case on grounds that the plaintiffs do not have standing to sue and they did not specify which lakes they wanted to open to floatplanes. U.S. District Judge Gary Sharpe rejected the state's argument. Matt Norfolk of Lake Placid is the plaintiffs' attorney.

While the Court rejected the defendants' motion to dismiss, it also ordered the plaintiffs to file an amended complaint. Adirondack Mountain Club Executive Director Neil Woodworth was not surprised that the motion to dismiss was rejected.

Baker et al are suing the state based on the federal Americans with Disabilities Act. They claim restricting floatplanes from remote Adirondack lakes violates that federal law. Again, Attorney Matt Norfolk.

The Adirondack Council opposes using floatplanes to get to back country lakes in the Adirondacks, according to spokesman John Sheehan.

The plaintiffs' attorney, Matt Norfolk, has 30 days to file an amended petition to address the deficiencies articulated in the ruling.

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