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APA Project Order and  
Permit 2012-128-3 Wells

Date Issued: December 18, 2012

In the Matter of the Application of

**ESSEX COUNTY,  
NEW YORK STATE ELECTRIC AND GAS,  
NEW YORK STATE POLICE, AND  
CONTACT PAGING, INC.**

for a permit and order pursuant to Section 810 and 814 of the  
Adirondack Park Agency Act and 9 NYCRR 4.150.

To the County Clerk: This permit  
must be recorded on or before  
**February 18, 2013**. Please index  
this permit in the grantor index  
under the following names:

- 1. Essex County**
- 2. New York State Electric and Gas**
- 3. New York State Police**
- 4. NYCO Minerals, Inc.**
- 5. Contact Paging, Inc.**

**SUMMARY AND AUTHORIZATION**

Essex County, New York State Electric and Gas (NYSEG), and Contact Paging, Inc. are granted a permit, and the New York State Police (NYSP) is granted an order on conditions pursuant to Sections 810 and 814 of the Adirondack Park Agency Act, authorizing the installation of infrastructure associated with the comprehensive emergency communication system approved by Agency Project Order and Findings 2012-128.

The infrastructure approved herein is located in an Industrial Use land use area, off Seventy Road, on Wells Hill, in the Town of Lewis, Essex County. The project site is identified on Town of Lewis Tax Map Section 37, Block 2 as Parcel 44.1.

The project as proposed and authorized:

Essex County will replace the existing 20± foot tall guyed tower approved by Agency Permit 2002-227 and owned by Essex County with a 50± foot tall self-supporting tower which will be owned by Essex County. The new tower will be installed in the same immediate location as the existing tower.

The following infrastructure will be installed on the new tower:  
Infrastructure owned, used and maintained by Essex County or NYSEG:

1. One (1) 10 foot long NYSEG whip antenna mounted at a tip elevation of 35± feet above ground level (AGL);
2. One (1) five foot long Essex County paging whip antenna mounted at a tip elevation of 25± feet AGL. Note: This antenna will be owned by Contact Paging, Inc. and used by Essex County; and

3. Two (2) 15 inch Essex County land mobile radio antennas at a tip elevation of 20± feet AGL.

NOTE: The antennas listed above will be relocated from the existing tower. Infrastructure which will be owned by the NYSP and used by Essex County, NYSEG, and NYSP:

1. One (1) six-foot microwave high performance dish antenna to be installed at a centerline elevation of 47± feet AGL; and
2. One (1) six-foot high performance microwave dish antenna to be installed at a centerline elevation of 50± feet. This antenna will only be used by Essex County and the NYSP.

In addition the above, Essex County will install a 12 by 22 foot equipment shelter and a chain link fence to enclose the tower and shelter.

### **CONDITIONS**

#### **Conditions in Order and Findings 2012-128**

1. All conditions in Order and Findings 2012-128 remain in full force and effect.

#### **Additional Conditions Specific to this Project Site**

2. The project shall be undertaken as described in the completed application, the Project Description as Proposed and Conditions herein. In the case of conflict, the Conditions control. Failure to comply with the permit is a violation and may subject the applicant, successors and assigns to civil penalties and other legal proceedings, including modification, suspension or revocation of the permit.
3. All deeds conveying all or a portion of the lands subject to this permit shall contain the following reference: "The lands conveyed are subject to Adirondack Park Agency Project Order and Findings 2012-128 issued December 18, 2012 and Permit 2012-128-3 issued December 18, 2012 the terms and conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
4. The tower, antennas (including but not limited to the microwave dishes and radomes), and supporting infrastructure mounted on the tower shall be a non-reflective light grey.
5. In accordance with Condition 12 of the Project Order and Findings, the photolocation for documenting the construction of the infrastructure approved herein shall be from the project site.

### **Findings of Fact**

1. The project description and findings for this project are located in

a separate document titled APA Project Order and Findings 2012-128 issued December 18, 2012 which is hereby fully incorporated herein by reference. The Order and Findings document contains the official statement of the project description.

- 2. Requiring the tower, antennas and antenna mounting infrastructure to be as conditioned above will help to blend the infrastructure to the existing tower and thus reduce the visual impact.

**CONCLUSIONS OF LAW**

The Agency has considered all statutory and regulatory criteria for project approval as set forth in Sections 809(10) and 814 of the Adirondack Park Agency Act (Executive Law, Article 27) and 9 NYCRR Parts 574 and 579 and 9 NYCRR Part 4.150. The Agency hereby finds that the project is approvable and complies with the above criteria, provided it is undertaken in compliance with the conditions herein.

NOW THEREFORE, upon all of the foregoing and under authority delegated to the Deputy Director, Regulatory Programs, it is ORDERED, that these findings be duly reported to the New York State Police.

PERMIT issued this            day  
of                                   , 2012

ADIRONDACK PARK AGENCY

BY: \_\_\_\_\_  
Richard E. Weber III  
Deputy Director (Regulatory Programs)

STATE OF NEW YORK)  
                                  ) ss.:  
COUNTY OF ESSEX )

On the            day of                                    in the year 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard E. Weber III, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

REW:LRW:lhb:slp