



P.O. Box 99 • Ray Brook, New York 12977
(518) 891-4050 www.apa.ny.gov

**APA Project Order
2012-128-7 Gore**

Date Issued: December 18, 2012

In the Matter of the Application of

NEW YORK STATE POLICE

for an order pursuant to Section 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. New York State Police**
- 2. State of New York**

SUMMARY AND AUTHORIZATION

The New York State Police (NYSP) is granted an order on conditions pursuant to Section 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 Intensive Use land use area, on the summit of Gore Mountain, in the Town of Johnsbury, Warren County. The project site is identified on Town of Johnsbury Tax Map Section 82, Block 1 as Parcel 17.

The project as proposed and authorized:

Infrastructure owned, used and maintained by Essex County:

1. One (1) 19.8 foot long land mobile radio (LMR) receiver whip antenna to be mounted at a tip elevation of 60± feet above ground level (AGL);
2. One (1) five foot tall LMR corner reflector transmitter mounted at a tip elevation of 40± feet AGL; and
3. One (1) 12 foot long paging whip antenna to be mounted at a tip elevation of 74± feet AGL.

Infrastructure owned by the NYSP and used by Essex County, NYSEG, and the NYSP:

1. One (1) eight foot high performance microwave dish antenna on the existing tower at a centerline elevation of 57± feet AGL;
2. One (1) eight foot high performance microwave dish antenna on the existing tower at a centerline elevation of 40± feet AGL; and
3. One (1) six foot microwave dish antenna with radome on the existing tower at a centerline elevation of 57± feet AGL.

Furthermore, as described in the Agency Project Order and Findings 2012-128, two (2) six foot microwave dish antennas (located at 57± feet AGL) and a dipole antenna located at a tip elevation of 47± feet AGL are no longer necessary and will be removed as part of the proposal. In addition, the existing equipment shelter will be replaced with a new 10 foot by 24 foot shelter. Lastly, two small antennas of unknown size will be removed from an existing tower located on the adjoining Barton Mines property.

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 2012-128-7 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 antenna infrastructure (including but not limited to the microwave dishes, radomes and supporting infrastructure) mounted on the tower as well as the additional tower structural support brackets shall be a non-reflective light grey which blends with the existing tower.
5. The equipment shelter approved herein shall be a very dark natural earth tone (i.e., black, grey, brown, or green but not tan) which blends with the existing surrounding vegetation.
6. 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 base of the existing fire tower.
7. The New York State Police shall provide a full accounting of their communications and other facilities to the New York State Department of Environmental Conservation (DEC) and the Olympic

Regional Development Authority (ORDA), so that DEC and ORDA may include such information in the next amendment to the Gore Mountain Intensive Use Area Unit Management Plan.

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 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.

The Agency has considered all statutory and regulatory criteria for project approval as set forth in: Section 814 of the Adirondack Park Agency Act (Executive Law, Article 27); and 9 NYCRR Part 579 and 9 NYCRR Part 4.150.

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:slp