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(518) 891-4050 www.apa.ny.gov

APA Project Order and  
Permit 2012-128-2 Saddle

Date Issued: December 18, 2012

In the Matter of the Application of

**ESSEX COUNTY AND  
NEW YORK STATE POLICE**

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 Police**
- 3. Iola C. The**
- 4. Iola Collinson**

**SUMMARY AND AUTHORIZATION**

Essex County is 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 a Low Intensity Use land use area, off County Route 12 and on Saddle Hill, in the Town of Lewis, Essex County. The project site is identified on Town of Lewis Tax Map Section 47.2, Block 1 as Parcel 63.110.

The project as proposed and authorized is summarized as a subdivision into sites by lease and construction of a 35± foot tall telecommunications tower upon which an 8 foot by 10 foot microwave reflector panel will be installed (overall elevation of 39± feet above ground level). The reflector will require the construction of an access road from Christmas Tree Lane. The reflector will be used by Essex County and the NYSP; Essex County will assume maintenance of the site.

**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 2012-128-2 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 and microwave panel reflector shall be a non-reflective dark charcoal grey.
5. Within 100 feet of the tower approved herein no trees shall be cut except that vegetation necessary to maintain a reliable microwave path connection between tower sites and as described in the project application.
6. In accordance with Condition 12 of the Project Order and Findings, the photolocations for documenting the construction of the infrastructure approved herein shall be from the project site as well as from the Adirondack Northway (if visible).

**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 and panel reflector to be as conditioned above and limiting clearing within 100 feet of the tower will ensure that the tower and panel reflector will not be discernable from the Adirondack Northway and other off site locations.

**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:slp:mlr