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NEW YORK STATE OF OPPORTUNITY. Adirondack Park Agency

P.O. Box 99 · Ray Brook, New York 12977
Tel:(518) 891-4050 Fax: (518) 891-3938
www.apa.ny.gov

APA Project Permit
2015-35

Date Issued: August 17, 2015

In the Matter of the Application of

FRANKLIN COUNTY and
VILLAGE OF SARANAC LAKE

for a permit pursuant to §809
of the Adirondack Park Agency Act

To the County Clerk: This permit must be recorded on or before **October 16, 2015.** Please index this permit in the grantor index under the following names:
1. Franklin County
2. Village of Saranac Lake

SUMMARY AND AUTHORIZATION

This permit authorizes the construction of an emergency communications tower 151.5 feet in height and the installation of 15 antennas on the tower (prospectively) and relocation of a portion of the access road (after the fact), in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map in the Village of Saranac Lake, Essex County.

This permit shall expire unless recorded in the Essex County Clerk's Office on or before October 16, 2015 in the names of all permittees listed above and in the names of all owners of record of any portion of the project site on the recordation date.

The project shall not be undertaken or continued unless the project authorized herein is in existence within four years from the date the permit is recorded. The Agency will consider the project in existence when the tower has been constructed.

The project shall be undertaken in compliance with all conditions stated herein. Failure to comply with this permit is a violation and may subject the permittees, successors, and assigns to civil penalties and other legal proceedings.

Nothing contained in this permit shall be construed to satisfy any legal obligations of the permittees to obtain any governmental approval or permit from any entity other than the Agency, whether federal, State, regional or local.

AGENCY JURISDICTION

The project requires an Agency permit pursuant to Sections 809(2)(a) and 810(1)(a)(7) of the Adirondack Park Agency Act [Executive Law, Article 27], because it is a replacement and expansion of an existing structure that is 25 percent or more of the original size of the existing structure.

PROJECT SITE

The project site is a 71.87±-acre parcel of land located at the end of Mt. Pisgah Lane and on Mt. Pisgah, in the Village of Saranac Lake, Essex County, in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map. It is identified on Essex County Tax Map Section 32.0AB, Block 1 as Parcel 1.000. The parcel is described in a deed from Harland H. Branch and Sarah E. Branch to The Village of Saranac Lake dated December 30, 1953 and recorded February 2, 1954 in the Essex County Clerk's Office in Liber 312 at Page 553.

For the purpose of accessing the tower, the project site also includes an adjoining 0.15±-acre parcel of land located on the west side of Mt. Pisgah Lane, in the Village of Saranac Lake, Essex County, in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map. It is a portion of Essex County Tax Map Section 23.003, Block 2, Parcel 26.000. The 0.15±-acre parcel is described in a deed from Co-Trustees of the Aery Family Irrevocable Trust (Amy E. Sabourin and Aric V. Aery) to the Village of Saranac Lake dated June 15, 2015 and recorded July 27, 2015 in the Essex County Clerk's Office in Liber 1807 at Page 221 as Instrument No. 2015-2838.

PROJECT DESCRIPTION AS PROPOSED

The project as conditionally approved herein involves the removal of a 152-foot-7-inch-tall guyed lattice tower (171 feet 7 inches to the top of antennas) and construction of a 151-foot-6-inch-tall self-supporting lattice tower. Fifteen antennas will be mounted to the new tower at various heights. Three of those 15 antennas, two omni antennas and an exposed dipole antenna, will extend above the tower to an overall height of 169 feet and 11 inches above ground level. An existing equipment shed (320 square feet in footprint) will remain at the base of the tower, along with an interior backup generator and exterior propane tanks. A new radio equipment building (192 square feet in footprint) will be constructed at the tower's base. The tower and new equipment building will be within an area approximately 1,500 square feet in size surrounded by a 6-foot-tall chain link security fence. Existing electric service to the site will be extended underground from the existing equipment shed to the new radio equipment building. Four trees (8 – 10 inches dbh) will be removed from the tower location. Smaller trees and brush will also be removed from the area of the proposed improvements.

The first 300± feet of the access road was recently relocated to run from Mt. Pisgah Lane and along the northerly boundary of the project site (on the 0.15±-acre parcel referenced above). The next 300± feet of the access road was also improved, but in its existing location. Altogether, improvements were made to the first 600± feet of the access road.

The project site is shown on three survey maps ("Survey Maps"):

- a "Map Showing Survey of Property for Village of Saranac Lake "Mt. Pisgah Recreation Park"," prepared by Leifheit Land Surveying, PLLC of Paul Smiths – Gabriels, NY, and dated August 10, 2010;
- a "Map Showing Survey of Property for Village of Saranac Lake (Mt. Pisgah Park)," prepared by Glenn D. Odone, dated February 28, 1985, and revised November 10, 1988; and
- a "Map Showing Proposed Relocation of Right-Of-Way For Paul D. and Sandra Aery," prepared by Leifheit Land Surveying, PLLC, and dated October 17, 2014.

The project is shown on the following maps and plans titled "Emergency Services – 2014 Tower Upgrades," prepared by Beardsley Design Associates of Malone, NY ("Tower Plans")

- **C-102, Site Plan Mt. Pisgah Location**, dated March 20, 2015, revised April 20, 2015, labeled "Bid Documents March 20, 2015," and received by the Agency on June 15, 2015;
- **C-501, Site Details**, dated March 20, 2015, revised April 20, 2015, labeled "Bid Documents March 20, 2015," and received by the Agency on June 15, 2015;
- **A-101, Equip. Building Floor Plan & Elevations**, dated April 28, 2014, revised November 6, 2014, labeled "APA 2nd Submission November 11th, 2014," and received by the Agency on March 5, 2015;
- **S-107, Tower Elevation Mt. Pisgah Location**, dated March 20, 2015, labeled "APA Mt. Pisgah Submission #2 March 30, 2015," and received by the Agency on June 15, 2015.
- **S-502, Miscellaneous Details**, dated July 31, 2014, labeled "Bid Documents July 31, 2014," and received by the Agency on March 5, 2015; and
- **S-503, Structural Details**, dated February 24, 2015, labeled "APA Mt. Pisgah Submission February 26th, 2015," and received by the Agency on March 5, 2015; and
- **Fig-3, Mt. Pisgah Tower Site**, dated February 2, 2015, and received by the Agency on March 5, 2015.

A reduced-scale copy of Sheets C-102 (Site Plan Mt. Pisgah Location), S-107 (Tower Elevation Mt. Pisgah Location), and Fig-3 (Mt. Pisgah Tower Site) of the Tower Plans are attached as part of this permit for easy reference. The original, full-scale maps and plans described in this paragraph are the official plans for the project, with copies available upon request from Adirondack Park Agency headquarters in Ray Brook, New York.

CONDITIONS

BASED UPON THE FINDINGS BELOW, THE PROJECT IS APPROVED WITH THE FOLLOWING CONDITIONS:

1. The project may not be undertaken until this permit has been recorded in the Essex County Clerk's Office.

2. This permit is binding on the permittees, all present and future owners, lessees, sublessees, and successors in interest of the project site, and all persons undertaking all or a portion of the project or assuming operational control of all or any portion of the project, for as long as the tower remains on the site. Copies of this permit, the Survey

Maps, and Tower Plans shall be furnished by the permittees to all subsequent owners, lessees, sublessees, and successors in interest of the project site prior to sale or lease, and by the permittees and/or any subsequent owner, lessee, sublessee, or successor in interest to all persons undertaking any development activities authorized herein.

3. In addition to complying with all terms and conditions of this permit, all future activities on the project site shall be undertaken in compliance with the requirements of New York State's Adirondack Park Agency Act, Freshwater Wetlands Act, and the Adirondack Park Agency's implementing regulations [9 NYCRR §§ 570-588].

4. All deeds conveying all or a portion of the lands subject to this permit shall contain references to this permit as follows: "The lands conveyed are subject to Adirondack Park Agency Permit 2015-35, issued August 17, 2015 the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."

Development

Construction Location and Size

5. The existing guyed lattice tower shall be removed within 90 days of the construction of the self-supporting lattice tower authorized herein.

6. Subject to the conditions stated herein, this permit authorizes the construction of the 151-foot-6-inch-tall self-supporting lattice tower, the installation of 15 antennas on the tower, and the 192-square-foot radio equipment building in the location shown and as depicted on the Tower Plans. Any change to the location, dimensions, or other aspect of the tower, including the addition of any new antennas, parabolic dishes, or other equipment, shall require a new or amended permit. Maintenance and/or replacement of the tower, antennas, and other supporting structures and equipment, as authorized by this permit, may occur pursuant to the conditions herein without a new or amended permit.

7. The existing guy wire anchors shall either be removed or abandoned in place such that any remaining protruding materials are cut off at or below grade.

Tower and Antenna Height

8. The tower shall not exceed 151 feet 6 inches in height above ground level. The antennas shall be located as depicted on Sheet S-107 of the Tower Plans; the top of the antennas shall not exceed 169 feet and 11 inches in height above ground level.

Structure Color

9. The lattice tower and cable ladder shall be hot-dipped galvanized steel (resulting in a neutral matte gray color) or painted dark charcoal grey or black with a non-reflective flat or matte finish. The exterior colors of the equipment shelter, including roof and siding, shall be a dark green, grey, or brown color.

Outdoor Lighting

10. All exterior lighting on the project site shall be limited to and installed pursuant to Sheet A-101 of the Tower Plans, on the equipment shelter. There shall be no lights on or illuminating the tower. Any change to this lighting shall require prior written Agency approval.

Tree Cutting/Vegetation Removal

11. On the project site and within 200 feet of the tower authorized herein, no trees shall be cut, culled, trimmed, pruned or otherwise removed from the project site without prior Agency review and approval in the form of a new or amended permit or letter of permit compliance, except for (a) those four trees greater than 8 inches dbh proposed to be removed on Sheet C-102 of the Tower Plans, (b) smaller trees and brush to be removed in the area of proposed improvements as shown on Sheet C-102 of the Tower Plans, and (c) the removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.

12. If a natural cause such as blow-down, ice storm, fire, disease or another event beyond the control of the operator of the tower and/or the antennas authorized herein results in the complete or partial loss of the vegetation that provides the screening and/or backdrop for the tower, its antennas, and equipment shelter, then Franklin County, or its successors and assigns, shall within six months, present a plan for Agency approval intended to achieve compliance with the Agency's "Policy on Agency Review of Proposals for New Telecommunications Towers and Other Tall Structures in the Adirondack Park." The plan shall describe a program of re-vegetation and/or re-design intended to achieve compliance within 10 years, or relocation to an alternate compliant site within two years. Approval of the plan may be in the form of a letter of permit compliance, or a new or amended permit.

Silt Fence

13. Prior to undertaking any earthwork related to installation of the tower or its foundation, silt fence shall be properly installed in the location shown on Sheet C-102 of the Tower Plans. The silt fence shall be embedded into the earth a minimum of six inches. The silt fence shall be maintained throughout construction and shall not be removed until after all disturbed soils are stabilized to prevent siltation. The applicants or their successors in interest shall inspect the fabric at least once a week and after every major storm event to ensure the fabric and supports are intact and to remove accumulated sediments so as to maintain the fence in a functional manner.

Access Road

14. Prior to December 31, 2015, the permittees, or the permittee's successor or assign, shall provide the Agency with to scale "as built" drawings of the first 600± feet of the access road (that portion recently relocated and improved, starting at Mt. Pisgah Lane) and its associated drainage control and stormwater management practices. The Agency will acknowledge receipt of satisfactory drawings with a letter of permit compliance.

15. The access road shall be maintained so as to avoid erosion and sedimentation impacts to public roads and neighboring landowners.

Project Operations

Documentation of Construction

16. The Agency shall be provided with color photographs (both in print and digital form) showing the completed tower, antennas, and equipment compound within 30 days of project completion. Photographs shall be taken at the project site and from Photo Setup #15 (Lake Colby), Photo Setup #23 (Ski Hill parking lot), and Photo Setup #26 (NY Route 3). At the project site, photographs showing the entire completed project shall be provided. From all Photo Stations, digital equivalent 55 mm and 85 mm lenses shall be employed. All photographs must clearly identify the date the picture was taken, the location of the photograph, and the lens size employed. Compliance photographs shall be taken on a clear day with little cloud cover.

    Within 30 days of receipt of the photos, the Agency shall provide written confirmation of permit compliance or, if the Agency finds the project is not in compliance, it shall specifically state the reason(s) for non-compliance. In the event of non-compliance, the permittees shall within 45 days submit a plan and schedule to modify the structure and achieve compliance for Agency review and approval.

Reports

17. At the request of the Agency, the permittees or the permittee's successor shall report in writing the status of the project, including details of compliance with any terms and conditions of this permit.

Discontinuance of Use

18. The tower authorized herein shall be removed within one year following complete discontinuance of its use for a full year. Any authorized antenna listed on Sheet S-107 of the Project Plans shall be removed within six months following any discontinuance of its use for six months. Replacement of the tower or any antennas removed as required by this condition shall require a new or amended Agency permit.

FINDINGS OF FACT

Background

Site History

1. The existing tower arrangement has functioned without a formal agreement between the tower owner (Village of Saranac Lake) and the tower lessees (antenna owners/operators). The Village of Saranac Lake is currently drafting such lease agreements.

2. The 71.87±-acre, village-owned portion of the project site is designated parkland by the NYS Office of Parks, Recreation and Historic Preservation, with two exceptions: a 0.9±-acre portion that includes the tower authorized herein and a 0.27±-acre portion that includes a water tank.

Project Sponsor

3. This project is proposed by the Franklin County Department of Emergency Services to upgrade its Emergency Radio Communications System as part of a statewide initiative by the NYS Division of Homeland Security and Emergency Services to improve interoperability capability between emergency service providers throughout the state. This initiative will allow emergency service providers to operate out of their local area during times of area wide emergencies (i.e., ice storms, hurricanes, etc.) and be able to communicate with each other and the local emergency service providers. The Mt. Pisgah tower will help to provide some redundancy to a seamless interoperable communication system for governmental public safety/service agencies throughout an 11 county Adirondack Consortium.

4. The Franklin County Radio Network includes 13 sites, including seven towers that will be replaced as part of the statewide initiative referenced above. Two towers among those seven are within the Adirondack Park: West Hill and Mt. Pisgah. The West Hill tower was authorized on February 20, 2015 by Agency Permit 2014-140. The functionality of the West Hill and Mt. Pisgah towers is independent of the other, i.e., providing local service to mobile radios within their coverage areas and communication with the 911 Call Center in Malone. Three sites in the Franklin County Radio Network and in the Park will not be replaced or modified as part of the 2014 Radio Upgrade Project: Duane VFD, St. Regis Falls VFD, and Tupper Lake Emergency Services Building.

Towers Policy

5. On February 15, 2002, the Agency adopted a policy titled "Policy on Agency Review of Proposals for New Telecommunications Towers and Other Tall Structures in the Adirondack Park" (Towers Policy). The Agency's Towers Policy is intended to protect aesthetic, open space and other resources, while providing for telecommunications systems consistent with federal law.

6. The 2002 Towers Policy updated a 1978 policy and recognized that "governmental emergency communications are being converted to digital technology, which will require new facilities to provide services to meet the needs for public health, safety, and welfare." The Policy "recognizes that such factors should be taken into consideration along with other policy guidelines."

7. The Towers Policy directs the consideration of the land use area. It states, "substantial invisibility is considerably different in developed areas with the less restrictive Hamlet land use area classification when compared to areas classified Rural Use and Resource Management in light of the differing statutory purposes and policies for these areas set forth in the Land Use and Development Plan."

8. The Towers Policy encourages "consolidation of visual intrusions," which "occurs when equipment is co-located on a single tower or on a new tower immediately adjacent to a lawful pre-existing tower."

Existing Development

9. The existing tower has an open lattice, steel truss, guyed tower design that was installed in 1978 by the Lake Champlain-Lake George Regional Planning Board as part of its Mobile Radio District emergency communication system. It was authorized by Agency Permit 78-133 (for Project 77-383) issued June 23, 1978. The tower, with a natural gray galvanized finish, is bolted together of 10-foot-tall triangular truss sections with a leg-leg dimension of 18 inches. The tower top is 152 feet and 7 inches above the existing grade. The tower is supported by three groups of guy cables, spaced at 120 degrees around the tower base, attached to the tower at approximately 40 feet, 70 feet, 110 feet, and 152 feet above grade, and then secured to concrete foundations placed approximately 120 to 150 feet from the tower base.

10. Agency Permit 78-133A (for Project 77-383A) was issued May 1, 2003 and authorized multiple antennas on the tower, after the fact. Agency Permit 78-133B (for Project 77-383B) was issued June 27, 2003 and authorized a Red Cross Antenna on the tower.

Proposed and Authorized Development

11. The 151-foot-6-inch-tall self-supporting lattice tower authorized herein will replace the existing 152-foot-7-inch-tall tower. The 151-foot-6-inch-tall tower will be a self-supporting open lattice truss type with a triangular cross section. It will have a leg-to-leg distance at its base of approximately 19 feet and at its top of approximately 4 feet 8 inches. The tower will support a total of 15 antennas, including 10 linear radio antennas, one planar microwave antenna, one parabolic dish microwave antenna, two directional antennas, a two-bay FM broadcast antenna, plus a cable ladder for cables serving the antennas.

12. Of the 15 antennas that will be on the tower, seven will be owned by Franklin County Emergency Services, four will be owned by Saranac Lake Police Department, three will be owned by North Country Public Radio, and one owner is unknown.

13. The project sponsor confirms that the existing tower can be removed during winter conditions.

Project Site

Water Resources and Wetlands

14. There are no water bodies, streams, or wetlands within 100 feet of the tower location or the re-located portion of the access road.

Vegetation

15. The project site is approximately 70% forested and 30% open (for ski slopes, buildings, parking area, tennis courts, etc.). The areas immediately north, west, and south of the tower site are forested. The area immediately east of the tower site is cleared, as part of the ski slope.

Slopes

16. Existing slopes at the tower location are 8± percent. Minimal grading is proposed on the tower's northwest side. The relocated portion of the access road has a finished grade of 12 percent.

Soils

17. Soils on the project site are mapped by the USDA Natural Resource Conservation Service as Lyman-Knob Lock complex, which is typically very rocky, very bouldery and somewhat excessively drained.

Visual

18. As shown on Sheet A-101 of the Tower Plans and authorized herein, there are two lights on the equipment shelter located under the building's eaves and one light located above each door. The two eave lights will be controlled by a switch on the interior of the building and will only be used if equipment needs to be serviced at night. The light above each door will be a two-head LED motion detector flood light.

19. A visual analysis of the tower and antennas was submitted with the application for this permit, titled "Visual Assessment Mt. Pisgah Tower Replacement," prepared by Beardsley Design Associates, and dated February 11, 2015. This analysis included: computerized mapping showing areas of potential visibility within five miles of the tower site based on topography and vegetation; a site visit to identify the tower location,

height, and actual areas of visibility; photographs of the existing tower; and simulations of the proposed tower. An Agency staff member was present during the site visit, which occurred on July 2, 2014.

20. The visual analysis, described in the Finding of Fact above, indicates that the tower and antennas will be visible from 4% of the total length of all state and county highways in the 5-mile-radius study area and from 6% of town and village roads in the same study area. Of that 4% and 6%, approximately 80% to 85% of the views are where the road alignment is in the direction of the tower and thus only traffic traveling in the direction toward the tower will see it. Where the tower is visible from town and village roads, the top 13% to 67% can be seen with an average of only the top 36% of the tower being visible.

21. Within five miles of the tower site, the visual analysis indicates that the tower and antennas will be visible from much of Lower Saranac Lake, Lake Colby, Moody Pond, and Lake Flower, and possibly some of the Saranac River where it parallels NY State Route 3. From these water bodies, the top 3% to 60% of the tower can be seen with an average of 48%.

22. The visual analysis indicates that the tower and antennas will be visible from a scenic vista on NY State Route 86 near the Harrietstown cemetery, but the view is distant (4 miles) and backdropped by topography, and so the tower is not noticeable.

23. The visual analysis indicates that the tower and antennas will not be visible from the southern slopes of Mt. Pisgah and the Village of Saranac Lake north of NY State Route 3, the hamlets of Ray Brook or Bloomingdale, Lake Kiwassa, Lake Oseetah, McCauley Pond, McKenzie Pond, Moose Pond, most public boat launches or beaches, the Jackrabbit Trail, Moose Pond trail, or Mt. Baker trail. The tower and antennas will not be visible from village parks, except from Mt. Pisgah Recreation Park and the very top of the tower from portions of the Berkeley Green and the Herb Garden Park on Dugway Street.

24. When visible, the tower and antennas are seen in the location of the existing tower being replaced (where viewers are accustomed to seeing a tower) and in the context of other towers (most often five towers are visible). Two of the other towers are bulkier with many cell phone panels and parabolic dish antennas. The visual bulk of the new tower will increase, as compared to the existing tower, because of the increase in the lattice width and the addition of antennas. The authorized tower is oriented so that two tower legs (A and B) are placed in a plane, which will cause the legs to overlap each other and the cable ladder when viewed from NY State Route 3, both northeast and southwest of the tower site.

Historic Sites and Structures

25. The NYS Office of Parks, Recreation and Historic Preservation determined that the project is excluded from Section 106 review per Section III.B of the 2004 Nationwide Programmatic Agreement as a replacement tower.

Co-Location

26. The authorized tower was designed with additional structural capacity to allow placement of additional antennas in the future. The Village of Saranac Lake will consider co-location by other radio service providers assuming there is a demonstrated need and adequate reserve capacity is maintained on the tower for the existing emergency agencies future needs. Priority will be given to governmental agencies providing emergency services.

Nearby Land Uses

27. The project site is in the Village of Saranac Lake in a Hamlet land use area, north of the downtown business district. In addition to the existing tower, the project site is developed with a ski lodge, chair lift, downhill ski slopes, tubing hill, mountain bike trails, parking lot, tennis courts, and water tank. Land north, west, and south of the project site is residential (although the land to the west is forested). Land east of the project site is part of the American Management Association campus.

28. The permittees intend to construct a berm on the outside of the access road curve, 300± feet from Mt. Pisgah Lane, and to plant it with evergeen trees.

29. There are five other communication towers on or near the summit of Mt. Pisgah, including:
    - a 100±-foot-tall self-supported lattice tower with multiple dish and linear antennas for emergency communications, authorized by Agency Order 2012-128 and Agency Permits 2012-128-10 and 2012-128-10A;
    - a 90±-foot-tall self-supported lattice tower with multiple cellular antennas and dish antennas, authorized by Agency Permits 2009-9, 2011-148, and 2013-43;
    - a 90±-foot-tall wood monopole with linear antenna;
    - a 50±-foot-tall wood monopole with linear antenna; and
    - a 130±-foot-tall guyed lattice tower with dish and linear antennas and a light at the top.

Access

30. The tower site is accessed via a 0.45±-mile-long existing access drive, as shown on Fig. 3 of the Tower Plans.

Alternatives

31. According to an April 16, 2015 letter from Champlain Communications Inc., consultant to Franklin County for their 2014 Radio Upgrade Project, the tower height and antenna locations for the Mt. Pisgah tower "were set at the minimum height needed" to meet the coverage objectives and provide antenna separation.

32. The permittees evaluated and rejected an alternative of using the existing tower, because the existing tower is at the end of its service life, was constructed to previous less stringent codes, was originally constructed for only two antennas (not the 10 existing or the 15 proposed), and does not have the structural capacity for the needed equipment. The existing tower was evaluated by Clough Harbour and Associates in 2009 and found to be structurally deficient, i.e., not structurally capable of supporting the existing and proposed loads.

33. The permittees evaluated and rejected an alternative of locating Franklin County's antennas on the existing Essex County Emergency Services tower on Mt. Pisgah, because the Franklin County and Essex County systems operate under two completely separate command and control organizational structures. Furthermore, the height and bulk of the authorized tower would not be reduced in this alternative scenario, because they are controlled by the antennas of the other users on the existing tower.

34. The permittees evaluated and rejected an alternative of locating a narrower guyed tower elsewhere on the village-owned property on Mt. Pisgah, because of the difficulty of alientating designated parkland for a non-park use. Even without the parkland restrictions, however, it would be difficult to find another suitable site (an area large enough that is not currently under recreational use), except at lower elevations. To locate the antennas at the same elevations on a tower at a lower elevation would require an even taller tower.

35. The permittees evaluated and rejected the alternative of constructing a new guyed tower on the adjacent Harris Corporation property, because it is already crowded with other existing towers. The only potentially "available" space is on the southeast side of the Essex County tower on steep slopes, requiring more impacts for tree clearing, anchoring, road construction, a larger equipment shelter footprint, and extension of electric and telephone lines, as well as greater visibility from Lake Flower and the Village of Saranac Lake's downtown. Locating a new tower so close to other towers and their antennas would likely also result in some functionality issues due to interference.

36. The permittees evaluated and rejected the alternative of constructing a new guyed lattice tower (rather than the authorized self-supporting lattice). The existing guy wires are anchored on designated parkland, which is not an appropriate use, and cross the ski lift line and runs, which is unsafe. A new guyed lattice tower would be much more robust than the existing guyed lattice tower and closer to the visual bulk of the authorized self-supporting lattice tower after mounting all antennas and cables. A self-supporting tower can be erected next to the existing guyed tower while leaving it in place, reducing the interruption of emergency and public radio service during the switchover period from six weeks to less than a day.

Public Notice and Comment

37. The Agency notified all adjoining landowners and other parties and published a Notice of Complete Permit Application in the Environmental Notice Bulletin, as required by the Adirondack Park Agency Act. Two comment letters were received from the residents of an adjoining property, first with concerns about impacts from the access road to their property and later with appreciation that their concerns had been addressed.

Other Regulatory Requirements

38. The Village of Saranac Lake Community Development Director, in consultation with the Village attorney, determined that their local zoning laws do not apply to this County emergency communication tower, and therefore a use variance is not required.

39. By letter dated November 5, 2014, the New York Air National Guard determined that the project as proposed would not cause any significant negative impact on military training airspace.

40. The antennas authorized herein require licensing from the Federal Communications Commission. The Franklin County Office of Emergency Services, Village of Saranac Lake, and North Country Public Radio together own seven FCC licenses for the various antennas on the tower.

41. No formal notice to the Federal Aviation Administration (FAA) is required for a tower of the proposed height in this location.

Impairment of Rights

42. This permit does not convey any right to trespass upon the lands or interfere with the riparian rights of others in order to undertake the authorized project, nor does it authorize the impairment of any easement, right, title or interest in real or personal property.

PROJECT IMPACTS

Visual

43. The authorized tower and antennas will be visible but consistent with the Agency's Towers Policy due to the tower being a replacement tower; the tower being located where existing utilities and access are already available; the public safety purpose of the tower and its antennas for emergency communications as part of a governmental emergency communications facility; the location, size, and shape of the antennas; and the context of the tower among other vertical structures (i.e., other communication towers) and the co-location of 15 antennas on a single tower, both being a consolidation of visual intrusions.

44. The authorized tower and antennas are located in a Hamlet land use area and will primarily be seen from Hamlet land use areas and water bodies adjacent to Hamlet land use areas. Views of the tower include the developed context of these Hamlet land use areas in the foreground (i.e., buildings, utilities, etc.) and on the summit of Mt. Pisgah (i.e., other communication towers). The authorized tower and antennas, therefore, are compatible with the developed Hamlet land use area in which they will be located and from which they will be viewed.

45. Limiting the duration of time that both the existing tower and the replacement tower will be in place and visible to a maximum of 90 days will prevent the visual impact of the additional tower from becoming an undue adverse impact.

46. Prohibiting lights on or directed toward the tower and requiring the exterior lights on the equipment shelter to be installed as shown on sheet A-101 of the Tower Plans will reduce nighttime light pollution (glare, light trespass and sky glow).

Nearby Land Uses

47. Requiring "as-built" drawings of the access road will identify drainage control and stormwater management practices that need to be maintained. Requiring maintenance of the access road will prevent erosion and sedimentation impacts to nearby land uses.

Historic Sites or Structures

48. The project will not cause any change in the quality of "registered," "eligible," or "inventoried" property as those terms are defined in 9 NYCRR § 426.2 for the purposes of implementing Section 14.09 of the New York State Historic Preservation Act of 1980.

CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act and 9 NYCRR Part 574. The Agency hereby finds that the project authorized as conditioned herein:

a. will be consistent with the land use and development plan;
b. will be compatible with the character description and purposes, policies, and objectives of the Hamlet land use area;
c. will be consistent with the overall intensity guidelines for the Hamlet land use area;
d. will comply with the shoreline restrictions of § 806 of the Adirondack Park Agency Act; and
e. will not have an undue adverse impact upon the natural, scenic, aesthetic, ecological, wildlife, historic, recreational or open space resources of the Park or upon the ability of the public to provide supporting facilities and services made necessary by the project, taking into account the economic and social benefits that might be derived therefrom.

PERMIT issued this 17 day
of August , 2015

ADIRONDACK PARK AGENCY

BY: _____
Richard E. Weber, III Deputy Director
(Regulatory Programs)

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

On the 17 day of August in the year 2015, 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.

Mary L. Reardon
Notary Public

REW:ADL:EAP:SEL:mlr

MARY L. REARDON
Notary Public - State of New York
Qualified in Franklin County
No. 01RE6114798
Commission Expires, August 23, 2016

SCALE: 1"=200'

1956 QUAD SARANAC LAKE

EXISTING GRAVEL ACCESS DRIVE TO BE ABANDONED

ABRY REPUTED OWNER

PROPERTY TO BE TRANSFERRED TO VILLAGE OF SARANAC LAKE

NEW GRAVEL ACCESS DRIVE

LODGE

EXISTING GRAVEL ACCESS DRIVE

MT PISGAH SKI CENTER

FINAL PLANS
ADIRONDACK PARK AGENCY
P.O.S. - 83
DATE: 7/21/83

PROPERTY LINE

TREE LINE

LIFT LINE

EXISTING 12'x24' EQUIPMENT BLDG TO REMAIN

NEW 12'x16' EQUIPMENT BLDG

EXISTING 150' OPEN LATTICE TRUSS RADIO COMMUNICATION TOWER WITH GUY CABLES, TO BE REPLACED

NEW 150' SELF-SUPPORTING OPEN LATTICE TRUSS RADIO TOWER REPLACEMENT SITE

GUY CABLES CROSSING SKI LIFT LINE

EXISTING 90' WOOD MONO-POLE RADIO COMMUNICATION TOWER & EQUIPMENT BLDG

MT PISGAH RECREATION PARK

POTENTIAL FALL RADIUS OF EXISTING GUYED TOWER

PROPOSED ROW

REPUTED PARK BOUNDARY (0.9 ACRES RESERVED FOR VILLAGE USE)

EXISTING 60' WOOD MONO-POLE RADIO COMMUNICATION TOWER

HARRIS CORP REPUTED OWNER

EXISTING 90' SELF-SUPPORTED OPEN LATTICE TRUSS CELL PHONE TOWER & EQUIPMENT BLDG

EXISTING 100' GUYED SELF-SUPPORTED OPEN LATTICE TRUSS RADIO COMMUNICATION TOWER & EQUIPMENT BLDG

EXISTING 130' GUYED OPEN LATTICE TRUSS RADIO COMMUNICATION TOWER & EQUIPMENT BLDG

ADJOINING PROPERTY LINE, TYP

Fig-3
MT PISGAH TOWER SITE
HDL # 14060

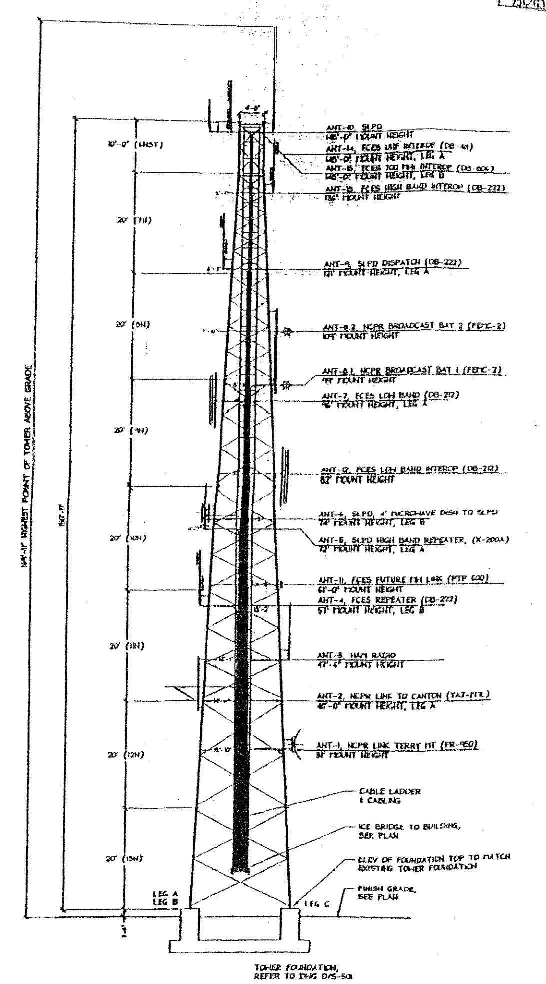
BEARDSLEY DESIGN ASSOCIATES
520 WEST MAIN STREET MALONE, NEW YORK 12953 PHONE: (518)-483-1085 FAX: 483-1746

EMERGENCY SERVICES 2014 TOWER UPGRADES FRANKLIN COUNTY, NY

ANTENNA SCHEDULE											
TAG	ANTENNA SERVICE	OWNER	MODEL	TYPE	MOUNTING HEIGHT (ABOVE TOP FDN TO LOWEST ATTACHMENT)	LEG	AZIMUTH DEG CW N	WEIGHT LBS	EPA SF	NOTES	TOWER WIDTH LEG-LEG
ANT-1	LINK TO TERRY MTN	NCPR	KATHEREIN-SCALA PR-950	HALF PARABOLIC	31'-0"	C	54	38	5.2	1,2,7	15'-10"
ANT-2	LINK TO CANTON	NCPR	KATHEREIN-SCALA TA7-FFIL	YAGI	40'-0"	A	290	22	1.4	1,2,7	14'-11"
ANT-3	HAM RADIO?	UNKNOWN	UNKNOWN	OMNI	47'-6"	C	-	35	1.0	1,2,4	14'-1"
ANT-4	EM SVC REPEATER	FRANKLIN COUNTY ES	COMMSCOPE MODEL DB222	EXPOSED DIPOLE	57'-0"	B	-	16	1.6	1,2,4	13'-2"
ANT-5	HIGH BAND REPEATER	SARANAC LAKE PD	DIAMOND MODEL X200-A	OMNI	72'-0"	A	-	2.6	0.6	1,2,4	11'-7"
ANT-6	MICROWAVE TO POLICE DEPT	SARANAC LAKE PD	ANDREWS MODEL D4C-1	PARABOLIC DISH	74'-0"	B	169	120	12.6	1,3,5	11'-5"
ANT-7	EM SVC LOW BAND	FRANKLIN COUNTY ES	COMMSCOPE MODEL DB212	EXPOSED DIPOLE	96'-0"	A	-	15	1.5	1,2,4	9'-2"
ANT-8.1	BROADCAST, BAY 1	NCPR	SHR FMEC-2 (1 OF 2-BAY)	LOW POWER FM 2-BAY	98'-0"	C	69	15	1.1	1,2,4,8	8'-10"
ANT-8.2	BROADCAST, BAY 2	NCPR	SHR FMEC-2 (1 OF 2-BAY)		110'-0"	C	69	15	1.1		7'-10"
ANT-9	DISPATCH	SARANAC LAKE PD	COMMSCOPE MODEL DB222	EXPOSED DIPOLE	121'-0"	A	-	16	1.6	1,2,4	6'-7"
ANT-10	SARANAC LAKE PD	SARANAC LAKE PD	W MONROE MODEL UNKNOWN	OMNI	148'-0"	C	-	23.6	2.1	1,2,4	4'-8"
ANT-11	FUTURE MW LINK TO ESSEX CO	FRANKLIN COUNTY ES	CAMBRIUM MODEL PTP 600	PANEL	61'-0"	C	151	12.1	1.5	6	12'-9"
ANT-12	LOW BAND INTEROP	FRANKLIN COUNTY ES	COMMSCOPE MODEL DB212	EXPOSED DIPOLE	82'-0"	C	-	16	1.6	2,4	10'-7"
ANT-13	HIGH BAND INTEROP	FRANKLIN COUNTY ES	COMMSCOPE MODEL DB222	EXPOSED DIPOLE	136'-0"	C	-	16	1.6	2,4	5'-1"
ANT-14	UHF INTEROP	FRANKLIN COUNTY ES	COMMSCOPE MODEL DB411	EXPOSED DIPOLE	148'-0"	A	-	25	1.5	2,4	4'-8"
ANT-15	700 MHz INTEROP	FRANKLIN COUNTY ES	COMMSCOPE MODEL DB806	OMNI	148'-0"	B	-	16.1	0.9	2,4	4'-8"

NOTES:
1. EXISTING ANTENNA RELOCATED TO NEW TOWER
2. PROVIDE SIDE MOUNT KIT
3. PROVIDE MOUNTING BRACKET WITH 4.5" MOUNTING POLE
4. ⅞" COAXIAL CABLE FEED, 1.11 OD
5. EW63 ELLIPTICAL WAVEGUIDE FEED, 1.16"x2.01" OD
6. EXTERIOR RATED CAT5 CABLE FEED, 0.5" OD
7. ½" COAXIAL CABLE FEED, 0.59" OD
8. AWG#12-2 W/ GND TYPE UF FOR ANTENNAE DE-ICERS
9. MOUNTED TO 16'x2" AL PIPE

FINAL PLANS
ADIRONDACK PARK AGENCY
P 2015 - 35
DATE: 7/24/2015



ANT-10, SLPD
148'-0" MOUNT HEIGHT
ANT-14, FCES UHF INTEROP (DB-411)
148'-0" MOUNT HEIGHT, LEG A
ANT-15, FCES 700 MHz INTEROP (DB-806)
148'-0" MOUNT HEIGHT, LEG B
ANT-13, FCES HIGH BAND INTEROP (DB-222)
136' MOUNT HEIGHT
ANT-9, SLPD DISPATCH (DB-222)
121' MOUNT HEIGHT, LEG A
ANT-8.2, NCPR BROADCAST BAY 2 (FEMC-2)
109' MOUNT HEIGHT
ANT-8.1, NCPR BROADCAST BAY 1 (FEMC-2)
98' MOUNT HEIGHT
ANT-7, FCES LOW BAND (DB-212)
96' MOUNT HEIGHT, LEG A
ANT-12, FCES LOW BAND INTEROP (DB-212)
82' MOUNT HEIGHT
ANT-6, SLPD, 4' MICROWAVE DISH TO SLPD
74' MOUNT HEIGHT, LEG B
ANT-5, SLPD HIGH BAND REPEATER, (X-200A)
72' MOUNT HEIGHT, LEG A
ANT-11, FCES FUTURE MW LINK (PTP 600)
61'-0" MOUNT HEIGHT
ANT-4, FCES REPEATER (DB-222)
57' MOUNT HEIGHT, LEG B
ANT-3, HAM RADIO
47'-6" MOUNT HEIGHT
ANT-2, NCPR LINK TO CANTON (YA7-FFIL)
40'-0" MOUNT HEIGHT, LEG A
ANT-1, NCPR LINK TERRY MT (PR-950)
31' MOUNT HEIGHT
CABLE LADDER & CABLING
ICE BRIDGE TO BUILDING, SEE PLAN
ELEV OF FOUNDATION TOP TO MATCH EXISTING TOWER FOUNDATION
FINISH GRADE, SEE PLAN
LEG A
LEG B
LEG C
TOWER FOUNDATION, REFER TO DWG D/S-501
10'-0" (WHST)
20' (7W)
20' (8W)
20' (9W)
20' (10W)
20' (11W)
20' (12W)
20' (13W)
150'-11"
154'-11" HIGHEST POINT OF TOWER ABOVE GRADE

(A) 150-FOOT TOWER ELEVATION - MT PISGAH LOCATION
SCALE: NONE

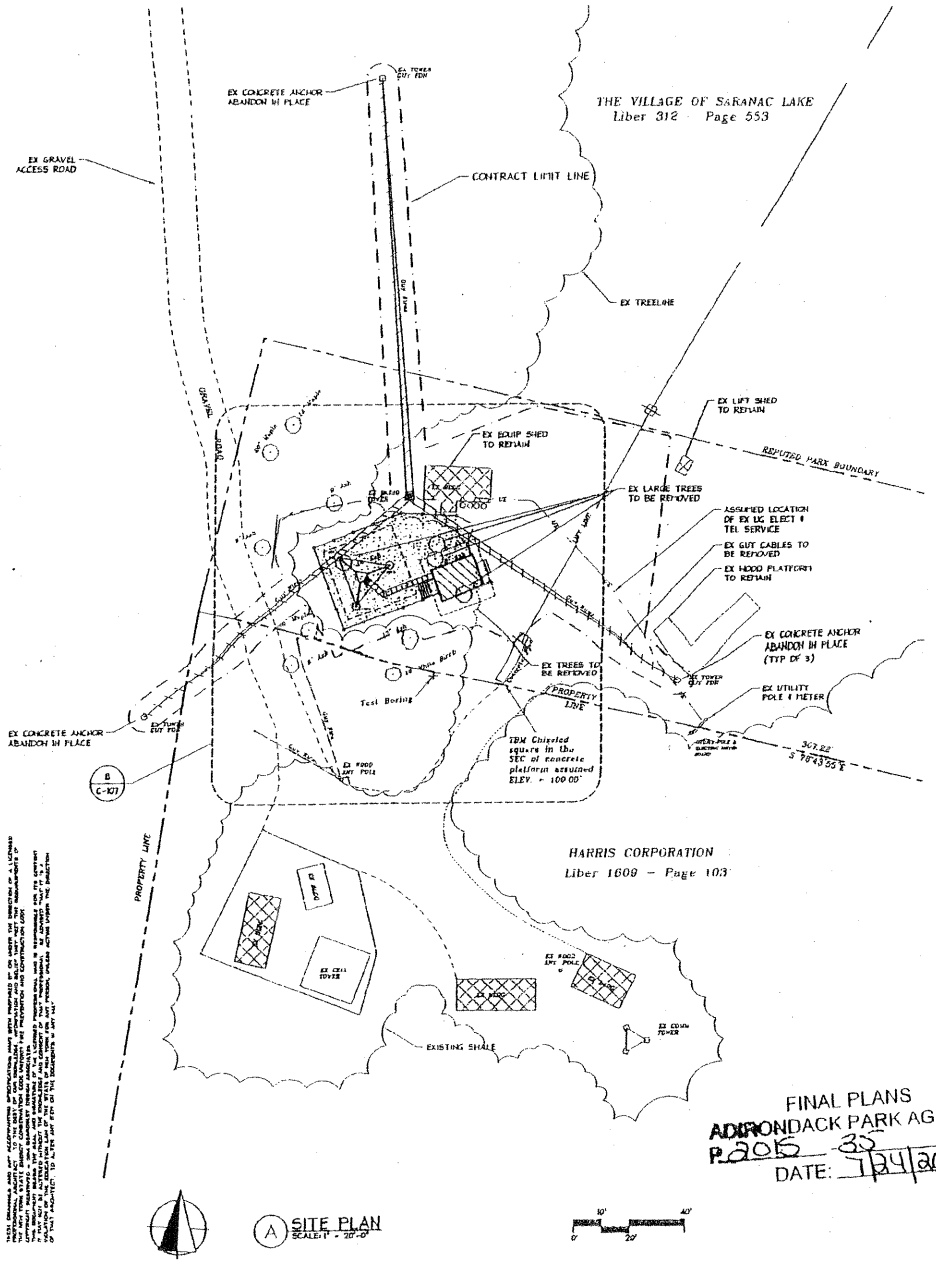
RECEIVED
JUN 15 2015
ADIRONDACK PARK AGENCY

APA Mt Pisgah
SUBMISSION #2
MARCH 30, 2015

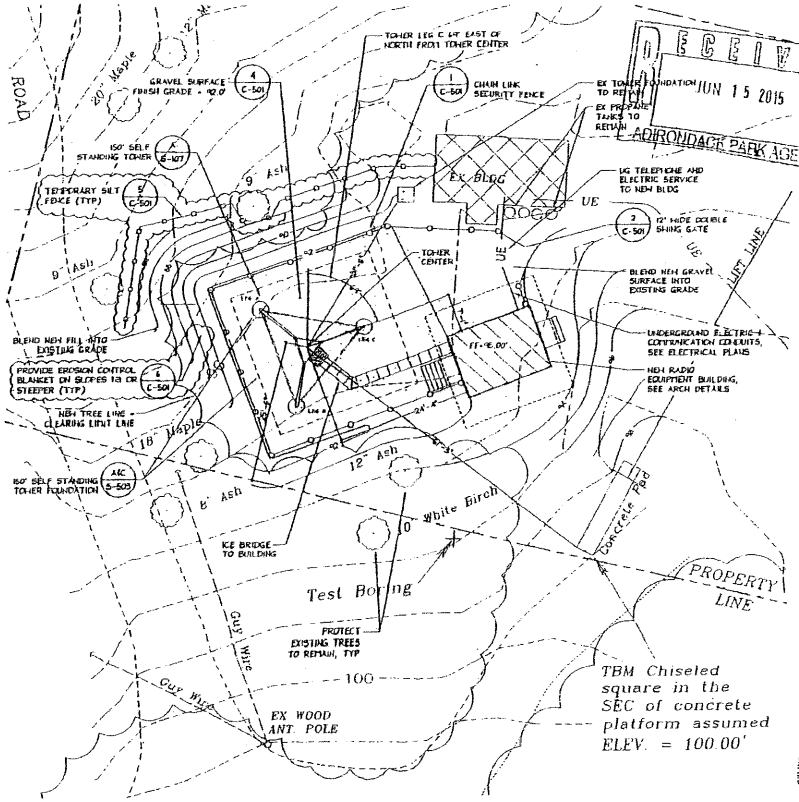
BEARDSLEY DESIGN ASSOCIATES

EMERGENCY SERVICES - 2014 TOWER UPGRADES
FRANKLIN COUNTY, NY

S-107
TOWER ELEVATION
MT. PISGAH LOCATION



A SITE PLAN
SCALE: 1" = 20'-0"



B ENLARGED SITE PLAN - EXISTING CONDITIONS & REMOVALS
SCALE: 1" = 10'-0"

RECEIVED
JUN 15 2015
ADIRONDACK PARK AGENCY

ALTERNATE #1/1A

1. REFER TO SPEC SECTION 02300 FOR A DETAILED DESCRIPTION OF ALTERNATES, ASSOCIATED WITH THIS LOCATION

SITE CONSTRUCTION NOTES

1. CLEARING OF TREES OR BRUSH OUTSIDE THE CLEARING LIMIT LINE SHALL NOT BE PERMITTED. EX TOPSOIL SHALL BE REMOVED FROM CUT AND FILL AREAS AND STOCKPILED FOR REUSE IN FINAL GRADING.
2. TOP OF TOWER FOUNDATION ELEVATION SHALL MATCH EX TOWER FOUNDATION. SURROUNDING GRAVEL SURFACE SHALL BE GRADED TO DIRECT WATER AWAY FROM THE EXISTING BUILDING AND PROVIDE A 1'-6" REVEAL FROM FINISH GRADE TO TOP OF FOUNDATION.
3. TERMINATE ICE BRIDGE AT BUILDING SHELL. ROUTE CABLES THROUGH BUILDING TO NEW RADIO EQUIPMENT. PROVIDE WATERTIGHT TRANSITION THROUGH BUILDING ENVELOPE.
4. EX PROPANE TANKS TO SERVE EX EMERGENCY GENERATOR IN EX BUILDING. PROVIDE NEW 4" THICK CONCRETE PAD OVER 6" COMPACTED SUBBASE COURSE FOR EX TANKS. RECONNECT SUPPLY PIPING AS REQUIRED.
5. THE EXISTING TOWER AND GUY CABLES ARE TO BE REMOVED AS PART OF THIS CONTRACT AFTER EX EQUIPMENT IS RELOCATED TO NEW TOWER. CONCRETE GUY ANCHORS AND TOWER FOUNDATION ARE TO BE ABANDONED IN PLACE.
6. USE CURRENT BEST PRACTICES TO MAINTAIN PROPER EROSION CONTROLS. COMPLY WITH CURRENT REGULATIONS OF THE NYS DEC AND THE APA. INSTALL A SILT BARRIER FENCE ALONG THE CONTRACT LIMIT LINE (EXCEPT WHERE NEEDED FOR ACCESS, AND NOT INCLUDING EX GUY ANCHORS) AND MAINTAIN THROUGHOUT CONSTRUCTION.

LEGEND

- CONTRACT LIMIT LINE
- EXISTING TO BE REMOVED
- PROPERTY BOUNDARY
- RIGHT-OF-WAY
- 1233 EX CONTOUR
- EX OVERHEAD UTILITY
- EX UTILITY POLE
- EX FENCE LINE
- EX WELL
- EX TOWER WITH GUY WIRES
- EX ANCHOR
- EX TREELINE
- SWING GATE
- SECURITY FENCE
- GRAVEL SURFACE
- ICE BRIDGE

FINAL PLANS
ADIRONDACK PARK AGENCY
P.2015-33
DATE: 12/4/2015

BID DOCUMENTS
MARCH 20, 2015

BEARDSLEY DESIGN ASSOCIATES

EMERGENCY SERVICES - 2014 TOWER UPGRADES
FRANKLIN COUNTY, NY

C-102
SITE PLAN
MT. FISGAH LOCATION