ADIRONDACK PARK AGENCY Division of Regulatory Programs PO Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Telephone (518) 891-4050 www.apa.ny.gov



APPLICATION FOR SOLAR GENERATION FACILITY

APPLICATION INSTRUCTIONS

Applicability:

This application is for an Adirondack Park Agency permit to develop a solar generation facility (Solar Project) in compliance with the Agency's project review criteria set forth in Executive Law § 809. If you have not done so already, please confirm your project requires a permit from the Agency before completing this application.

Pre-Application Meeting:

Project Sponsors are strongly encouraged to submit the "Request for Preapplication Meeting" form which is available on the Agency website at <u>https://www.apa.ny.gov/Forms/PreAppChecklist.pdf</u> to request a meeting prior to submission of this Solar Application. Staff will be available to explain the application process, help focus project design development, and answer questions prior to the development of detailed final design plans. The Preapplication process also allows staff an opportunity to explain applicable standards for project approvability. Preapplication meetings improve efficiency of the review process and help avoid unnecessary costs to the project sponsor.

Instructions:

Answers to many of the questions require attachments and/or written narrative which should correlate to the numbered questions. Please type or print clearly, answer all questions, and provide applicable attachments and plans. **Submit two signed hard copies and one electronic copy (i.e., CD, flash drive) of this application and all required attachments to the Agency at the above address.**

If Agency staff determines the application is not complete, a request for additional information will be issued within 15 days of receipt of the application. In addition, a site visit by Agency staff will be required as part of a complete application. Please note the timeframe required by the Adirondack Park Agency Act for review of the project begins from the date the Agency determines the application complete. The project may not be undertaken until an Agency permit has been issued.

For additional information related to development considerations that the Agency must take into account when reviewing any project proposals, see https://www.apa.ny.gov/Documents/Guidelines/DAP-DevelopmentConsiderations.pdf.

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PROJECT APPLICANT INFORMATION

1. Project Sponsor(s)*:	 Current Property Owner(s)**: (If different than Project Sponsor)
Name(s):	Name(s):
Mailing Address:	Mailing Address:
 Telephone (Daytime): E-mail:	

* A project sponsor is a person having legal interest in property who makes application to the Agency for review of a project proposed on the property. Documentation demonstrating the legal interest, such as a current deed or purchase contract, must be provided.

** List all names on the current deed of record.

3. **Project Sponsor's Legal Interest in Project Site** (check the one that applies):

Owner	signed purchase a	greement holder	
Lessee	option holder	other (Identify:)

4. Project Sponsor's Authorized Representative:

By filling in the name and address below and signing this application, the project sponsor is authorizing the person named below to act as his/her agent in all matters relating to this permit application before the Adirondack Park Agency. The project sponsor acknowledges that all contact regarding the application will be through his/her Authorized Representative. The project sponsor is, however, ultimately responsible for the accuracy of the information contained in this application and for compliance with all terms and conditions of any permit issued to him/her by the Agency.

Name:	
Mailing Address:	
Telephone (daytime):	E-mail:

5. **Prior Agency Contact:**

Identify any previous Agency action (e.g., permit, variance, jurisdictional inquiry, enforcement case, or wetland flagging) by file number and/or any contact with Agency staff regarding this project or project site and indicate if Agency staff has visited the project site.

Staff Name(s):	
Date of contact:	
File #(s):	

PROJECT SITE INFORMATION AND DOCUMENTATION

6. **Project Site Location/Identification** (a project site is all adjoining properties owned by the current landowner(s), including properties separated by a public road):

Street address:		
Town(s):	County:	
Size (acres):		

Tax Map Designation (from the tax bill for the property):

Section:	Block:	Parcel:
Section:	Block:	Parcel:
Section:	Block:	Parcel:

7. Deed(s):

Provide, as **Attachment A**, a complete copy of the current recorded deed(s) for the project site containing the recording information. Also, if the project sponsor has an executed contract or agreement to purchase or lease the project site, provide a copy of the documents to establish the sponsor's legal interest in the project site.

8. Ownership History:

If the project site was part of a larger parcel on the May 22, 1973 enactment date of the Adirondack Park Agency Land Use and Development Plan, then please provide the current tax map designation(s) of all property owned on that date. The County Real Property Tax Service Office may be able to assist with this information.

9. Deed Restrictions and Easements:

Describe and provide copies of any current deed restrictions or easements associated with the project site. Describe and provide copies of any proposed deed language that will restrict subdivision or development on the project site and any other proposed deed restrictions or easements related to the project, whether affecting the project site or adjacent property.

10. Landowners and Tax Map References for Adjacent Properties:

Provide, as **Attachment B**, a list of the names, addresses and tax map references of all landowners whose property adjoins the project site (based on the current Real Property Tax assessment). This list must include landowners whose property is located across a public road or right-of-way from the project site.

PROJECT SITE RESOURCES

11. Historic Resources:

Does the project site have any buildings that are more than 50 years old, or does the project site or surrounding area contain any structures or districts which are listed or deemed eligible to be listed on the State or National Register of Historic Places, or does the project site involve any known archeological resources?

_____ No _____ Yes to any of the above criteria

If yes, provide a location map, project description, site plan map, and recent photographs keyed to the location map, which the Agency will then submit to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) as part of consultation required by the State Historic Preservation Act. Be advised that the Agency cannot deem an application complete until OPRHP's determination and/or recommendations for historic resource impact mitigation have been addressed.

12. Character of Land Uses:

- a) Describe all current land uses on the project site (e.g., agricultural, forestry, residential, etc.). If the proposal is a conversion of agricultural or forestry uses, please describe when the land was last used for these purposes.
- b) Describe the character of the nearby and adjoining land uses including the type and density of existing agricultural, forestry, commercial, industrial, and residential development, roads, and public recreation /open space recreational facilities.

13. Wetlands:

The boundaries of any wetlands on the project site need to be field delineated and shown on the Site Plan Map.

If any new land use or development, land disturbance or other activities will occur within 100 feet of a wetland, then provide a detailed description of the use, development, or activity and all measures taken to avoid or minimize wetland impacts. Activities include, but are not limited to: draining; dredging; excavation; removing soil, sand, or gravel; dumping or fill of any kind; erecting structures; building roads or driveways; driving pilings; placing posts; placing solar panels or any other obstructions; vegetative clearing; applying pesticides or fertilizers; constructing a wastewater treatment system or discharging a sewer outfall; any temporary or permanent loss of any wetland acreage; or conducting other activities that could impair the functions or benefits derived from wetlands, including any diversion of water, change in hydrology, or increases erosion or sedimentation.

If the proposed project results in any loss of wetlands, a compensatory wetland mitigation plan prepared in accordance with the "New York State Adirondack Park Agency Compensatory Mitigation Guidelines" may be required. A copy of these guidelines is available on the Agency's website (<u>www.apa.ny.gov</u>) or upon request.

14. Shoreline:

If the Project site contains a navigable water body (including ponds, lakes, streams and rivers) confirm compliance with all applicable shoreline regulations including structure setbacks and removal of shoreline vegetation. If you are unsure of navigability, contact Agency staff.

PROJECT PROPOSAL

15. Project Proposal:

Provide, as **Attachment C**, a narrative description of the proposed project and land use objectives, including production capacity, acreage involved, type and number of panels, all proposed structures, and connection to the grid. Descriptions of the project and all specific details of the proposal must be provided.

16. Alternatives:

Identify alternative locations and designs for the project that were considered and describe the analysis and rationale for not selecting the alternatives. If the project will impact any sensitive resources, identify all alternatives considered to avoid impacts to resources. Please be advised that additional information concerning these alternatives may be requested.

17. Subdivision of Land:

If the project will require the subdivision of land **by sale or lease**, state the size of all lots to be created and identify which lot is proposed for the Solar Project. Provide, as **Attachment D**, a subdivision site plan showing the boundaries of each proposed lot and labeling each subdivision lot number and size.

18. Site Plan Map:

Provide, as **Attachment E**, a detailed Site Plan Map prepared by a qualified professional (i.e., New York State licensed surveyor, engineer, architect, or landscape architect). The Site Plan Map must be drawn to an appropriate scale, clearly labeled with the map scale, north arrow, date of preparation, and name of preparer. As applicable, please show and label the following information on the Site Plan Map:

- a) Property ownership boundary lines;
- b) Boundaries of the project site (if not identical with the property boundaries);
- c) Any proposed subdivision lot lines, and/or easement lines;
- d) Waterbodies, including lakes, ponds, rivers and permanent and intermittent streams;
- e) Wetland boundaries;
- f) Limits of all temporary and permanent wetland disturbance and areas of mitigation;
- g) Natural swales and drainage features;
- h) Floodplain boundaries and elevation of the 100-year floodplain;
- i) Areas of bedrock at or near the surface;
- j) Boundaries of existing vegetation cover types (e.g., forested, field, agricultural);
- k) Proposed limits of vegetative cutting, locations of no-cut buffers and all new landscape development;
- I) Topographic contours;
- m) Any special plant or animal habitats identified by the NYS Natural Heritage Program;
- n) Adirondack Park Land Use Area boundaries;
- o) Local zoning district boundaries;
- p) All existing and proposed structures, labeled with size and use;
- q) Existing and proposed access entrances, roadways, bridges, and parking lots, labeled with size and materials (specify if public or private);
- r) All right-of-way lines of all municipal, county and State highways;
- s) Existing and proposed sidewalks, stairways and other pedestrian facilities;
- t) Temporary and permanent stormwater management facilities (labeled with size and materials), including all existing and proposed retaining walls, culverts, ditches, etc.

- u) Existing overhead and underground public utilities located on the project site and along nearby public or private roads;
- v) Proposed new utility lines and connections to existing transmission line (including all new poles and/or noting where underground);
- w) Proposed solar panels and all proposed infrastructure, including any signs and light fixtures;
- x) Existing and proposed fencing labeled with size and materials; and
- y) Construction limit lines, construction staging areas, work pads, and storage areas (temporary and permanent) for equipment, raw materials or construction materials.

19. Proposed Construction, Phasing and Operation Dates:

- a) Estimated Construction Start Date:
- b) Estimated Construction Completion Date:
- c) Estimated Date Solar Project in Operation:
- d) If Project is to be phased, include dates for each phase: _____

20. Proposed Site Access:

- a) Provide plans, details, and specifications for all temporary and permanent roads and driveways.
- b) If the project will require a highway work permit from county transportation departments or New York State Department of Transportation, please provide a copy of the permits.

21. Construction Staging Areas:

If applicable, describe the locations and proposed uses of any on-site and off-site construction staging areas (e.g., for field office, equipment and materials storage). Describe how the staging areas will be restored after construction completion.

22. Proposed Outside Storage:

If the project will involve outside storage of equipment, raw materials, or construction materials, please describe the type and location of materials or objects to be stored, both long-term and short-term.

23. Solid Waste Disposal:

Describe the type, estimated quantities, methods of disposal and on-site and off-site disposal locations of all waste materials generated from the project, including trees, stumps and grubbed materials, unusable excavated soils, construction and demolition debris and other waste.

If waste disposal will occur off-site, provide the following information for each involved parcel (note that a separate permit may be required for each off-site waste area):

- a) Landowner name, mailing address, and daytime telephone number
- b) Waste disposal site location: street address, town, county, tax map number

24. Buildings and Structures:

- a) Provide detailed drawings of the proposed solar panels, including dimensions, height, materials, and color;
- b) Provide detailed drawings of all proposed structures, including fences, equipment buildings, etc. which include at a minimum, dimensions, height, materials, and colors;

- c) If there are existing buildings on the total contiguous landholding now owned by the present landowner, please provide the following information:
 - i. Date of construction, use, approximate size (footprint and height).
 - ii. Indicate if these buildings will be removed and/or if they will used for the proposed solar facility.
- d) Describe any other structures which existed on the property as of August 1, 1973 which have since been removed or destroyed and their use. Include the date the structure was removed. Describe if any buildings or other structures will be replaced.

25. Wastewater Treatment Systems:

Describe the type and size of any existing wastewater treatment system(s) serving the project site (i.e. community, municipal, individual on-site system). Describe approximate existing wastewater flows in gallons/day. Describe type and size of any existing on-site wastewater treatment system absorption area.

Provide detailed plans prepared by a design professional (i.e. New York State licensed engineer or architect) for any new, replacement, or expanded wastewater treatment system(s). If an on-site system is proposed, and unless otherwise instructed by Agency staff, show following:

- a) Soils test pit location and data;
- b) Percolation test hole location and results taken within the proposed absorption area(s);
- c) Details on design of the system (application rate);
- d) Size and type of septic tank;
- e) Pumping station (if necessary);
- f) Distribution box; and
- g) Soil absorption system, including a 100 percent replacement area.

For additional information, refer to the current version of the Agency's Minimum Requirements for Engineering Plans for On-site Wastewater Treatment Systems, available on the Agency's website

(https://www.apa.ny.gov/Documents/Guidelines/OnSite_Wastewater.pdf).

26. Erosion and Sediment Control Plan/Stormwater Management:

Provide, as Attachment F, a Stormwater Management Plan which includes the following:

a) An Erosion and Sediment Control Plan. For additional information, refer to the current version of the *New York State Standards & Specifications for Erosion and Sediment Control*. An Erosion and Sediment Control Plan is required for all projects.

The need for a grading plan and post-construction stormwater practices, identified in items (b) through (i) below, is dependent upon the amount of proposed soil disturbance, solar panel layout, design and construction, as well as the construction of traditional impervious areas such as buildings, substation pads, and parking areas.

- b) All proposed land disturbance and proposed impervious areas;
- c) Site planning to preserve natural features and reduce impervious cover;
- d) Calculation of the water quality volume(s);
- e) Incorporation of green infrastructure techniques and standard stormwater management practices with Runoff Reduction Volume (RRV) capacity;

- f) Use of standard stormwater management practices, where applicable, to treat the portion of water quality volume not addressed by green infrastructure techniques and standard stormwater management practices with RRV capacity;
- g) Design of volume and peak rate control practices where required;
- h) A schedule and list of required maintenance activities for each proposed stormwater management practice; and
- i) A grading plan.

27. Water Supply Systems:

- a) Identify all existing water supply systems on the project site (e.g. community, municipal, individual on-site, etc.).
- b) Identify all proposed new, replacement or expanded water supply systems.
- c) Show and label on the Site Plan Map the location of any on-site well or, if a community or municipal system, the distribution piping.

28. Public Utilities:

- a) Identify all existing utilities on the project site and the operating entity for each;
- b) Identify all proposed new, replacement, or expanded utilities.

29. Exterior Parking:

Provide construction plans and details for all parking areas.

30. Exterior Lighting:

If the project will involve new exterior site lighting, provide a Lighting Plan which shows the location of all exterior light fixtures, including specifications, elevation views, construction details and shielding that will restrict projected light from being seen off-site. Exterior lighting should be full cut-off lighting, shielded and angled downward. The lighting plan must show the surface area lit by each light.

31. Exterior Signage:

If the project will involve any new exterior signage, provide a Sign Plan that complies with Appendix Q-3 of Agency regulations- Standards for Signs Associated with Projects. Show and label on the Site Plan Map, or on a separate Sign Plan, the number, location, and orientation of all exterior signs. Provide to-scale details and specifications for each proposed outdoor sign that includes at a minimum:

- a) Width and height from ground surface to top of each sign;
- b) Construction details and materials;
- c) Proposed text, color scheme, logos or other graphics; and
- d) Details of any raised foundations, planters or retaining walls.

32. Proposed Landscape Development:

Provide, as **Attachment G**, a Landscape Development Plan (e.g., planting of trees and shrubs for screening, aesthetics, erosion control, and/ or establishment of turf areas), which includes at a minimum the following information:

- a) Identify and label the location of all existing vegetation;
- b) For proposed plantings, provide the location and a keyed list that includes names, sizes, and whether the plants are nursery grown or field collected. Please note the planting plan should only include native species or ornamental plants commonly found near the project site;
- c) Provide specification, typical planting details, and seed mixes for temporary and permanent grassed areas;

d) Provide a plan for maintenance and care of all plantings during the initial establishment and post-construction.

33. Chemical Use:

Describe in detail the use and storage of chemicals that will be used during construction and operation, including but not limited to, dust control agents, herbicides, pesticides, panel cleaning solvents, sand, and salt. Provide copies of all product labels, including any state or federal registration numbers.

34. Visual Impacts Analysis:

Provide, as **Attachment H**, a visibility analysis that includes an inventory of significant public viewpoints and photographic documentation of the project site from those locations. The analysis must include an assessment of all proposed development and utility infrastructure on the project site, including the utility corridor which connects the facility to the grid or customer. The analysis must provide the following information:

- a) Identification of key viewpoints from publicly accessible areas, key viewer groups, and the type, distance and duration of the view;
- b) Provide visual simulations which show how the proposed development will appear after construction from the selected viewpoints;
- c) Describe all efforts to mitigate adverse visual impacts; and
- d) Provide a glare assessment, with special attention on public roads, and other sensitive receptors.

35. Noise Impact Analysis:

Identify noise generating activities anticipated during construction, operation, and decommissioning of the project (e.g., site clearing and grading, wood chipping, pile driving, use of transformers, solar tracker motors, etc.). Include frequency, time and pitch for each activity.

36. Operational Maintenance of the Site:

Describe in detail all components of the facility operation and maintenance activities (i.e. vegetative management, panel washing, repair, and maintenance).

37. Project Employment:

How many people will be employed by the proposed project (i) during construction and (ii) post-construction at full operation. In your response, indicate the average number of weeks workers will be employed and distinguish between full-time and part-time employees.

38. Public Benefits:

Describe any potential benefits to be derived from the project including general service improvements to the community and estimated tax benefits to the local taxing jurisdictions.

39. Decommissioning of the Site:

Provide a Decommissioning Plan including criterion for when the facility will be deemed out of service and decommissioned. Describe all plans for decommissioning, including plans for disposal of solar panels and infrastructure and restoration of the site.

OTHER REGULATORY PERMITS AND APPROVALS

- **40.** The Agency cannot approve a project which has been denied a permit or which is a prohibited use under local zoning requirements and other local laws or ordinances. The Agency will also recognize community goals expressed in a formally adopted land use plan. The project should be designed to the regulatory requirements of other involved agencies.
 - a) <u>Local Government Notice Form:</u> Provide, as Attachment I, a completed "Local Government Notice Form" (blank copy attached) from the municipality in which your project is located. Have it filled out and signed by an appropriate official (e.g., Zoning Administrator, Planning Board Chairman or Supervisor, if no Zoning Administrator or Planning Board Chairman) and return it with the project application. Please read the form for instructions.
 - b) <u>Municipal Approval Documents:</u>

If local approval has been obtained for the proposed project, then provide, as **Attachment J**, documentation (e.g., permit, site plan approval, or final subdivision plat) which confirms that the project has been approved pursuant to all applicable town and county laws including any necessary approvals from the planning and zoning boards. Also, provide a copy of the relevant minutes of all local meetings at which the project has been discussed. This last request is continuous; the information should be provided to the Agency as it becomes available.

c) <u>State and Federal Agency Contacts:</u>

Complete the following and indicate whether any of the following agencies or departments have been contacted. Your APA application may remain incomplete until all state agency applications are complete, to allow a coordinated review.

Agency	No	Yes	Date	Contact Person & Phone Number
NYS Department of Health				
NYS Department of Transportation				
NYS Department of Environmental Conservation				
NYS Office of Parks, Recreation & Historic Preservation				
NYS Department of Law				
U.S. Army Corps of Engineers				
Lake George Park Commission				
Public Service Commission				
Other				

d) <u>State and Federal Permits, Approvals and Determinations:</u> Provide, as **Attachment K**, copies of all permits, approvals and determinations received from the above agencies.

41. Required Signatures:

I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED IN THIS APPLICATION, INCLUDING ALL ATTACHMENTS. I BELIEVE THIS INFORMATION TO BE TRUE, ACCURATE AND COMPLETE. IN ADDITION, IN THE CASE OF ANY PROJECT SPONSOR CORPORATION, LIMITED LIABILITY CORPORATION, PARTNERSHIP OR OTHER LEGAL ENTITY, I ALSO AFFIRM THAT I AM AUTHORIZED TO SUBMIT THIS APPLICATION ON BEHALF OF THAT ENTITY.

I HEREBY AUTHORIZE THE ADIRONDACK PARK AGENCY AND MEMBERS OF ITS STAFF TO ENTER ON THE PROPERTY DESCRIBED HEREIN FOR THE PURPOSES OF CONDUCTING SUCH INVESTIGATIONS, EXAMINATIONS, TESTS AND SITE EVALUATIONS AS IT DEEMS NECESSARY, AT REASONABLE TIMES AND WITH ADVANCE NOTICE WHERE POSSIBLE, TO VERIFY INFORMATION CONTAINED IN OR RELATED TO THIS APPLICATION FOR A PROJECT PERMIT.

Signature of all Project Sponsors:

(Required for all applications)

Signature	Print Name/Title	Date
Signature(s) of all Lan (Required for all applica	downer(s) from current deed: tions)	
Signature	Print Name/Title	Date
Signature of Authorize (Required if designated	d Representative: in Section 3 of this application)	
Signature	Print Name/Title	Date

REQUIRED ATTACHMENTS

- Attachment A: A complete copy of the current recorded deed(s) for the project site containing the recording information.
- Attachment B: Names, mailing addresses, and tax map references (tax map, block and parcels numbers) for all landowners with property adjoining the project site, including property across public roads and rights-of-way.
- Attachment C: Narrative description of the proposed project.
- Attachment D: Subdivision site plan.
- **Attachment E:** Detailed Site Plan Map prepared by a qualified professional.
- Attachment F: Stormwater Management Plan.
- Attachment G: Landscape Development Plan.
- Attachment H: Visibility analysis that includes an inventory of significant public viewpoints and visual simulations which show how the proposed development will appear after construction.
- Attachment I: Completed "Local Government Notice Form" (blank copy attached).
- Attachment J: Documentation (e.g., permit, site plan approval, or final subdivision plat) which confirms that the project has been approved pursuant to all applicable town and county laws.
- **Attachment K:** Copies of all permits, approvals and determinations received from State and Federal agencies.



LOCAL GOVERNMENT NOTICE FORM for Project/Variance Application to the Adirondack Park Agency

The Adirondack Park Agency will not deem an application complete until the appropriate municipal official in the Town/Village where a project is located has completed, signed and returned this form to the Agency.

If the Town/Village where the project site is located has zoning or other regulations which apply to the proposal, the Adirondack Park Agency will be unable to issue a permit if: (a) the Town/Village has either refused to grant a necessary permit or variance, or (b) the proposal is a prohibited use in that jurisdiction.

To be completed by the Applicant:	APA Project Number (if available):
Applicant Name:	_ Landowner Name:
Project site location: Town/Village:	Tax Map Number:
Project type/description:	

If the project involves a <u>subdivision</u>, please provide the appropriate local official a copy of the proposed plat as part of the project description with the plan title and date recorded in the space provided above.

To be completed by the Town/Village:

Does the Town/Village have land use controls?	□No
If Yes, please complete 1-9 below. If No, please skip to #9 below.	
1) If the Town/Village has zoning, provide Zoning District Name(s):	
2) How is the "use" defined under the local code?	
Is the "use" allowed in the zoning district(s)?	□No
3) Is the project prohibited by any local law or ordinance?	□No
4) Does this project require a municipal permit?	□No
a) If Yes, is the required permit a building permit only?	□No
b) If No, identify the type of permit required:	
5) Does this project require a municipal variance?	□No
If Yes, identify the type of variance required (e.g., area, setback, etc.)	
6) Does the project require any other municipal approval?	□No
If Yes, identify the approval required:	
7) Has the municipality received an application for this project?	□No
If Yes, has the municipality issued any decision on this project?	□No
8) Provide explanation for any decisions on this project or inconsistencies the project may have w	/ith
local laws or any comments you wish to provide to the Agency about the project:	
0) Diagon provide a doutime contact telephone number with the best doug/times to be reached a	n d/a r

9) Please provide a daytime contact telephone number with the best days/times to be reached, and/or an email address for the official signing this form, should Agency staff have further questions regarding municipal review of this project: (____) best times_____ e-mail:_____

Signature of Zoning Official or Planning Board Chair (or Supervisor/Mayor if no such official exists)

Name and Title (Print)

Date

Please return this completed & signed form to the address or fax number below.

P.O. Box 99 • 1133 NYS Route 86 • Ray Brook, NY 12977 • Tel: 518 891-4050 • Fax: 518 891-3938 • www.apa.ny.gov