


THIS IS A TWO-SIDED DOCUMENT
STAFF DRAFT – NOT APPROVED BY AGENCY

 <p>NEW YORK STATE OF OPPORTUNITY.</p> Adirondack Park Agency	APA General Permit/Order 2023G-1 Certificate	Project #
	Certificate for Certain Modifications of Existing Wireless Towers or Base Stations (Eligible Facilities Requests)	
PO Box 99 · 1133 NYS Route 86 Ray Brook, NY 12977 Tel: (518) 891-4050 www.apa.ny.gov	To the County Clerk: Please index this permit in the grantor index under the following names: 1. 2. 3.	

This certificate under General Permit 2023G-1 is **granted to ?**, authorizing the modification of an existing wireless tower or base station that meets the definition of an “Eligible Facilities Request” as defined by Section 6409 of the Spectrum Act of 2012, in an area classified **LUA** by the Official Adirondack Park Land Use and Development Plan in the application received by the Agency **on ?** and as depicted on the attached reduced-scale **maps/plans**. The project site is in the **Town(s) of ?, ? County**.

This authorization shall expire unless recorded in the **? County Clerk's Office** within 60 days of issuance of a signed and notarized permit/order. The signed and notarized certificate shall be recorded in the names of all persons 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 five years of the date the certificate is recorded in the **? County Clerk's Office**. The Agency will consider the project in existence when the authorized facility has been constructed.

This certificate 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.

Nothing contained in this certificate shall be construed to satisfy any legal obligations of the permittee to comply with all applicable laws and regulations or to obtain any governmental approval or permit from any entity other than the Agency, whether federal, state, regional or local.

PROJECT SITE

The project site is a **±-acre** parcel of land located on **Road in the Town of , County**, in an area classified **LUA** on the Adirondack Park Land Use and Development Plan Map. The site is identified as **Tax Map Section , Block , Parcel ,** and is described in a deed from **to ,** dated **,** and recorded **in the County Clerk's Office in Book at Page as Instrument Number .**

The project site is improved by an existing **-foot-tall monopole/monopine tower/building/facility** as authorized by **Agency Permit .**

If relevant to the permit jurisdiction, add: **The project site contains shoreline on ?/is [partially] located within the designated River Recreational/Scenic River area/is [partially] located within [describe non-wetland CEA]. The project site also contains [describe the location, coverype, size, and value rating of wetlands on the project site.]**
If staff have not field-verified the presence and location of all wetlands on the site, add: Additional wetlands not described herein or depicted on the **Project Plans** may be located on or adjacent to the project site.

PROJECT DESCRIPTION AS PROPOSED

The project as conditionally approved herein involves **???**.

The project is shown on the following maps, plans, and reports: **"?,**" prepared by **,** and dated **.** A reduced-scale copy of **Sheet ? ("???) of the Project Plans** for the project is attached to this certificate 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

1. The modification shall comply with all requirements of an Eligible Facilities Request as defined under Section 6409 of the Spectrum Act of 2012 and clarified in Federal Communications Commission (FCC) regulations at 47 CFR 1.6100 and various FCC rulings and orders.
2. This certificate is binding on the applicants, all present and future owners of the project site and all contractors undertaking all or a portion of the project. Copies of this General Permit/Order and the **Project Plans** shall be furnished by the applicants to all subsequent owners or lessees of the project site prior to sale or lease. 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 General Permit 2023G-1 for **Project issued _____, the terms and conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."**
3. Subject to the conditions stated herein, this certification authorizes **modification of** the existing wireless tower / base station in the location shown and as depicted

on the **Project Plans** referenced herein. The **antennas/equipment/base station** shall be located as shown on the **Project Plans** referenced herein, with the top of the antennas no higher than **? feet** above ground level (centerline elevation of **? feet** above ground level).

4. Any change to the location, dimensions, or other aspect of the development authorized herein shall require prior written Agency authorization.
5. The authorized antennas and related infrastructure shall be a **grey** color with a non-reflective flat or matte finish. The **grey** color shall match and blend with the existing antennas and infrastructure on the **tower/building/facility**.
6. Installation of any lighting on the existing **tower/building/facility** shall require prior written Agency authorization. Any other exterior lights within the equipment compound shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky **or toward ? Lake/Rte ?, or adjoining property**. Any lighting mandated by the Federal Aviation Administration (FAA) shall comply with all applicable regulations and specifications.
7. When brought from off-site, all equipment, including but not limited to trucks, excavators, tractors, etc., and hand excavation tools such as shovels, rakes, and picks, to be used on the project site shall be clean and free of soil, mud, or other similar material. If washed on the project site, equipment shall be washed in one location to prevent the distribution of propagules among different wash sites.
8. The Agency shall be provided with color photographs showing the completed antennas within 30 days of project completion. All photographs must clearly identify the date the picture was taken, the location of the photograph, and the lens size employed. Photographs shall be taken on a clear day with little cloud cover.
9. The authorized antennas shall be removed from the project site within one year of discontinuance of use for telecommunications purposes.
- ?. *If the existing tower/structure is not pre-existing:* All signs associated with the telecommunications tower on the project site shall comply with the Agency's "Standards for Signs Associated with Projects" [9 NYCRR Part 570, Appendix Q-3].
- ?. The cutting of trees and other vegetation within 200 feet of the tower and **within ? feet** of the authorized access road shall occur only as depicted on the **Project Plans**, except that dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard may be removed at any time.

Except to allow for the removal of **? shown on ?**, within 30 days of removal or loss of any trees or other vegetation within 200 feet of the tower on the project site, a plan and implementation schedule for re-vegetation and/or re-design to maintain the substantial invisibility of the tower, its antennas, and equipment

shelter shall be submitted to the Agency for review and approval. The plan shall be implemented as described in the approved implementation schedule.

Also, if any tree cutting or removal is proposed within 5 miles of an Indiana Bat or Northern Long-Eared Bat hibernaculum, include:

- ?. Between April 1 and October 31, no trees shall be removed or disturbed on the project site without prior written Agency authorization.

Also, if any tree cutting or removal is proposed within 2.5 miles of an Indiana bat summer location, as shown on Lookup, include:

- ?. Between April 1 and October 31, no trees shall be removed or disturbed on the project site without prior written Agency authorization.

Also, if any tree cutting or removal is proposed within 2.5 miles of an Indiana bat winter location, as shown on Lookup, include:

- ?. Between April 1 and November 30, no trees shall be removed or disturbed on the project site without prior written Agency authorization.

- ? **Add any appropriate conditions for additional screening needed for any new equipment.**

If the project site is located above 2,800 feet in elevation:

- ?. Between May 15 and August 1, there shall be no use of heavy machinery, gas powered generators, air compressors, and pneumatic tools, unless the Department of Environmental Conservation (DEC) or an independent environmental specialist approved in advance by the Agency in consultation with DEC concludes in a written report that the use of heavy machinery, gas powered generators, air compressors, and pneumatic tools will not have an impact on the Bicknell Thrush's breeding and nesting season.

- ? **Other conditions, if necessary, as determined by Agency staff.**

CERTIFICATION issued this day
of , 20 .

ADIRONDACK PARK AGENCY

BY: _____
David J. Plante, AICP CEP

Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the day of in the year 20 , before me, the undersigned, a Notary Public in and for said State, personally appeared David J. Plante, 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

DRAFT