

 <p><b>NEW YORK</b> STATE OF OPPORTUNITY.</p> <p><b>Adirondack Park Agency</b></p> <p>PO Box 99 · 1133 NYS Route 86 Ray Brook, NY 12977 Tel: (518) 891-4050 <a href="http://www.apa.ny.gov">www.apa.ny.gov</a></p>	<p>APA General Permit 2023G-1 Application</p>	<p>Project No.:</p>
	<p><b>Application for Certain Modifications of Existing Wireless Towers or Base Stations (Eligible Facilities Requests)</b></p>	

### APPLICABILITY

This application is for a certificate for coverage under General Permit/Order 2023G-1 which authorizes certain modifications of existing wireless towers or base stations that qualify as an Eligible Facilities Request (EFR) under Section 6409 of the Spectrum Act of 2012 (Section 6409), specifically that involves co-location, removal, or replacement of transmission equipment that does not substantially change the physical dimensions of such tower or base station. General Permit/Order 2023G-1 is available on the Agency’s website at [www.apa.ny.gov](http://www.apa.ny.gov).

### INSTRUCTIONS

Please answer all the questions below and provide all required attachments. For assistance in completing this application or to request a pre-application meeting, please refer to the Agency’s website or contact the Agency’s Regulatory Programs division at 518-891-4050. The application with applicable attachments should be in PDF or similar format and submitted by e-mail to [APAsubmissions@apa.ny.gov](mailto:APAsubmissions@apa.ny.gov).

Electronic copies of plans must be fully scalable. If un-able to submit via e-mail, hard copy submissions will be accepted but delays may occur.

### ELIGIBILITY

Any proposal that meets the criteria set forth below, as defined by the Federal Communications Commission, is eligible for a certification issued pursuant to this General Permit and Order:

- a. The project is a modification of an existing wireless tower or base station;
- b. The project does not substantially change the physical dimensions of such tower or base station; and
- c. The project involves co-location, removal, or replacement of transmission equipment.

Please refer to the Agency’s Eligible Facilities Request Definitions and Requirements ([link](#)) for a more detailed explanation of the above criteria.

If the proposal does not meet the criteria for an EFR, this General Permit/Order 2023G-1 may not be used. Please instead see the Agency’s General Permit 2005G-3R (<https://apa.ny.gov/Forms/FormDetails.cfm?recordID=39>) or contact the Agency’s Regulatory Programs Division for guidance ([apasubmissions@apa.ny.gov](mailto:apasubmissions@apa.ny.gov)).

## **APPLICATION REVIEW PROCESS**

Upon receipt of an application, Agency staff will confirm jurisdiction, determine whether the proposed project meets the eligibility criteria described above, and review the application for completeness.

Pursuant to Agency regulations provided under 9 NYCRR § 572.4(a)(1), applications must contain the signatures of all owners of record of the land involved. Thus, the first procedural step in the application for an EFR under Section 6409 is submission of an application signed by the landowner(s). Agency review of an EFR, to determine if it contains all required information, begins when this complete application, signed by the landowner(s), is received by the Agency. Without the required signatures, this application will remain un-filed and the shot clock will not begin to run. For more information, see EFR Definitions and Requirements ([link](#)).

Once the application is filed and received, the Agency will determine whether it is complete. If an incomplete application is received, the Agency will inform the applicant within 15 days, describing the information necessary to complete the application. The Agency will inform the applicant of any remaining incomplete information within 10 days after receipt of a response to the first notice of incomplete application.

Upon receipt of a complete application for a proposal that meets the eligibility criteria described above, the Agency will issue a signed certificate approving the project within 60 days, as calculated under and accounting for any tolling periods pursuant to Section 6409 of the Spectrum Act. [Link to EFR Definitions and Requirements.](#)

**PART 1: PROJECT INFORMATION**

**1. Project Sponsor(s) ("Applicant")\*:**

Name(s) \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone (Daytime): (\_\_\_\_) \_\_\_\_\_ E-mail \_\_\_\_\_

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

**2. Current Property Owner(s): (All named on the current deed of record)**

\_\_\_ Check if same as project sponsor(s)

Name(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone (Daytime): (\_\_\_\_) \_\_\_\_\_ E-mail \_\_\_\_\_

**3. Tower Owner:**

Name(s) \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone (Daytime): (\_\_\_\_) \_\_\_\_\_ E-mail \_\_\_\_\_

**4. Authorized Contact Person:**

\_\_\_ I choose not to have an authorized contact person; or

\_\_\_ I hereby authorize:

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone (Daytime): (\_\_\_\_) \_\_\_\_\_ E-mail \_\_\_\_\_

to act as my agent in all matters relating to this application before the Adirondack Park Agency. I acknowledge that all contact regarding the permit application will be through

my authorized contact person. I understand that I am ultimately responsible for the accuracy of the information contained in this application and for compliance with all terms and conditions of any permit or certificate issued to me by the Agency.

**5. Project Site**

Town: \_\_\_\_\_ County: \_\_\_\_\_

Road: \_\_\_\_\_

APA Land Use Classification: \_\_\_\_\_

Tax Map Number – Section: \_\_\_\_\_ Block: \_\_\_\_\_ Parcel: \_\_\_\_\_

If on a shoreline, name of waterbody: \_\_\_\_\_

**6. Prior Agency Contact**

- a. Has there been any previous discussion with Agency staff regarding this EFR or project site?

If yes, provide the name of the APA staff person consulted, if known:

\_\_\_\_\_

- b. Has the project site been the subject of a past Agency action (i.e., pre-application, permit application, variance, jurisdictional inquiry, enforcement case or wetland flagging)?:

\_\_\_\_\_

If yes, provide the past pre-application number (A#), project number (P#), jurisdictional inquiry number (J#), enforcement case number (E#) or wetland delineation boundary flagging number (W#), if known: \_\_\_\_\_

**PART 2: APPLICATION ELIGIBILITY**

*All answers to the questions below must be supported by the attachments required under Part 4 of this application.*

*If the proposal does not meet the criteria for an EFR, this application may not be used. Please instead see the Agency's General Permit Application 2005G-3R (<https://apa.ny.gov/Forms/FormDetails.cfm?recordID=39>) or contact the Agency's Regulatory Programs Division for guidance ([apasubmissions@apa.ny.gov](mailto:apasubmissions@apa.ny.gov)).*

**General Information**

1. What existing facility is the applicant proposing to modify?  
a. Tower \_\_\_\_  
b. Base Station \_\_\_\_

2. Was this facility previously reviewed and approved by the Agency and/or under another State or local zoning or siting process?
  - a. Yes \_\_\_\_\_
  - b. No \_\_\_\_\_
  - c. If yes, please provide the Agency permit number and/or a copy of the other State or local approval document that authorized construction of the existing facility.
  
3. Does the proposed modification involve any of the following? (Check all that apply):
  - a. Collation of new transmission equipment \_\_\_\_\_
  - b. Removal of transmission equipment \_\_\_\_\_
  - c. Replacement of transmission equipment \_\_\_\_\_
  
4. Have prior modifications been made or proposed and approved for this facility?
  - a. Yes \_\_\_\_\_
  - b. No \_\_\_\_\_
  - c. If yes, describe the history of changes to the facility since it was initially permitted by the Agency or other State or local zoning or siting body:  
 \_\_\_\_\_  
 \_\_\_\_\_
  
5. Is the existing facility in a public right-of-way?
  - a. Yes – please specify \_\_\_\_\_
  - b. No \_\_\_\_\_

**Height**

6. For towers not in public rights-of-way, provide the following:
  - a. Percent increase in height of the proposed modification over the existing structure \_\_\_\_\_
  - b. The separation distance between the highest proposed antennas and the location of the existing antennas (measured in feet from the top of the existing antennas to the bottom of the proposed highest antennas) \_\_\_\_\_
  
7. For other eligible support structures (base stations not in public rights-of-way, or towers and base stations in public rights-of-way), provide the increase in height of the modification over the existing structure in both percentage and feet.
 

\_\_\_\_\_ %  
 \_\_\_\_\_ feet

**Appurtenances**

8. For towers not in public rights-of-way, if the modification adds an appurtenance to the body of the tower, provide:
  - a. The width (in feet) of the tower at the level of the appurtenance: \_\_\_\_\_;  
 and

- b. The distance (in feet) by which the appurtenance would protrude from the edge of the tower: \_\_\_\_\_
9. For other eligible support structures (base stations not in public rights-of-way, or towers and base stations in public rights-of-way), provide the distance (in feet) by which the appurtenance would protrude from the edge of the structure: \_\_\_\_\_

**Equipment Cabinets**

10. For any eligible support structure, provide the number of new equipment cabinets, if any, proposed to be installed: \_\_\_\_\_.
11. For towers in public rights-of-way and base stations, if there are no pre-existing ground cabinets associated with the structure, provide the number of new equipment cabinets on the ground, if any, proposed to be installed: \_\_\_\_\_.
12. For towers in public rights-of-way and base stations, if there are pre-existing ground cabinets, provide the increase in height (in feet) and overall volume of the additional ground cabinets compared to the height and overall volume of the existing ground cabinets: \_\_\_\_\_ feet / \_\_\_\_\_ square feet.

**Site Boundary**

13. For any eligible support structure, provide the maximum distance of proposed excavation or deployment, if any, beyond the existing site boundary: \_\_\_\_\_

**Concealment Elements**

14. Describe the concealment element(s), if any, of the existing structure. "Concealment element" means any part of the facility intended to make a structure look like something other than a wireless facility.
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15. Describe any proposed visual screening, including but not limited to, vegetative screening, that will be employed to conceal any proposed new ground equipment and/or cabinets, if applicable.
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**Conditions Associated with Siting Approval**

16. Provide the permit conditions, if any, on the existing facility relating to improving aesthetics or minimizing visual impacts.
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17. If the proposed modification will alter the previously permitted condition, please describe alternative considered to avoid or minimize such alterations and why these alternatives were not proposed.

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**PART 3: CERTIFICATION, AUTHORIZATION, and SIGNATURES**

As noted above, submission of this signed application is the requisite first procedural step under section 6409. Without the landowner signature(s), as required by 9 NYCRR 572.4(a)(1), the application is not considered filed and the shot clock for Agency review does not commence. For more information, see EFR Definitions and Requirements ([link](#)).

In the case of any corporation, limited liability corporation, partnership, trust, or other legal entity, all parties signing below affirm that they are authorized to act on behalf of the entity.

**I hereby affirm under penalty of perjury that the information provided in this application is true to the best of my knowledge and belief:**

Project sponsor (if project sponsor is a landowner, please sign in both locations):

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title/Company: \_\_\_\_\_

Authorized contact person (if different from landowner or project sponsor):

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title/Company: \_\_\_\_\_

All parties signing below agree to act as co-applicant for the permit application.

Landowner(s) of all lands that will be involved with this EFR:

\*\* If different from the name(s) on the current deed, please include an explanation and confirm that the signatories below are authorized to act as landowner \*\*

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If there is a previously signed "Authorization to Apply for Adirondack Park Agency Telecommunication Approval" form associated with this facility, please include it with this application. To complete the above-referenced Authorization form for future

projects related to this site, please see  
(<https://www.apa.ny.gov/Forms/TeleComAuthForm.pdf>).

Current owner of any tower, building, or structure on which co-location is proposed:

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

#### **PART 4: ATTACHMENTS**

**The following must be included as part of the application. All application submissions should be in PDF or similar format and be legible. Electronic copies of plans must be fully scalable. Any photographs and simulations must be of original digital quality (not scans). Your application will not be processed and eligibility as an eligible facility request cannot be determined without all the required attachments listed below.**

- A.** Project Narrative.
- B.** Scaled site plans for the existing structure including:
  - 1. Size of existing structure (height above ground level to top of tower and to top of antennas, dimensions of all components, including base and top dimensions);
  - 2. Type (e.g., self-supporting monopole, guyed tower, self-supported steel lattice, other);
  - 3. Materials; and
  - 4. Color.
- C.** Scaled site plans and elevations for proposed structure including:
  - 1. Size of proposed structure (height above ground level to top of tower and to top of antennas, dimensions of all components, including base and top dimensions);
  - 2. Type (e.g., self-supporting monopole, guyed tower, self-supported steel lattice, other),
  - 3. Materials; and
  - 4. Color.
- D.** Scaled plans, elevation, details, and schedule of existing and proposed antennas/appurtenances including:
  - 1. Dimensions of all components;
  - 2. Type (e.g., dish, whip, panel etc.);
  - 3. Supports (e.g., cross arms, guy wires, and antenna mounts);
  - 4. Equipment shelter (size, height, and color).
  - 5. Size (e.g., height, diameter); and
  - 6. Color.
- E.** Scaled site plans, notes, and details for proposed plantings for any new ground-mounted equipment, cabinets, cable trays, etc., if applicable. Erosion & sediment controls for any ground disturbance proposed within the facility area, if applicable, should also be depicted.
- F.** For facilities permitted with concealment elements or upon conditions relating to improving the aesthetics, or minimizing the visual impacts of the existing facility, please provide the following:
  - 1. Photos of the existing facility; and



2. Visual simulations of the proposed modification(s).

**G.** A complete copy of the current recorded deed(s) (not just abstracts) for the project site.

**H.** Description of required permits and other necessary approvals from local, state, or federal agencies. **Absent prior Agency approval of the existing tower or base station**, provide permits, permit applications, agency contact information, and other correspondence if applicable, including any documentation from the New York State Historic Preservation Office (SHPO) confirming that the project will have no adverse impact to historic resources.

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