


THIS IS A TWO-SIDED DOCUMENT

 <p>Adirondack Park Agency</p> <p>P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov</p>	<p>APA Permit 2022-0247</p>
<p>In the Matter of the Application of</p> <p>CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS and CHRISTOPHER J. MAY Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: May 25, 2023</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <ol style="list-style-type: none">1. Cellco Partnership d/b/a Verizon Wireless2. Christopher J. May

SUMMARY AND AUTHORIZATION

This permit authorizes a new telecommunications tower and equipment compound, an access road, and a subdivision by lease in an area classified Low Intensity Use and Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Chester, Warren County.

This authorization shall expire unless recorded in the Warren County Clerk's Office within 60 days of issuance of a signed and notarized permit. The signed and notarized permit 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 permit is recorded in the Warren County Clerk's Office. The Agency will consider the project in existence when the telecommunications tower authorized herein 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 permittee, successors, and assigns to civil penalties and other legal proceedings.

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.

Nothing contained in this permit 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 21.12-acre parcel of land located on Van Guilder Road in the Town of Chester, Warren County, in an area classified Low Intensity Use and Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 85.12, Block 1, Parcel 1.12 and is described in the following deeds:

- A deed from Gilbert G. Van Guilder to Christopher J. May a/k/a Christopher Joseph May, dated November 2, 2000 and recorded January 17, 2001 in the Warren County Clerk's Office Book 1200, Page 135; and
- A deed from Clara Van Guilder, surviving tenant by entirety with Ray Van Guilder, to Christopher Joseph May, dated January 11, 1992, and recorded January 16, 1992 in the Warren County Clerk's Office at Book 843, Page 254.

Wetlands not described herein or depicted on the Site Plan may be located on or adjacent to the project site.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a subdivision by lease to create a parcel 100 feet by 100 feet in size and construction of a new telecommunications tower. The tower will be 90 feet in height, with an additional 5-foot-tall lighting rod and will be located 1014± feet east of Van Guilder Road. The top of the tower will be concealed as a simulated pine tree, for a total height of 100 feet to the top of the concealment branching. Six 8-foot-tall panel antennas will be installed on the tower at a centerline mounting height of 86 feet above ground level, along with three combination Antenna/Remote Radio Heads (RRHs), six RRHs, and one Overvoltage Protection Unit. No antennas will extend beyond the height of the tower.

The tower will be located within a 50-foot by 50-foot fenced-in equipment compound that will also contain a battery cabinet, equipment cabinet, and a backup generator. Access to the facility will involve the construction of a 990±-foot-long gravel access road to accommodate construction and service vehicles. Underground utilities will be located along the access road and within a 30-foot-wide access and utility easement.

The lease parcel falls within two land use areas as depicted on the Adirondack Park Land Use and Development Plan Map. The 400± square feet of the easternmost corner of the lease area fall within the Moderate Intensity Use land use area. The remainder of the lease and driveway easement areas fall within the Low Intensity Use land use area.

The project is shown on the following plans, and reports (Project Plans):

- A 13-sheet set of plans titled "Cellco Partnership d/b/a Verizon, Site Name: Loon Lk, Re Project Number: 20192091017, Location Code: 603558," prepared by Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C., and last dated December 27, 2022 (Site Plan), and
- A 74-page report titled "Visual Resource Evaluation, Proposed 90' Tall Telecommunications Structure, Loon Lake, 80 Vanguilder Road, Town of Chester, Warren County, New York 12817," prepared by Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C., and dated September 26, 2022 (Visual Resource Evaluation).

A reduced-scale copy of sheet C-1 (Overall Site Plan), sheet C-3 (Site Detail Plan), and sheet C-4 (Elevation, Orientation Plan, & RF Info) of the Site Plan for the project is attached as a part of this permit for easy reference.

AGENCY JURISDICTION

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to the construction of any structure in excess of 40 feet in height and the establishment of a major public utility use on Low Intensity Use lands in the Adirondack Park.

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to any subdivision of Low Intensity Use lands, including subdivision by lease, that results in the creation of a non-shoreline lot smaller than 2.75 acres in size in the Adirondack Park.

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to any subdivision of Moderate Intensity Use lands, including subdivision by lease, that results in the creation of a non-shoreline lot smaller than 0.92 acres in size in the Adirondack Park.

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to any subdivision that results in the creation of 10 or more lots, parcels, or sites since May 22, 1973, in a Low Intensity Use land use area in the Adirondack Park.

CONDITIONS

THE PROJECT IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. The project shall not be undertaken until this permit has been recorded in the Warren County Clerk's Office.
2. This permit is binding on the permittee, all present and future owners or lessees of the project site, and all persons undertaking all or a portion of the project, for as long as the telecommunications tower remains on the site. Copies of this permit and Project Plans shall be furnished by the permittee to all subsequent owners or lessees of the project site prior to sale or lease, and by the permittee and/or any subsequent owner or lessee 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 2022-0247, issued May 25, 2023, the conditions

of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees.”

Subdivision and Construction

5. Subject to the conditions stated herein, this permit authorizes a subdivision by lease and the construction of an access road, telecommunications tower, antennas, and equipment compound in the location shown and as depicted on the Project Plans referenced herein. The tower shall not exceed 100 feet in height, including all portions of the simulated tree, and the antennas shall be located on the tower as shown on the plans referenced herein, with the top of the antennas no higher than 90 feet above ground level (centerline elevation of 86 feet above ground level).

Any change to the location, dimensions, or other aspect of the development authorized herein, including the construction of any new tower or the addition to the authorized tower of any new antenna or other equipment, shall require prior written Agency authorization. Any other new land use or development on the 100-foot by 100-foot leased parcel shall require prior written Agency authorization. Maintenance and/or “in-kind” replacement of the tower, antennas, simulated branching, equipment cabinets/pads and other appurtenant facilities authorized herein is allowed without a new or amended permit.

Concealment

6. The simulated tree portion of the tower shall mimic the branching structure, needle pattern, and coloration of a mature, fully-formed eastern white pine tree, as depicted in Visual Resource Evaluation.
7. In the event that any simulated branches break or fall off, they shall be repaired or replaced within eight months to restore the substantial invisibility of the simulated tree in this location. Photos of the repair or replacement shall be provided to the Agency within two weeks of completion.

Structure Color

8. Except for the portion that will be concealed as a simulated tree, the authorized tower and antennas shall be painted dark charcoal grey or black with a non-reflective flat or matte finish, or the tower may be clad in artificial bark designed to mimic a mature eastern white pine tree.

Lighting

9. Installation of any lighting on the tower authorized herein shall require prior written Agency authorization. Any other exterior lights on the 100-foot by 100-foot leased parcel shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Van Guilder Road, Loon Lake, or adjoining property.

Signs

10. 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].

Vegetation

11. Within 200 feet of the tower authorized herein, no existing trees greater than 8 inches diameter at breast height shall be cut, culled, trimmed, pruned, or otherwise removed on the project site without prior written Agency authorization, except for a) as depicted on the Site Plan and b) dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.

Within 30 days of removal or loss of any trees 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.

Wetlands

12. The undertaking of any activity involving wetlands shall require a new or amended permit.

Invasive Species Prevention

13. 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. All construction equipment and vehicles operating in areas that may contain existing invasive species shall be thoroughly cleaned prior to moving to other areas.

Stormwater Management/Erosion Control

14. The project shall be undertaken in compliance with the Site Plan.

Documentation of Construction

15. The Agency shall be provided with color photographs showing the completed tower, antennas, and equipment compound within 30 days of project completion. Photographs shall be taken at the project site and from the following viewpoints using the same lens equivalents for which photo-simulations were provided in the Visual Resource Evaluation: Lake Location 1, Lake Location 4, Lake Location 6, and Location 13 (Jones Road), and Location 15 (Stewart Mountain summit). At the tower site, photographs showing the entire completed project shall be provided. All photographs shall 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.

Discontinuance of Use

- 16. The tower shall be removed from the project site within two years of discontinuance of use for telecommunications purposes. Antennas shall be removed from the tower within one year of discontinuance of use for telecommunications purposes.

Blasting

- 17. Prior to any blasting on the project site related to construction of the tower, access drive, or equipment compound, a blasting plan shall be submitted to the Agency for review and written authorization.

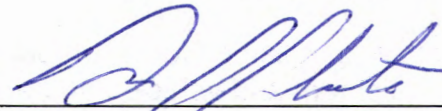
CONCLUSIONS OF LAW

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 meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Chester; and
- b. 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.

PERMIT issued this 25th day
of May, 2023.

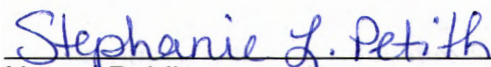
ADIRONDACK PARK AGENCY

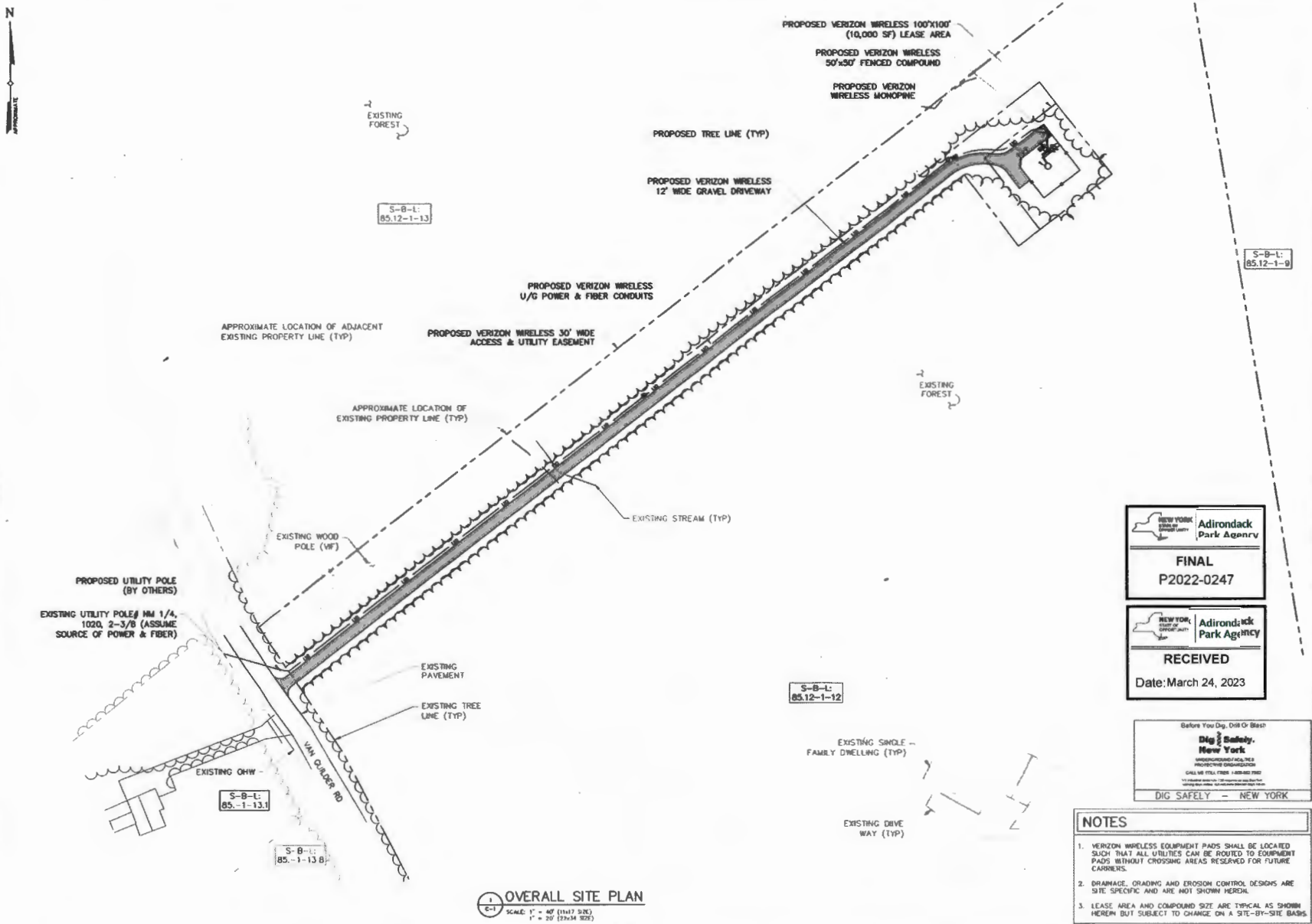
BY: 
David J. Plante, ACIP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 25th day of May in the year 2023, 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.

Stephanie L. Petith
Notary Public, State of New York
Reg. No 01PE6279890
Qualified in Franklin County
Commission Expires April 15, 2025


Notary Public



OVERALL SITE PLAN
 SCALE: 1" = 40' (1:1600)
 1" = 20' (1:8000)

NEW YORK STATE
 Adirondack Park Agency

FINAL
 P2022-0247

NEW YORK STATE
 Adirondack Park Agency

RECEIVED
 Date: March 24, 2023

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- NOTES**
1. VERIZON WIRELESS EQUIPMENT PADS SHALL BE LOCATED SUCH THAT ALL UTILITIES CAN BE ROUTED TO EQUIPMENT PADS WITHOUT CROSSING AREAS RESERVED FOR FUTURE CARRIERS.
 2. DRAINAGE, GRADING AND EROSION CONTROL DESIGNS ARE SITE SPECIFIC AND ARE NOT SHOWN HEREIN.
 3. LEASE AREA AND COMPOUND SIZE ARE TYPICAL AS SHOWN HEREIN BUT SUBJECT TO CHANGE ON A SITE-BY-SITE BASIS.

verizon

1275 JOHN STREET, SUITE 100
 WEST HENRIETTA, NY 14588

Tectonic

1000...
 1275 JOHN STREET, SUITE 100
 WEST HENRIETTA, NY 14588

WORK ORDER NUMBER: 10781070

ISSUED BY: MD

ID	DATE	ISSUE
1	6/3/22	FOR COMMENT
2	6/17/22	FOR ZONING
3	12/21/22	MONOPINE TOWER

RELEASED BY: DATE:



UNPROTECTED FACILES FOR RECORDING TO A PLAN BEARING THE SEAL OF A LICENSED ENGINEER OR LAND SURVEYOR IS A VIOLATION OF SECTION 1305 SUBSECTION 2 OF THE NEW YORK STATE EDUCATION LAW.

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DISPOSABLE SIZE IN INCHES

SITE INFORMATION

LOON LK
 RE PN: 20192091017
 LC: 603558

SITE ADDRESS

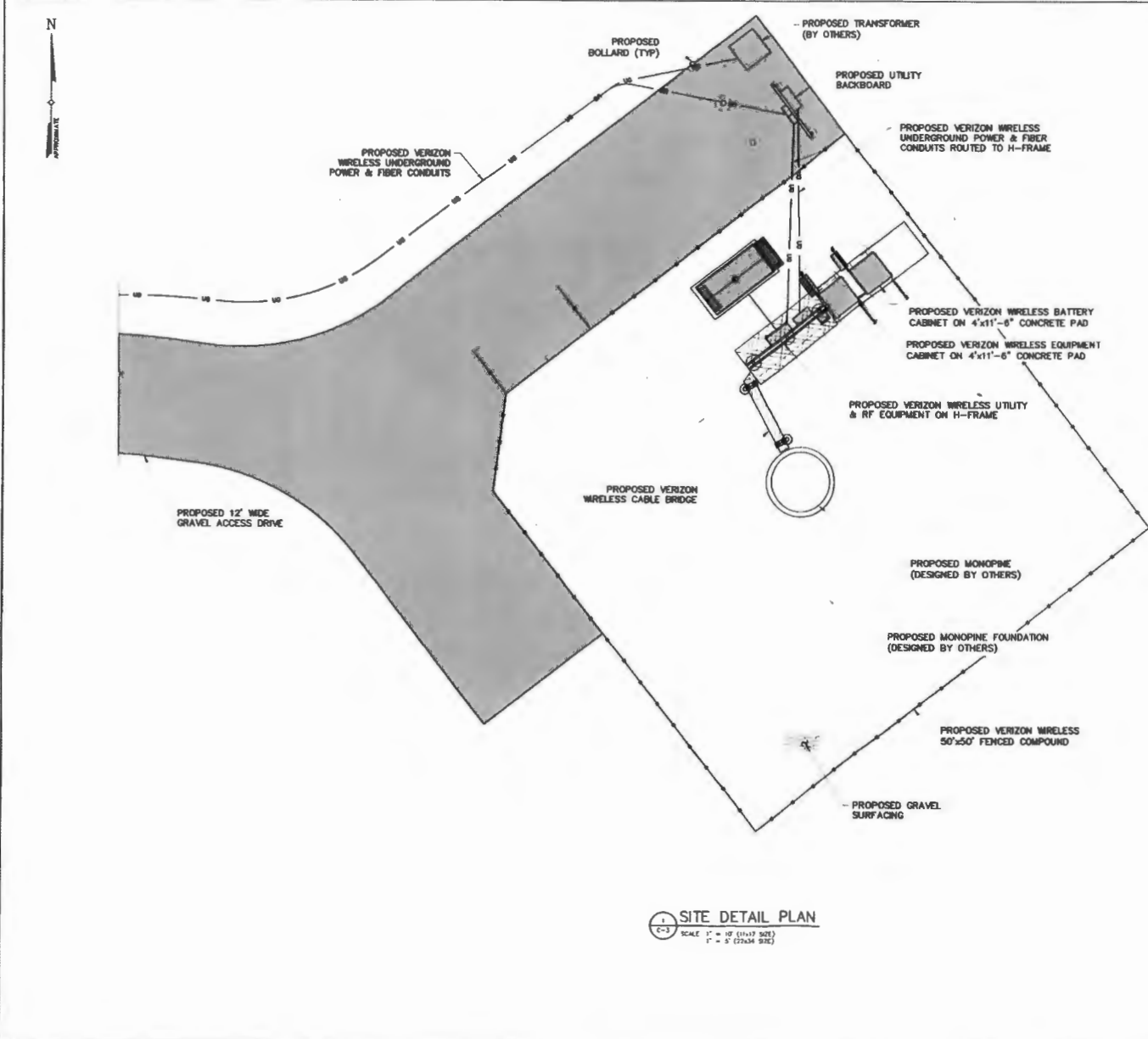
80 VANGUILDER RD
 TOWN OF CHESTER
 WARREN COUNTY
 NY 12817

SHEET TITLE

OVERALL SITE PLAN

SHEET NUMBER

C-1



SITE DETAIL PLAN
 SCALE 1" = 10' (11x17 SIZE)
 1" = 5' (24x36 SIZE)

NEW YORK STATE OF CONSTRUCTION
 Adirondack Park Agency

RECEIVED
 Date: March 24, 2023

NEW YORK STATE OF CONSTRUCTION
 Adirondack Park Agency

FINAL
 P2022-0247

verizon

1275 JOHN STREET, SUITE 100
 WEST HEWLETTS, NY 14586

Tectonic

Public Safety Systems, Signals & Loud Speakers, LLC
 2000 Highway 202
 4000 Highway 202
 4000 Highway 202
 4000 Highway 202

WORK ORDER NUMBER: 10701.070 DRAWN BY: MQ

NO.	DATE	ISSUE
0	6/3/22	FOR COMMENT
1	8/17/22	FOR ZONING
2	12/27/22	MONOPINE TOWER

RELEASED BY: DATE:



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ORIGINAL SIZE IN INCHES
SITE INFORMATION
 LOON LK
 RE PN: 20192091017
 LC: 603558

SITE ADDRESS
 80 VANGULDER RD
 TOWN OF CHESTER
 WARREN COUNTY
 NY 12817

SHEET TITLE
 SITE DETAIL PLAN

SHEET NUMBER
 C-3

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NEW YORK STATE OF ADIRONDACK
Adirondack Park Agency

RECEIVED
 Date: March 24, 2023

NEW YORK STATE OF ADIRONDACK
Adirondack Park Agency

FINAL
 P2022-0247

NOTE:
 THE PROPOSED ANTENNAS, MOUNTS, AND RELATED EQUIPMENT SHALL BE PAINTED APA THUNDER GRAY. C-BAND ANTENNA CANNOT BE PAINTED. CONTRACTOR TO ORDER COLOR MATCHING TOWER.

verizon
 1275 JOHN STREET, SUITE 100
 WEST HENRIETTA, NY 14585

Tectonic
 2600 ROUTE 28
 LITTLETON, CO 80120
 PHONE: (303) 948-1234
 FAX: (303) 948-1234
 WWW.TECTONICENGINEERING.COM

WORK ORDER NUMBER: 10751.070

NO.	DATE	ISSUE
0	4/3/22	FOR COMMENT
1	4/17/22	FOR ZONING
2	12/27/22	MONOPINE TOWER

RELEASED BY: _____ DATE: _____



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ORIGINAL SIZE IN INCHES
 SITE INFORMATION

LOON LK
 RE PN: 20192091017
 LC: 603558

SITE ADDRESS
 80 VANGULDER RD
 TOWN OF CHESTER
 WARREN COUNTY
 NY 12817

SHEET TITLE
 ELEVATION, ORIENTATION
 PLAN, & RF INFO

SHEET NUMBER

C-4

