


THIS IS A TWO-SIDED DOCUMENT

 <p>NEW YORK STATE OF OPPORTUNITY.</p> <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 2023-0099</p>
<p>In the Matter of the Application of</p> <p>SYRACUSE UNIVERSITY and THE STATE UNIVERSITY OF NEW YORK COLLEGE OF ENVIRONMENTAL SCIENCE AND FORESTRY Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act and 9 NYCRR Part 578</p>	<p>Date Issued: October 24, 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. Syracuse University2. The State University of New York College of Environmental Science and Forestry

SUMMARY AND AUTHORIZATION

This permit authorizes installation of two research towers involving wetlands in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Newcomb, Essex County.

This authorization shall expire unless recorded in the Essex 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 Essex County Clerk's Office. The Agency will consider the project in existence when either of the towers authorized herein has been installed.

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 15,000±-acre project site known as "Huntington Forest" is located on both the north and south sides of New York State Route 28N in the Town of Newcomb, Essex County, and the Town of Long Lake, Hamilton County, just west of the settled center of the Town of Newcomb. Most of the 15,000±-acre site is located north of Route 28N, including Catlin Lake, Arbutus Lake, Wolf Pond, the Adjidaumo Flow, and Rich Lake. Most of the site is in the Town of Newcomb, with a portion in the northwest corner in the Town of Long Lake. The site is located within an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. It is identified on Town of Newcomb Tax Map as Section 109, Block 1 as Parcel 1 and Town of Long Lake Tax Map as Section 20, Block 1, as Parcel 5.

The owner of record for the project site is Syracuse University, an educational corporation existing and organized under the laws of the State of New York. Syracuse University holds the project site in trust for the State University of New York College of Environmental Science and Forestry. The project site is described in a deed to Syracuse University from Archer Milton Huntington and Anna Hyatt Huntington dated July 30, 1932 and recorded at the Essex County Clerk's Office on August 29, 1932 in Liber 203 of Deeds at Page 493.

The research towers authorized herein will be located within the Adjidaumo Flow, approximately 1.6 miles north of State Route 28N in the Town of Newcomb. The project site contains over 20 acres of wetland within the mean high water mark of the Adjidaumo Flow that have a variety of covertypes and a value rating of "1" pursuant to 9 NYCRR Part 578. Additional wetlands not described herein may be located on or adjacent to the project site.

PROJECT DESCRIPTION

The project as conditionally approved herein involves installation of two research towers involving wetlands, one to hold instrumentation and one to hold solar power equipment, for the purpose of monitoring the climatological role of wetlands. Each guyed triangular lattice tower will be 10 feet tall, with some instrumentation extending beyond the top of the tower to a maximum of 12 feet, and occupy an approximately 4-square-foot footprint in the wetland. A tower-mounted tank will contain biodegradable soap for automated cleaning of the tower-mounted instrumentation, in an amount not to exceed 0.5 liter of soap per month. Some small sensors will be deployed in the wetland sediment to measure temperature, water pressure, dissolved oxygen. The boat used to access and service the equipment will be stored on land outside of the wetland.

Existing access to the project site is along a network of existing dirt roads from State Route 28N.

The two research towers will temporarily occupy a maximum area of 8 square feet, in total, within the wetland boundary.

The project is shown on the following maps, plans, and reports:

- An air photo with location labels for the Adjidaumo Flow, proposed towers, and a dirt road, received by the Agency on June 16, 2023 (Location Map). This Location Map supersedes and replaces similar location maps contained in Attachment L, referenced below;
- two pages of graph paper with drawings labeled Measurement Tower Top View, Measurement Tower Side View, Solar Array Tower Top View, and Solar Array Tower Side View, received by the Agency on May 26, 2023 (Tower Plans); and
- a project narrative labeled "Attachment L" and received by the Agency with the application on May 26, 2023 (Attachment L).

A reduced-scale copy of the Location Map and Tower Plans for the project is attached as a part of this permit for reference.

AGENCY JURISDICTION

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act and Adirondack Park Agency regulations at 9 NYCRR Part 578, a permit is required from the Adirondack Park Agency prior to erecting any structures or any pollution within the boundaries of a wetland 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 Essex 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 research towers remain on the site. Copies of this permit and the Location Map and Tower 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 2023-0099, issued October 24, 2023, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."

5. This permit authorizes the construction and installation of two research towers in the location shown on the Location Map, as depicted on the Tower Plans, and as described in Attachment L of the application for this permit. Any change to the location, dimensions, or other aspect of the research towers shall require prior written Agency authorization.
6. Construction and installation of the research towers shall occur in a manner that minimizes disturbance to the wetland and wetland sediments, as described in the Attachment L of the permit application received by the Agency on May 26, 2023.
7. No boat shall be moored in wetlands as part of this project.
8. No more than 0.5 liter of biodegradable soap may be discharged into the wetland in any month.
9. 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.
10. Any new free-standing or tower-mounted outdoor lights associated with the research towers authorized herein shall require prior Agency authorization.
11. The undertaking of any activity involving wetlands not authorized herein shall require a new or amended permit.
12. The authorized research towers and any related equipment shall be removed from the wetland within one year following completion of data collection.

CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval set forth in the Adirondack Park Agency Act, the Freshwater Wetlands Act and 9 NYCRR Part 578, 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 Newcomb;
- 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; and
- c. will, although economic, social and other benefits to be derived from the activity proposed compel a departure from the guidelines of 9 NYCRR Part 578.10(a)(1), secure the natural benefits of wetlands associated with the project, consistent with the general welfare and beneficial economic, social, and agricultural development of the state.

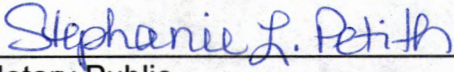
PERMIT issued this 24th day
of October, 2023.

ADIRONDACK PARK AGENCY
BY: 
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 24th day of October 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



The
Adjidaamo
Flow

43°59'37" N
74°13' 30" W
Elevation 508m ASL


Dirt road

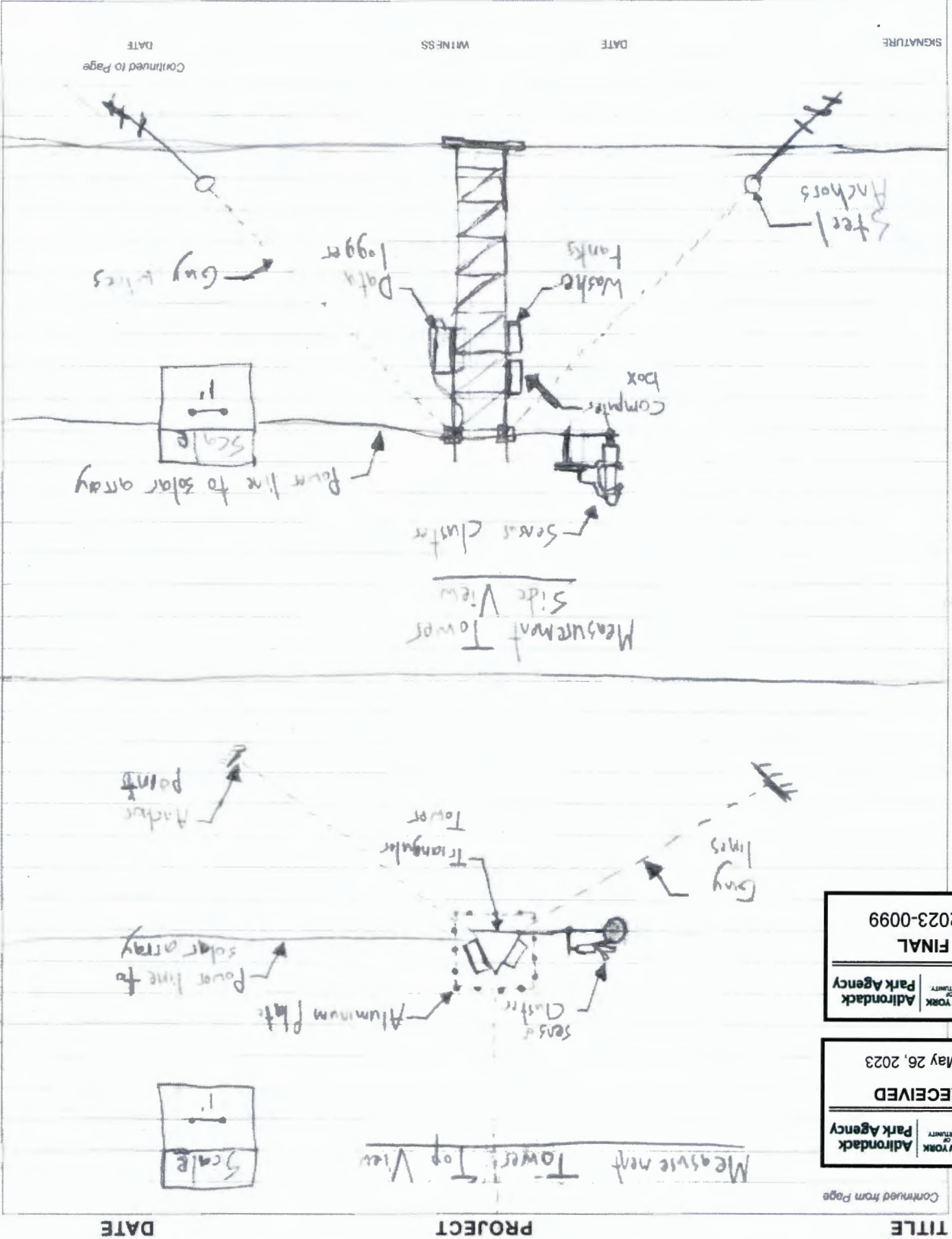
Proposed solar
array tower location
Proposed sensor
tower location

30m



 Adirondack
Park Agency
RECEIVED
Date: June 16, 2023

 Adirondack
Park Agency
FINAL
P2023-0099



SIGNATURE

DATE

WITNESS

DATE

Continued to Page

35

30

25

20

15

Measurement Tower Side View

Measurement Tower Top View

P2023-0099

FINAL



Date: May 26, 2023

RECEIVED



Continued from Page

TITLE

PROJECT

DATE

BOOK

PAGE

5

TITLE

PROJECT

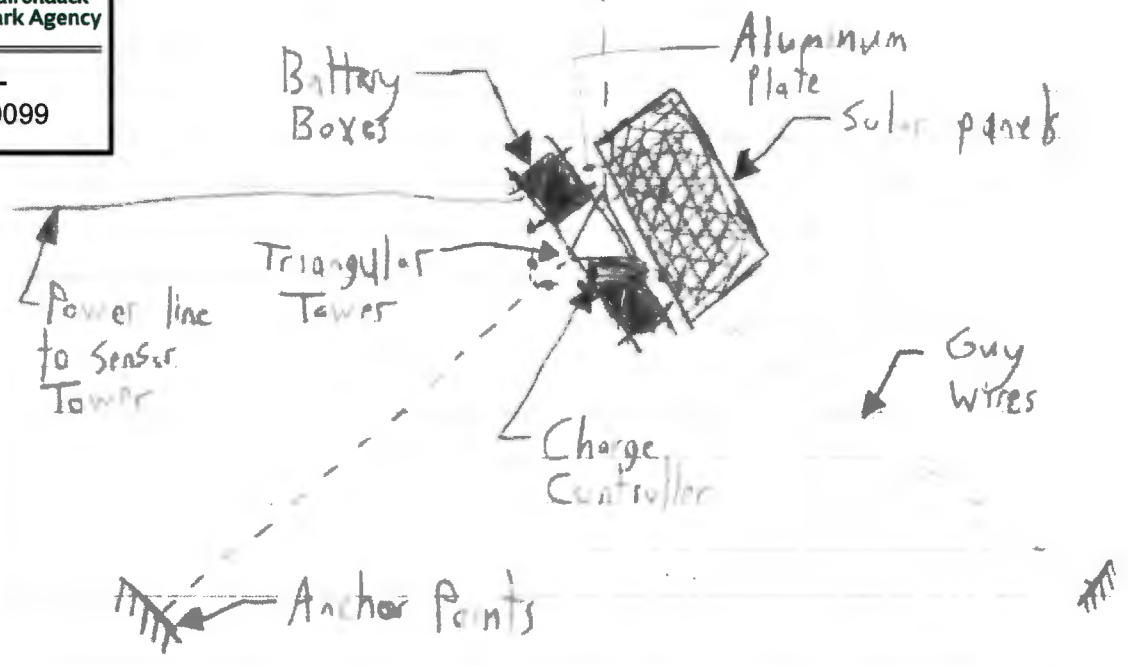
DATE

Continued from Page

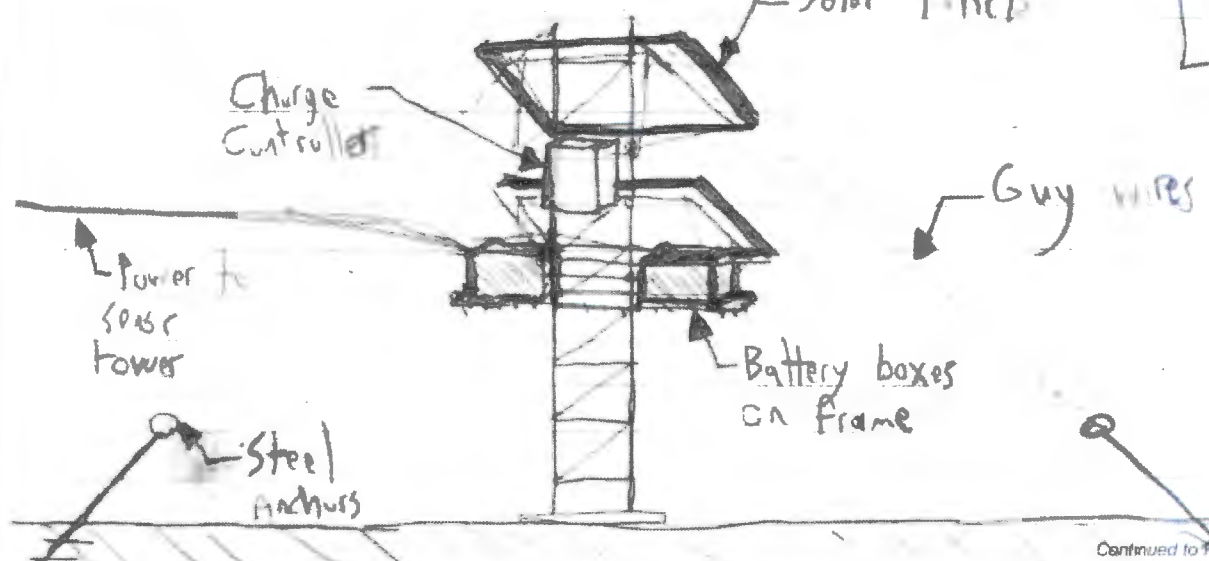
NEW YORK STATE OF OPPORTUNITY
Adirondack Park Agency
RECEIVED
 Date: May 26, 2023

NEW YORK STATE OF OPPORTUNITY
Adirondack Park Agency
FINAL
 P2023-0099

Solar Array Tower
Top View



Solar Array Tower Side View



SIGNATURE

DATE

WITNESS

DATE

Continued to Page