


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 2023-0160</p>
<p>In the Matter of the Application of</p> <p>WARREN COUNTY, THE TOWN OF BOLTON, and THE TOWN OF BOLTON FIRE DISTRICT Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: August 22, 2024</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. Warren County2. The Town of Bolton3. The Town of Bolton Fire District

SUMMARY AND AUTHORIZATION

This permit authorizes a new emergency services communications tower in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Bolton, 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 County Clerk's Office. The Agency will consider the project in existence when the 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 39.78±-acre parcel of land located on Finkle Road in the Town of Bolton, Warren County, in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 156, Block 1, Parcel 35, and is described in a deed from The Town of Bolton to The Town of Bolton and The Bolton Fire District, dated June 26, 2002, and recorded June 28, 2002 in the Warren County Clerk's Office at Book 1274, Page 14.

PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of a new emergency services communications tower. The tower will be a steel, triangular lattice structure 60 feet in height and will be located approximately 100 feet north of Finkle Road. The tower will be constructed on a 4-inch-thick cement pad foundation and a 21-foot 8-inch tall omni-broadband antenna will extend from the top of the tower, for an overall structure height of 81 feet 8 inches above ground level.

An equipment shelter associated with the proposed tower will be constructed immediately adjacent to the tower and the Town of Bolton garage. Access to the facility will utilize the existing driveway and parking area which serves the town garage.

The project is shown on the following two plan sheets (Project Plans):

- "Finkle Road, Bolton NY Radio Tower Project, Preliminary Elevations," prepared by Mark A. Neale, Warren County Sherriff, dated September 16, 2022, and received by the Agency on September 22, 2022 (Elevation Plan); and
- "Site Plan," prepared by Mark Neale, Warren County Sherriff, dated September 19, 2022, and received by the Agency on September 22, 2022 (Site Plan).

Reduced-scale copies of the Project Plans are attached as a part of this permit for 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.

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 a major public utility use on Low Intensity Use lands 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 emergency services communications tower remains on the site. Copies of this permit and the 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 2023-0160, issued August 22, 2024, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."

Construction

5. Subject to the conditions stated herein, this permit authorizes the construction of an emergency services communications tower and equipment shelter in the location shown and as depicted on the Project Plans. The tower shall not exceed 60 feet in height and the antennas shall be located on the tower as shown on the plans referenced herein, with the top of the antenna no higher than 81 feet, 8 inches 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.

Structure Color

6. The authorized tower and antennas shall be a grey color with a non-reflective flat or matte finish. The equipment shelter shall match the color of the adjacent town garage.

Lighting

7. Installation of any lighting on the tower authorized herein shall require prior written Agency authorization. Any other exterior lights associated with the project shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Finkle Road.

Signs

8. 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

9. On the project site and within 200 feet of the tower, no existing trees shall be cut, culled, trimmed, pruned, or otherwise removed without prior written Agency authorization, 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.

Wetlands

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

Invasive Species Prevention

11. 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.

Documentation of Construction

13. The Agency shall be provided with color photographs showing the completed tower, antenna, and equipment shelter within 30 days of project completion. Photographs shall be taken at the project site, along Finkle Road adjacent to the town garage, and at the intersection of Finkle Road and Water Plant Road. 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

14. The tower shall be removed from the project site within two years of discontinuance of use for emergency services communications purposes. Antennas shall be removed from the tower within one year of discontinuance of use for emergency services communications purposes.

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 Bolton; 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 22nd day
of August, 2024.

ADIRONDACK PARK AGENCY

BY: 

David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

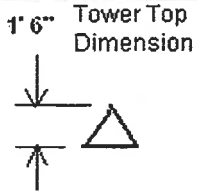
STATE OF NEW YORK
COUNTY OF ESSEX

On the 22nd day of August in the year 2024, 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

Finkle Road, Bolton NY
 Radio Tower Project
 Preliminary Elevations
 Not to Scale
 Mark A Neale
 Warren County Sheriff
 9/16/2022



Rohn TT1 Bracket

Receive Antenna
 Andrew / Decibel DB224A
 21' 4" overall length

81' 8"
 Above ground level

Rohn SS060R90
 Tower

Note:
 Tower is larger than
 scale to show
 dimensions and details

60' 0" Tower
 Height

60' 4" AGL

Transmit Antenna
 Andrew / Decibel DB224A
 21' 4" overall length

GPS
 Antenna

Cable Bridge

Equipment Building
 8' x 10' x 9'

15'

20'

Cement Pad Foundation
 9'X9'
 4' depth
 4" above grade

2' 6" Tower Base
 Dimensions

SITE PLAN

Sketch Created By:

Mark Neale

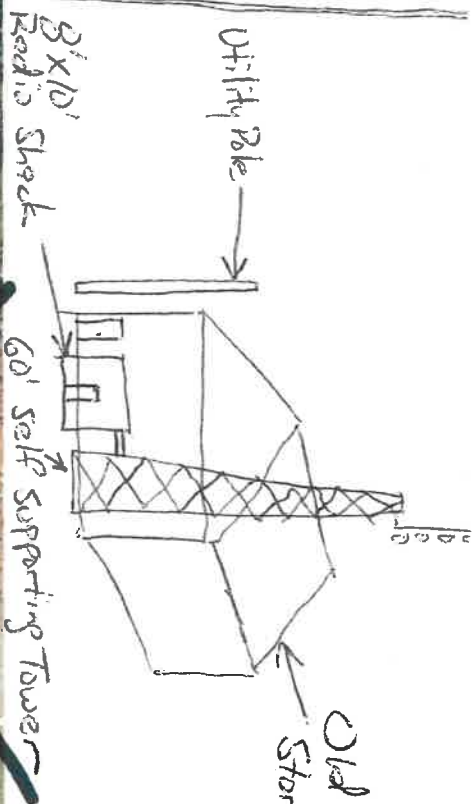
Warren County Sheriff

9/19/22

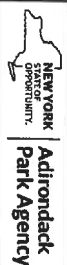
87 Finkle Rd, Bolton NY 12814

156.000 - 1 - 35 Tax ID

43.656658 2.2 - 73.130590558



Old DPW Garage and Storage Building

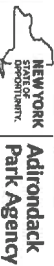


RECEIVED

Date: September 22, 2022

Google Earth

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FINAL

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