


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 2023-0172</p>
	<p>Date Issued: April 16, 2024</p>
<p>In the Matter of the Application of</p> <p>WARREN COUNTY & CHESTERTOWN FIRE DISTRICT Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</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. Chestertown Fire District

SUMMARY AND AUTHORIZATION

This permit authorizes a new emergency services communications tower in an area classified Hamlet 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 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 30.95±-acre parcel of land located on NYS Route 8 in the Town of Chester, Warren County, in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 87, Block 1, Parcel 21, and is described in a deed from Michael A. Wales, Executor of the Last Will & Testament of Arthur P. Wales, to the Chestertown Fire District, dated September 7, 1999, and recorded September 10, 1999 in the Warren County Clerk's Office at Book 1132, Page 50.

The project site contains wetlands south of the tower location. Additional 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 construction of a new emergency services communications tower. The tower will be a steel lattice structure 60 feet in height and will be located approximately 250 feet from NYS Route 8. A 21-foot, 8-inch lightning rod antenna will extend from the top of the tower.

A storage shed associated with tower operations will be constructed adjacent to the tower. Access to the facility will utilize the existing fire department driveway and parking area.

The project is shown on the following Project Plans:

- "Chester Site Plan," prepared by the Warren County Department of Public Works and dated last revised October 10, 2023 (Site Plan); and
- "Warren County Sheriff Communications Tower," prepared by Mark A. Neale and dated November 7, 2023 (Elevation Plans).

Reduced-scale copies of the Project Plans are attached as a part of this permit for 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 on Hamlet 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 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 2023-0172, issued April 16, 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 storage shed 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 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.

Structure Color

6. The authorized tower and antennas shall be painted dark charcoal grey or black with a non-reflective flat or matte finish. The storage building shall be painted a dark color of green, gray, or brown.

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 NYS Route 8.

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. The cutting of trees within 200 feet of the tower shall be prohibited, 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.

Stormwater Management/Erosion Control

12. The project shall be undertaken in compliance with the Project Plans.

Documentation of Construction

13. The Agency shall be provided with color photographs showing the completed tower, antenna, and storage shed within 30 days of project completion. 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

14. 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.

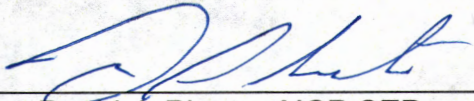
CONCLUSIONS OF LAW

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 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 16th day of April, 2024.

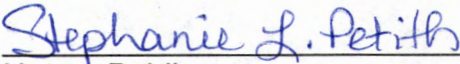
ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 16th day of April 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



LOCATION MAP
N.T.S.

87 -1-21
TOWN OF CHESTER
31 ACRES
ADDRESS
Chester Fire Station
5885 State Route 8
Chester town, NY 12817

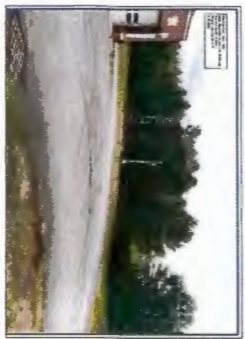


PHOTO A



PHOTO B



PHOTO C



PHOTO D

Adirondack Park Agency
RECEIVED
Date: November 8, 2023

Adirondack Park Agency
FINAL
P2023-0172

NO	DATE	BY	REVISION
1	10-10-23	TMB	SB fence required APA



WARREN COUNTY DEPARTMENT OF PUBLIC WORKS
WARREN COUNTY SHERIFF'S DEPARTMENT
COMMUNICATIONS TOWER
TOWN OF CHESTER
WARREN COUNTY, NEW YORK

CHESTER
Site Plan
SCALE: AS SHOWN
DATE ISSUED: 2023
DWG: FIG 1

NEW YORK STATE OF OPPORTUNITY
Adirondack Park Agency
RECEIVED
Date: November 8, 2023

NEW YORK STATE OF OPPORTUNITY
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P2023-0172

81' 8" AGL



Tx Antennas
Decibel DB 224

scale: → 8' ←

Warren County Sheriff
Communications Tower
Side View
Chester town NY 12817
5885 State Rt 8
Prepared 11/7/2023
Mark A Neale

60' AGL



42' 4" AGL



Rx Antenna
Decibel DB 224

Building Set on 10'x12'x4" Slab

GPS Antenna

Tower Set on 9'x9'x5' Slab

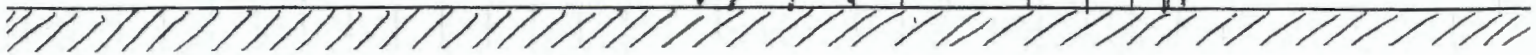
Equipment Building
8'x10'x8'

Cable Bridge

Utility Pole
≈ 34'

Bury Utilities
Between Pole
and building

Utility
meter
Panel



81'8" ↓
AGL

Tx Antennas
Decibel DB224

Scale: → 8' ←

60' ↓
AGL

16" ↓
16" →
Tower Top
(Not to scale.)

Warren County Sheriff
Communications Tower
Front View (From Road)
Chestertown NY 12817
5885 State Rt 8
Prepared 11/7/2023
Mark A Nesle

42'4" ↓
AGL

Rx Antenna
Decibel DB224

Tower Base →
(Not to scale) 2'6" ↓
2'6" →

Utility/
Power Pole 34'

Equipment Building
8' x 10' x 8'

Power Meter
Panel

scale → 8' ←

