THIS IS A TWO-SIDED DOCUMENT



P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov APA Permit **2024-0056**

Date Issued: April 16, 2024

In the Matter of the Application of

NATIONAL GRID Permittee

for a permit pursuant to § 809 of the Adirondack Park Agency Act

To the County Clerk: Please index this permit in the grantor index under the following names:

1. National Grid

SUMMARY AND AUTHORIZATION

This permit authorizes a utility pole structure greater than 40 feet in height in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Fort Ann, Washington County.

This authorization shall expire unless recorded in the Washington 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 Washington County Clerk's Office. The Agency will consider the project in existence when the authorized utility pole 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 project site is located within an existing transportation and utility right-of-way located on Echo Bay Lane located in the Town of Fort Ann, Washington County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map.

PROJECT DESCRIPTION

The project as conditionally approved herein involves the installation of one new midspan utility pole along an existing electricity distribution line within the Echo Bay Lane transportation and utility right-of-way. The pole will be 38.5 feet above grade with an additional pole-top antenna for National Grid communication equipment for an overall height of 43.25 feet above grade.

The project is shown on the following Project Plans:

- A plan sheet titled "National Grid USA 35-23-30831396-1-10," labeled "National Grid (Figure 2) Construction Sketches," prepared by Sean Robinson, National Grid, and dated December 27, 2023 (Site Plan); and
- A two-page plan titled "Overhead Construction Standard," labeled "National Grid (Figure 3) Pole Cross Section,' and "National Grid (Figure 4) Pole top Equipment," prepared by National Grid, and received by the Agency on February 8, 2024 (Overhead Construction Standard).

A reduced scale copy of the Site Plan is attached to 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 Moderate Intensity Use lands in the Adirondack Park

CONDITIONS

THE PROJECT IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

- The project shall not be undertaken until this permit has been recorded in the Washington 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 authorized structure 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. This permit authorizes the installation of Structure 29.A in the location shown and as depicted and described in the Project Plans. Any changes to the location, dimensions, or other aspect of the authorized structure shall require prior Agency authorization.
- 5. 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.
- Any lighting associated with the authorized structure shall require prior written Agency 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 be consistent with the land use and development plan;
- b. will be compatible with the character description and purposes, policies, and objectives of the Moderate Intensity Use land use area;
- c. will be consistent with the overall intensity guidelines for the Moderate Intensity land use area;
- d. will comply with the shoreline restrictions of § 806 of the Adirondack Park Agency Act; and
- e. 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 Koday 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 loday 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, 20

Page 4 of 4

