


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 2024-0065</p>
<p>In the Matter of the Application of</p> <p>HAMILTON COUNTY, VERIZON WIRELESS, and DANIEL and REBECCA VIRGIL Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: November 12, 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. Hamilton County2. Verizon Wireless3. Daniel Virgil4. Rebecca Virgil

SUMMARY AND AUTHORIZATION

This permit authorizes a new self-supported lattice tower, equipment compound, access road, and a subdivision by lease in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map in the Town of Morehouse, Hamilton County.

This authorization shall expire unless recorded in the Hamilton 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 Hamilton County Clerk's Office. The Agency will consider the project in existence when the authorized tower 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 located on NYS Route 8 in the Town of Morehouse, Hamilton County, in an area classified Low Intensity Use and Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 125.000, Block 1, Parcels 16.111 and 16.112.

The project site contains an existing access drive that crosses a permanent stream. Wetlands associated with this unnamed tributary of the South Branch West Canada Creek are located within the vicinity of the existing un-improved stream crossing. Additional wetlands not described herein or depicted on the Project Plans 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 self-supported lattice tower to support a 20-foot TX antenna with a base elevation of 80 feet, a telecommunications antenna array at 110 feet, and a 20-foot RX antenna with a base elevation of 120 feet. The tower will be 120 feet in height. The top of the tower will include a lightning rod and the RX antenna, for a total height of 140 feet.

The tower will be located 1,500± feet south of NYS Route 8 within a 50-foot by 60-foot fenced-in equipment compound that will also contain a 10-foot by 10-foot equipment shelter, a backup generator and associated 500 gallon propane tank, and a 22.5-foot by 16-foot lease area for telecommunications infrastructure. Access to the facility will follow an existing access road to be improved with a 12-foot-wide gravel surface and installation of a 30-foot-long box culvert stream crossing 1.25 times the width of the ordinary highwater mark. Underground utilities will be located along the access road.

The project is shown on 26 sheets of plans titled "Construction Drawings for the Construction of Hamilton County Emergency Communications Project, Site Name: Morehouse," prepared by C & S Companies, dated February 2024, and received by the Agency on November 4, 2024 (Project Plans).

A reduced-scale copy of the Overall Site Plan for the project, shown on sheet C-101 and the Tower Elevation, shown on sheet C-201, are attached as a part of this permit for easy 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 the establishment of a major public utility use on Rural 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 Hamilton 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 infrastructure 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 2024-0065, issued November 12, 2024, 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 the subdivision by lease and construction of an access road, tower, antennas, and equipment compound in the location shown and as depicted on the plans referenced herein. The tower shall not exceed 140 feet in height, including all portions of the lightning rod and RX antenna, and the antennas shall be located on the tower as shown on the plans referenced herein.

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.

Lighting

7. Installation of any lighting on the tower authorized herein shall require prior written Agency authorization. Any other exterior lights within 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 adjoining property.

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 and other vegetation within 200 feet of the tower or within 100 feet of wetlands shall occur only as depicted on the Project Plans, 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. Any activity involving wetlands shall require a new Agency 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.

Stormwater Management/Erosion Control

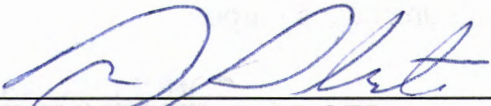
12. All silt fence shown on sheets C-102, C-103, and C-104 shall be installed on the project site prior to construction and remain in place until after final grading and all disturbed soils and other loose materials have stabilized as shown and described on the Site Plans. All silt fence shall be removed from the project site after final all site work is completed and the site is fully stabilized.

Documentation of Construction

13. 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, NYS Route 8 and Mountain Home Road. At the tower site, photographs showing the entire completed project, including the stream crossing, 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.

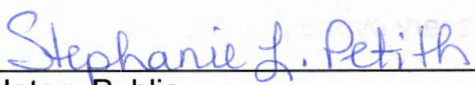
PERMIT issued this 12th day
of November, 2024.

ADIRONDACK PARK AGENCY

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

STATE OF NEW YORK
COUNTY OF ESSEX

On the 12th day of November 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.


Notary Public

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

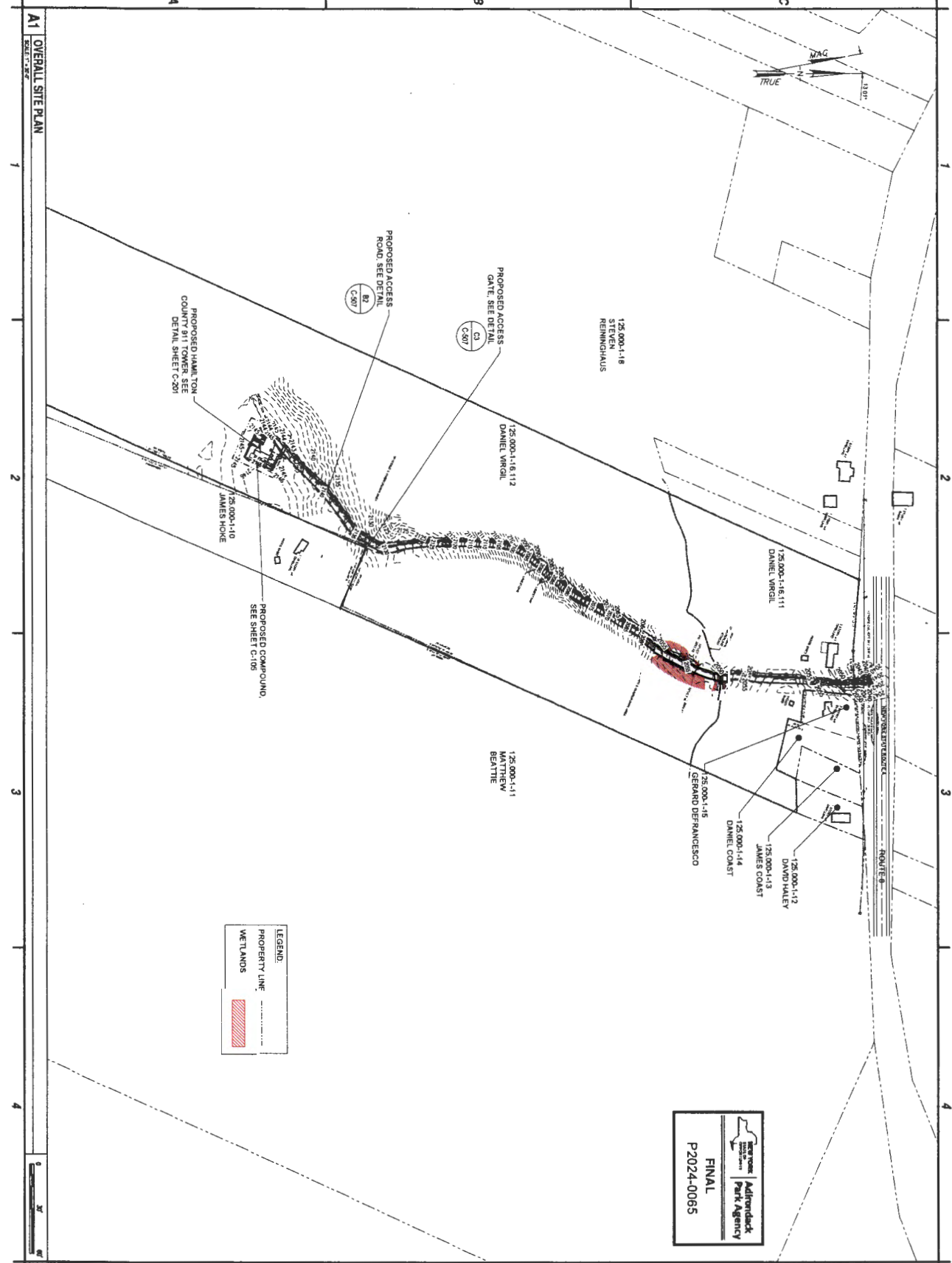
Discontinuance of Use

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 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 Rural Use land use area;
- c. will be consistent with the overall intensity guidelines for the Rural Use 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.



LEGEND:

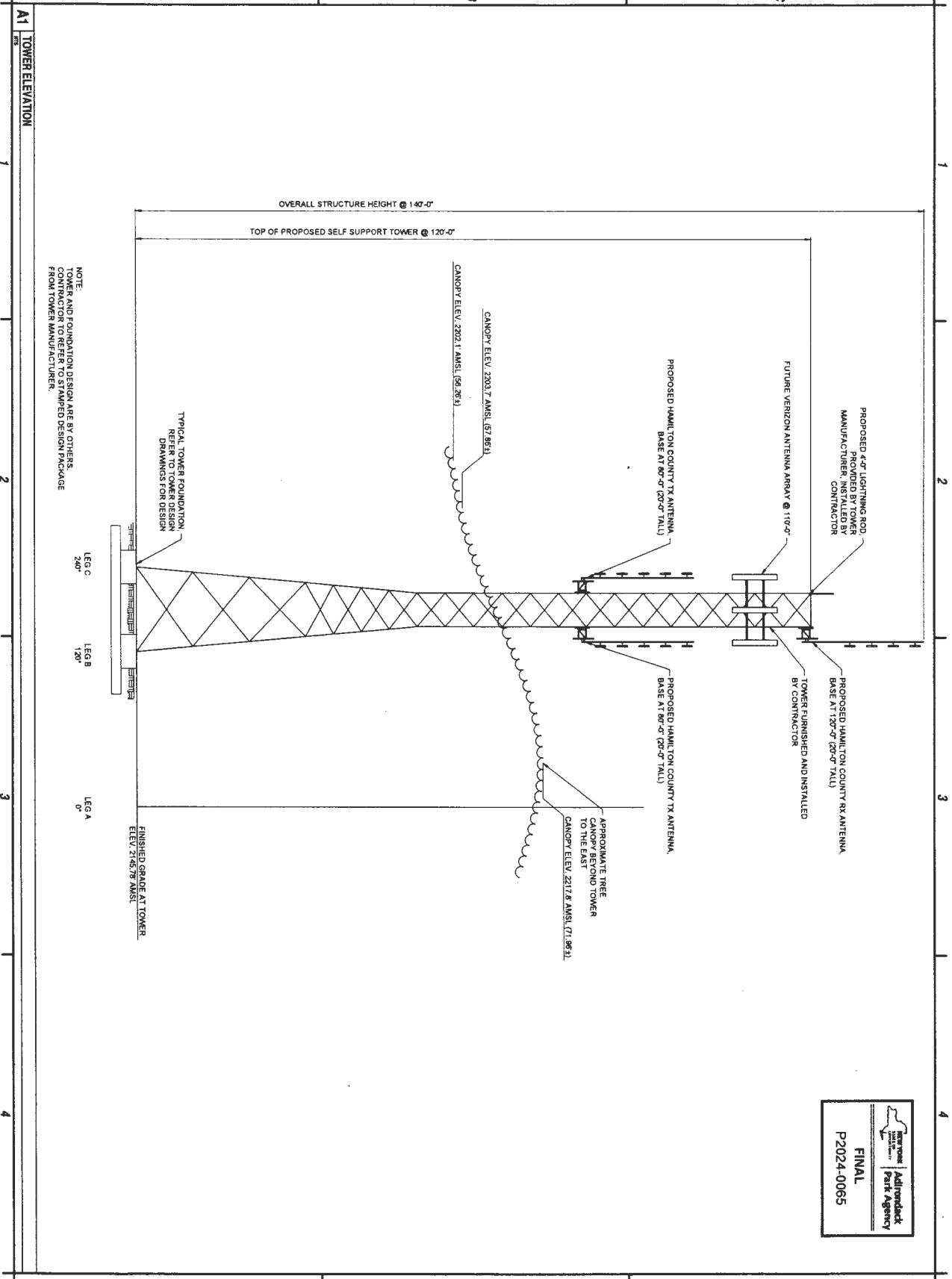
PROPERTY LINE

WETLANDS

FINAL
 P2024-0065

Adirondack Park Agency

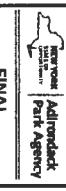
<p>CAS ENGINEERS, INC. 1000 Syracuse, New York 13212 Phone: 315-465-2000 Fax: 315-465-2001 www.caseng.com</p>		<p>HAMILTON COUNTY SITE NAME: MOREHOUSE 802 STATE ROUTE 8 HOFFMEISTER, NY 13353</p>	
<p>OVERALL SITE PLAN</p>		<p>C-101</p>	



NOTE:
 TOWER AND FOUNDATION DESIGN ARE BY OTHERS.
 CONTRACTOR TO REFER TO STAMPED DESIGN PACKAGE
 FROM TOWER MANUFACTURER.

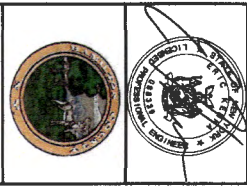
A1 TOWER ELEVATION

FINAL
 P2024-0065



1	11-4-21	ACCESS DATE
0	8-13-24	REVISIONS
DATE	BY	DESCRIPTION
PROJECT NO.	759-011-001	
DATE	JANUARY 2022	
DRAWN BY	ELIZABETH	
CHECKED BY	ELIZABETH	
NO. ALTERNATION SHEETS	1	
EXCEPT AS PROVIDED UNDER SECTION		
EDUCATION LAW		

HAMILTON COUNTY
 SITE NAME: MOREHOUSE
 802 STATE ROUTE 8
 HOFFMEISTER, NY 13353



CS
 COMPANIES

CAS Engineers, Inc.
 499 Col. Elbert Collins Blvd.
 Syracuse, New York 13212
 Phone: 315-455-8807
 Fax: 315-455-8807
 WWW.CAS.COM