


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 2024-0011</p>
<p>In the Matter of the Application of</p> <p>NEW YORK RSA 2 CELLULAR PARTNERSHIP d/b/a VERIZON WIRELESS and GREGG M. PAWLOWSKI & AMY C. PAWLOWSKI Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: March 7, 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. New York RSA 2 Cellular Partnership d/b/a Verizon Wireless2. Gregg M. Pawlowski3. Amy C. Pawlowski

SUMMARY AND AUTHORIZATION

This permit authorizes a new telecommunications tower and equipment compound, access road, and a subdivision by lease in an area in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map in the Town of Chesterfield, 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 telecommunications 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 33.7-acre parcel of land located on US Route 9 in the Town of Chesterfield, Essex County, in an area classified Resource Management on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 10.3, Block 1, Parcel 81.000, and is described in a deed from Gary R. Green & Cynthia E. Green to Gregg M. Pawlowski & Amy C. Putnam (Pawlowski), dated May 30, 2012 and recorded June 1, 2012 in the Essex County Clerk's Office at Book 1699, Page 62.

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 telecommunications tower. The tower will be 85 feet in height plus an additional 4-foot-tall lightning rod, and will be located 297± feet east of US Route 9. Nine, 8-foot-tall panel antennas will be installed on the tower at a centerline height of 80 feet above ground level.

The tower will be located within a 50-foot by 50-foot fenced-in equipment compound that will also contain battery cabinet, equipment cabinet, and a backup generator. Access to the facility includes construction of a 296-foot-long, 12-foot-wide gravel access road to accommodate construction and service vehicles. Underground utilities will be located along the access road and within a 30-foot-wide access and utility easement.

The project is shown on the following Project Plans:

- A 13-sheet set of plans titled "New York RSA2 Cellular Partnership d/b/a Verizon, Site Name: Upstate Motors," prepared by Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C., and last dated January 9, 2024 (Site Plans); and
- A 30-page report titled "Visual Resource Evaluation, Proposed 85' Tall Telecommunications Structure, Site Name: Upstate Motors," prepared by Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C., and dated December 22, 2023 (Visual Resource Evaluation).

A reduced-scale copy of Sheet C-1A (Overall Site Plan), Sheet C-2 (Site Detail Plan), and Sheet C-3 (Elevation & Orientation Plan) of the Site Plans are attached as a part of this permit for easy 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 and the establishment of a major public utility use on Resource Management lands in the Adirondack Park.

Pursuant to Section 809(2)(a) of the Adirondack Park Agency Act, a permit is required from the Adirondack Park Agency prior to any subdivision of Resource Management lands, including subdivision by lease, 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 telecommunications 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 2024-0011, issued March 7, 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, telecommunications tower, antennas, and equipment compound in the location shown and as depicted on the plans referenced herein. The tower shall not exceed 89 feet in height, including all portions of the lightning rod, and the antennas shall be located on the tower as shown on the plans referenced herein, with the top of the antennas no higher than 85 feet above ground level (centerline elevation of 80 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.

Lighting

7. Installation of any lighting on the tower authorized herein shall require prior written Agency authorization. Any other exterior lights on 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 US Route 9 or 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. Within 200 feet of the tower authorized herein, no live trees shall be cut, culled, trimmed, pruned, or otherwise removed on the project site without prior written Agency authorization, except for a) as depicted on the Site Plans and b) dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.

Within 30 days of removal or loss of any trees within 200 feet of the tower on the project site, a plan and implementation schedule for re-vegetation and/or re-design to maintain the substantial invisibility of the tower, its antennas, and equipment shelter shall be submitted to the Agency for review and approval. The plan shall be implemented as described in the approved implementation schedule.

10. Between April 1 and October 31, no trees shall be removed or disturbed on the project site without prior written Agency authorization.

Wetlands

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

Invasive Species Prevention

12. 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

13. The project shall be undertaken in compliance with the Site Plans.

Documentation of Construction

14. 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 and from the following viewpoints

using the same lens equivalents for which photo-simulations were provided in the Visual Resource Evaluation: P-2, P-5, and P-6. At the tower site, 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

- 15. 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 meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Chesterfield; 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 7th day of March, 2024.

ADIRONDACK PARK AGENCY

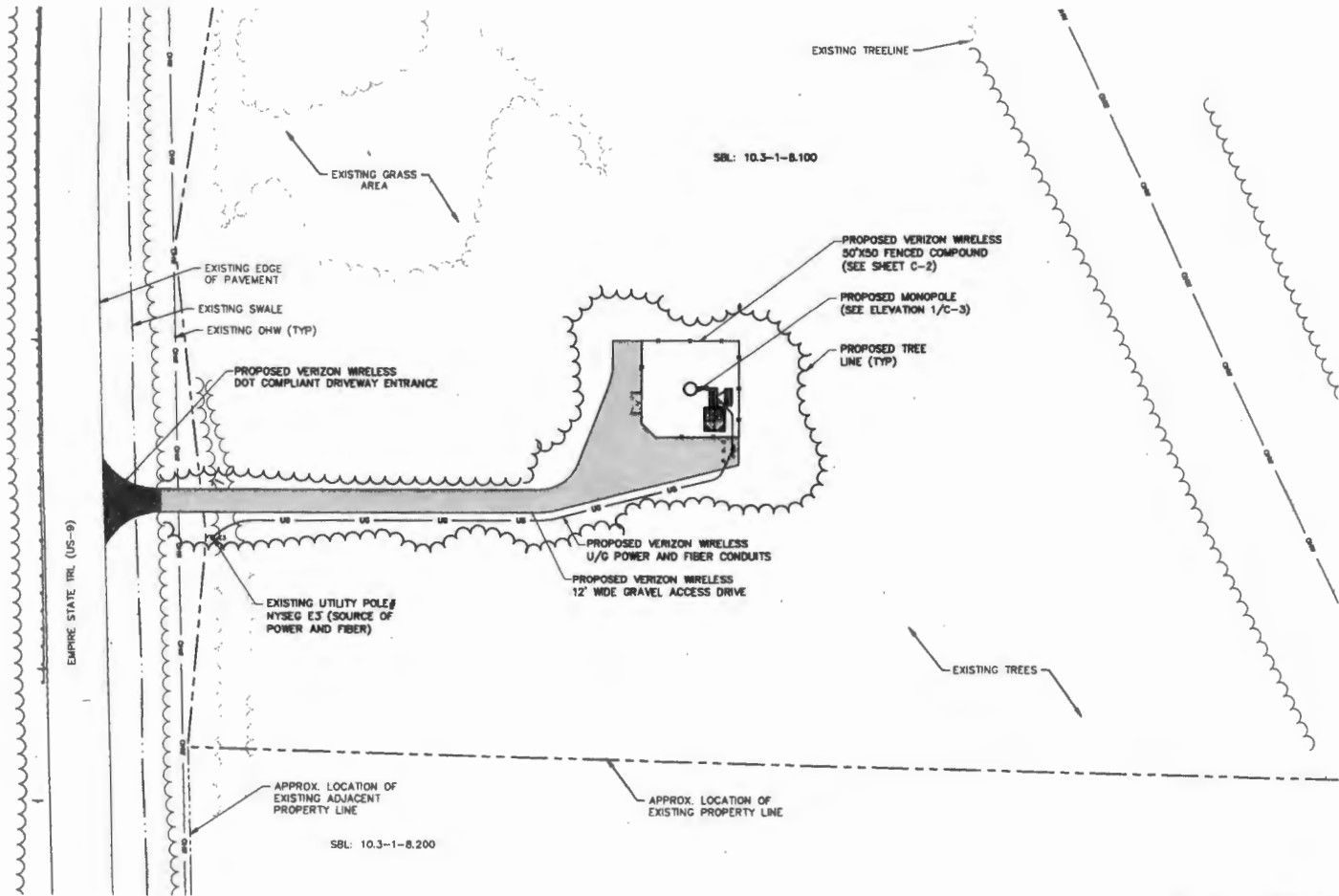
BY: 
David J. Plante, AICP CEP
Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 7th day of March 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



1 OVERALL SITE PLAN
 10-10 SCALE: 1" = 80' (1/4" = 100')
 1" = 20' (2/4" = 100')



1735 42ND STREET, SUITE 100
 WEST HAVEN, NY 14398



NO.	DATE	REVISION
0	8/26/23	FOR COMMENT
1	1/9/24	FOR BOARD

RELEASED BY: _____ DATE: _____



UNAUTHORIZED ALTERATION OR ADDITIONS TO A PLAN DRAWING THE SEAL OF A LICENSED ENGINEER OR LAND SURVEYOR IS A VIOLATION OF SECTION 2309 SUBSECTION 2 OF THE NEW YORK STATE EDUCATION LAW

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UPSTATE MOTORS
 WBS#: VZ-00194313.C.9223
 MDG#: 5000906533

898 US-9
 TOWN OF CHESTERFIELD
 ESSEX COUNTY
 NY 12944

OVERALL SITE PLAN

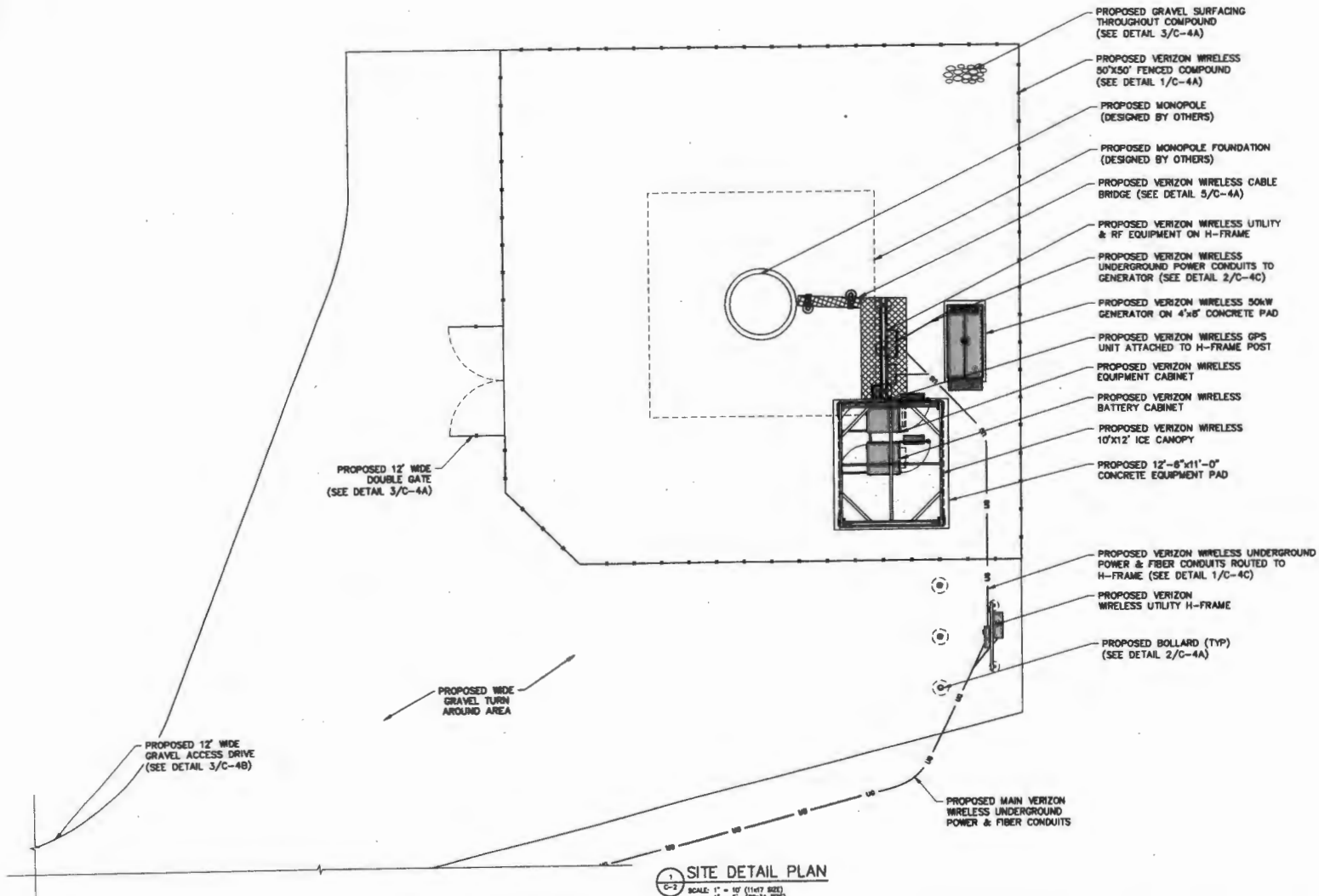
SHEET NUMBER

C-1A

Before You Dig, Drill Or Blast!

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 PROTECTIVE ORGANIZATION
 CALL US TOLL FREE 811 OR 1-800-888-7882
 800-888-7882
 800-888-7882
 800-888-7882
 800-888-7882

UDIGNY — NEW YORK



- PROPOSED GRAVEL SURFACING THROUGHOUT COMPOUND (SEE DETAIL 3/C-4A)
- PROPOSED VERIZON WIRELESS 50'X50' FENCED COMPOUND (SEE DETAIL 1/C-4A)
- PROPOSED MONOPOLE (DESIGNED BY OTHERS)
- PROPOSED MONOPOLE FOUNDATION (DESIGNED BY OTHERS)
- PROPOSED VERIZON WIRELESS CABLE BRIDGE (SEE DETAIL 5/C-4A)
- PROPOSED VERIZON WIRELESS UTILITY & RF EQUIPMENT ON H-FRAME
- PROPOSED VERIZON WIRELESS UNDERGROUND POWER CONDUITS TO GENERATOR (SEE DETAIL 2/C-4C)
- PROPOSED VERIZON WIRELESS 50KW GENERATOR ON 4'x8' CONCRETE PAD
- PROPOSED VERIZON WIRELESS GPS UNIT ATTACHED TO H-FRAME POST
- PROPOSED VERIZON WIRELESS EQUIPMENT CABINET
- PROPOSED VERIZON WIRELESS BATTERY CABINET
- PROPOSED VERIZON WIRELESS 10'X12' ICE CANOPY
- PROPOSED 12'-8"x11'-0" CONCRETE EQUIPMENT PAD
- PROPOSED VERIZON WIRELESS UNDERGROUND POWER & FIBER CONDUITS ROUTED TO H-FRAME (SEE DETAIL 1/C-4C)
- PROPOSED VERIZON WIRELESS UTILITY H-FRAME
- PROPOSED BOLLARD (TYP) (SEE DETAIL 2/C-4A)
- PROPOSED MAIN VERIZON WIRELESS UNDERGROUND POWER & FIBER CONDUITS

1 SITE DETAIL PLAN
 C-2 SCALE: 1" = 10' (1147 802)
 1" = 5' (22x34 802)



1375 JOHN STREET, SUITE 100
 WEST HAVEN, CT 06480



Professional Engineers, Surveyors & Land Surveyors, P.E.
 200 Westchester Ave. Phone: (914) 235-1000
 Danbury, CT 06810 Fax: (914) 235-1011
 www.tectonic-engineers.com

WORK ORDER NUMBER	11272.045	DRAWN BY	MD
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NO.	DATE	ISSUE
0	9/28/23	FOR COMMENT
1	1/9/24	FOR ZONING

RELEASED BY	DATE



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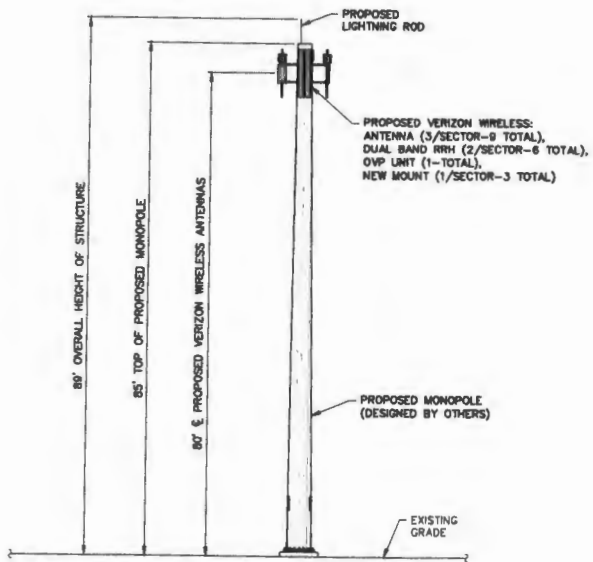
ORIGINAL SIZE IN INCHES

SITE INFORMATION
 UPSTATE MOTORS
 WBS#: VZ-00194313.C.9223
 MDG#: 50009065.33

SITE ADDRESS
 898 US-9
 TOWN OF CHESTERFIELD
 ESSEX COUNTY
 NY 12944

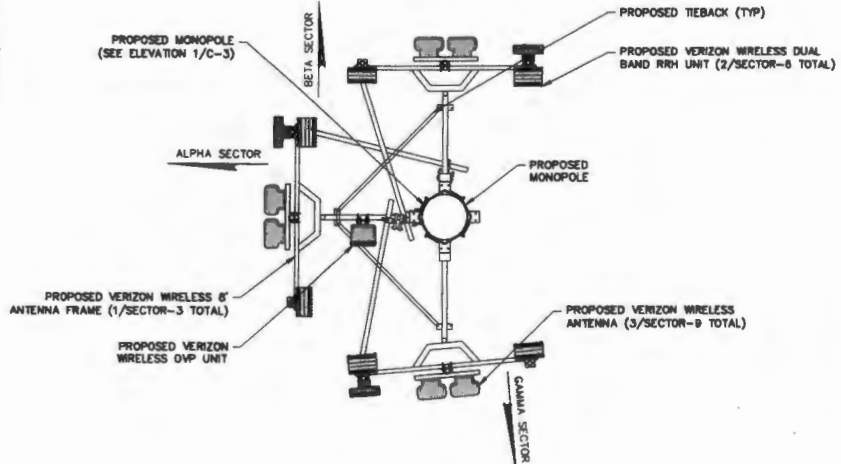
SHEET TITLE
 SITE DETAIL PLAN

SHEET NUMBER
 C-2



1 ELEVATION

SCALE: 1" = 30' (1:1417 SIZE)
1" = 10' (2:244 SIZE)



2 ANTENNA ORIENTATION

SCALE: 3/4" = 1'-0" (1:1417 SIZE)
3/8" = 1'-0" (2:244 SIZE)



1275 JOHN STREET, SUITE 100
WEST HENNETTA, NY 14266

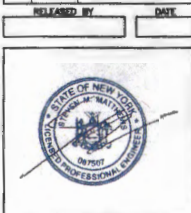


Tectonic
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Fax: (516) 833-1001
www.tectonicstructures.com

WORK ORDER NUMBER: 11372.046
DRAWN BY: MJC

NO.	DATE	REVISION
0	8/24/23	FOR COMMENT
1	1/9/24	FOR REVIEW

RELEASED BY	DATE



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SITE INFORMATION
UPSTATE MOTORS
WBS#: VZ-00184313.C.9223
MDG#: 5000906533

SITE ADDRESS
898 US-9
TOWN OF CHESTERFIELD
ESSEX COUNTY
NY 12944

SHEET TITLE
ELEVATION & ORIENTATION PLAN

SHEET NUMBER

C-3