


THIS IS A TWO-SIDED DOCUMENT

 <p><b>Adirondack Park Agency</b></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 <b>2024-0074</b></p>
	<p>Date Issued: <b>June 18, 2025</b></p>
<p>In the Matter of the Application of</p> <p><b>HAMILTON COUNTY, NEW YORK RSA2 CELLULAR PARTNERSHIP d/b/a VERIZON WIRELESS, HUDSON VALLEY WIRELESS, and SPY LAKE CORPORATION</b></p> <p><b>Permittees</b></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 name(s):</p> <ol style="list-style-type: none"><li><b>1. Hamilton County</b></li><li><b>2. New York RSA 2 Cellular Partnership d/b/a Verizon Wireless</b></li><li><b>3. Hudson Valley Wireless</b></li><li><b>4. Spy Lake Corporation</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes a new monopine emergency services/telecommunications tower and equipment compound, access road, and a subdivision by lease in an area classified Low Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Arietta, 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 monopine tower is completed.

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 989±-acre parcel of land located on NYS Route 8 and NYS Route 10 in the Town of Arietta, Hamilton 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 127, Block 1, Parcel 1.110, and is described in two deeds: American Wilderness Resources, Inc. to Spy Lake Corporation, dated October 29, 1996, and recorded October 31, 1996 in the Hamilton County Clerk's Office in Liber 214 of Deeds at Page 184; and American Wilderness Resources, Inc. to Spy Lake Corporation, dated October 20, 1996, and recorded October 31, 1996 in the Hamilton County Clerk's Office in Liber 214 of Deeds at Page 189.

The project site contains 14,000 feet of shoreline on Spy Lake and is partially located within one-eighth mile of State Land classified wilderness (i.e., the Silver Lake Wilderness Area).

The project site is improved by two pre-existing hunting and fishing cabins.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves a subdivision by lease creating an 85-foot by 85-foot lease area parcel and construction of a 110-foot-tall monopine tower within a 60-foot by 60-foot fenced area. The tower will support Hamilton County public safety radio antennas with installation of a 20-foot-tall receive antenna at a mounting height of 110-feet above ground level and installation of two 10-foot-tall transmit antennas at a mounting height of 80 feet above ground level. The tower will also support co-location by Verizon Wireless for installation of a three-sided panel antenna array located at a centerline mounting height of 100 feet above ground level, and co-location by Hudson Valley Wireless for installation of two internet antennas at a centerline mounting height of 75 feet above ground level. Access to the facility will be from NYS Route 8 and includes improvements/construction of an existing/proposed 1500±-foot-long, 12-foot-wide gravel access road to accommodate construction and service vehicles. Underground utilities will be located along the access road.

The project is shown on the following:

- A 24-sheet set of plans (Project Plans) titled "Contract Drawings for the Construction of Hamilton County Emergency Communications Project, Site Name: Arietta," prepared by C & S Companies, dated March 2024, and received by the Agency on May 13, 2025;
- A 16-page Photo Log depicting Photo Stations 1, 5, 6, and 8 (Visual Simulations) titled "Site Name: Arietta – Spy Lake," prepared by C & S Companies, dated August 28, 2023, and received by the Agency on May 13, 2025.

Reduced-scale copies of Sheet C-101 (Overall Site Plan) and Sheet C-201 (Tower Elevation) 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 the establishment of a major public utility use on Low Intensity Use 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 Low Intensity Use lands, including subdivision by lease, creating a non-shoreline lot less than 50,000 square feet 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 emergency services/telecommunications tower remains on the site. Copies of this permit, the Project Plans, and Visual Simulations 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 2024-0074, issued June 18, 2025, 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, improvement/construction of an access road, and construction of a monopine emergency services/telecommunications tower with antennas and an equipment compound in the locations shown and as depicted on the Project Plans referenced herein. The overall height of the tower shall not exceed 110

feet in height, not including the concealment branching and Hamilton County receive antenna which extend above the top of the tower. Antennas on the tower shall be located as shown on the Project Plans, as follows:

- The Hamilton County 20-foot-tall receive (RX) antenna shall be mounted at the top of the monopine at a base mounting elevation of 110 feet above ground level (AGL) and the two 10-foot-tall transmit antennas (TX) shall be mounted at a base elevation of 80 feet above AGL;
- The Verizon Wireless antennas shall be mounted with the top of the antennas no higher than 104 feet AGL (centerline mounting height of 100 feet AGL); and
- Hudson Valley Wireless antennas shall be mounted at a centerline mounting height of 75 feet AGL.

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.

### **Concealment**

6. The simulated tree portion of the tower shall mimic the branching structure, needle pattern, and coloration of a mature, fully formed eastern white pine tree, as depicted in the Visual Simulations. Under current site conditions, any co-location that increases the height or width of the tower or renders the tower not substantially invisible will defeat the concealment elements of the simulated tree tower approved herein.
7. In the event that any simulated branches break or fall off, they shall be repaired or replaced within eight months to restore the substantial invisibility of the simulated tree in this location. Photos of the repair or replacement shall be provided to the Agency within two weeks of completion.

### **Structure Color**

8. Except for the portion that will be concealed as a simulated tree, the authorized tower and antennas shall be painted a dark grey color with a non-reflective flat or matte finish, or the tower may be clad in artificial bark designed to mimic a mature eastern white pine tree.

### **Lighting**

9. Installation of any lighting on the tower authorized herein shall require prior written Agency authorization. Any other exterior lights on the 85-foot by 85-foot leased parcel shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward roads, lakes, or adjoining property.

### **Signs**

10. 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**

11. Within 200 feet of the tower authorized herein, no existing trees greater than 8 inches in diameter at breast height 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 Project 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, other than the existing trees to be removed shown on the Project Plans, a plan and implementation schedule for re-vegetation and/or re-design and/or re-location 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.

### **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 stormwater management and erosion control measures depicted and described on the Project Plans.

### **Documentation of Construction**

14. The Agency shall be provided with color photographs showing the completed monopine tower, antennas, and equipment compound within 30 days of project completion. Photographs shall be taken at the project site and from Photo Locations 1, 5, 6, and 8 of the Visual Simulations. 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**

16. 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.



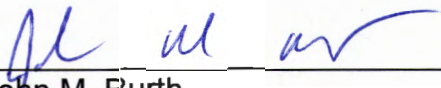
**CONCLUSIONS OF LAW**

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 Arietta; 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 18<sup>th</sup> day  
of June, 2025.

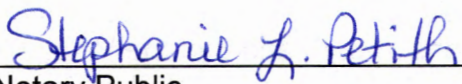
ADIRONDACK PARK AGENCY

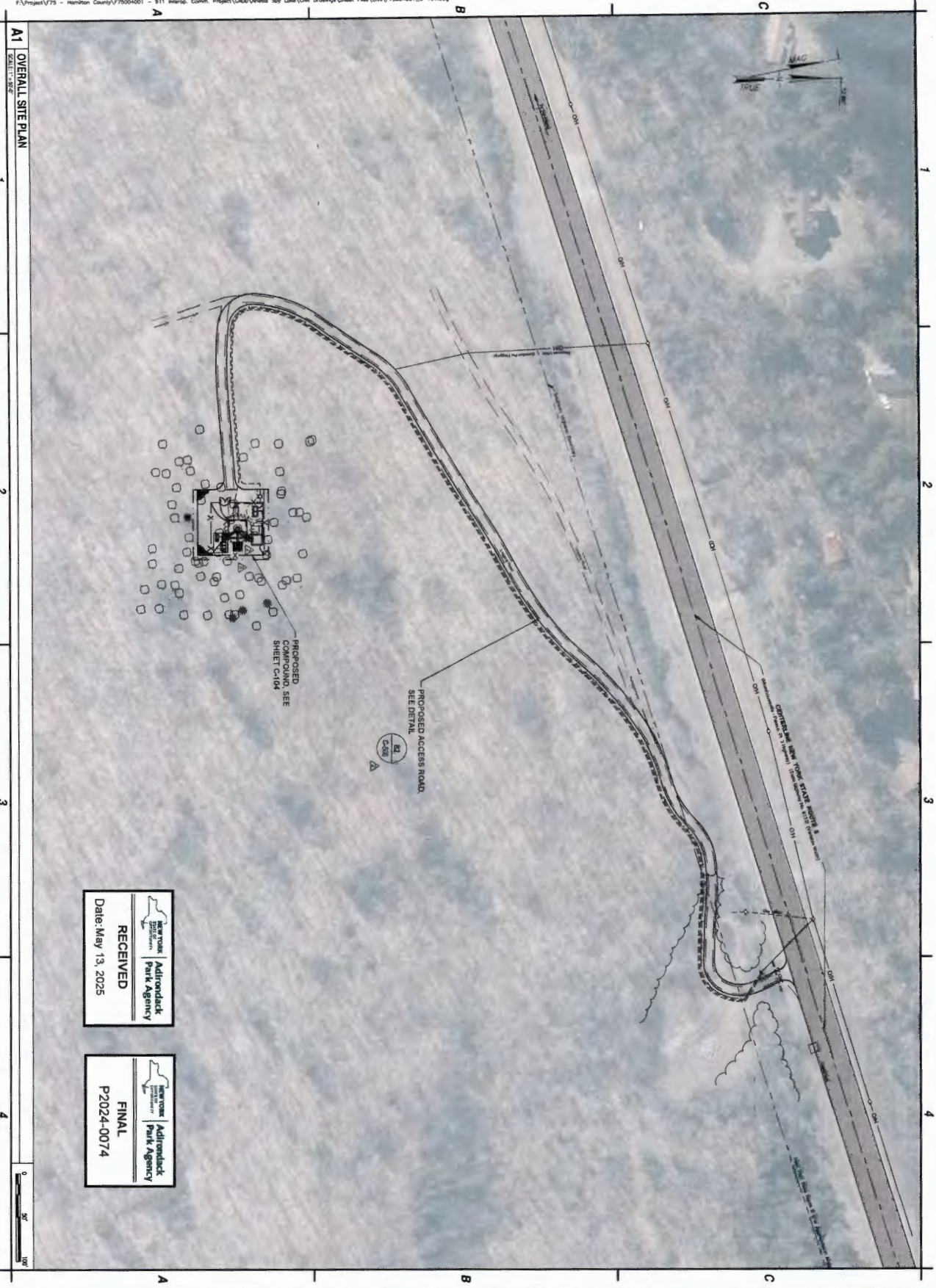
BY:   
John M. Burth  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the 18<sup>th</sup> day of June in the year 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared John M. Burth, 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, 2029

  
Notary Public



A1 OVERALL SITE PLAN  
SCALE: 1" = 80'

RECEIVED  
Date: May 13, 2025  
Adirondack  
Park Agency

FINAL  
P2024-0074  
Adirondack  
Park Agency



C&S  
Companies

C&S Engineers, Inc.  
489 Oak Haven Circle Bldg.  
Syracuse, New York 13212  
Phone: 315-455-8807  
Fax: 315-455-8807  
www.candc.com



HAMILTON COUNTY  
SITE NAME: ARIETTA - SPY LAKE  
984 STATE ROUTE 8  
PISECO, NY 12139



STATE OF NEW YORK  
DEPT. OF ENVIRONMENTAL CONSERVATION  
DIVISION OF LAND USE AND PLANNING

NO.	DATE	DESCRIPTION
1	5-13-24	COMPOUND LAYOUT
2	5-13-24	REVISION FOR PERMITTING
3	5-13-24	DISCUSSION

PROJECT NO. 775001.001  
DATE: MARCH 2024  
DRAWN BY: M. JORDAN/PAH  
CHECKED BY: E. J. BROWN, P.E.  
DESIGNED BY: E. J. BROWN, P.E.  
EXCEPT AS PROVIDED UNDER SECTION 2000 OF THE ENVIRONMENTAL CONSERVATION LAW OF THE STATE OF NEW YORK

OVERALL  
SITE PLAN

C-101

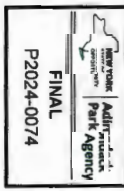
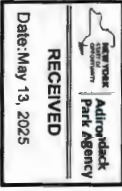
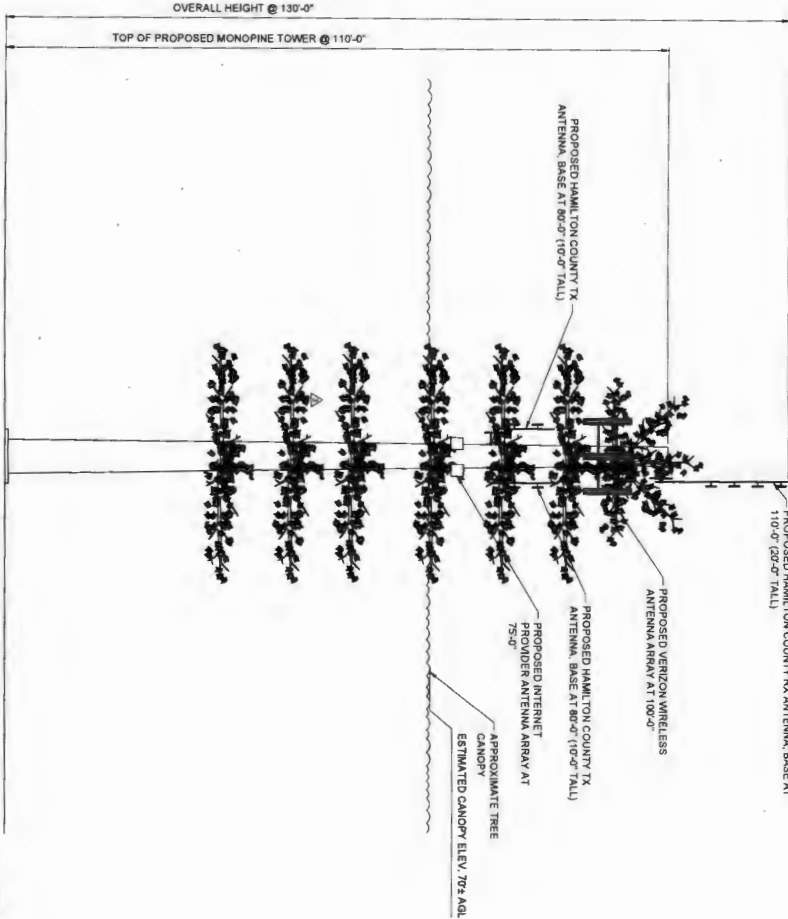
A1 TOWER ELEVATION

1

2

3

4



**TOWER ELEVATION**


**C-201**

**HAMILTON COUNTY**

**SITE NAME: ARIETTA - SPY LAKE**

**984 STATE ROUTE 8**

**PISECO, NY 12139**




**C&S ENGINEERS, Inc.**  
 488 Col. Elbert Collins Blvd.  
 Syracuse, New York 13212  
 Phone: 315-465-9900  
 Fax: 315-465-9907  
 www.ccsny.com

NO.	DATE	DESCRIPTION
1	1-1-24	MONOPINE TOWER
2	1-1-24	TOWER ELEVATION
3	3-1-24	ISSUED FOR PERMITTING

PROJECT NO. P2024-0074  
 DATE: MARCH 2024  
 DRAWN BY: M. KOSINSKI  
 CHECKED BY: E. J. KENNY  
 DESIGNED BY: E. J. KENNY  
 EXCEPT AS PROVIDED UNDER SECTION 109 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK