

THIS IS A TWO-SIDED DOCUMENT

 Adirondack Park Agency P.O. Box 99, 1133 NYS Route 86 Ray Brook, New York 12977 Tel: (518) 891-4050 www.apa.ny.gov	APA Permit 2024-0351
In the Matter of the Application of NEW YORK RSA 2 CELLULAR PARTNERSHIP d/b/a VERIZON WIRELESS, DANIEL BARBONE, and GINA BARBONE Permittees for a permit pursuant to § 809 of the Adirondack Park Agency Act	Date Issued: October 23, 2025 To the County Clerk: Please index this permit in the grantor index under the following name(s): 1. New York RSA 2 Cellular Partnership d/b/a Verizon Wireless 2. Daniel Barbone 3. Gina Barbone

SUMMARY AND AUTHORIZATION

This permit authorizes a new telecommunications tower and equipment compound, an 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 Indian Lake, 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 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 composed a 29.8±-acre parcel of land located on NYS Route 28 in the Town of Indian Lake, Hamilton County, in an area classified Rural Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 66, Block 3, Parcel 4.1 and is described in a deed from Patrick J. Cunningham to Daniel Barbone and Gina Barbone, dated August 17, 2018, and recorded August 20, 2018 in the Hamilton County Clerk's Office under Instrument Number 2018-983.

The project site is partially located within one-eighth mile of lands of the State of New York, which are part of the Hudson Gorge Wilderness Area.

PROJECT DESCRIPTION

The project as conditionally approved herein involves a subdivision by lease to create a leased parcel that is 100 feet by 100 feet in size and construction of a new telecommunications tower within the leased area. The tower will be 105 feet in height, plus a 4-foot-tall lightning rod, and will be located 282± feet south of NYS Route 28. Nine 8-foot-tall panel antennas will be installed on the tower at a centerline mounting height of 100 feet above ground level (AGL), along with six Remote Radio Heads (RRH's), and one Overvoltage Protection Unit (OVP).

The tower will be located within a 50-foot by 50-foot fenced-in equipment compound that will contain a 10-foot by 12-foot equipment shelter, 12.5-foot by 11-foot concrete equipment pad, equipment cabinet, battery cabinet, and a backup generator and related infrastructure. Access to the facility will be from NYS Route 28 along Beaver Meadow Brook Road and involve construction of a new 12-foot-wide, 235±-foot-long 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 maps, plans, and reports:

- A 14-sheet set of plans titled "New York RSA2 Cellular Partnership d/b/a Verizon, Site Name: McGinn Meadows, Fuze ID#: 2118954, MDG#: 5000025426," prepared by Tectonic Engineering Consultants, Geologists, and Land Surveyors, D.P.C., last revised December 26, 2024 and received by the Agency on July 11, 2025 (Project Plans); and
- A 17-page report titled "Visual Resource Evaluation; Proposed 105' Tall Telecommunications Structure; Site Name: McGinn Meadows, Town of Indian Lake, Hamilton County, New York, 12842," prepared by Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C., dated October 23, 2024, and received by the Agency on December 23, 2024 (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, & RF Info) of the Project Plans 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 for the establishment of a major public utility use on Rural 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 Rural Use lands, including subdivision by lease, that results in the creation of a non-shoreline lot smaller than 7.35 acres in size 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 new land use or development within 1/8 mile of lands of the State of New York designated Wilderness 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 telecommunications tower with related infrastructure remains on the site. Copies of this permit, the Project Plans, and Visual Resource Evaluation 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 2024-0351, issued October 23, 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 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 109 feet in height, including the lightning rod, and the antennas shall be located on the tower as shown on the Project Plans referenced herein, with the top of the antennas no higher than 104 feet above ground level (centerline elevation of 100 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 New York State Route 28, Beaver Meadow Road, 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. On the project site and within 200 feet of the tower authorized herein, no 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 or other vegetation 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.

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 erosion control and stormwater management features depicted and described on the Project Plans.

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 and from Photostation 1 and Photostation 2, as identified in the Visual Resource Evaluation. 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

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 meet all of the pertinent requirements and conditions of the approved local land use program of the Town of Indian Lake; 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 23rd day
of October, 2025.

ADIRONDACK PARK AGENCY

BY: _____

John M. Burth

Deputy Director, Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the 23rd day of October 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 PETITH
Notary Public, State of New York
Reg. No. 01PE6279890
Qualified in Essex County
Commission Expires April 15, 2029

Stephanie J. Petith
Notary Public

N
APPROXIMATE

EXISTING UTILITY POLE #MC 104 -
(SOURCE OF POWER & FIBER)
PROPOSED O/H POWER & FIBER
FIBER LINES TO FOLLOW
EXISTING LINES (BY OTHERS)

MYS ROUTE 26

SECTION 66.000
BLOCK 3 LOT 4.200

EXISTING
UTILITY POLE
PROPOSED O/H POWER &
FIBER LINES (BY OTHERS)

PROPOSED UTILITY POLE W/
DOWN GUY WIRE (BY OTHERS)

SECTION 66.000
BLOCK 3 LOT 5.100

EXISTING
WIRE GATE

EXISTING
WOODED AREA

MYS ROUTE 26

PROPOSED U/G CONDUITS
FOR POWER & FIBER SERVICE
(SEE DETAIL 2/C-30)

PROPOSED VERTICAN WIRELESS
POWER AND FIBER PULL BOXES
(SEE DETAILS 4A/C-50)

APPROXIMATE LOCATION OF
EXISTING PROPERTY LINE (TYP)

SECTION 66.000
BLOCK 3 LOT 4.100

EXISTING
WOODED AREA

PROPOSED VERTICAN WIRELESS
50' WIDE ACCESS & UTILITY EASEMENT
100'x100' (10,000 SF) LEASE AREA

PROPOSED 50'x50' FENCED
COMPOUND (SEE SHEET C-2)

PROPOSED 12' WIDE
GRASSY DRIVE
(SEE DETAIL 1/C-50)

APPROXIMATE LOCATION
OF EXISTING ADJACENT
PROPERTY LINE (TYP)

EXISTING O/H
WIRE (TYP)

SECTION 66.000
BLOCK 3 LOT 4.100

EXISTING UTILITY
POLE #MC 220

PROPOSED MONOPOLE
(SEE SHEET C-3)
PROPOSED
TREE LINE (TYP)

OVERALL SITE PLAN

NOTE:
THE PROPERTY LINES HEREON ARE APPROXIMATE
BASED ON GIS DATA AND ARE FOR ORIENTATION
PURPOSES ONLY. THEY DO NOT REPRESENT A
PROPERTY/BOUNDARY DECISION BY A LAND SURVEYOR.

RECEIVED
Date: July 11, 2025
Adirondack
Park Agency

FINAL
P2024-0351
Adirondack
Park Agency

Before You Dig, Call Or Mail!
Dig Safely,
New York
Call 800-THE-ONE-TO-CALL
or visit www.digsafely.org
Dig Safely - NEW YORK

verizon
1-800-4-A-VERIZON
1-800-438-2773

Tectonic
11800 L24
12/18/24 FOR REGULATION



MOGINN MEADOWS
FUZE ID#: 2118954
MDG#: 5000025426
SINCE 2008

MYS RTE 26
TOWN OF INDIAN LAKE
HAMILTON COUNTY
NY 12842

OVERALL SITE PLAN
SHEET NUMBER
C-1A



