

 <p>P.O. Box 99 • Ray Brook, New York www.apa.ny.gov</p>	<p>General Permit 2009G-2 Application</p>	<p>Project #:</p>
	<p>Application For Installation of Certain New Small-Scale Wind Turbines and Wind Monitoring Masts</p>	

Instructions: *All questions must be answered completely. Submit this form with all of the required attachments in person or by mail to the Adirondack Park Agency at the above address. A site visit by Agency staff will be required. **You may not undertake the project until you have received a general permit certification signed by Agency staff and have recorded it in the County Clerk's Office.***

The Agency may request pertinent additional information during the course of its review regarding the application based on the specific scope and extent of your proposed project and the existing site conditions found at the project site.

Section I – Eligibility

This small-scale general permit may only be used for a new small-scale wind project or to amend an existing Agency-approved project provided the proposal meets the statutory and regulatory requirements of §809(10) of the APA Act, and the following criteria:

- The wind turbine blade diameter shall not exceed 25 feet.
- The top of the turbine rotor sweep area or the wind monitoring mast shall not be more than 125 feet above ground level as measured at the tower base.
- The wind turbine tower or wind monitoring mast shall be at least 150 feet from any property boundary.
- The tower system shall be designed and located in such a manner to minimize adverse visual impacts from significant public viewing areas.
- The proposed tower system shall have no exterior lighting and no television, radio, or other communications antennas on it.
- Any power transmission lines from the tower to any building shall be located underground to the maximum extent practicable.

This general permit does not apply to:

- Projects that involve any other proposed APA-jurisdictional activities requiring Agency approval (e.g. a jurisdictional subdivision or construction of a single-family dwelling requiring a new Agency permit);
- Wind turbines and wind monitoring masts intended to be located within a highway critical environmental area, within 1/8 mile of lands classified Wilderness, Canoe Area, or Primitive on the Adirondack Park Land Use and Development Plan Map and State Land Map, within ¼ mile of a river designated Wild, Scenic, Recreational, or Study, and
- commercial wind farms.

With respect to evaluating potential visual impacts, Agency staff will perform a desk-top review of the potential visibility of the tower or mast and, as necessary, will visit the project site to conduct a balloon test at the proposed tower or mast height to determine areas of actual visibility from significant public viewing points. Upon conclusions of these investigations, Agency staff will determine whether the proposed structure is consistent with the guidance in the Agency's "Policy on Agency Review of Proposals for New Telecommunications Towers and Other Tall Structures in the Adirondack Park" (Towers Policy). Only if Agency staff determines that the turbine is consistent with this policy will the project be eligible for this general permit.

The review clocks found in Section 809 of the APA Act do not apply to applications processed in accordance with this general permit.

The Agency's Deputy Director (Regulatory Programs) shall determine whether the project as proposed adequately conforms to the above eligibility criteria and Section 809(10) of the Adirondack Park Agency Act. If the proposed project does not conform with the above criteria, a regular permit application will be required.

Section II

1. Project Sponsor(s) *

Name(s) _____

Mailing Address: _____

Telephone (Daytime): (____) _____ FAX: (____) _____

2. Current Property Owner(s) (All named on the current deed of record)

____ Check if same as project sponsor(s)

Name(s): _____

Mailing Address: _____

Telephone (Daytime): (____) _____ FAX: (____) _____

* The project sponsor is any person having a specific legal interest in property who makes application to the Agency for review of a project proposed on such property. Documentation demonstrating such legal interest must be provided such as a current deed or purchase contract.

3. Authorized Contact Person

I do not choose to have an authorized contact person.

If you, the project sponsor, choose to have your real estate agent, lawyer, surveyor, engineer, contractor, or another person act on your behalf before the Agency, please complete the following authorization:

I hereby authorize: (name) _____

Mailing Address: _____

Telephone (Daytime): (____) _____ FAX: (____) _____

to act as my agent in all matters relating to this permit application before the Adirondack Park Agency. I acknowledge that all contact regarding the permit application will be through my authorized contact person. I understand that I am ultimately responsible for the accuracy of the information contained in this permit application and for compliance with all terms and conditions of any permit issued to me by the Agency.

4. Project Site

Town: _____ County: _____

Road: _____

Tax Map Number (see your tax bill): Section: _____ Block: _____ Parcel: _____

Name of Waterbody if on shoreline: _____

5. Prior Agency Contact

- a. Has there been any previous discussion with Agency staff regarding this project or project site, or has any Agency staff visited the project site? _____

If YES, provide the name of the APA staff person, if known:

- b. Has the project site been the subject of a past Agency action (i.e., permit application, variance, jurisdictional inquiry, enforcement case or wetland flagging)? _____

If YES, provide the past project number, jurisdictional inquiry number, enforcement case number or wetland delineation boundary flagging number, if known:

6. Historic Resources

Does the project site have any buildings that are more than 50 years old?

_____ No
_____ Yes

If Yes, you must provide recent photographs showing all sides of each building that is 50 years or older.

Agency staff will determine if the wind turbine will be visible from structures that are either eligible or listed on the State or Federal Register of Historic Places or if land disturbance is proposed within an area identified as a potentially sensitive archeological resource. A referral to the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) may be necessary. A determination by Agency staff regarding whether or not the project has to be referred to OPRHP will be made after the visual impact analysis is completed.

If Agency staff determines that the project has to be referred to OPRHP, the Certification cannot be issued until the Agency receives documentation from OPRHP that the project will not have an impact on historic or archeological resources or their recommendations for studies or surveys to be done and their recommendations for mitigation of any impacts to historic or archeological resources must be provided.

OPRHP may be contacted at the following address and phone number:

Deputy Commissioner for Historic Preservation
NYS Office of Parks, Recreation and Historic Preservation
Peebles Island, P.O. Box 189
Waterford, NY 12188-0189
(518)237-8643

7. Certification, Authorization and Signatures

I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED IN THIS APPLICATION, INCLUDING ALL ATTACHMENTS, AND I HEREBY CERTIFY AND AFFIRM THAT THIS INFORMATION IS TRUE, ACCURATE AND COMPLETE AND THAT THE PROJECT PROPOSED IN THIS APPLICATION COMPLIES WITH THE APPLICABLE ELEGIBILITY CRITERIA LISTED IN SECTION 1 ABOVE.

I HEREBY AUTHORIZE THE ADIRONDACK PARK AGENCY AND MEMBERS OF ITS STAFF TO ENTER ON THE PROPERTY DESCRIBED HEREIN FOR THE PURPOSES OF CONDUCTING SUCH INVESTIGATIONS, EXAMINATIONS, TESTS AND SITE EVALUATIONS AS IT DEEMS NECESSARY, AT REASONABLE TIMES AND WITH ADVANCE NOTICE WHERE POSSIBLE, TO VERIFY INFORMATION CONTAINED IN OR RELATED TO THIS APPLICATION FOR A PROJECT PERMIT.

_____ Date

Signature(s) of all Landowner(s) from current deed of record:
(Required for all applications)

_____ Date

Signature of all Project Sponsors (if not the current landowners)
(Required for all applications)

_____ Date

Signature of Authorized Contact Person:
(Required if designated in Section 3 of this application)

Section III – Required Attachments
(Your application will not be processed without all of the required attachments listed below.)

Attach and label, as **ATTACHMENT A**, a **written narrative**, on 8-1/2” x 11” paper, that addresses the following:

1. Name and Address of the Project Sponsor(s) and tax map number of the project site.
2. Provide a detailed written description of the proposed turbine and tower or wind monitoring mast. Include:
 - a) The name of monitoring mast or turbine manufacturer and turbine model.
 - b) The complete technical specifications sheet(s) for the proposed turbine model including, but not necessarily limited to, a color catalog photograph of the turbine (minimum photograph size of 5 by 7 inches), turbine power curve, size of rotor (blade) diameter, and dimensions of generator/alternator (nacelle).
 - c) The name of the tower or mast manufacturer and tower or mast model along with a letter from the tower or mast manufacturer stating that the tower is structurally sufficient to support the specifically proposed turbine. If the tower or mast is a

- custom design, provide design details prepared by an engineer licensed in the State of New York satisfying Item 1.d. below and provide a supporting letter from the design professional stating that the tower is structurally sufficient to support the specifically proposed turbine or wind monitoring equipment.
- d) The complete manufacturer's technical specifications sheet(s) for the proposed tower or mast which includes tower or mast design, and scaled elevation and profile drawings. Drawings must show all dimensions (i.e., tower height as measured from ground level to base of nacelle, width of tower or mast at base, width of tower or mast at highest point, guy wire locations, etc.).
3. Describe how the tower and turbine or wind monitoring mast will be installed (e.g., crane, gin pole and electric winch) and identify all additional components and operational plans associated with your proposal (e.g., installation or improvement of an access road/driveway, above or underground utilities, battery packs, net meter, load dump). Please be advised that professionally prepared construction details may be required for some driveway installations (i.e., those over steep slopes).
 4. Contact Agency staff to arrange for a site visit. Prior to the site visit, clearly delineate (stake, flag, etc.) the location for the proposed turbine or wind monitoring mast, the proposed limits of clearing, and the centerline of any proposed driveway or access road to the tower site.
 5. Clearly describe any other new land use or development or subdivision proposed for the project site.

Attach and label, as **ATTACHMENT B**, a **SCALED SITE PLAN MAP** clearly labeled with the map scale, north arrow, date of preparation and name of preparer. Show and label all of the following and clearly identify all development that is existing and proposed (including utilities, driveways, etc):

- a) All property boundaries showing the location of existing and proposed buildings. Label size (footprint and height), use, and date of construction of each building,
- b) Proposed wind turbine tower or wind monitoring mast location and location of tower/mast staging area (for assembly and raising and lowering of tower). Include the distance (in feet) of the proposed the tower location from the property boundaries,
- c) Existing and proposed driveway, access road locations (including temporary roads). Include the culverts, ditches and other stormwater management facilities.
- d) Existing and proposed private and public utilities on and immediately adjacent to the project site,
- e) Existing areas of fields and forests, and limits of vegetative clearing proposed; and
- f) Any other new land use or development proposed.

Note: If the parcel is greater than 10 acres in size, two maps should be provided to satisfy this item. The first map would show all property boundaries and location of existing development and proposed tower location (Item a. above). The second map would focus on the area of proposed development and would show Items b. through f.) Please note that the map(s), singularly or collectively, must clearly show the location of the proposed development in relation to all property boundaries.

Attach and label, as **ATTACHMENT C**, a full scale copy of a survey map or the current real property tax map clearly showing the property boundaries of the project site and any tax parcel or lot that the project site was part of on May 22, 1973.

Attach and label, as **ATTACHMENT D**, a complete copy of the current recorded deed(s) for the project site. If you have an executed contract or agreement to purchase or lease the property, please provide a copy of relevant portions to Agency staff in order to establish your legal interest in the project.

Attach and label, as **ATTACHMENT E**, a complete copy of all recorded deeds (not just abstracts) for the project site back through and including May 22, 1973. Make a notation on the bottom of each deed, indicating what current tax map number(s) go with each deed.

Attach and label, as **ATTACHMENT F**, a copy of the filled out and signed Local Government Notice Form. If the Local Government Notice Form indicates that approval is required from the local municipality, the project sponsor should provide the following:

- a) a copy of the local application or, if issued at the time of this application, the written approval document (e.g., permit or signed subdivision plat);
- b) the minutes of all meetings at which the project was discussed; and
- c) a copy of the provisions of local ordinances, laws or regulations pertaining to the wind turbine project or a statement from the municipality that the project meets the requirements of the local ordinance and may be approved as designed. If a variance from the Town is required provide a copy of approval from the Town's Zoning Board of Appeals. Note: The project will not be deemed complete until such approval is obtained.

Attach and label, as **ATTACHMENT G**, a list of all permits or approvals necessary from local, state, or federal agencies for this proposed project. Provide names and phone numbers of key points of contact with said agencies. Provide copies, if available, of written approvals and other permits received for the project.

If you are intending to receive funding from the New York State Energy Research and Development Authority's (NYSERDA) the "Small Wind Incentive Program," attach and label, as **ATTACHMENT H**, any application materials submitted to NYSERDA and any written correspondence received from NYSERDA in response to the application.

Guidance to Residential or Small Business Landowner Proposing Wind Turbines or Wind Monitoring Masts:

General Permit 2009G-2 is intended to facilitate an efficient permitting of certain small scale wind turbines or wind monitoring masts when preliminary analysis by Agency staff determines that the natural, scenic, aesthetic, ecological, wildlife, historic, recreational or open space resources of the Park resources of the Adirondack Park will not suffer undue adverse impacts.

For your proposal to qualify for the general permit and not require an individual permit the Deputy Director of Regulatory Programs must determine that potential adverse impacts associated with wind turbines or wind monitoring masts have been avoided or minimized to

the maximum extent practicable. Potential impacts to be assessed include those relating to site access, monitoring mast or tower/turbine installation, birds and bats, aviation, archeology, historic preservation, visibility, adjacent land uses and any other site specific issues that may be unique to your specific proposal or property.

Agency staff will utilize its in-house resources at no charge to the Project Sponsor to initially assess the potential impacts associated with a particular proposal. However, staff resources are limited, so staff will only be able to assist applicants who have demonstrated an active commitment to pursuing wind turbine development by having a preliminary proposal prepared that includes:

- a property site map showing all existing structures and a specific proposed tower location by (setback distance from at least two property boundaries) and height (as measured to the top of the monitoring mast or turbine wind swept area);**
- limits of tree clearing needed (if any);**
- turbine and tower manufacturer's name and specific model of turbine proposed model;**
- name and contact information of certified installer (if used);**
- completed Local Government Notice Form indicating whether or not a variance from the Town's Zoning Board of Appeals is required.**

Finally, staff resources will only be available to perform any necessary visual impact study (height simulation using balloons) as staff time and resources allow. Furthermore, this study will only be performed when there are clear skies and little to no wind. Since more than one person is needed to perform these studies, the Project Sponsor will be responsible for assisting with the field study. Due to the winds often experienced at proposed wind turbine locations, a temporary installation of the monitoring mast or wind turbine can greatly simplify the visual impact analysis. This installation must only be performed under the direction of Agency staff.

When determining the potential location for a wind turbine or monitoring mast, every effort should be made to try and limit its visibility from significant public viewing areas and adjacent properties. This might be accomplished by siting the tower so that it is not seen against the sky or it is seen in the context of existing buildings and other development, or it is back-dropped by topography or tall trees. Retaining existing vegetation as a screening buffer between the proposed tower and significant public viewing areas and adjacent properties can also minimize visibility of the tower. Furthermore, the shortest tower possible should be considered that can deliver the desired output.

Agency staff also suggests you consider the full range of alternative energy technologies that may provide for electric production including, but not limited to, rooftop and vertical axis wind turbines and photo-voltaics. Some of these facilities may not require an Agency permit.