

 <p><b>NEW YORK</b> STATE OF OPPORTUNITY.</p> <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>2025-0287</b></p>
<p>In the Matter of the Application of</p> <p><b>AC POWER &amp; TOWN OF QUEENSBURY Permittees</b></p> <p>for a permit pursuant to §809 of the Adirondack Park Agency Act</p>	<p>Date Issued: <b>DRAFT</b></p> <p>To the County Clerk: Please index this permit in the grantor index under:</p> <ol style="list-style-type: none"><li><b>1. AC Power 47, LLC</b></li><li><b>2. Town of Queensbury</b></li></ol>

**SUMMARY AND AUTHORIZATION**

This permit authorizes construction of a solar generation facility in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map in the Town of Queensbury, Warren County.

This authorization shall expire unless recorded in the Warren 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 County Clerk's Office. The Agency will consider the project in existence when the solar generation facility 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 comprised of approximately 50 acres of land located at the intersection of NYS Route 9L (Ridge Road) and Jenkinsville Road in the Town of Queensbury, Warren County, in an area classified Moderate Intensity Use on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 279, Block 1, Parcels 14.100 and 14.200. The property is owned by the Town of Queensbury.

The project site is improved by the Town of Queensbury transfer station and is also the location of a closed and capped landfill.

### **PROJECT DESCRIPTION**

The project as conditionally approved herein involves the construction and operation of an approximately 5 megawatt alternating current commercial solar generation facility on approximately 20 acres of the 50-acre site. Access and interconnection will be located at the existing transfer station on NYS 9L, with additional access off Jenkinsville Rd. Panels will be fixed-tilt arrays constructed on concrete ballasts.

The project is shown on the following maps, plans, and reports (Project Plans):

- 14 sheets of plans titled “AC Power 47, LLC, Queensbury Landfill Solar,” prepared by Tetra Tech, and dated February 2026 (Site Plans);
- A Preliminary Stormwater Pollution Prevention Plan titled “Queensbury Landfill Solar,” prepared by Tetra Tech, dated February 2026 (SWPPP);
- A Visual Impact Analysis titled “Ridge Road Solar Project,” prepared by Tetra Tech, dated November 2025 (Visual Impact Analysis);
- A document titled, “Typical Operations and Maintenance Plan and Inspection Schedule for a Solar Energy Facility,” prepared by AC Power (Operations & Maintenance Plan); and
- A Decommissioning Plan titled “AC Power 47 LLC – Ridge Road Solar,” prepared by Tetra Tech, dated October 2025 (Decommissioning Plan).

A reduced-scale copy of sheet C-301 of the Site Plans for the project is attached as a part of this permit for 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 major public utility use on Moderate Intensity 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 Warren 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. 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 2025-0287, issued \_\_\_\_\_, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
5. Subject to the conditions stated herein, this permit authorizes the construction of a solar generation facility and associated site development in the location shown and as depicted on the Site Plans. Any change to the location, dimensions, or other aspect of the solar generation facility, associated site development, or Point of Interconnection with the existing overhead utilities shall require prior written Agency authorization.
6. Prior to commencing construction of the solar generation facility authorized herein, the Agency shall be provided proof of the decommissioning bond agreed to by the Town of Queensbury as described in the Decommissioning Plan.
7. Construction activities shall be undertaken in compliance with the Phasing Plan shown on sheet C-701 of the Site Plans. Any area of soil disturbance greater than 5 acres at any one time shall require prior written Agency authorization.

8. The project shall be undertaken in compliance with the Stormwater Pollution Prevention Plan and the Erosion and Sediment Control Plan and Details shown and described on sheets C-201 and C-601.
9. Except as depicted on the Site Plans, no trees, shrubs or other woody-stemmed vegetation may be cut or otherwise removed to undertake the project without prior written Agency authorization, except for the removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation that presents a safety or health hazard.
10. 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.
11. All seed mixes shall be planted and maintained as depicted and described on sheets C-002 and C-501 of the Site Plans.
12. The Agency shall be provided with color photographs showing the completed project within 30 days of project completion. Photographs shall be taken at the project site from the Observation Points included in the Visual Impact Analysis. All photographs shall identify the date the picture was taken, the location of the photograph, and the lens size employed.
13. Mowing within the array area boundaries shown on the Site Plans shall only occur between November 1 and May 1 of any year.
14. Other than as described in the Operations and Maintenance Plan, the application of any pesticides or herbicides within the lease parcel boundaries shall require prior written Agency authorization.
15. Any new free-standing or building-mounted outdoor lights associated with the solar generating facility authorized herein shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward NYS Route 9L, Jenkinville Road or adjoining property.
16. Except pursuant to written approval by the Agency, within one year of the solar generation facility ceasing to produce power, all infrastructure associated with the facility shall be removed and the site shall be restored to pre-development conditions at the owner's and/or operator's expense pursuant to the Decommissioning Plan.
17. The undertaking of any activity involving wetlands shall require a new permit.

**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 subdivision 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 Queensbury; 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        day  
of                               , 2026.

ADIRONDACK PARK AGENCY

BY: \_\_\_\_\_  
John M. Burth  
Deputy Director, Regulatory Programs

STATE OF NEW YORK  
COUNTY OF ESSEX

On the        day of                                in the year 2026, 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.

\_\_\_\_\_  
Notary Public

*{Attach as a part of the permit an 8-1/2" x 11" reduced copy of the overall site plan(s) per reference in the above Project Description.}*