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Adirondack Park Agency

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APA General Permit/Order 2023G-1 Certificate

Project # **2024-0205**

Certificate for Certain Modifications of Existing Wireless Towers or Base Stations (Eligible Facilities Requests)

To the County Clerk: Please index this permit in the grantor index under the following names:

- 1. New Cingular Wireless PCS, LLC d/b/a AT&T Mobility
- 2. Cellco Partnership d/b/a Verizon Wireless
- 3. Michael J. DiPietro, Trustee of DiPietro Family Trust

This certificate under General Permit 2023G-1 is granted to New Cingular Wireless PCS, LLC d/b/a AT&T Mobility, Cellco Partnership d/b/a Verizon Wireless, and Michael J. DiPietro, Trustee of the DiPietro Family Trust, authorizing the modification of an existing wireless tower or base station that meets the definition of an "Eligible Facilities Request" as defined by Section 6409 of the Spectrum Act of 2012, in an area classified Rural Use by the Official Adirondack Park Land Use and Development Plan in the application received by the Agency on July 29, 2024 and as depicted on the attached reduced-scale plans. The project site is in the Town of Warrensburg, 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/order. The signed and notarized certificate 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 certificate is recorded in the Warren County Clerk's Office. The Agency will consider the project in existence when the authorized facility has been constructed.

This certificate 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 certificate 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 251±-acre parcel of land located on the west side of Schroon River Road in the Town of Warrensburg, Warren 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 154, Block 1, Parcel 28, and is described in a deed from Michael J.

DiPietro, as Successor Trustee of the Anthony DiPietro Trust, to Michael J. DiPietro, as Trustee of the DiPietro Family Trust, dated May 20, 2009, and recorded May 28, 2009 in the Warren County Clerk's Office in Book 3784 at Page 171 as Instrument Number 2009-00003757.

The project site is improved by an existing 80-foot-tall monopole tower as authorized by Agency Permit 2016-0151.

The project site is partially located, and tower site is wholly located, within the designated Schroon River Recreational River area.

PROJECT DESCRIPTION AS PROPOSED

The project as conditionally approved herein involves:

- Extending the existing 80-foot monopole (84 feet with the 4-foot lightning rod) by 20 feet to 100 feet above ground level (AGL) (104 feet with the 4-foot lightning rod);
- Re-locating the Verizon Wireless installed antennas, and associated equipment and cables, to the tower extension at a centerline height of 96 feet AGL;
- Installing AT&T's new array of 6 panel antennas, and associated equipment and cables, at a centerline height of 86 feet AGL;
- Installing an equipment platform with three walk up cabinets and a 20kw diesel generator on a platform located within the existing fenced compound. The installation will not require an expansion of the existing compound.

The project is shown on 16 sheets of plans titled "AT&T Co-Lo Construction Drawings, Site Name: Bolton Schroon River, FA Number: 15369788," prepared by Costich Engineering, DPC, and dated May 13, 2024 (Project Plans). A reduced-scale copy of Sheet CC100 ("Overall Site Plan") and CC200 ("Existing and Proposed Tower Elevations") of the Project Plans for the project is attached to this certificate 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.

CONDITIONS

- 1. The modification shall comply with all requirements of an Eligible Facilities Request as defined under Section 6409 of the Spectrum Act of 2012 and clarified in Federal Communications Commission (FCC) regulations at 47 CFR 1.6100 and various FCC rulings and orders.
- 2. This certificate is binding on the applicants, all present and future owners of the project site and all contractors undertaking all or a portion of the project. Copies of this General Permit 2023G-1 Certificate and the Project Plans shall be furnished by the applicants to all subsequent owners or lessees of the project site prior to sale or lease. 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 General Permit 2023G-1 for Project 2024-0205 issued August 12, 2024, the terms and conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
- 3. Subject to the conditions stated herein, this certification authorizes modification of the existing wireless tower and base station in the location shown and as depicted on the Project Plans referenced herein. The antennas, equipment, and base station shall be located as shown on the Project Plans referenced herein, with the top of the AT&T antennas no higher than 90 feet above ground level (AGL) (centerline elevation of 86 feet AGL) and the top of the Verizon Wireless antennas no higher than 100 feet AGL (centerline elevation of 96 feet AGL).
- 4. Any change to the location, dimensions, or other aspect of the development authorized herein shall require prior written Agency authorization.
- 5. The authorized antennas and related infrastructure shall be a grey color with a non-reflective flat or matte finish. The grey color shall match and blend with the existing antennas and infrastructure on the tower.
- 6. Installation of any lighting on the existing/extended tower shall require prior written Agency authorization. Any other exterior lights within the equipment compound shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward Schroon River Road, the Schroon River, or adjoining property.
- 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.
- 8. The Agency shall be provided with color photographs showing the completed antennas within 30 days of project completion. All photographs must clearly 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.
- 9. The authorized antennas shall be removed from the project site within one year of discontinuance of use for telecommunications purposes.
- 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].
- 11. On the project site and within 200 feet of the tower, no existing trees shall be cut, culled, trimmed, pruned, or otherwise removed from the project site without prior Agency review and approval in the form of a new or amended permit or letter of permit compliance. This condition shall not be deemed to prevent the removal of dead or diseased vegetation, rotten or damaged trees, or any other vegetation

that presents a safety or health hazard, provided there is two weeks prior written notice to the Agency of the proposed cutting that includes verification by a forester or landscape architect of the condition of the tree(s) to be removed.

CERTIFICATION issued this . 2024.

day

of

ADIRONDACK PARK AGENCY

David J. Plante, AICP CEP

Deputy Director, Regulatory Programs

STATE OF NEW YORK **COUNTY OF ESSEX**

On the 12thday of August 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.



