

STAFF DRAFT – NOT APPROVED BY AGENCY
THIS IS A TWO-SIDED DOCUMENT

 <p>NEW YORK STATE OF OPPORTUNITY.</p> <p>Adirondack Park Agency</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>DRAFT APA Permit 2019-0207</p>
<p>In the Matter of the Application of</p> <p>NEW YORK RSA 2 CELLULAR PARTERSHIP d/b/a VERIZON WIRELESS and SAINT ANTHONY OF PADUA PARISH Permittees</p> <p>for a permit pursuant to § 809 of the Adirondack Park Agency Act</p>	<p>Date Issued: XXXX</p> <p>To the County Clerk: Please index this permit in the grantor index under the following names:</p> <ol style="list-style-type: none">1. New York RSA 2 Cellular Partnership d/b/a Verizon Wireless2. Saint Anthony of Padua Parish

SUMMARY AND AUTHORIZATION

This permit authorizes a new telecommunications tower in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map in the Town of Inlet, 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 County Clerk's Office. The Agency will consider the project in existence when the tower 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 permittees, 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 permittees 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 10.6±-acre parcel of land located on State Route 28 in the Town of Inlet, Hamilton County, in an area classified Hamlet on the Adirondack Park Land Use and Development Plan Map. The site is identified as Tax Map Section 59.016, Block 4, Parcel 1.1, and is described in the following three deeds: (1) a deed from Order Minor Conventuals to St. Anthony's Church of Inlet, NY, dated February 17, 1927, and recorded February 23, 1927 in the Hamilton County Clerk's Office in Book 61 at Page 440; (2) a deed from Fred Williams to St. Anthony's Church, dated March 12, 1958, and recorded April 28, 1958 in the Hamilton County Clerk's Office in Book 109 at Page 299; and (3) a deed from Eleanor Cefaratti to St. Anthony's Church, dated November 10, 1997, and recorded December 31, 1997 in the Hamilton County Clerk's Office in Book 216 at Page 498.

PROJECT DESCRIPTION

The project as conditionally approved herein involves construction of a new telecommunications tower. The tower will be 120 feet in height and will be located 514± feet northeast of State Route 28. The top of the tower will be concealed as a simulated pine tree, for a total height of 125 feet (including branching and lightning rod). Four 8-foot-tall panel antennas will be installed on the tower at a centerline height of 116 feet above ground level, along with four remote radio heads (RRHs) and one over voltage protection (OVP) unit.

The tower will be located within a 50-foot by 25-foot fenced compound, within a 100-foot by 100-foot lease area, that will also contain a concrete pad with equipment cabinet, concrete pad with backup generator, H-frame (with wireless utility and RF equipment), cable bridge, and chain link fence. Access to the facility will involve extension of an existing driveway with construction of a 387-foot-long gravel access road to accommodate construction and service vehicles. Underground utilities will be located along the access road and within a 10-foot-wide utility easement and a 30-foot-wide access easement. There will be a temporary easement extending 10 feet from each edge of the 30-foot access easement for the period of construction, to be terminated upon installation of the tower.

The project is shown on 14 sheets of plans titled "New York RSA 2 Cellular Partnership, A New York Partnership, d/b/a Verizon, Site Name: Eagle Bay, RE Project Number 20181813545, Location Code 271691," prepared by Tectonic Engineering Consultants, Geologists & Land Surveyors, DPC, stamped by Steven M. Matthews, PE, last dated February 2, 2021, except for SVYI last dated November 15, 2019 (Project Plans):

- T-1, Title Sheet;
- SVYI, Existing Conditions;
- AD-1, Adjoiners Plan;
- SB-1, Setback Plan & Bulk Requirements;
- C-1, Overall Site Plan;
- C-2, Road Plan & Profile;
- C-3, Site Detail Plan;
- C-4, Elevation & Orientation Plan;
- C-5, Site Details;
- C-6, Site Details;
- C-7, Equipment Elevations;

- C-8, Specifications;
- L-1, Tree Removal Plan; and
- L-2, Tree Inventory List.

A visual analysis of the tower and related development was submitted with the application for this permit, titled "Eagle Bay Project 20181813545 Visual Analysis & Impact Site Assessment," prepared by Costich Engineering, and dated January 2020 (Visual Analysis Report). Subsequent to that report, the photo-simulations for Photos 81, 87, 90, 92, 95, 97, and 333 were revised and received by the Agency on January 26, 2021.

A reduced-scale copy of Sheet C-1 (Overall Site Plan) and Sheet C-4 (Elevation & Orientation Plan) of the Project Plans is 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 on Hamlet 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 Hamilton County Clerk's Office.
2. This permit is binding on the permittees, 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 remains on the site. Copies of this permit and Project Plans shall be furnished by the permittees to all subsequent owners or lessees of the project site prior to sale or lease, and by the permittees 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 2019-0207, issued **XXXX**, the conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."

Construction

5. Subject to the conditions stated herein, this permit authorizes construction of an access road, tower, antennas, and equipment compound in the location shown and as depicted on the Project Plans and Visual Analysis Report as updated with

January 2021 photo-simulations referenced herein. The tower shall not exceed 125 feet in height, including all portions of the simulated tree and lightning rod, and the antennas shall be located on the tower as shown on the plans referenced herein, with the top of the antennas no higher than 120 feet above ground level (centerline elevation of 116 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. Maintenance and/or "in-kind" replacement of the tower, antennas, simulated branching, equipment platform and other appurtenant facilities authorized herein is allowed without a new or amended permit.

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 January 2021 photo-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 dark charcoal grey or black 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 100-foot by 100-foot lease area shall employ full cut-off fixtures that are fully shielded to direct light downward and not into the sky or toward State Route 28 or adjoining property. Any lights within the lease area shall be either switched off when not in use or controlled by motion.

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 diameter at breast height shall be cut, culled, trimmed, pruned, or otherwise removed without prior written Agency authorization, except for a) the “trees to be removed” shown 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 on the project site and within 200 feet of the tower, other than the “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 compound 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.

Erosion Control/Stormwater Management

13. The project shall be undertaken in compliance with the Project Plans.

Documentation of Construction

14. 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 the same six viewpoints and using the same lens equivalents for which photo-simulations were provided in the application (i.e., Photos 81, 87, 90, 92, 95, 97). 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

15. 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.

Blasting

16. Prior to any blasting on the project site related to construction of the tower, access drive, or equipment compound, a blasting plan shall be submitted to the Agency for its review and written authorization.

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 be consistent with the land use and development plan;
- b. will be compatible with the character description and purposes, policies, and objectives of the Hamlet land use area;
- c. will be consistent with the overall intensity guidelines for the Hamlet land use area;
- d. will comply with the shoreline restrictions of § 806 of the Adirondack Park Agency Act; and
- e. 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 , 2021.

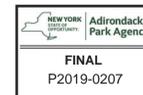
ADIRONDACK PARK AGENCY

BY: _____
Robert J. Lore
Deputy Director Regulatory Programs

STATE OF NEW YORK
COUNTY OF ESSEX

On the day of in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert J. Lore, 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



ANTENNA AND CABLE SCHEDULE

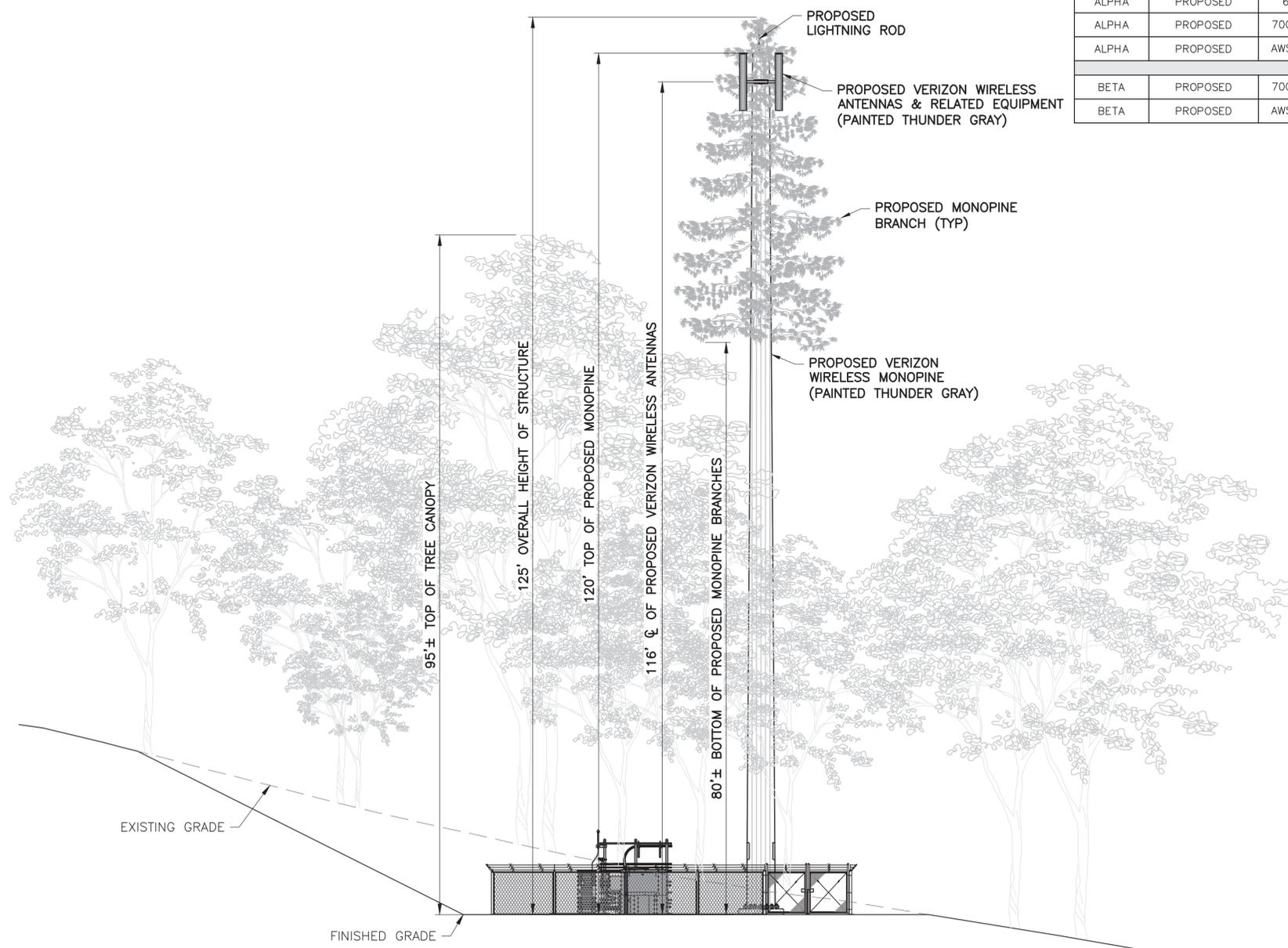
SECTOR	STATUS	FREQUENCY	ANTENNA DATA	MECHANICAL DOWN TILT	ELECTRICAL DOWN TILT	AZIMUTH (TRUE NORTH)	# OF ANTENNAS PER SECTOR	ANTENNA CL HEIGHT (AGL)	COAXIAL CABLE	# OF CABLES	CABLE LENGTH
ALPHA	PROPOSED	700/850/AWS	96" x 11.9" x 7.1", 50.9 LBS	2°	0°/0°/0°	120°	1	116'	JUMPERS FROM RRHS		12'±/12'±
ALPHA	PROPOSED	700/850/PCS	96" x 11.9" x 7.1", 50.9 LBS	2°	0°/0°/0°	120°	1	116'	JUMPERS FROM RRHS		12'±/12'±
BETA	PROPOSED	700/850/AWS	96" x 11.9" x 7.1", 50.9 LBS	2°	0°/0°/0°	300°	1	116'	JUMPERS FROM RRHS		12'±/12'±
BETA	PROPOSED	700/850/PCS	96" x 11.9" x 7.1", 50.9 LBS	2°	0°/0°/0°	300°	1	116'	JUMPERS FROM RRHS		12'±/12'±

NOTE:
CONTRACTOR TO TAG HYBRIFLEX CABLE & JUMPERS AT BOTH ENDS WITH ANTENNA DESIGNATION AS PER COLOR CODING SHEET PROVIDED BY VERIZON WIRELESS AND AS DIRECTED BY VERIZON WIRELESS EQUIPMENT ENGINEER.

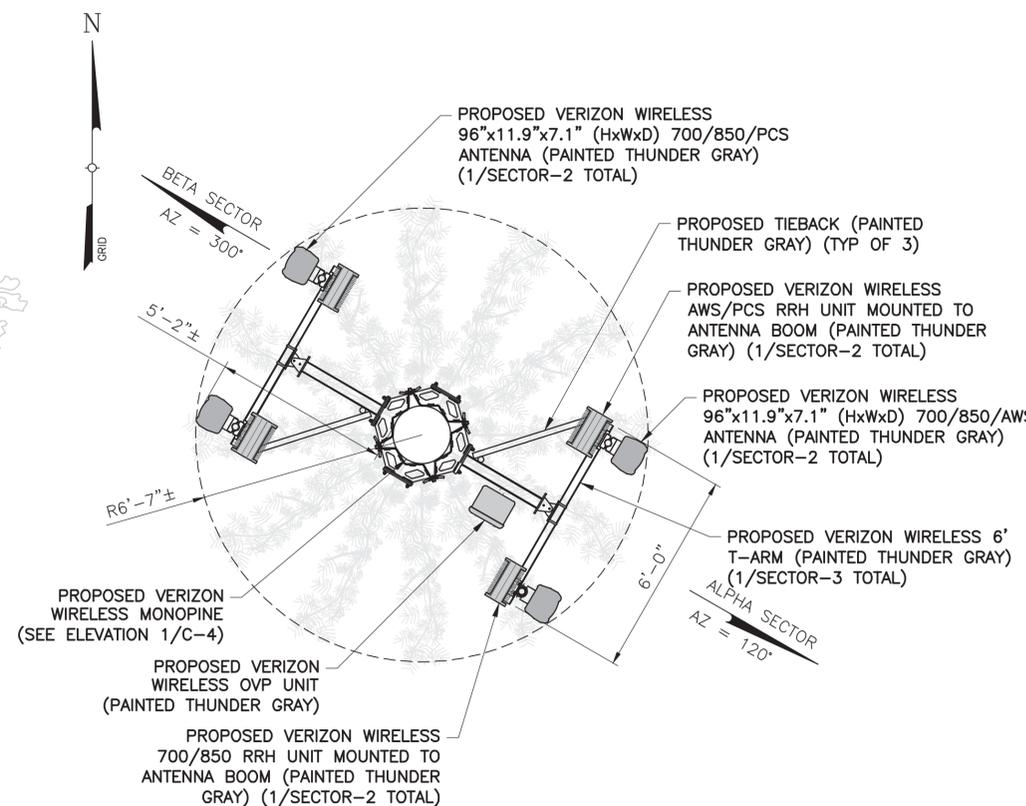
RRH/OVP AND HYBRID SCHEDULE

SECTOR	STATUS	UNITS	UNIT DATA	# OF UNITS	CABLE TYPE	# OF CABLES	CABLE LENGTH
ALPHA	PROPOSED	6627 OVP	28.93" x 15.73" x 10.31", 32 LBS	1	HYBRIFLEX	2	180'±
ALPHA	PROPOSED	700/850 RRH	15" X 15" X 8.1", 70.3 LBS	1	POWER/FIBER CABLE FROM OVP	1	10'±
ALPHA	PROPOSED	AWS/PCS RRH	15" X 15" X 10", 84.4 LBS	1	POWER/FIBER CABLE FROM OVP	1	10'±
BETA	PROPOSED	700/850 RRH	15" X 15" X 8.1", 70.3 LBS	1	POWER/FIBER CABLE FROM OVP	1	25'±
BETA	PROPOSED	AWS/PCS RRH	15" X 15" X 10", 84.4 LBS	1	POWER/FIBER CABLE FROM OVP	1	25'±

NOTE:
ANTENNA AND HYBRIFLEX CABLE SCHEDULE BASED ON AN RF ANTENNA DESIGN SHEET DATED XX/XX/XX, RFDS PROJECT ID XXXXXX.



1 ELEVATION
SCALE: 1" = 20' (11x17 SIZE)
1" = 10' (22x34 SIZE)



2 ANTENNA ORIENTATION
SCALE: 3/4" = 1'-0" (11x17 SIZE)
3/8" = 1'-0" (22x34 SIZE)



NO.	DATE	ISSUE
0	10/18/19	FOR COMMENT
1	11/12/19	FOR ZONING
2	3/10/20	PER COMMENTS
3	6/9/20	PER NOIA COMMENTS
4	2/2/21	PER COMMENTS

WORK ORDER NUMBER: 9725.16
DRAWN BY: TLS



UNAUTHORIZED ALTERATION OR ADDITIONS TO A PLAN BEARING THE SEAL OF A LICENSED ENGINEER OR LAND SURVEYOR IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

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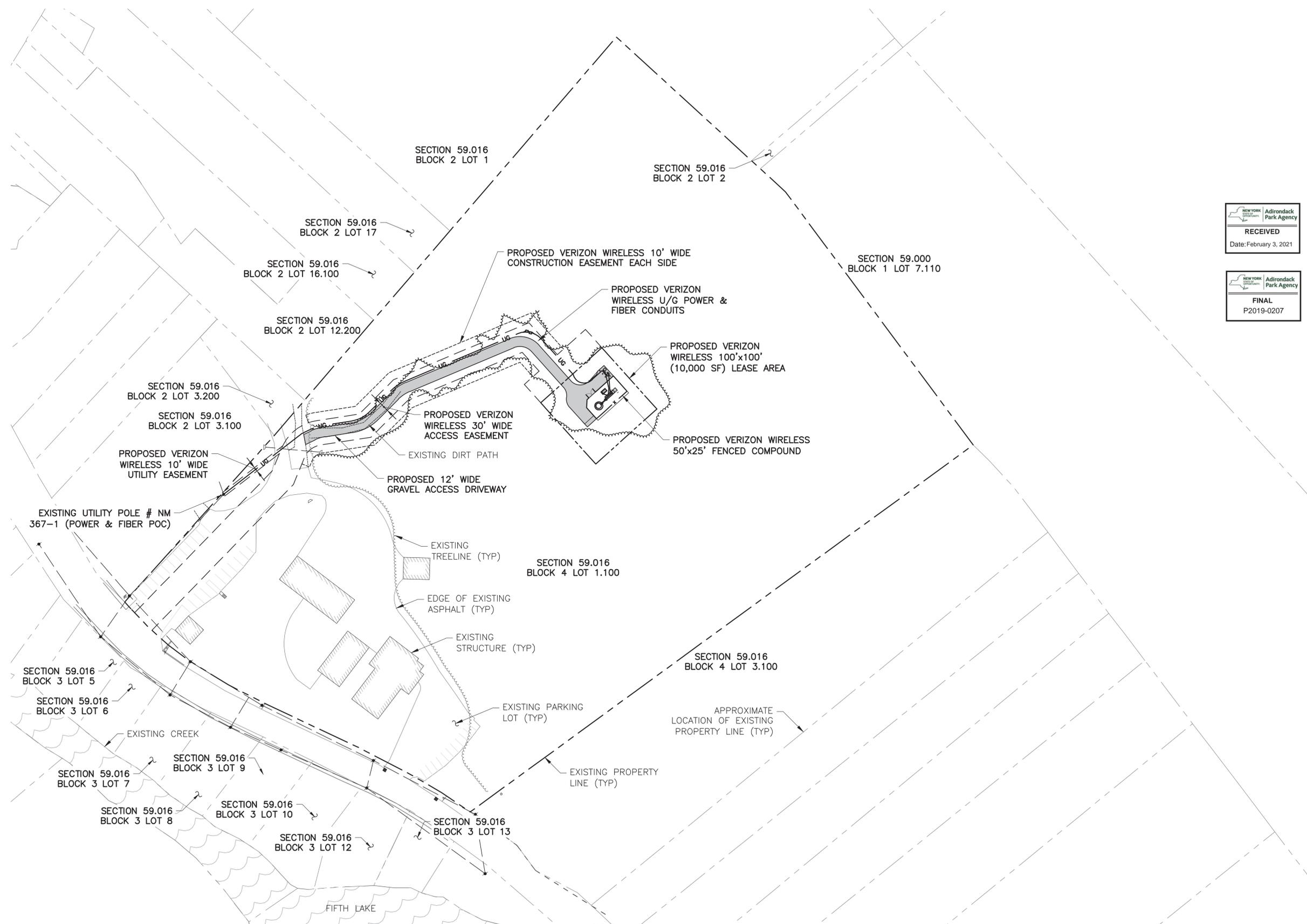


EAGLE BAY
RE PN: 20181813545
LC: 271691

181 NY-28
TOWN OF INLET
HAMILTON COUNTY
NY 13360

ELEVATION & ORIENTATION PLAN

C-4



NEW YORK STATE
Adirondack
Park Agency
RECEIVED
Date: February 3, 2021

NEW YORK STATE
Adirondack
Park Agency
FINAL
P2019-0207

verizon
1275 JOHN STREET, SUITE 100
WEST HENRIETTA, NY 14586

Tectonic
PRACTICAL SOLUTIONS. EXCEPTIONAL SERVICE.
Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C.
72 Pleasant Hill Road Phone: (845) 334-3889
P.O. Box 37 (800) 839-8831
Mountaintop, NY 10953 www.tectonicengineering.com
Project Contact Info
36 British American Blvd.
Suite 101
Latham, NY 12110 Phone: (518) 783-1630

WORK ORDER NUMBER		DRAWN BY
9725.16		TLS
NO.	DATE	ISSUE
0	10/18/19	FOR COMMENT
1	11/12/19	FOR ZONING
2	3/10/20	PER COMMENTS
3	6/9/20	PER NOIA COMMENTS
4	2/2/21	PER COMMENTS

RELEASED BY _____ DATE _____



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SITE INFORMATION
EAGLE BAY
RE PN: 20181813545
LC: 271691

SITE ADDRESS
181 NY-28
TOWN OF INLET
HAMILTON COUNTY
NY 13360

SHEET TITLE
OVERALL SITE PLAN

SHEET NUMBER
C-1

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.

OVERALL SITE PLAN
SCALE: 1" = 200' (11x17 SIZE)
1" = 100' (22x34 SIZE)