

 <p>P.O. Box 99 • Ray Brook, New York 12977 (518) 891-4050 www.apa.ny.gov</p>	<p>APA Project Order and Permit 2012-128-11 Defiance</p>
<p>In the Matter of the Application of</p> <p>ESSEX COUNTY, AND NEW YORK STATE POLICE</p> <p>for a permit and order pursuant to Section 810 and 814 of the Adirondack Park Agency Act and 9 NYCRR 4.150.</p>	<p>Date Issued:</p> <p>To the County Clerk: This permit must be recorded on or before _____. Please index this permit in the grantor index under the following names:</p> <ol style="list-style-type: none">1. Essex County2. New York State Police3. Fort Ticonderoga Association, Inc.

SUMMARY AND AUTHORIZATION

Essex County is granted a permit, and the New York State Police (NYSP) is granted an order on conditions pursuant to Sections 810 and 814 of the Adirondack Park Agency Act, authorizing the installation of infrastructure associated with the comprehensive emergency communication system approved by Agency Project Order and Findings 2012-128.

The infrastructure approved herein is located in a Resource Management land use area, on the summit of Mount Defiance, in the Town of Ticonderoga, Essex County. The project site is identified on Town of Ticonderoga Tax Map Section 151.3, Block 1 as Parcel 1.

The project as proposed and authorized is summarized as:

Infrastructure owned, used and maintained by Essex County include:

1. One (1) 19.8 foot long land mobile radio (LMR) receiver whip antenna to be mounted on the roof of the building with the tip elevation of 39.8± feet above ground level (AGL);
2. One (1) 60 inch LMR Corner reflector transmitter wall mounted at a tip elevation of 12.0± feet AGL;
3. One (1) 12.0 foot long paging whip antenna wall mounted at a tip elevation of 20± feet AGL; and
4. One (1) six foot long Essex County LMR communications dipole antenna with reflector wall mounted at a tip elevation of 12± feet AGL.

Infrastructure which will be owned by the NYSP and used by Essex County, NYSEG, and the NYSP include:

1. One (1) six-foot microwave dish antenna with radome to be installed on a pipe mount at a centerline elevation of 18± feet AGL; and
2. One (1) six-foot microwave dish antenna with radome to be installed on a new wall stabilized lattice structure at a centerline of 26± feet AGL.

The project involves the replacement of an existing backup generator and fuel storage with a new propane generator and fuel storage tanks; this infrastructure will be owned by Essex County.

CONDITIONS

BASED UPON THE FINDINGS BELOW, THE PROJECT IS APPROVED WITH THE FOLLOWING CONDITIONS:

Conditions in Order and Findings 2012-128

1. All conditions in Order and Findings 2012-128 remain in full force and effect.

Additional Conditions Specific to this Project Site

2. The project shall be undertaken as described in the completed application, the Project Description as Proposed and Conditions herein. In the case of conflict, the Conditions control. Failure to comply with the permit is a violation and may subject the applicant, successors and assigns to civil penalties and other legal proceedings, including modification, suspension or revocation of the permit.
3. All deeds conveying all or a portion of the lands subject to this permit shall contain the following reference: "The lands conveyed are subject to Adirondack Park Agency Project Order and Findings 2012-128 issued DATE and Permit 2012-TBD issued DATE, the terms and conditions of which are binding upon the heirs, successors and assigns of the grantors and all subsequent grantees."
4. The antenna infrastructure (including but not limited to the microwave dishes, radomes and supporting infrastructure) shall be a non-reflective light grey.

5. In accordance with Condition 12 of the Project Order and Findings, the photolocation for documenting the construction of the infrastructure approved herein shall be from the summit of Mount Defiance.

Findings of Fact Supporting Additional Conditions

1. Requiring the approved infrastructure to be painted as conditioned above will reduce the visual impact.

CONCLUSIONS OF LAW

The Agency has considered all statutory and regulatory criteria for project approval as set forth Section 809(10) of the Adirondack Park Agency Act (Executive Law, Article 27) and 9 NYCRR Part 574. The Agency hereby finds that the project is approvable and complies with the above criteria, provided it is undertaken in compliance with the conditions herein.

NOW THEREFORE, upon all of the foregoing and under authority delegated to the Deputy Director, Regulatory Programs, it is ORDERED, that these findings be duly reported to the New York State Police.

PERMIT issued this day
of , 2012

ADIRONDACK PARK AGENCY

BY: _____
Richard E. Weber III
Deputy Director (Regulatory Programs)

STATE OF NEW YORK)
) ss.:
COUNTY OF ESSEX)

On the day of in the year 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard E. Weber III, 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

REW:LRW:slp