

## **Regulatory Programs Division**

### **Telecommunication Projects**

In 2016, the Agency issued 16 telecommunications permits authorizing 9 new tower permits, and 7 amendments to existing tower permits. New towers were approved for sites in the Towns of Fine, Harrietstown, Putnam, Queensbury, Saranac and for two different sites in the Town of Warrensburg. The permit in the Town of Putnam involved approval of two new horizontally co-located towers sharing utilities and road access. The project sponsors included AT&T (1), Verizon Wireless (3), New Cingular (1) and (2) public safety communications projects for Warren Counties. Two public safety communication projects were also authorized to extend the height of existing towers in Herkimer and Saratoga Counties.

### **Variances**

The Agency reviewed, conducted hearings and authorized seven variances from the shoreline restrictions in 2016. The variances involved four requests for the expansion of existing dwellings, one request involving structures related to a Town of Warrensburg Park on the Schroon River, an expansion of a restaurant on the shoreline of Mirror Lake in the Hamlet of Lake Placid, and one variance request for a new dwelling on a lot not meeting minimum lot-width standards. Three of these variances were approved by the Deputy Director – Regulatory Programs under delegated authority and after timely briefing of the Regulatory Programs Committee of his recommendation to do so. Exercising this authority for a narrowly prescribed set of variances helps to be more responsive to applicants and reduce Board and staff time without lessening protection of shoreline resources.

### **Commercial Activity**

Commercial activity was a significant component of Agency review in 2016. Thirty seven new permits and 29 permit amendments were issued for a total of 66 reviews related to commercial activity, including new commercial uses, telecommunications projects and forestry. Many project proposals have a commercial aspect to them such as telecommunications, mining, utilities and forestry projects in addition to those projects that are defined as a commercial use according to the Agency Act. It is also quite common that owners of existing commercial operations continue to either expand or update their facilities and consequently request amendments to prior permits. Telecommunications and Forestry activities are detailed separately in this report.

Regarding mining and utilities, four permits for new operations and ten amendments for continued operations were issued in 2016. Similarly, five new permits were issued for utility projects including a water supply project in the Town of Webb and the major refurbishment of an electric transmission line in the Town of Croghan. In 2016, Agency also met with representatives of commercial solar companies to discuss potential proposals to create commercial solar farms in the Adirondack Park.

Eleven new uses and 20 amendments to permitted commercial uses as defined by the Act were reviewed and approved in 2016. Some noteworthy projects included the replacement of an existing 1,500 sq. ft. convenience store/gas station in the Town of North Elba with a new 9,535 sq. ft. store, the construction of a new 3,200sf welding shop and storage facility in the Town of Lewis and, Construction of a new 3,920 sq. ft. wedding venue in the Town of Ticonderoga.

### **Subdivision Projects**

Approximately 78 residential subdivision permits were issued in 2016, including 67± permits for “minor” two-lot subdivisions and 11± permits for “major” subdivisions creating three or more lots. Together the Minor and Major subdivision permits authorized an approximate total of 113 new lots, including vacant lots authorized for new residential development, lots surrounding existing development, vacant non-building lots (road lots, open space lots), as well as lots conveyed to adjacent landowners to be merged with adjoining property. Of note is Agency Permit P2013-262 which authorized a six-lot subdivision in a Rural Use land use area in the Town of Chester, and Agency Permit P2015-24, which authorized an eight-lot subdivision involving wetlands in a Hamlet land use area in the town of Newcomb.

### **State Agency Projects**

In 2016, the Agency issued five §814 Orders for projects undertaken on State Land by a NYS Agency. Three of these Orders were issued to NYS Department of Transportation (DOT) for the following bridge replacements: Route 73 bridge over the West Branch Ausable River; Route 9N bridge over the Ausable River; and Route 28 bridge over the Hudson River. The Agency issued Project Order 2018-81 to the NYS Power Authority and NYS Department of Environmental Conservation for the construction of a Biomass District Heating System to service the Ray Brook State Office complex. The State Office biomass system will serve as a demonstration site exemplifying high- efficiency, low-emission woody biomass systems that reduce reliance on fossil fuel and promote homegrown energy sources through Governor Cuomo’s Renewable Heat NY (RHNY) initiative. Agency Project Order 2016-49 approved new athletic fields, parking and related development for the Saranac School District on lands owned by NYS Department of Correctional Services.

### **Silvicultural Treatments**

In 2016, the Agency issued permits for nine timber harvesting projects, a total which includes the approval of one permit amendment request. Eight of these projects involved lands subject to New York State Working Forest Conservation Easements and the terms of third party certification programs, and were of a size and complexity with which the Agency Board has become routinely familiar through previous project presentations from staff. Therefore, these eight permits were reviewed and issued under the delegated authority of the Deputy Director, Regulatory Programs. One project was brought to the full Agency Board for review and approval, because the involved lands were not subject to conservation easement or third party certification programs. The combined harvest area for all nine projects is 2,133 acres out of more

than 300,000 acres managed by the applicants. Agency approved projects in 2016 therefore represent an area of less than 1% of the applicants' total landholdings.

**Resource Management / Wetlands**

Of the 301 Agency permits issued in 2016, 72 project sites included lands classified Resource Management, in whole or in part. Approximately one third (110± ) of the 301 Permits were Wetland Projects and/or regulated wetland activities, including 23 General Permits GP2002G-3AAR for minor activities involving wetlands.